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STATE OF NEVADA

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STANDING COMMITTEE ON JUDICIAL ETHICS AND ELECTION PRACTICES

JANETTE M. BLOOM CLERK OF SUPREME COURT BY DEPUTY CLERK

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OPINION: JE06-012

PROPRIETY OF A BRANCH OF A DISTRICT COURT PROMOTING AND SPONSORING A SPORTS EVENT TO RAISE MONEY FOR A LOCAL CHARITY.

branch of the court, to sponsor and promote this event.

ISSUE

DISCUSSION

Can a judge ethically allow the juvenile probation department in his/her district court to hold a basketball tournament to raise money for the county's juvenile alcohol and drug treatment programs? The judge is not actively involved in the event.

Canon 4C(4)(b)(i) provides:

A judge...as a member or otherwise:

(i) may assist such an [charitable] organization in planning fund-raising..., but shall not personally participate in the solicitation of funds, or other fund-raising activities,...

ANSWER

Yes.

The Committee discussed other parts of the Canons which require a judge to hold his/her staff and court officials to high standards of "fidelity and diligence" when conducting their duties. Canon 3C(2). However, given the scenario before it, the Committee did not feel this judge would run afoul of the personal restrictions under 4C(4)(b)(i) or his/her obligations to oversee his court.

FACTS

In this inquiry, the judge states he/she is the only juvenile judge in his/her district, so he/she works closely with the juvenile probation department. The department is co-sponsoring a basketball tournament which is open to members of the public. Each team which wishes to compete will pay a registration fee, with the money going to county juvenile alcohol and drug treatment programs. The judge is not helping to raise funds or solicit players and is not involved with the local non-profit group which originated the idea and is co-sponsoring the event. He/she wants to know if it is "ethical" for the probation department, which is a

However, such situations must be analyzed on a case by case basis. The Committee may have decided differently if the judge was directly involved with raising funds or parts of his/her court were in a more direct relationship with the solicitation of money for this charitable event.

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## CONCLUSION

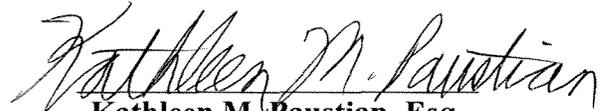
The judge's inquiry focused on the propriety of a branch of his/her district court participating in fund-raising and solicitation of registrations for a sporting event to raise money for the county's juvenile alcohol and drug treatment programs. Because the judge is not directly involved, he/she does not appear to be in violation of any judicial canon. The activity is remote enough from the judge's purview that he/she does not have a responsibility to hold the juvenile probation department to the same standards as apply to the judge personally. However, a judge does have an obligation to insure that members of his/her department meet certain standards of behavior. Given this consideration, had the facts been different, the Committee may have found the activity to be unacceptable.

## REFERENCES

Nevada Supreme Court Rules, Code of Judicial Conduct, Canon 4C(4)(b)(I) and 3C(2).

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