STATE OF NEVADA
STANDING COMMITTEE ON
JUDICIAL ETHICS AND ELECTION PRACTICES

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PROPRIETY OF A SITTING JUDGE CONTRIBUTING TO AN ANTHOLOGY OF BOOKS ON DRUG ABUSE WHEN THE JUDGE IS RECEIVING NO MONEY FOR THE EFFORT.

ISSUE

May a judge write a review of several books on methamphetamine addiction with the understanding that any payment will be donated directly to a community drug counseling center?

ANSWER

Yes.

FACTS

This written request came from a sitting judge who has read and recommended several books written for teenagers about meth addiction. The judge explains these writings by one author have helped in his understanding of the addiction process as it applies to juveniles appearing in his court. He has also encouraged young people, including his own children, to read both books. The publisher has asked him to share his perspective of the books and their impact on his judicial capacity. The judge includes a letter from the editor stating that any advance or royalties normally paid for such an anthology will be contributed, instead, to a community drug counseling center for treatment of indigent users.

DISCUSSION

The Nevada Code of Judicial Conduct Canon 4B provides:

A judge may speak, write, lecture, teach and participate in other extra-judicial activities concerning the law, the legal system, the administration of justice, and non-legal subjects, subject to the requirements of this Code.

Canon 4I(1) states a judge may receive compensation for extra-judicial activities permitted by the Canons if this does not lead to the “appearance of influencing the judge’s performance of judicial duties or ... give the appearance of impropriety.”

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The judge seeking an advisory opinion proposes to submit 3,000 to 4,000 words regarding the impact these books have had on his insight and knowledge of meth addiction from the perspective of a jurist who adjudicates juvenile drug charges. He is not receiving any of the compensation for this work, having made arrangements for it to be contributed to a community counseling effort.

While this activity appears to be allowed under the Canons, the Committee would caution the jurist to avoid any endorsement or evaluation of the books.
which could be interpreted as interfering with his impartiality on the bench.

**CONCLUSION**

The Committee found the judge may contribute to the anthology regarding these two (2) books about drug abuse so long as his evaluation does not inhibit his ability to rule impartially on drug cases which may be assigned to his court.

**REFERENCES**

Nevada Code of Judicial Conduct, Canon 4B and Canon 41.

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