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STATE OF NEVADA

STANDING COMMITTEE ON
JUDICIAL ETHICS AND ELECTION PRACTICES

DATE ISSUED: August 7, 2008

ADVISORY OPINION: JE08-008
center for treatment of indigent users.

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

DISCUSSION

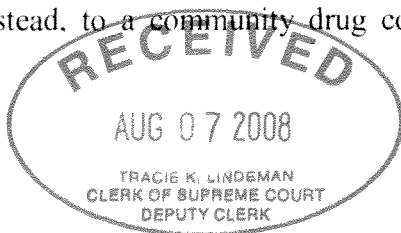
The Nevada Code of Judicial
Conduct Canon 4B provides:

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."

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 addition 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.

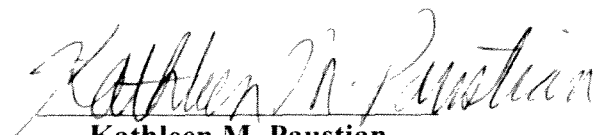
CONCLUSION

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 4I.

This opinion is issued by the Standing Committee on Judicial Ethics and Election Practices. It is advisory only. It is not binding on the courts, the State Bar of Nevada, the Nevada Commission on Judicial Discipline, any person or tribunal charged with regulatory responsibilities, any member of the Nevada judiciary, or any person or entity requesting the opinion.


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Committee Vice-Chairperson