

**FILED**

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CLERK OF SUPREME COURT  
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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

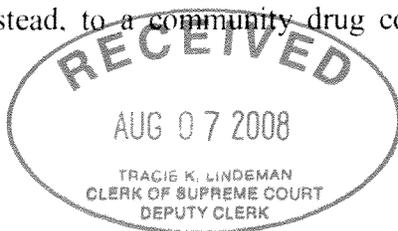
The Nevada Code of Judicial  
Conduct Canon 4B provides:

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.

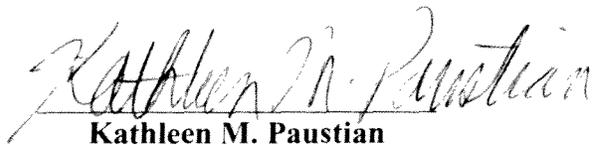
### CONCLUSION

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.*



**Kathleen M. Paustian**  
Committee Vice-Chairperson