PROPRIETY OF JUDGE PURCHASING A CONGRATULATORY MESSAGE IN THE SOUVENIR PROGRAM FOR A CHARITABLE EVENT HONORING ANOTHER JUDGE.

ISSUE

May a judge purchase space in a souvenir program for a charitable event to congratulate another judge who is being honored at the event by a charitable organization?

ANSWER

Yes.

FACTS

A judge asks whether the judge may purchase space in a souvenir program being printed for an event sponsored by a charitable organization honoring another judge for the work that judge has done for the charity. The message presented in the space will congratulate the honoree for the honoree's good works on behalf of the charity. The judge purchasing the congratulatory message in the program is running for election. The judge being honored is not running for election.

DISCUSSION

Because the judge being honored by the charity is not running for election, it is the Committee's opinion that no issues are raised under Canon 5, and specifically that no issues are raised concerning whether the purchase of such a congratulatory message might be construed as a public endorsement of another judicial candidate. In the opinion of the Committee, Canon 4A applies here. That Canon provides that:

A judge shall conduct all of the judge's extrajudicial activities so that they do not:

(i) cast reasonable doubt on the judge's capacity to act impartially as a judge;  
(ii) demean the judicial office;  
(iii) interfere with the proper performance of judicial duties.

In the opinion of the Committee, the purchase of space in the charitable organization's program for a congratulatory message does not violate Canon 4A of the Nevada Code of Judicial Conduct.

CONCLUSION

It is therefore the opinion of the Committee that, in these circumstances, the judge may purchase space for a congratulatory message in a program for an
event honoring another judge for the work that judge has done for the charitable organization.

REFERENCES

Nevada Code of Judicial Conduct, Canon 4A, Canon 5.

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