

judge may participate in activities sponsored by or on behalf of educational, religious, charitable, fraternal, or civic organizations not conducted for profit.

In this case, the Dayton Valley Days program appears to be the type of civic or charitable activity in which the Code encourages judges to participate. Based on the description provided by the judge, the activities the judge will be involved in do not appear to the Committee to be of the nature that would undermine the judge's independence, integrity or impartiality, nor would they appear to interfere with the performance of judicial duties. As the judge will not be directly engaging in any fundraising activity or soliciting contributions on behalf of Dayton Valley Days or the non-profit sponsor organizations, the Committee does not believe the civic activities described would implicate any violation of the Code.

Finally, the Committee is not aware of any limitation under Rule 3.1 or 3.7 which precludes a judge from engaging in otherwise permissible civic or charitable activities merely because the judge happens to be a candidate for judicial office at the time. Regardless of the venue, a judicial candidate is always subject to and must independently comply with applicable provisions of Canon 4.

CONCLUSION

It is the opinion of the Committee that a judge may participate in non-fundraising civic or charitable activities as part of Dayton Valley Days, provided such activities are consistent with Rule 3.1 and do not interfere

with the proper performance of judicial duties and do not otherwise appear to a reasonable person to undermine the judge's independence, integrity or impartiality.

REFERENCES

Revised Nevada Code of Judicial Conduct, Canon 3; Canon 4; Rule 3.1; Rule 3.7; Commentary to Rule 3.1.

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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