

Judicial Inquiry Commission

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This is in response to your request for an advisory opinion from the Judicial Inquiry Commission. Your question is whether you may be a member of the "Marketing Advisory Council" of a local junior college.

You have included in your request correspondence from the junior college which states:

"The responsibilities of the Advisory Council Members are to include the following:

1. Provide ideas and suggestions for marketing the College;
2. Assess [the college's] image in the community and offer suggestions for improving the image of the College;
3. Help identify prospective students and determine recruitment strategies;
4. Evaluate current marketing activities;
5. Provide input for future marketing plans."

Canon 5B, Alabama Canons of Judicial Ethics provides:

"A judge may participate in civic and charitable activities that do not reflect adversely upon his impartiality or interfere with the performance of his judicial duties. A judge may serve as an officer, director, trustee, or nonlegal advisor of an educational, . . . organization or institution not conducted for the economic or political advantage of its members, subject to the following limitations:

- (1) A judge should not serve if it is likely that the organization or institution will be engaged in proceedings that would ordinarily come before him or will be regularly engaged in adversary proceedings in any court.
- (2) It is desirable that a judge not solicit funds for any educational, . . . organization or institution, or use or permit the use of the prestige of his office for that purpose, but he may be listed as an officer, director, or trustee of such an organization or institution.

- (3) A judge should not give investment advice to such an organization or institution, but he may serve on its board of directors or trustees even though it has the responsibility for approving investment decisions.”

Therefore, it is the opinion of this Commission that a judge may serve as a member of the “Marketing Advisory Council” of a local junior college if the judge can do so within the restrictions imposed by Canon 5B.

This opinion has been approved by and is the opinion of the entire Commission.