

COMMITTEE ON CODES OF CONDUCT  
ADVISORY OPINION NO. 67

Attendance at Educational Seminars.

Advice has been requested on whether judges may with propriety attend seminars and similar educational activities organized by non-governmental entities and may have the expenses of their attendance paid by such entities.

Payment of tuition and expenses involved in attendance at non-government sponsored seminars constitutes a gift. Canon 5C(4) permits a judge to accept a gift as permitted by the Ethics Reform Act Gift Regulations. Section 5(g) of the gift regulations provides that one gift a judge may accept is a fellowship or scholarship "awarded on the same terms applied . . . to other applicants." A gift may also be accepted under section 5(j) of the gift regulations, so long as the donor is not a party in litigation before, and its interests are not likely to come before, the invited judge.

The education of judges in various academic disciplines serves the public interest. That a lecture or seminar may emphasize a particular viewpoint or school of thought does not in itself preclude a judge from attending. Judges are continually exposed to competing views and arguments and are trained to weigh them.

It would be improper to participate in such a seminar if the sponsor, or source of funding, is involved in litigation, or likely to be so involved, and the topics covered in the seminar are likely to be in some manner related to the subject matter of such litigation. If there is a reasonable question concerning the propriety of participation, the judge should take such measures as may be necessary to satisfy himself or herself that there is no impropriety. To the extent that this involves obtaining further information from the sponsors of the seminar, the judge should make clear an intent to make the information public if any question should arise concerning the propriety of the judge's attendance.

Judges who accept invitations to participate in such seminars, having been satisfied that no impropriety or appearance thereof is present, must report the reimbursement of expenses and the value of the gift on their financial disclosure reports.

August 25, 1980  
Revised July 10, 1998

Note:

1. See also Advisory Opinion No. 3.