

COMMITTEE ON CODES OF CONDUCT
ADVISORY OPINION NO. 82

Joining Organizations.

Judges have sought advice on the propriety of their joining a wide variety of types of organizations. The motivation of the numerous organizations that have invited judges to serve as members, officers, directors, trustees, etc., may vary from a simple desire to have the benefit of the judge's advice to a desire to employ the prestige of the judge's office to advance their own interests.

The activities of the inviting organization also vary widely. The Committee is neither equipped nor chartered to investigate or evaluate the motivation or activities of the inviting organization. See Advisory Opinion No. 40 and Canon 5B(1) (the changing nature of some organizations and of their relationship to the law makes it necessary for a judge regularly to reexamine the activities of each organization with which the judge is affiliated to determine if it is proper to continue the judge's relationship with it).

A judge invited to join or serve as an officer of an organization should therefore evaluate the organization and its activities in light of the considerations here set out. If the judge believes that his or her personal, direct advocacy to the public of the policy positions advanced by the organization might reasonably be seen as impairing the judge's capacity to decide impartially any issue that may come before the judge, and the affiliation may reasonably be seen as indirect advocacy of those policy positions, the judge should not be a member of the organization.

In evaluating the activities of an organization, the judge may wish to review Advisory Opinion Nos. 15, 40, 46, 47, and 93 dealing with different specific actions of the inquiring judge.

In determining whether the general public may reasonably view the judge's affiliation as an endorsement of the views and activities of the organization, it should be kept in mind that the public will normally be uninformed of any restriction or qualification that the judge may have placed on that affiliation.

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