

Committee on Judicial Ethics
Teleconference
Friday November 6, 2009

Members present via teleconference: Justice Barry R. Schaller, Chair, Judge Linda K. Lager, Vice Chair, Judge Robert J. Devlin, Jr., Judge Socrates Mihalakos and Associate Professor Jeffrey A. Meyer. Staff present: Martin R. Libbin, Esq., Secretary.

MINUTES

- I. With all members present, Justice Schaller called the meeting to order at 9:17 a.m. Although publicly noticed, no members of the public attended.
- II. The Committee unanimously approved the draft Minutes of the October 29, 2009 meeting following a technical correction to item 1.
- III. The Committee considered Judicial Ethics Informal Opinion 2009-33 concerning whether a Judicial Official may serve on the Advisory Board of a program devoted to refugee and immigrant services, including resettlement, job assistance, case management, education and immigration legal services. The program is operated under the auspices of a religious organization's social services organization's Board of Directors. On the facts presented, including that the organization's staff regularly provides representation before federal agencies and the Immigration Court, the Committee unanimously concluded that the Judicial Official may not accept the appoint to the Advisory Board. Service on the Advisory Board would contravene the proscription contained in Connecticut's current Canon 5 (b)(1) that a judge not serve as an officer, director, trustee or nonlegal advisor of an educational, religious, charitable, fraternal or civic organization not conducted for the economic or political advantage of its members "if it is likely that the organization will be engaged in proceedings that would ordinarily come before the judge or will be regularly engaged in adversary proceedings in any court." This Committee has previously decided that the foregoing proscription applies regardless of whether the organization is a litigant or is providing legal representation to a litigant. See Formal Opinion 2009-10. Since the organization regularly represents clients in Immigration Court, the Judicial Official is prohibited from serving on the Advisory Board.
- IV. The meeting adjourned at 9:21 a.m.