

Committee on Judicial Ethics
Teleconference
Thursday, December 3, 2009

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

MINUTES

- I. Justice Schaller called the meeting to order at 9:32 a.m. Although publicly noticed, no members of the public attended.
- II. The Committee unanimously approved the draft Minutes of the November 6, 2009 meeting.
- III. The Committee tabled Judicial Ethics Informal Opinion 2009-36 until the next meeting to allow staff to obtain additional information.
- IV. The Committee considered Judicial Ethics Informal Opinion 2009-37 concerning whether a Judicial Official may complete a recommendation form for a student seeking admission to a preparatory school. The Committee unanimously determined that the Judicial Official may complete the recommendation form based on the Judicial Official's personal knowledge of the student and should make clear in the recommendation that the basis for the Judicial Official's opinion is his or her personal knowledge of the applicant.
- V. The Committee considered Judicial Ethics Informal Opinion 2009-38 concerning whether a Judicial Official and his or her spouse may pay to be listed as sponsors in a fundraising program journal for the benefit of an individual who is seeking funds to launch a musical career. Based on the information provided, the Committee unanimously determined that the Judicial Official may make a contribution in honor of the musician and may have his or her name listed along with his or her spouse in the program of contributors. The Judicial Official should consider the propriety of using his or her judicial title in the program journal to determine whether it implicitly lends the prestige of judicial office to advance the private interests of others in violation of Canon 2.
- VI. The meeting adjourned at 10:06 a.m.