

ADVISORY COMMITTEE
ON STANDARDS OF JUDICIAL CONDUCT

OPINION NO. 3 - 2020

RE: Propriety of a full-time magistrate sitting on a church disciplinary committee.

FACTS

A full-time magistrate judge inquires into the propriety of sitting on a church disciplinary committee. The committee is statewide, consisting of multiple members. The committee convenes as necessary to decide internal disciplinary matters in the church. The members are nominated and then elected by the statewide synod.

CONCLUSION

A full-time magistrate may serve on a church disciplinary committee.

OPINION

The Code of Judicial Conduct permits a judge to serve as an officer, director, trustee, or non-legal advisor of a religious organization. Canon 4C(3). We have addressed, on several occasions, a judge's participation in church matters. Generally, we have advised that a judge should not serve on a stewardship committee or otherwise participate in fundraising. *See, e.g.*, Opinions 19-1995; 16-2005. We have permitted judges to serve in other roles. *See, e.g.*, Opinion 11-1997 (finding a magistrate could serve on the exploratory committee to investigate the types of prison ministries available and assess future needs). There is no mention of any fundraising in the inquiry before the Committee. Thus, the judge may serve as a member on the disciplinary committee. However, the judge is cautioned that in any church publication identifying the

members of the committee, the judge's title should not be used as it could be seen as lending the prestige of office to the committee or the church.

s/ Letitia H. Verdin
LETITIA H. VERDIN, CHAIR

s/ Usha Jeffries Bridges
USHA JEFFRIES BRIDGES

s/ Keith M. Babcock
KEITH M. BABCOCK

January 9, 2020