

ADVISORY COMMITTEE
ON STANDARDS OF JUDICIAL CONDUCT

OPINION NO. 4 - 2020

RE: Propriety of a magistrate judge accepting an invitation to serve on a county-wide Veterans Council.

FACTS

A magistrate judge,¹ who is also a veteran, has inquired about accepting an invitation to serve on a county-wide Veterans Council. The primary goal of the Council is to assist military members, veterans, and family members by increasing access to resources and services. The Council intends to identify and access the services currently in place and the groups that currently support veterans and determine how to fill in the gaps.

CONCLUSION

A full-time magistrate may serve on a county-wide Veterans Council.

OPINION

Canon 4C(3) states that a judge may serve as an “officer, director, trustee, or non-legal advisor of...an educational, religious, charitable, fraternal or civic organization not conducted for profit” provided that the judge follows the other limitations of the Code. Rule 501, SCACR. For

¹ The inquiry does not state whether the judge is full-time or part-time. However, for the question presented here, the analysis is the same.

example, a judge should not serve as an officer or advisor of an organization that is likely to be engaged in proceedings that come before the court. 4C(3)(a). In addition, a judge generally is not permitted to actively engage in fund-raising on behalf of the organization, though the judge may participate in other ways. Canon 4C(3)(b)(i).

Nothing in the facts presented suggest that the Veterans Council is likely to be engaged in proceedings before the Court. The Veterans Council does not appear to engage in fundraising. Thus, a magistrate judge may serve as a member of the Veterans Council. However, to the extent there is any fund-raising, the judge is cautioned to abide by the limitations of Canon 4C(3)(b)(i) and the Commentary thereto.

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

s/ Usha Jeffries Bridges
USHA JEFFRIES BRIDGES

s/ Keith M. Babcock
KEITH M. BABCOCK

March 2, 2020