

ADVISORY COMMITTEE
ON STANDARDS OF JUDICIAL CONDUCT

OPINION NO. 5 - 2020

RE: Propriety of a part-time municipal judge also serving as general counsel for a university.

FACTS

A candidate for a part-time municipal judge position inquires as to whether the judge may continue employment as general counsel for a university (that is not in the same municipality as the judicial position).

CONCLUSION

A part-time municipal judge may continue employment as general counsel for a university.

OPINION

Generally, judges are prohibited from practicing law as set forth in Canon 4G, Rule 501, SCACR. However, according to Section C of the Application of the Code of Judicial Conduct, a “continuing part-time judge is not required to comply” with the prohibition in Canon 4G. Application, Section C(1)(b). Thus, a part-time judge may continue practicing law as general counsel for a university. However, in his or her capacity as general counsel, the judge “shall not practice law in the court on which the judge serves or in any court subject to the appellate jurisdiction of the court on which the judge serves, and shall not act as a lawyer in a proceeding in which the judge has served as a judge or in any other proceeding related thereto.” Application, Section C(2).

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

s/ Usha Jeffries Bridges
USHA JEFFRIES BRIDGES

w/ Keith M. Babcock
KEITH M. BABCOCK

March 30, 2020