

ADVISORY COMMITTEE
ON STANDARDS OF JUDICIAL CONDUCT

OPINION NO. 10 - 2019

RE: Propriety of magistrate judges hosting a radio talk show.

FACTS

Several magistrate judges wish to host a radio talk show. The judges would not be paid for their involvement. The show will be taped and edited, not live, and the judges will control the topics and narratives. The judges intend to include topics on sports law, new laws, amendments to existing laws, opinions from the Supreme Court, and court procedures, such as how to file a suit in magistrate's court. The judges will not take questions from live callers. The judges inquire as to the propriety of such a show.

CONCLUSION

A magistrate judge should not host a radio talk show.

OPINION

Appellate Court Rule 501 SCACR, Canon 4, does allow a judge to be involved in certain community activities and is not intended to totally isolate a judge from the society in which the judge lives and works. Canon 4 permits a judge to write, lecture, teach and speak on non-legal subjects *only if such activities do not demean the judicial office* or interfere with the performance of his judicial duties. See Canons 4A and 4B (emphasis added). Additionally, Canon 2B, in addressing the appearance of impropriety of a judge's activities, provides that a judge should: not

lend the prestige of his office to advance the private interest of others; nor should he convey or permit others to convey the impression that they are in a special position to influence him.

In associating with a radio talk show on a regular basis, the judge(s) would clearly lend the prestige of judicial office to the advancement of the radio station, in an area where the public perceives the judges to be experts. Regular appearances on a talk show (as opposed to a bar association or other organization dedicated to the improvement of the law) could detract from the dignity of judicial office, in violation of Canon 4A. Moreover, a judge cannot publicly discuss litigation he has handled, or that some other judge may have handled. Thus, a judge's talk show could place an undue and unnecessary strain on other judges by having to decide an issue on which the judge had already publicly discussed.

For the foregoing reasons, this Committee finds it improper for a judge or judges to host a radio talk show.

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

s/ Usha Jeffries Bridges
USHA JEFFRIES BRIDGES

s/ Keith M. Babcock
KEITH M. BABCOCK

August 5, 2019