

*Arizona Supreme Court
Judicial Ethics Advisory Committee*

ADVISORY OPINION 95-05
(March 22, 1995)

**Membership on the Board of Directors
Of a Community Council**

Issue

May a city judge serve on the board of directors of a non-governmental community council that monitors the allocation of funds to social service agencies?

Answer: Yes.

Facts

A judge has been invited to serve on the board of directors of a community council. The board is made up of 30 members from throughout the community. The council is a non-profit, charitable human services planning agency whose purpose is to coordinate the delivery of social services to citizens by various community agencies. The council does this by conducting needs assessments, developing programs to coordinate these services and encouraging collaboration among various agencies. The council, which is not a government agency, monitors the allocation of grant monies to local agencies but does not participate in fund-raising.

Discussion

Canon 4C permits a judge to serve as a director of a civic or charitable organization that is not conducted for the economic or political advantage of its members. The only restriction is that a judge may not solicit funds for such an organization or permit the use of the prestige of his or her office for that purpose, nor may a judge give investment advice to such an organization.

In this instance, the organization is a non-governmental entity that provides a needed service for the benefit of the community by coordinating the delivery of social services to citizens through various community agencies. Serving on its board of directors is consistent with the type of public service contemplated in Canon 4C.

This situation is in contrast to the type of service prohibited by Opinion 94-09. In that opinion, we concluded that serving on the Advisory Council on Head and Spinal Injuries would be improper because it involved service in a governmental position. The situation is consistent, however, with Opinion 90-10 which allows membership on the board of a non-profit corporation that provides mental health services funded by the Arizona Health Care Cost Containment System.

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Applicable Code Sections

Arizona Code of Judicial Conduct, Canon 4C (1993).

Other References

Arizona Judicial Ethics Advisory Committee, Opinions [90-10](#) (Dec. 7, 1990); [94-09](#) (Aug. 1, 1994).