

*Arizona Supreme Court
Judicial Ethics Advisory Committee*

ADVISORY OPINION 94-04
(April 8, 1994)

Judicial Participation in Charity Auction

Issue

May a judge agree to have lunch with the successful bidder as one of the items to be auctioned at a charity?

Answer: No.

Facts

A charity asked a judge to have lunch with the successful bidder at a charity auction. The judge's name and position either would be made known as part of the bidding information, or, once the judge's name is revealed, his or her status as a judge would already be known to many potential bidders.

Discussion

Canon 2B provides in part that "A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others." In addition, Canon 4C(4)(b) specifically provides that "A judge should not solicit funds for any educational, religious, charitable, fraternal, or civic organization, or use or permit the use of the prestige of office for that purpose." It appears that the activity contemplated by this inquiry could be construed as lending prestige of judicial office to advance the private interests of others. Furthermore, it seems clear that the contemplated activity would involve the solicitation of funds and the use of prestige of judicial office to assist in the solicitation of funds for a charitable organization. Consequently, it is the opinion of the committee that the activity contemplated by this inquiry would be inappropriate under Canon 2B and Canon 4C(4)(b).

Applicable Code Sections

Arizona Code of Judicial Conduct, Canons 2B and 4C(4)(b) (1993).