

*Arizona Supreme Court
Judicial Ethics Advisory Committee*

ADVISORY OPINION 97-01
(February 7, 1997)

**Endorsing or Writing Letters of Support
for Court-related Projects**

Issues

1. Is it appropriate for a judge or court administrator to write a letter of endorsement to government agencies or private foundations in support of courts seeking grant funds for court-related projects?

Answer: Yes.

2. Is it appropriate for a judge or court administrator to write a letter of endorsement to government agencies or private foundations in support of a non-profit organization seeking grant funds for a proposal which will affect the administration of justice?

Answer: Yes, with qualifications.

Facts

The director of the Administrative Office of the Courts (AOC) often receives requests from courts within the state to provide a letter of endorsement as part of a grant application process. These letters not only show support for the grant but are often required to confirm the willingness of the AOC to act as fiscal agent for the grant and to cooperate with the project's goals.

Judges and court administrators are often asked to write letters of endorsement for non-profit organizations, such as the National Center for State Courts and the American Judicature Society, as part of a grant application process for projects that will involve the courts and affect the administration of justice.

Discussion

Issue 1

In Opinion 95-21 this committee found it inappropriate for a judge to write a letter of endorsement to be used in a grant application that could advance the commercial or profit-making interests of any organization no matter how worthy the cause and no matter what the source of the funds. The committee believed that such endorsements would violate Canon 2B, which provides, in part, "A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others; nor shall the judge convey or permit others to convey the impression that they are in a special position to influence the judge."

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The term "private interests of others" could include their profit-making interests or their political interests. However, a court's support or endorsement of its own grant applications to government agencies or private foundations for court-related projects would not generally advance the private interests of a judge or others. Nor would such endorsement convey the impression that someone is in a special position to influence the judge or court.

Issue 2

The situation is different, however, when a non-profit organization is seeking endorsement for grant funding for court-related projects. The endorsement of funding for such organizations is appropriate only when it is clear that no political or business profit-making interest is involved and when the project will affect the administration of justice. This requires that any endorsement must be carefully scrutinized to ensure its proper purpose and to ensure that no private interest is perceived to be in a special position of influence with a judge or a court.

In order to ensure compliance with the code, a judge or court administrator should not endorse an effort to obtain grant funds by a non-profit organization unless the judge or court administrator is knowledgeable about the organization, its purposes and the use to which any funding would be made. In addition, the judge or court administrator must be convinced that the project is, in fact, court-related and that it does advance the administration of justice.

Applicable Code Sections

Arizona Code of Judicial Conduct, Canon 2B (1993).

Other References

Arizona Judicial Ethics Advisory Committee, Opinion [95-21](#) (Dec. 1, 1995).