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STATE OF WASHINGTON  
ETHICS ADVISORY COMMITTEE  
OPINION 13-06

Question

May a judicial officer attend a social event held by a political action committee (PAC) composed mainly of DUI defense attorneys and at least one bonding company?

During a campaign, may a judicial officer or judicial candidate attend a judicial candidate forum sponsored by this entity?

A PAC is holding an invitational informal get-together. It will be held at private golf club and is billed as an opportunity to meet in an informal, fun setting. There is no charge to attend. Invitees are told there will be a relaxed putting contest followed by a buffet and a chance to socialize with other judges and lawyers. They are requesting RSVP's, stating the hope is the individual judges can make it and the invitation ends by saying, "I'll look forward to hearing from you."

The PAC membership is composed mainly of DUI defense attorneys and at least one bonding company. The county bar survey of district and municipal court judges will

go out to all attorneys shortly after this event. Elections for limited jurisdiction judges will take place in 2014 and the bar survey results and support or non-support may be a factor in any election.

According to its Web site, the entity is a registered political action committee dedicated to improving the quality of the judiciary in courts of limited jurisdiction. The Web site states it was founded for one purpose; that is, to improve the quality of the judges in the courts of limited jurisdiction by offering voters actual choices in judicial elections.

### Answer

CJC 1.2 provides a judicial officer shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety. The Comments to this rule note a judicial officer should expect to be the subject of public scrutiny that might be viewed as burdensome, if applied to others (Comment 1) and conduct that compromises the independence, integrity, and impartiality of the judiciary undermines public confidence in the judiciary (Comment 2). CJC 3.1(C) addresses extrajudicial activities of judicial officers and provides they may not participate in activities that undermine the judge's independence, integrity, or impartiality. CJC 3.13(A) provides in part that a judge may not accept a gift or other thing of value if it would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality.

The Code of Judicial Conduct provisions cited above prohibit a judicial officer from attending a social event held by a political action committee comprised of mainly attorneys, who handle driving under the influence cases, and at least one bonding company. The political action committee was formed to support the election of judicial officers to positions in the courts of limited jurisdiction. These courts handle driving under the influence and other criminal motor vehicle offenses. Attending an event sponsored by this organization undermines the public confidence in the independence, integrity, and impartiality of judicial officers.

CJC 4.2(B)(3) permits a judicial officer or judicial candidate to attend a judicial candidate forum sponsored by this entity. Even though a judicial officer may attend the forum, CJC 4.1(A)(12) prohibits a judicial officer from making pledges, promises, or commitments on cases or issues that are likely to come before the judicial officer that are inconsistent with the impartial performance of judicial duties.

### Comment

This opinion is concerned with attending an event sponsored by a political action committee and not one sponsored by a specialty or other type of bar association. Opinion 91-27 sets forth the framework a judicial officer should consider before attending one of those events.

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