

ADVISORY COMMITTEE ON STANDARDS OF JUDICIAL CONDUCT

OPINION NO. 02-2023

RE: Propriety of a part-time magistrate judge using the judicial title on a program for an event, hosted by the judge, in which speakers will address community concerns.

FACTS

A part-time magistrate has been asked to participate in a fraternity event in which community issues will be addressed by a panel of speakers. The speakers will address a variety of issues but the judge will simply host the event. There is no fund-raising associated with the event. The event planner wants to use the judge's judicial title in the program materials. The judge inquires into the propriety of using the title.

CONCLUSIONS

A part-time magistrate should not use his title on a program for a community event.

OPINION

Canon 4B states that:

A judge may speak, write, lecture, teach and participate in other extra-judicial activities concerning the law, the legal system, the administration of justice **and non-legal subjects, subject to the requirements of this Code.**

Rule 501, SCACR (emphasis added). Canon 2B provides that a "judge should not lend the prestige of judicial office to advance the private interests of the judge or others...."

The event in which the judge would act as a host or moderator does not necessarily involve legal subjects, but instead, the speakers will address community issues. We have previously considered a judge's use of the judicial title in non-judicial settings. In Opinion 12-2018, we found that while a judge could allow his/her home to be on a tour of homes, the judge could not use his/her judicial title in the brochure publicizing the event because to do so would be to lend the

prestige of judicial office to the event planners. We believe the conclusion in that opinion would apply here. Thus, while the judge's name may be included in the program (or any advertising materials), it should not include a reference to the judge's title.

s/ Usha Jeffries Bridges  
USHA JEFFRIES BRIDGES, CHAIR

s/ William H. Seals, Jr.  
WILLIAM H. SEALS, JR.

s/ Keith M. Babcock  
KEITH M. BABCOCK

March 6, 2023