

**JEAC 1997-5**  
December 9, 1997

Widener School of Law is seeking photographs and testimonials from prominent alumni for use in its capital campaign. You have requested an opinion on whether you may agree to be photographed and interviewed for that purpose. We conclude that you may not for the following reasons.

The Code strictly prohibits participation in fund-raising. Canon 5B(2) says: "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 the judicial office for that purpose..." According to the leading text on the subject, "The advisory opinions evince a strong consensus in favor of a strict interpretation of the anti-solicitation rule." Shaman et al., Judicial Conduct and Ethics (2d ed. 1995) § 9.06 at 291. The following annotation of a Georgia advisory opinion is one example:

A judge of the superior court cannot serve as a member of the development council of the University of Georgia School of Law. Although the council is an educational organization, it is created for the purpose of raising funds for the law school. Judges may not participate in soliciting funds, nor may they use the prestige of their office for such a purpose.

The Digest of Judicial Ethics Advisory Opinions (Amer. Jud. Soc. 1991) at 181.

We therefore conclude that granting Widener School of Law's request would violate the rule that a judge may not permit the use of the prestige of the judicial office to solicit funds for an educational organization.

FOR THE COMMITTEE  
BERNARD BALICK, Chair