

Maryland Judicial Ethics Committee

Opinion Request Number: 1975-03

Date of Issue: April 3, 1975

O Published Opinion **G** Unpublished Opinion **G** Unpublished Letter of Advice

Judge Not to Participate in Services Auction Run by Religious Organization

You have advised this Committee that you have been invited by Temple X to participate in a Services Auction to be held on May 10. The Temple contemplates that members and friends will donate “services” which will be offered for sale. Examples given are the use of an Ocean City condominium for a weekend; providing a maid and butler for an evening, or providing a six months’ supply of home baked bread. You ask whether your participation in the Services Auction would be consistent with the provisions of the Maryland Canons and Rules of Judicial Ethics. Canon XXIV provides, in part:

“A judge should avoid giving ground for any reasonable suspicion that he is utilizing the power or prestige of his office to persuade or coerce others to patronize or contribute, either to the success of private business ventures, or to charitable enterprises.”

Rule 8 is at least peripherally applicable:

“A judge shall not, directly or indirectly, lend the influence of his name or the prestige of his office to aid or advance the welfare of any private business or permit others to do so. He shall not personally solicit funds for any purpose, charitable or otherwise.”

The invitation which you have received notes that “Not only will our proceeds be enhanced by your participation, but the presence of your name among our contributors will encourage attendance.” The Committee has no doubt that your participation in the Services Auction in the manner contemplated is clearly proscribed by the Canon and Rule.