

Maryland Judicial Ethics Committee

Opinion Request Number: 1975-07

Date of Issue: May 28, 1975

O Published Opinion **G** Unpublished Opinion **G** Unpublished Letter of Advice

Judge May Appear in Un-sponsored Film for Charitable Organization
If Film Not Used for Fundraising

You have advised this Committee that X organization, through its _____ office, has asked you to make a brief appearance in a documentary film which it plans to produce. You have been assured that the film, which is being produced in consequence of a grant from the Y Corporation, will not be used for fund raising purposes but will be used as a part of a general public relations program to inform the public of the nature of the activities of X organization. Your participation would be to emphasize the fact that the absence of a strong father image is frequently found in cases involving young male offenders. You ask whether this participation is permissible from an ethical standpoint.

On two occasions in the past, this Committee has considered the propriety of a judge's participation in the taping of a mock trial, in one instance involving a juvenile proceeding and in another, the criminal prosecution of a defendant charged with shoplifting. In both cases, we concluded that the participation by the judge was not proscribed by either the Maryland Canons of Judicial Ethics or the Maryland Rules of Judicial Ethics, and that his appearance on such a program which was later to be televised, might even be encouraged by Maryland Canon XXII.

Both opinions, [Opinion Request Nos. 1973-05 and 1974-09], contained the caveat that the tape could not be used in support of an appeal for funds nor could it be directly sponsored by an advertiser. It is, of course, the latter condition which may prevent your acceptance of the invitation which has been extended you, depending on the circumstances.