

Maryland Judicial Ethics Committee

Opinion Request Number: 1983-09

Date of Issue: May 21, 1984

■ Published Opinion Unpublished Opinion Unpublished Letter of Advice

Judge Not Absolutely Prohibited from Attending Social Function as Guest of Attorney

A judge inquires if he may attend bar association social affairs or private parties as a guest of an attorney or law firm where after arrival he concludes that he is part of a judicial “show and tell” put on for the purpose of displaying to other attorneys or clients of the host what would appear to be a close relationship between the host and guest judges.

The governing standards are found in the following Canons:

CANON XIII

“A judge ... should not suffer his conduct to justify the impression that any person can improperly influence him or unduly enjoy his favor, or that he is affected by the kinship, rank, position, or influence of any party or other person.”

CANON XXXII

“It is not necessary to the proper performance of judicial duty that a judge should live in retirement or seclusion; it is desirable that, so far as reasonable attention to the completion of his work will permit, he continue to mingle in social intercourse, and that he should not discontinue his interest in or appearance at meetings of members of the bar. He should, however, in pending or prospective litigation before him be particularly careful to avoid such action as may reasonably tend to awaken the suspicion that his social or business relations or friendships constitute an element in influencing his judicial conduct.”

It is the opinion of this Committee that if a judge is invited to a social function by an attorney and there is no reason to suspect that the attorney will attempt to use the judge’s presence for any inappropriate purpose, there is no reason why the judge cannot accept the invitation. If, after arriving, the judge finds that he is being placed in a compromising or uncomfortable position, he should leave.

There being no mention in the judge’s inquiry of a paid ticket being required for the bar association or other social function, the Committee feels no need to consider the applicability of Canon XXXI, Rule 7, or [Opinion Request No. 1981-01] dealing with the subject of gifts.