



The Supreme Court of Kansas

Kansas Judicial Center
Topeka, Kansas 66612-1507



FILED

NOV 19 2003

CAROL G. GREEN
CLERK OF APPELLATE COURTS

JUDICIAL ETHICS ADVISORY PANEL

Judicial Ethics Opinion JE 114

November 19, 2003

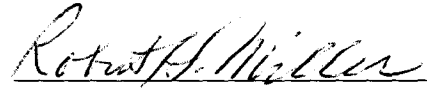
A judge has been asked by SRS "to serve on an Advisory Committee reviewing the contract design for the adoption and foster care privatization RFP (request for proposal) process." The judge asks if service on this committee is appropriate.

Canon 4C(2) 2003 Kan. Ct. R. Annot 528 provides:

A judge shall not accept appointment to a governmental committee or commission or other governmental position that is concerned with issues of fact or policy on matters other than the improvement of the law, the legal system or the administration of justice....

The Advisory Committee is primarily concerned with the content of various contracts and the contracting process. These are policy matters, not matters involving the improvement of the law, the legal system or the administration of justice.

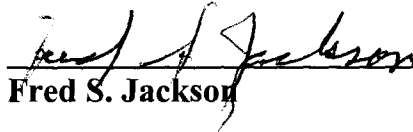
We conclude that participation by a judge on this Advisory Committee is prohibited by the Canon quoted above. As noted in the Commentary to the Canon, the reason for the rule is "the need to protect the courts from involvement in extra-judicial matters that may prove to be controversial."



Robert H. Miller, Chairman



Adrian J. Allen



Fred S. Jackson