



COMMONWEALTH OF KENTUCKY
ETHICS COMMITTEE OF THE KENTUCKY JUDICIARY

403 WAPPING STREET
FRANKFORT, KENTUCKY 40601

ANTHONY M. WILHOIT
Court of Appeals

THOMAS J. KNOPF
District Court

JOSEPH H. ECKERT
Circuit Court

B. M. WESTBERRY, CHAIRMAN
Attorney

UHEL O. BARRICKMAN
Attorney

Judicial Ethics Opinion

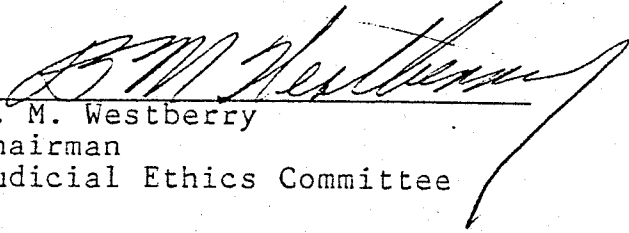
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Formal Opinion

Question: May a judge voluntarily serve as an expert
Witness?

Answer: No. Canon 2B.

The Committee received this question from an attorney who is anticipating a judicial appointment prior to the time he has agreed to serve as an expert witness. In a unanimous opinion, the members of the Committee agreed that a judge could not voluntarily serve as an expert witness because in so doing a judge would be lending the prestige of his office to advance the private interests of another. The Committee also agreed, however, that a judge would be expected to honor a subpoena.


B. M. Westberry
Chairman
Judicial Ethics Committee