



COMMONWEALTH OF KENTUCKY
ETHICS COMMITTEE OF THE KENTUCKY JUDICIARY
STATE CAPITOL

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ANTHONY M. WILHOIT
COURT OF APPEALS

STEPHEN P. RYAN
DISTRICT COURT

DANIEL SCHNEIDER
CIRCUIT COURT

B. M. WESTBERRY, CHAIRMAN
ATTORNEY

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JUDICIAL ETHICS OPINION

JE - 87
AUGUST 27, 1996

Question 1: May a judge allow his name to be listed as a personal reference for someone on an application for employment, school, etc.? If so, may a judge then respond to any inquires concerning the aforesaid application?

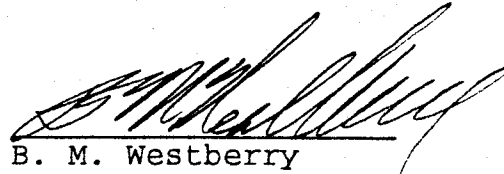
Answer 1: Yes.

Question 2: May a judge write a letter to a law enforcement officer's supervisor(s) criticizing or applauding said officer's conduct, disposition, demeanor, etc. in the courtroom?

Answer 2: Yes.

In Judicial Ethics Opinion JE - 74, the Judicial Ethics Committee stated that a judge's ability to write letters of recommendation is somewhat limited. However, this opinion is to be distinguished from the fact situation at present. For a judge to allow his name to be listed as a reference on a resume is not a commitment to say only good things about that person. Rather, it is only a statement that the judge knows the person well-enough to respond to a prospective employer's questions. A judge should limit what he says to what he actually knows and avoid grandiose endorsements which he cannot support. Letter Response LR - 144; Deborah L. Solomon, Esq., The Digest of Judicial Ethics Advisory Opinions [AL 90-390 (1990)] [LA 70/ Issue 2 (October 27, 1986)] [WA 86-12/ Issue 1 (September 29, 1986)] (1991).

For many of the same reasons, the answer to question 2 is also yes. However, the committee also believes that a judge has a duty pursuant to his administrative responsibilities to write such letters.

A handwritten signature in cursive script, appearing to read "B. M. Westberry", is written over a horizontal line.

B. M. Westberry
Chairman
Judicial Ethics Committee