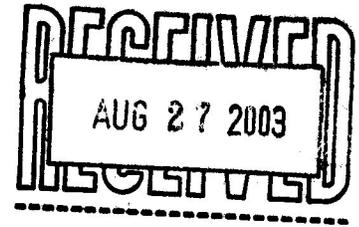


JUDICIAL ETHICS COMMITTEE  
Advisory Opinion 03-2  
Issued: 08/26/2003



**Issue**

May a Probate Judge permit his likeness to appear in a brochure to be issued and distributed by the Maine Children's Home.

**Statement of Facts**

The Judge in question has been furnished with a proposed form of brochure as well as a written request (and release) that he permit the use of his photograph, in which he appears in his judicial robes with a couple and their adopted child, which photograph has been presented to the Maine Children's Home by the adopting parents. The photograph of the Judge and the adopting parents and the child will appear in the brochure above the outline of the steps in the Adoption Process.

The Maine Children's Home, a/k/a Maine Children's Home for Little Wanderers, has provided services to families and children in Maine since 1899. Its services include assistance with adoption, the operation of a counseling center, assistance in locating foster homes, a comprehensive childcare center, a teen parent school, and other programs.

The Children's Home solicits individuals to make charitable contributions to support its ongoing activities. It also charges for some of its services and the proposed brochure will be used as part of its charitable solicitations.

**Discussion**

The Judicial Canons, particularly Canon 2(B), provides in part "A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others; nor shall a judge

convey or permit others to convey the impression that they are in a special position to influence the judge."

Additionally, Canon 4, particularly 4(C)(3)(b)(iii) provides "a judge shall not use or permit the use of the prestige of judicial office for fund raising or membership solicitation."

### **Conclusion**

In view of the foregoing restrictions, we are of the opinion that it would be inappropriate for the Probate Judge to participate.