



The Supreme Court of Kansas

Kansas Judicial Center
Topeka, Kansas 66612-1507

JUDICIAL ETHICS ADVISORY PANEL

Judicial Ethics Opinion JE 105

January 12, 2001

BACKGROUND: A newly elected judge has been an Honorary Vice Consul of another nation for many years. The judge is fluent in the language of that nation. All work will be done from the Judge's home after hours or on weekends. The Judge receives no remuneration as Honorary Vice Consul. The document appointing the Honorary Vice Consul limits the functions to:

1. Receiving and transmitting to the Consul General documents relative to the opening of estates of citizens of that country.
2. Issuing certificates of existence in life for pension use.
3. Issuing certification and legalization without charge.
4. Receiving and transmitting to the Consul General documents relating to the issuing or renewing of passports.
5. Receiving and transmitting to the Consul General documents requesting the issuance of visas on foreign passports.
6. Keeping a list of citizens of the nation, and a list of signatures of local authorities.

QUESTION: May the judge continue to serve as Honorary Vice Consul?

DISCUSSION: Canon 4C(4), 2000 Kan. Ct. R. Annot. 481, provides that "A judge shall not accept appointment to a governmental committee or

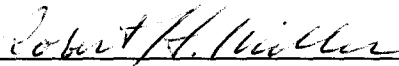
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commission or other governmental position that is concerned with issues of fact or policy on matters other than the improvement of the law, the legal system or the administration of justice."

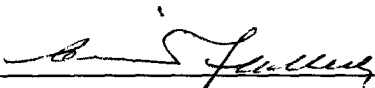
The Honorary Vice Consul is not concerned with issues of fact or policy. Nothing controversial appears to be involved. The Honorary Vice Consul is concerned with helping people and transmitting documents. All work will be done outside regular office hours, and there will be no interference with the performance of regular judicial duties.

ANSWER:

We conclude that the judge may continue to serve as Honorary Vice Consul.



Robert H. Miller, Chairman



Adrian J. Allen



Fred S. Jackson