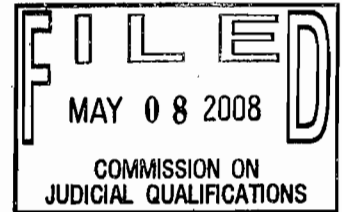




The Supreme Court of Kansas

KANSAS JUDICIAL CENTER
301 S.W. 10th Ave.
Topeka, Kansas 66612-1507



JUDICIAL ETHICS ADVISORY PANEL

Judicial Ethics Opinion JE 162

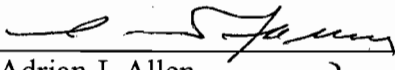
May 8, 2008

The question presented is whether an active reserve deputy sheriff may be appointed as a municipal court judge of a city located in the county in which the deputy serves. If appointed, the active reserve deputy sheriff would serve both as a judge and as an active reserve deputy sheriff.

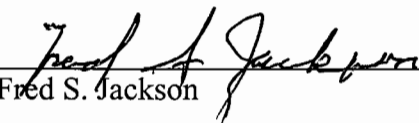
Canon 4C(2) is the applicable Canon. This Canon provides in pertinent part:

“A judge shall not accept appointment to a . . . 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. . .” (2007 Kan. Ct. R. Annot. 632)

The position of active reserve deputy sheriff is concerned with issues of fact and policy on matters other than the improvement of the law, the legal system and the administration of justice, and it is very clear that the underlying premise of Canon 4C(2) is that a judge may not hold a position such as an active reserve deputy sheriff while such person is a judge.



Adrian J. Allen



Fred S. Jackson



Edward Larson