

NEBRASKA JUDICIAL ETHICS ADVISORY COMMITTEE

Advisory Opinion No. 92 = 4

A. Question

A County Judge has asked whether the employment of his wife by the Department of Social Services creates any ethical conflict under the Code of Judicial Conduct.

B. Answer

There is no conflict under the Code of Judicial Conduct between the functions of a County Judge and those of his wife as an employee of the Department of Social Services.

C. Discussion

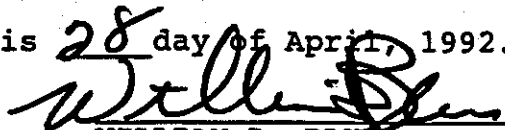
The Judge's wife is employed by the Department of Social Services as a research developer, and deals largely with administrative and planning functions. She develops community services needed by aged and disabled clients so that they may remain in their homes. Her contact with the individual clients is minimal, and her contact with the County Court system is non-existent. It is difficult to speculate on a situation where an ethical consideration might arise.

D. Summary

It would appear there are no prohibitions in the Code to the wife's continued employment with the Department of Social Services.

Obviously, if her position with the Department were of a different nature, other considerations might arise.

Approved by Committee on this 28 day of April, 1992.


WILLIAM D. BLUE Chairman