

## Advisory Opinion #99-5

(adopted December 14, 1999)

**Question:** *May a judge receive free conference travel to a judicial conference sponsored by The Roscoe Pound Foundation, a not-for-profit arm of the Association of Trial Lawyers of America?*

**Opinion:** A judge should not accept an offer of conference travel to a judicial conference sponsored by The Roscoe Pound Foundation. Judges are not permitted to be members of special bar associations as it would convey a special relationship to one side in the adversarial process (*see Advisory Opinion 99-4*). The Association of Trial Lawyers of America, as a plaintiff's bar association, would not be a permissible organization for judges to join. The Roscoe Pound Foundation is a trust set up for educational purposes by the Association of Trial Lawyers of America. The by-laws of the foundation, however, indicate strong links to the Association of Trial Lawyers of America. For example: the trustees of the foundation are elected at the annual ATLA convention; one of the members of the executive committee is the ATLA President; the purpose stated is "to promote the well-doing or well-being of mankind and especially of injured persons"; and, the trust declaration notes an \$800,000 loan by this foundation to ATLA. Consequently, any judicial conference sponsored by this foundation would give the appearance of a plaintiff supported conference and any gift of travel to the conference would give the appearance of a gift by the plaintiff's bar to judges.

Other states have noted that judges should not be guests of special bar associations at conferences. For example, Tennessee Advisory Opinion 96-4 states that judges should not be guests of a defense lawyers' association at its meeting or convention where the judges' registration, lodging, and travel would be paid by the association. Gifts of travel by specialty bar associations give the appearance of influence.