



COMMONWEALTH OF KENTUCKY  
ETHICS COMMITTEE OF THE KENTUCKY JUDICIARY  
STATE CAPITOL

700 CAPITAL AVENUE, SUITE 200  
FRANKFORT, KENTUCKY 40601-3489

ANTHONY M. WILHOIT  
COURT OF APPEALS

STEPHEN P. RYAN  
CIRCUIT COURT

B. M. WESTBERRY, CHAIRMAN  
ATTORNEY

JAMES L. BOWLING  
DISTRICT COURT

UHEL O. BARRICKMAN  
ATTORNEY

JUDICIAL ETHICS OPINION  
JE-90

September 17, 1997

Question: May a judge employ his wife as secretary?

Answer: No. When a judge employs his wife as his secretary he violates the provisions of the Code which prohibit nepotism.

The question presented is whether a judge may employ his wife as his secretary and pay her from the State Treasury. The answer is no because in doing so the judge violates the provisions of the Code of Judicial Ethics which prohibit nepotism. Canon 3B(4). A judge may employ a relative so long as he or she does not use state funds to compensate that relative.

A handwritten signature in black ink, appearing to read "B. M. Westberry".

B. M. Westberry  
Chairman  
The Ethics Committee of the  
Kentucky Judiciary

This formal Judicial Ethics Opinion was reversed by the Kentucky Supreme Court, Caudill v. Ethics Committee of the Kentucky Judiciary, Ky., 986 S.W.2d 435 (1998).