

**JPC 1992-4**  
February 11, 1992

By your letter dated January 22, 1992 you have requested an opinion of the Judicial Proprieties Committee regarding your service as Chairman of the Board of Directors of First Stage, a local non-profit corporation dedicated to the creation and development of new theatre pieces. One source of funding for First Stage is the Delaware State Arts Council. Each organization presents an application to the Council and is required to appear before a committee of the Council to present its request and answer questions that the application may raise. The Chairman of the Delaware State Arts Council is an actively practicing member of the Delaware Bar.

The Committee unanimously concludes that there is no impropriety in your service either as a member or Chairman of the Board of Directors of First Stage. We do, however, conclude that the proscriptions of Canon 5B(2) of the Delaware Judges' Code of Judicial Conduct preclude fund-raising activities by you on behalf of First Stage.

On February 10, 1992 the Chairman of the Committee informally advised you by telephone of the foregoing opinion. We trust that this responds to your inquiry.

Andrew G. T. Moore, II, Justice, Chairman  
Judge Vincent A. Bifferato  
Judge Clarence W. Taylor  
Judge Robert W. Wakefield  
Judge Paul E. Ellis  
Judge Alfred Fraczkowski