

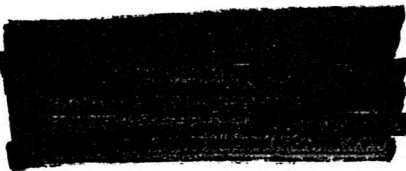


Advisory Committee on the Code of Judicial Conduct

Hon. James J. Wechsler, Chair (ret.)
Hon. J. Miles Hanisee,
Paul L. Biderman, Esq.
Hon. Freddie Romero
Hon. Yvette Gonzales

This is an advisory opinion by the New Mexico Advisory Committee on the Code of Judicial Conduct. Advisory opinions are responses to inquiries from judges seeking guidance on judicial ethics questions. They are not issued, approved, or endorsed by the New Mexico Supreme Court; nor are they binding.

October 31, 2025



Re: AO 25-03

Dear Judge [REDACTED]

You have asked the Advisory Committee on the Code of Judicial Conduct whether the Code of Judicial Conduct permits you to serve as a member of the Parent Teacher Association at your daughter's elementary school.

The Code encourages judges to participate in extrajudicial activities that do not conflict with the judge's judicial responsibilities. *See* Rule 21-001(B) NMRA (stating in the Preamble "the Code recognizes that a judge's participation in community activities provides important benefits both to society and to the judge personally"). The Code specifically allows a judge to participate in activities sponsored by an educational institution. Rule 21-307(A) NMRA.

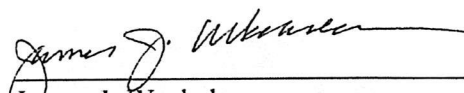
A judge's participation in extrajudicial activities is, however, limited in order to ensure the proper performance of the judge's judicial responsibilities, including maintaining the appearance of judicial impartiality. A judge may not engage in extrajudicial activities that "will interfere with the proper performance of the judge's judicial duties," "will lead to frequent disqualification of the judge," or "would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality." Rule 21-301(A), (B), (C) NMRA.

Your involvement with the PTA would interfere with the proper performance of your judicial duties if it so consumed your time that your judicial responsibilities suffered. You have informed the Committee that the PTA meets one afternoon each month between 3:00 and 4:00 p.m. You do

not have a docket at that time, and you are permitted to schedule your lunch hour to avoid any conflict.

You may be required to disqualify yourself in some circumstances depending on the membership of the PTA or its activities. For example, if a prosecutor, public defender, or business person who regularly appears in your court is a member of the PTA, your disqualification may be required in any matter involving that person. Similarly, the appearance of your independence, integrity, or impartiality could reasonably be questioned depending on the composition and activities of the PTA.

The Committee advises that you may serve as a member of the PTA subject to the limitations of Rule 21-301. You should inquire about these issues prior to accepting membership.


James J. Wechsler
Chair