

that "[a] judge shall not accept appointment to a governmental committee, board, commission, or other governmental position, unless it is one that concerns the law, the legal system, or the administration of justice."

Rule 3.11(B) of the Code provides that

A judge shall not serve as an officer, director, manager, general partner, advisor, or employee of any business entity except that a judge may manage or participate in: (1) a business closely held by the judge or members of the judge's family; or (2) a business entity primarily engaged in investment of the financial resources of the judge or members of the judge's family.

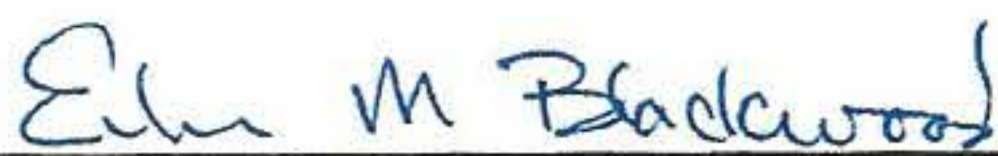
### Analysis


The requester has asked if an assistant judge may be appointed by a town selectboard to serve as a part-time administrator of the town's government for an interim period of three to four months.

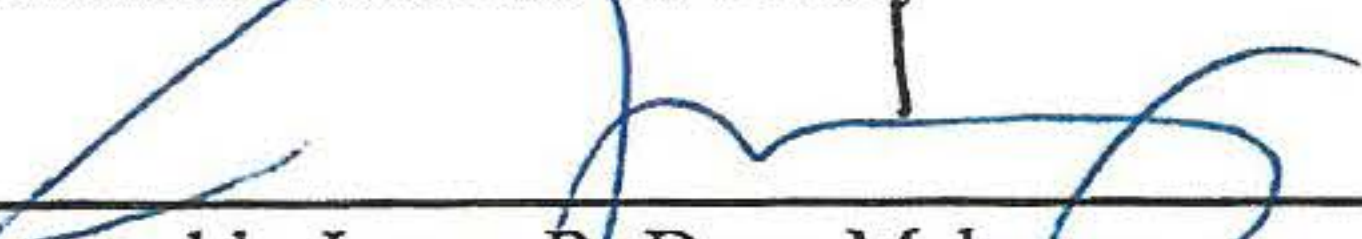
Rule 3.4 of the Code would prohibit a judge from being appointed as a town administrator because the appointment does not concern the law, legal system, or administration of justice. The position of town administrator is also equivalent to serving as a manager of a private business entity, and Rule 3.11(B) of the Code would prohibit a judge from serving in such a role as well. The Code, however, recognizes that assistant judges have a part-time judicial function and therefore are explicitly exempt from the portions of the Code that prohibit other employment or service.

It is important to note that assistant judges who serve in other positions must comply with all other applicable provisions of the Code, even while performing their extrajudicial duties.

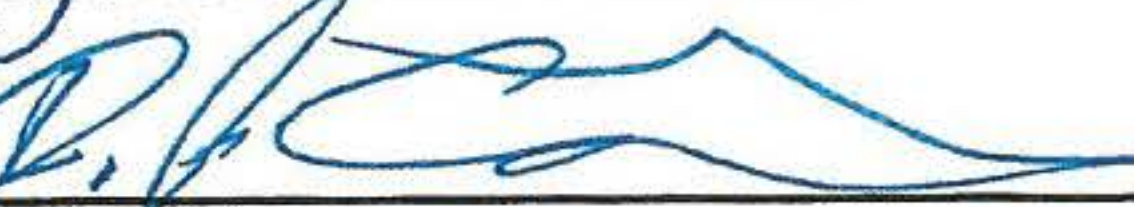
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