

December 6, 2005

The Honorable Lawrence E. Dawson  
Circuit Judge, retired  
Jefferson County Courthouse, Suite 216  
101 West Barraque Street  
Pine Bluff, Arkansas 71601

Re: Advisory Opinion No. 2005-06

Dear Judge Dawson:

You have advised our committee that you are a retired Circuit Judge, having retired on December 31, 1998 but that you do continue hearing cases on assignment from the Chief Justice of the Arkansas Supreme Court. You advised that you are in the process of writing a book that will probably be entitled "Fifty Years and a Judge and Counting". You asked, "...whether placing my robed photograph on the jacket cover of the book I am writing would violate our Judicial Ethics."

There has been a long tradition of judges being the authors of books on both legal and nonlegal subjects from Justice John Marshall to Chief Justice Rehnquist. See "Judicial Conduct and Ethics, Second Edition by Shaman, Lubet and Alfini, Section 9.02. One of Chief Justice Rehnquist's books, "The Supreme Court" has his picture in judicial attire on the back flap. Antonin Scalia's "A Matter of Interpretation" has his picture in judicial attire on the front cover. "The Majesty of the Law: Reflections of a Supreme Court Justice" by Sandra Day O'Connor likewise has her picture in judicial attire on the front cover. While the Code does not apply to Supreme Court Justices it does appear at least from a practical standpoint that you are in pretty good company!

We have reviewed the Code of Judicial Conduct and it is our opinion that your placing your robed photograph on the jacket cover of the book would not violate any provision of the Code.

Very truly yours,

Edwin B. Alderson, Jr.  
For the Committee

**JUDGE DAVID BOGARD DID NOT PARTICIPATE IN THIS OPINION**