

Maryland Judicial Ethics Committee

Opinion Request Number: 1973-01

Date of Issue: January 30, 1973

O Published Opinion **G** Unpublished Opinion **G** Unpublished Letter of Advice

Judge Not to Serve as Director of Corporation Operating Radio Station

Your letter of January 18, 1973, addressed to the Judicial Ethics Committee of the Maryland Judicial Conference asks whether it is permissible for you to continue as a director of X Broadcasting Corporation which owns and operates Station Y in _____, Maryland.

Rule 6 of the Rules of Judicial Ethics provides, in part,

“A full-time judge shall not hold any office or directorship in any public utility, bank, savings and loan association, lending institution, insurance company, or any other business corporation or enterprise or venture which is affected with a public interest.”

We have consistently interpreted the phrase “affected with a public interest” as embracing not only the business organizations which are specifically identified by the Rule, but as including any other business corporation which is subject to regulation by the State of Maryland or by the United States. It is our opinion that a company which operates a radio broadcasting station, since it is subject to the elaborate regulatory structure administered by the Federal Communications Commission, is an enterprise affected with a public interest. Therefore, it is improper for a full-time judge to serve such a company as a director or in any other capacity. We have taken a similar position with respect to a corporation engaged in the insurance brokerage business because of the fact that it is regulated by the State of Maryland.