

Judicial Inquiry Commission

800 SOUTH MCDONOUGH STREET
SUITE 201
MONTGOMERY, ALABAMA 36104

November 21, 1977

On November 4, 1977, you requested an advisory opinion of the Judicial Inquiry Commission concerning whether an active member of the judiciary of this state may serve as a member of the State Democratic Executive Committee.

In answer to your question we direct your attention to Canon 7 of the Alabama Canons of Judicial Ethics. Canon 7A(l) provides in pertinent part as follows:

“A judge or a candidate for election to a judicial office should endeavor at all times to refrain from political activities inappropriate to the judicial office that he holds or seeks. It is desirable that a judge or a candidate for election to judicial office endeavor not to be involved in the internal workings of political organizations, engage in campaign activities in connection with a political candidate other than candidates for judicial offices and not be involved in political fund solicitations other than for himself ... Nevertheless, should a judge or a candidate for a judicial position be directly or indirectly involved in the internal workings or campaign activities of a political organization, it is imperative that he conduct himself in a manner at all times to prevent any political considerations, entanglements or influences from ever becoming involved in or in the judicial process.”

It is the opinion of this Commission that the above cited portion of Canon 7 explicitly discourages but does not prohibit participation or involvement in the internal workings of political organizations. Active membership on the State Democratic Executive Committee is thus not prohibited by the Canons. However, a judge who is directly or indirectly involved in the internal workings of political organizations is admonished by the Canons to be circumspect in all such activities so as to prevent even the appearance of political considerations, entanglements or influences being involved in any judicial decision or in the judicial process.

If we can be of help to you in the future, please let us hear from you.

Very truly yours,