

Judicial Inquiry Commission

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MONTGOMERY, ALABAMA 36104

July 11, 1979

The Judicial Inquiry Commission has considered your request for an opinion concerning the propriety, under the Alabama Canons of Judicial Ethics, of a judge receiving a salary for serving as president of a family controlled bank where the bank has a chief executive officer who operates the bank on site. The Commission finds no violation of the Alabama Canons of Judicial Ethics under the facts as you have stated them.

It is further the opinion of the Commission that, in order to avoid conflict with the Canons, you should be ever mindful of the provisions of Canon 5 C (1) and (3). In pertinent part that Canon provides:

“(1) A judge should refrain from financial dealings that tend to reflect adversely on his impartiality, interfere with the proper performance of his judicial duties, or exploit his judicial position.”

“(3) A judge should manage his investments and other financial interests to minimize the number of cases in which he is disqualified.”