

Judicial Inquiry Commission

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July 28, 1980

The Judicial Inquiry Commission has considered your request for an opinion concerning whether a retired District Court Judge may engage in the practice of law.

It is the opinion of the Commission that a retired District Court Judge would not be prohibited from practicing law by the Canons of Judicial Ethics. See the Order of the Supreme Court of Alabama effective April 2, 1980 amending the Compliance Section of the Canons of Judicial Ethics by adding a Section D.

You should note, however, the provisions of Section 12-18-62, Code of Alabama, 1975, which provides as follows:

“Any District Judge who becomes a member of the retirement fund shall be prohibited from the practice of law.”

This provision of the law is not affected by the Canons of Judicial Ethics or the order of the Supreme Court of April 2, 1980.