

Judicial Inquiry Commission

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MONTGOMERY, ALABAMA 36104

December 15, 1980

The Judicial Inquiry Commission has considered your request for an opinion concerning whether, under the Alabama Canons of Judicial Ethics, judges may sign a statement supporting a partisan ticket in an election. All local officials, who are members of a certain political party, are being asked to sign the statement. The statement is planned to be published in local newspapers as support for all candidates of the political party in question.

The political activities of judges are guided by Canon 7 of the Alabama Canons of Judicial Ethics and, in particular, in this instance, by Canon 7A(I). That Canon 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. However, so long as judges are subject to nomination and election as candidates of a political party, it is realized that a judge or a candidate for election to a judicial office cannot divorce himself completely from political organizations and campaign activities which, indirectly or directly, may be involved in his election or re-election.”

Pursuant to these provisions, it is the opinion of the Commission that while the conduct you describe is not specifically prohibited under the Canons of Judicial Ethics, such conduct is undesirable, and a judge should refrain from lending his name to the support of other candidates for election to non-judicial public office.

Sincerely,

JUDICIAL INQUIRY COMMISSION