

Judicial Inquiry Commission

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MONTGOMERY, ALABAMA 36104

March 30, 1981

The Judicial inquiry Commission has considered your request for an opinion concerning whether under the Canons of Judicial Ethics a judge may participate with friends in a private home in a card game wherein nominal stakes are wagered if one of the participants is an attorney who practices before the judge.

It is the opinion of the Commission that the Canons of Judicial Ethics do not prohibit the described activity by a judge so long as the stakes wagered are nominal. However, should the judge become indebted to the attorney as a result of the card games the judge would be required under Canon 3C of the Canons of Judicial Ethics to disqualify himself in any proceedings in which the attorney represented a party to the proceedings in that his impartiality might reasonably be questioned.

Sincerely,

JUDICIAL INQUIRY COMMISSION