

## Judicial Inquiry Commission

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MONTGOMERY, ALABAMA 36104

March 1, 1982

The Judicial Inquiry Commission has considered your request for an opinion concerning whether a part-time municipal court judge may serve as attorney for his City Board of Education.

It is the opinion of the Commission that the Canons of Judicial Ethics do not prohibit a municipal court judge from serving as attorney for the City Board of Education. The Canons do, however, require that a municipal court judge respect and comply with the law. (Canon 2A). It would thus appear that this Canon would be violated if holding these dual positions is prohibited by Section 12-14-30(d), Code of Alabama 1975, which provides that:

“... No judge shall be otherwise employed in any capacity by the municipality during his term of office.”

Since the Commission's opinion authority is limited to the Canons of Judicial Ethics, the question of the appropriate application of Section 12-14-30(d) in this instance must be left to the Courts or the Attorney General.