

## Judicial Inquiry Commission

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October 16, 1985

The Judicial Inquiry Commission has considered your request for an opinion concerning whether a judge should recuse himself in proceedings in which a party is represented by a certain attorney and where the judge has in the past filed a complaint against the attorney and has reported to the District Attorney questionable conduct of the attorney. The attorney has filed a motion pending in the judge's court contending that there is a personal conflict between the judge and the attorney. The judge states that he sees and feels no personal conflict.

It is the opinion of the Commission that the judge in the first instance should determine whether there exist proper grounds for recusal. In making this determination, the judge should be ever mindful of the provisions of Canon 3C and particularly Canon 3C(l).

Sincerely,

JUDICIAL INQUIRY COMMISSION