

Judicial Inquiry Commission

800 SOUTH MCDONOUGH STREET
SUITE 201
MONTGOMERY, ALABAMA 36104

October 28, 1988

The Judicial Inquiry Commission has considered your request for an opinion concerning whether under the Alabama Canons of Judicial Ethics, a part-time municipal judge may sit as municipal judge while his father, an employee of the judge's law firm, represents the municipality in one case in another court. Under the facts presented, the judge's father's compensation for representing the city in this one matter does not become the property of the judge's law firm. Nor is the judge's salary paid by the city made a part of the firm's assets. You have previously submitted these facts to the Attorney General for a ruling on the law. After reviewing the facts, the Attorney General has concluded that neither the employment of the judge's father as attorney for the city nor the service of the judge as judge for the city would violate our state statutes pertaining to municipal government so long as income received in these capacities never become part of the law firm's assets. (Opinion 88-00381)

After reviewing the facts stated, it is the opinion of the Commission that no violation of the Canons of Judicial Ethics is presented.

Very truly yours,

JUDICIAL INQUIRY COMMISSION