

Judicial Inquiry Commission

800 SOUTH MCDONOUGH STREET
SUITE 201
MONTGOMERY, ALABAMA 36104

April 3, 1990

The Judicial Inquiry Commission has considered your request for an opinion concerning whether under the Alabama Canons of Judicial Ethics a judge may contribute quarterly articles to a newspaper for publication where such articles are informative and of an educational nature. The articles would concern juvenile justice and the status of children and families in Alabama.

It is the opinion of the Commission that the judge may author and contribute the articles as described so long as the judge closely adheres to the provisions of Canon 4 of the Alabama Canons of Judicial Ethics. In pertinent part that Canon provides:

“A judge, subject to the proper performance of his judicial duties, may engage in the following quasi-judicial activities, if in doing so he does not cast doubt on his capacity to decide impartially any issue that may come before him:

- A. He may ... write ... and participate in other activities concerning the law, the legal system, and the administration of justice.” (emphasis supplied)

This canon allows a judge to write concerning the law, the legal system and the administration of justice. In Advisory Opinion 86-265, the Commission, applying this canon advised that such writing could take the form of a newspaper article appearing in a local newspaper. However, the judge must take care that articles written for publication do not cast doubt on his ability to decide impartially “any issue that may come before him.” The Commission further advised that the newspaper article or column must refrain from giving legal advice. Thus, such writing by its very nature would be very limited.

You further ask whether your \$100 compensation for providing such articles may be donated by the newspaper to a designated charity. The Canons do not prohibit such a donation.

Sincerely,

JUDICIAL INQUIRY COMMISSION