

Judicial Inquiry Commission

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September 26, 1990

The Judicial Inquiry Commission has considered your request for an opinion concerning whether under the Alabama Canons of Judicial Ethics a judge may accept an honorarium for delivering the keynote speech at the annual banquet of the medical society located in an urban county. The medical society has a set honorarium which it pays each year to the keynote speaker. It is this set honorarium which would be paid to the judge.

It is the opinion of the Commission that the judge may accept an honorarium for delivering the keynote speech in question. This issue is governed by Canons 5 and 6 of the Alabama Canons of Judicial Ethics. These Canons provide in pertinent part as follows:

Canon 5

A Judge Should Regulate His Extra-judicial Activities To Minimize the Risk of Conflict with His Judicial Duties

A. Avocational Activities:

A judge may write, lecture, teach, and speak on nonlegal subjects, and engage in the arts, sports, and other social and recreational activities, if such avocational activities do not detract from the dignity of his office or interfere with the performance of his judicial duties.

Canon 6

A judge may receive compensation and reimbursement of expenses for the quasi-judicial and extra-judicial activities permitted by these canons, if the source of such payments does not give the appearance of influencing the judge in his judicial duties or otherwise give the appearance of impropriety, subject to the following restrictions:

A. Compensation:

Compensation should not exceed a reasonable amount, nor should it exceed what a person who is not a judge would receive for the same activity.

These provisions clearly provide that a judge may receive an honorarium for delivering a keynote speech. In this instance, the honorarium is in the same amount as paid to past non-judge speakers. This is in compliance with the Canons. However, the judge should be ever mindful of these provisions and make sure that even the appearance of propriety remains intact.

Sincerely,

JUDICIAL INQUIRY COMMISSION