

Judicial Inquiry Commission

800 SOUTH MCDONOUGH STREET
SUITE 201
MONTGOMERY, ALABAMA 36104

April 30, 1991

The Judicial Inquiry Commission has considered your request for an opinion concerning the following inquiry:

Are there any conditions under which the City Council can make a judge resign or take away his tenure after they have appointed him for a four-year term? In other words, if they have appointed him to the position of municipal judge for four years, can they do anything to take it away and under what circumstances prior to the established expiration of such a four-year term?

In reviewing this request, we note that your question concerns the power and authority of the City Council. Under Rule 17 of the Alabama Judicial Inquiry Commission Rules of Procedure, the opinion authority of the Commission extends only to questions concerning the propriety of a judge's actions or proposed actions under the Alabama Canons of Judicial Ethics. We, therefore, have no authority to address the power and authority of the City Council and cannot be of assistance to you in this matter.

Sincerely,

JUDICIAL INQUIRY COMMISSION