

## Judicial Inquiry Commission

800 SOUTH MCDONOUGH STREET  
SUITE 201  
MONTGOMERY, ALABAMA 36104

April 30, 1993

This is in response to your request for an advisory opinion from the Judicial Inquiry Commission. Your question is whether you are disqualified from presiding over a civil action against State Farm Fire and Casualty Insurance Company which involves a bad faith claim for non-payment under the following circumstances:

Your mother-in-law has filed a civil action against State Farm Fire and Casualty Insurance Company seeking recovery on a homeowner's insurance policy. The suit arises from nonpayment of your mother-in-law's claim for water damage to her residence and contains a bad faith claim for nonpayment. The suit was filed in a judicial circuit in Alabama other than your own.

It is the opinion of this Commission that these facts do not provide cause for which your impartiality might reasonably be questioned under Canon 3C (1) or give rise to the appearance of impartiality under Canon 1, Alabama Canons of Judicial Ethics.

Obviously, you would be disqualified if you had a personal bias or prejudice concerning State Farm arising from your mother-in-law's case or from any other source. Canon 3C(l)(a). That type of disqualification may not be remitted.

This advisory opinion has been approved and adopted by the Judicial Inquiry Commission and is the opinion of the Commission.