

Judicial Inquiry Commission

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April 30, 1993

This is in response to your request for an advisory opinion from the Judicial Inquiry Commission. Your question is whether excess campaign funds can be donated to charitable organizations in which you have no involvement.

Canon 7B(l)(d), Alabama Canons of Judicial Ethics provides:

“(l) A candidate, including an incumbent judge, for a judicial office that is filled either by public election between competing candidates or on the basis of a merit system election:

. . .

(d) Should not use or permit the use of campaign contributions for the private benefit of himself.”

It is the opinion of this Commission that a judge may donate any excess campaign funds to a charity. The judge must have no connection or involvement in the management or control of the charity to which the funds are donated. The judge may not receive any “private benefit” from the donation of the funds and may not claim a charitable deduction on his or her personal income tax return. The “private benefit” of Canon 7B(l)(d) extends to the judge’s spouse and family.

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

Respectfully,