

Judicial Inquiry Commission

800 SOUTH MCDONOUGH STREET
SUITE 201
MONTGOMERY, ALABAMA 36104

April 28, 1995

The Commission has considered your request for an opinion of the Commission concerning the propriety of sending juror "thank you" letters at the conclusion of the jury terms of court.

The Commission has considered the propriety of the sending of commendatory letters to jurors and jury venire members on three previous occasions. In Advisory Opinion 82-126, the Commission found that such letters should not be sent by any judge using court stationery, stamps or personnel unless expressly authorized by court rule or the presiding circuit judge. This ruling was based upon §36-12-61, Code of Alabama 1975, and Canons 2 and 7A(I) of the Alabama Canons of Judicial Ethics. Later, in Advisory Opinion 82-160, the Commission found that a circuit judge is not prohibited by the Canons from sending such commendatory letters at his own expense, but that in so doing he should be ever mindful of the high standards of ethical conduct required under Canon 1. The Commission further found in Advisory Opinion 82-160 that, in order to protect the integrity of the judiciary under Canon 1, a judge should send such commendatory letters only to those jurors who, in some manner, had participated in a proceeding over which the judge sending the letters presided. Finally, in Advisory opinion 83-178, the Commission found that the Canons of Judicial Ethics do not preclude suitable commendatory letters being sent to jury venire members at court expense and signed by all the circuit judges in the circuit if the letters are approved by court rule and accurately reflect their participation or the participation of the signatory judge in the judicial process.

It is the opinion of the Commission that you may send commendatory letters to jurors at the conclusion of jury terms of court if the conditions expressed in the Commission's prior opinions on this subject are met.