

Judicial Inquiry Commission

800 SOUTH MCDONOUGH STREET
SUITE 201
MONTGOMERY, ALABAMA 36104

May 28, 1984

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 appointment to serve on the advisory committee for the election of a certain person to the position of United States Senator from Alabama.

Political activities of judges are governed by Canon 7 of the Alabama Canons of Judicial Ethics. In pertinent part, Canon 7A(l) provides:

“... It is desirable that a judge ... endeavor not to be involved in the internal workings of political organizations, engage in campaign activities in connection with a political candidate other than candidates for judicial offices and not be involved in political fund solicitation other than for himself ...”

Further, Canon 7 recognizes that judges hold elective offices in Alabama and, therefore, must engage in partisan politics. However, the canon strongly discourages, although it does not prohibit, a judge from engaging in the activity which you describe. If the judge does serve on the committee in question, he should do so in his individual capacity and not identify himself or allow himself to be identified as a judge. He must not lend the prestige of his office to advance the campaign.

Yours very truly,

JUDICIAL INQUIRY COMMISSION