

Judicial Inquiry Commission

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September 4, 1979

The Judicial Inquiry Commission has considered your request for an opinion as to whether it would be a conflict of interest for the adult son and daughter-in-law of a district court judge to be employed as substitute house parents every other weekend for a juvenile attention home within the territorial jurisdiction of the judge. You state that the home is under the supervision and control of a public corporation.

It is the opinion of the Commission that there exists no per se violation of the Canons of Judicial Ethics in the foregoing factual situation. However, should the son and daughter-in-law accept the job as substitute house parents, the judge should be ever mindful of the provisions of Canon 3C(l)(d) and Canon 3D regarding disqualification. In the event that the judge's son and daughter-in-law might be either a material witness or a party in a juvenile proceeding before the judge, recusal may be required.