

## Judicial Inquiry Commission

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MONTGOMERY, ALABAMA 36104

June 9, 1980

The Judicial Inquiry Commission has considered your request for an opinion in which you ask the following question:

“In view of the (the Commission’s) opinion rendered in synopsis 78-47 and in view of the Constitutional provision therein cited, may a part-time Municipal Judge serve concurrently as appointed Municipal Judge and elected Councilman of the same municipality?”

The Commission has already decided in advisory opinion 78-47 that part-time Municipal Judges are exempt from Section 6.08(b) of Amendment 328 of the Constitution of Alabama, 1901.

The Commission considers your request to include questions beyond the scope of the Canons of Judicial Ethics. Since the Commission’s authority extends only to the interpretation of the Canons, you may wish to contact the Attorney General of Alabama and the Alabama Ethics Commission for their advice on the other issues raised by your question to assure your compliance with Canon 2.