

## Judicial Inquiry Commission

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April 28, 1981

The Judicial Inquiry Commission has considered your request for an opinion concerning whether a circuit judge may accept payment for legal fees earned prior to his becoming a judge.

Your request is based upon the following facts:

Prior to assuming office as judge, an attorney in representing a particular client did a great deal of legal and factual research which led to the filing of a lawsuit on behalf of the client. In closing out his law practice to assume a judgeship, the attorney turned over his files in the matter to another law firm. Now, several years after the attorney became judge, the lawsuit has been successfully concluded in favor of the client. The law firm, which received the case from the judge, has paid the judge for the services performed by him for the client while the judge was still a practicing attorney.

Based upon the facts, it is the opinion of the Commission that the Canons of Judicial Ethics do not prohibit the judge's accepting the remuneration for his legal services performed prior to his assuming office where there existed a prior fee agreement.

Sincerely,

JUDICIAL INQUIRY COMMISSION