

Judicial Inquiry Commission

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November 2, 1981

The Judicial Inquiry Commission has considered your request for an opinion concerning whether a judge who teaches part-time at a major state university must recuse himself on all litigation involving that institution. In the facts presented, the Judge receives \$500 for teaching a course at the institution. The institution is an intervenor in the lawsuit in question and the plaintiff has asked that the judge be recused.

It is the opinion of the Commission that under Canon 3C of the Alabama Canons of Judicial Ethics the Judge should disqualify himself from hearing any proceeding in which the educational institution by which he is employed is a party. Canon 3C provides that a judge should disqualify himself from hearing any proceeding in which his impartiality might reasonably be questioned. In this instance the Commission finds that other litigants as well as the general public might reasonably question a judge's impartiality in any proceeding where the institution by which the Judge is employed is involved.

Very truly yours,