

Judicial Inquiry Commission

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February 2, 1982

The Judicial Inquiry Commission has considered your request for an opinion concerning the following two questions:

- “1. Is it a violation of Canon 2(A), Alabama Canons of Judicial Ethics, for a circuit judge to disregard counsel that has been appointed to represent an indigent defendant on appeal for trial de novo from district court (by appointing other counsel before arraignment in circuit court without giving any reason for change), where appointment was made mandatory in district court by Rule 9, Alabama Rules of Criminal Procedure-Temporary Rules? and
2. Is it a violation of said Canon 2(A) for a circuit judge to disregard counsel (that was appointed before indictment by a district court) by appointing other counsel before arraignment in circuit court without giving any reason for change?”

Canon 2(a) provides that:

“A judge should respect and comply with the law and should conduct himself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.”

It is the opinion of the Commission that the conduct as stated in your letter is not a violation of this Canon.