

Judicial Inquiry Commission

800 SOUTH MCDONOUGH STREET
SUITE 201
MONTGOMERY, ALABAMA 36104

April 30, 1982

The Judicial Inquiry Commission has considered your request for an opinion concerning whether a judge would be disqualified from appointing an attorney to represent indigent criminal defendants where the attorney is related to the judge within the prohibited degree of consanguinity or affinity.

Your question has been answered in Advisory Opinion 80-91 by the Commission in October of 1980. In that opinion, the Commission specifically held that a judge is disqualified from appointing an attorney in an indigent criminal case where the attorney is related to the judge within the prohibited degree.

Very truly yours,