

Judicial Inquiry Commission

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MONTGOMERY, ALABAMA 36104

March 2, 1983

The Judicial Inquiry Commission has considered your request for an opinion concerning whether a municipal court judge may serve as Chairman of the Endowments, Wills & Gifts Committee of a Shrine Temple without violating the Canons of Judicial Ethics. This Committee is responsible for assisting in local fund-raising efforts by providing assistance to those who wish to contribute to Shrine charities through a will, gift endowment or trust.

As you are aware, the activity which you describe is governed by Canon 5B of the Alabama Canons of Judicial Ethics. The Commission has found, in prior opinions, that Canon 5B does not provide an absolute prohibition against a judge's involvement in charitable fund-raising activities. However, Canon 5B does recognize the danger of the prestige of the judicial office being used in fund solicitation. Therefore, the Commission has found that should a judge enter into such activities, he must be ever mindful of the high standards of conduct required by Canons 1 and 2.

Because of the nature of the activities of the Endowments, Wills & Gifts Committee, you should be particularly mindful of the implications of Canon 5B that a judge not serve as legal advisor to organizations which are charitable, religious, fraternal, etc.

Very truly yours,

JUDICIAL INQUIRY COMMISSION