

Judicial Inquiry Commission

800 SOUTH MCDONOUGH STREET
SUITE 201
MONTGOMERY, ALABAMA 36104

March 3, 1983

The Judicial Inquiry Commission has considered your request for an opinion concerning whether, under the Alabama Canons of Judicial Ethics, a circuit judge may provide Martindale-Hubbell, Inc. with confidential evaluations and recommendations concerning practicing attorneys when called upon to do so.

The Commission has found previously that recommendations as to a person's character, ability, etc. are governed primarily by Canon 2 of the Alabama Canons of Judicial Ethics. More appropriately, the commentary to Canon 2 provides by amendment that:

“This canon does not per se prohibit a judge from writing a letter of recommendation disclosing personal information of someone's experience, character or ability.”

Therefore, it is the opinion of the Commission that a judge may provide confidential recommendations or evaluations of practicing attorneys when called upon to do so by professional directories. He must, however, in so doing be ever mindful that his act neither conveys nor permits others to convey the impression that they are in a special position to influence him as proscribed in Canon 2C. He also must be ever mindful of the remaining provisions of Canon 2.

Very truly yours,

JUDICIAL INQUIRY COMMISSION