

Judicial Inquiry Commission

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MONTGOMERY, ALABAMA 36104

June 22, 1983

The Judicial Inquiry Commission has considered your request for an opinion concerning whether a circuit or district court judge may accept a fee for performing a marriage. This question is governed in part by Section 30-1-8, Code of Alabama, 1975. That Section provides that:

“Any person authorized under this chapter to perform the rites of matrimony is entitled to \$2.00 for each marriage solemnized.”

Circuit and district court judges are authorized under Section 30-1-7, Code of Alabama, 1975 to perform marriages in Alabama. They would therefore be entitled to receive a \$2.00 fee for such services as provided by law. This would not violate any of the Canons of Judicial Ethics.

Further, the Commission has ruled in an earlier opinion that a judge may, without violating the Canons of Judicial Ethics, accept more than the statutory \$2.00 if such a larger amount is offered. See Opinion 78-38, a copy of which is attached.

Yours very truly,

JUDICIAL INQUIRY COMMISSION