

85-245
[Overruled or Modified by 88-338]

Judicial Inquiry Commission

800 SOUTH MCDONOUGH STREET
SUITE 201
MONTGOMERY, ALABAMA 36104

November 26, 1985

The Judicial Inquiry Commission has considered your request for an opinion concerning whether a judge may sit to hear routine matter and/or enter consent orders in proceedings in which one party is represented by a member of a law firm which employs the judge's child as an associate.

It is the opinion of the Commission that the judge is disqualified from sitting in any of the described proceedings. This conclusion is based upon Canon 3C of the Alabama Canons of Judicial Ethics as that Canon has been applied in previous opinions of the Commission. See Opinions 82-169, 80-88 through 80-91 and 80-76. (A copy of Opinion 82-169 is attached for your convenience.) This disqualification may, of course, be remitted under the provisions of Canon 3D.

Sincerely,

JUDICIAL INQUIRY COMMISSION