

Judicial Inquiry Commission

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April 2, 1986

The Judicial Inquiry Commission has considered your request for an opinion concerning whether under the Alabama Canons of Judicial Ethics a judge may participate in a hike-bike-run fund raising event for a school serving the profoundly mentally and physically handicapped. The judge proposes to participate as a member of a group riding bicycles over a certain distance. A local radio station will serve as an unofficial sponsor of the group and will seek other sponsors who will pledge money for the distance ridden by a sponsored participant. All sponsorships will be handled by the radio station and the judge will not know who his sponsor or sponsors are.

Civic and charitable activities of judges are governed primarily by Canon 5B of the Alabama Canons of Judicial Ethics. That Canon provides in pertinent part:

“A judge may participate in civic and charitable activities that do not reflect adversely upon his impartiality or interfere with the performance of his judicial duties.

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- (2) It is desirable that a judge not solicit funds for any educational, religious, charitable, fraternal, or civic organization or institution, or use or permit the use of the prestige of his office for that purpose, but he may be listed as an officer, director, or trustee of such organization or institution.”

Based on these provisions, it is the opinion of the Commission that under the facts presented, the judge may participate in the hike-bike-run fund raising event. He should, however, be ever mindful of the provisions of Canon 5 and should not himself solicit funds. He should further not participate if it appears that the organization will use the prestige of his judicial office for fund solicitation.

Sincerely,

JUDICIAL INQUIRY COMMISSION