

Judicial Inquiry Commission

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MONTGOMERY, ALABAMA 36104

October 27, 1986

The Judicial Inquiry Commission has considered your request for an opinion concerning whether, under the Alabama Canons of Judicial Ethics, a Circuit Judge may serve as the president of a local area Chamber of Commerce located in a small Alabama municipality. You state that during his service as president the judge will not solicit funds but will participate in the organization's membership drive. He will represent the Chamber at various community functions and will participate in the preparation of the Chamber's budget.

It is the opinion of the Commission that under the circumstances described the Canons of Judicial Ethics discourage the judge from serving as president of a local area Chamber of Commerce due to the fact that membership solicitation includes necessarily the solicitation of funds. The judge should be ever mindful of the provisions of Canon 5 that:

"A judge should regulate his extra-judicial activities to minimize the risk of conflict with his judicial duties."

While Canon 5B specifically allows a judge to serve as an officer of a civic organization, that Canon does not allow such service if it unduly increases the risk of conflict with the judge's judicial duties and discourages such service if it involves the solicitation of funds. Both problems occur in this instance.

Sincerely,

JUDICIAL INQUIRY COMMISSION