

Judicial Inquiry Commission

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March 4, 1987

The Judicial Inquiry Commission has considered your request for an opinion concerning two issues. The first issue is whether under the Alabama Canons of Judicial Ethics a District Court Judge may appear in a public service announcement containing a drug abuse prevention message. The message stated by the judge is as follows:

“According to the American Medical Association, alcoholism is a progressive disease, not a moral weakness or a crime. Though it cannot be completely cured, it can be arrested. Awareness is the first step. Let’s get involved, ... Care enough to make a difference.”

The name of the sponsoring hospital appears at the beginning of the message. The hospital has a chemical dependency unit.

The Judge’s second question is whether the Judge may serve on the Board of Directors of the local Chamber of Commerce.

Your questions will be addressed in the order presented.

It is the opinion of the Commission that the judge should not appear on the public service announcement in the described fact situation. Under the specific facts presented, the public service announcement could easily be construed as an advertisement for the hospital. Under Canon 2 of the Canons of Judicial Ethics, a Judge is prohibited from using the prestige of his office to advance the private interest of others. Here, it would appear that the Judge has made an ad for the Chemical Dependency Unit of the hospital in question. However, should the name of the sponsoring hospital be deleted from the described public service announcement, no prohibition would be interposed by the Canons.

In response to your second question, it is the opinion of the Commission that, under the Alabama Canons of Judicial Ethics, a Judge is not prohibited from serving as a member of the Board of Directors for a local Chamber of Commerce. Such service is permitted under the provisions of Canon 5B of the Alabama Canons of Judicial Ethics.

Sincerely,
JUDICIAL INQUIRY COMMISSION