

## Judicial Inquiry Commission

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April 3, 1990

The Judicial Inquiry Commission has considered your request for an opinion concerning the duration of a judge's disqualification found to exist in Advisory Opinion 89-381. There, the Commission advised that a certain letter to parents of school-age children caused the judge's disqualification in truancy cases involving children whose parents received the letter. The Commission further advised that this disqualification could be remitted.

It is the opinion of the Commission that the disqualification would exist in truancy cases arising during the school year in which the letter was mailed and during which the letters were intended to be effective. This opinion is based on the particular circumstances involved in this instance.

Essentially, this matter involves a single school year. Each school year creates a new educational program for each student advancing from grade to grade or remaining in the same grade. At the beginning of each school year, parents and students sign new forms granting parental permissions, renewing school insurance, signing up for programs, deciding educational placements, etc. Since so many school programs and activities are carried on a yearly basis, it is reasonable to consider this truancy prevention program to follow the same pattern. Therefore, disqualification arising out of the sending of the letter would adhere only to those cases arising out of truancy occurring during the present school year.

Sincerely,

JUDICIAL INQUIRY COMMISSION