

Judicial Inquiry Commission

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October 25, 1991

This is in response to your request for an advisory opinion from the Judicial Inquiry Commission. Your question involves the ethical propriety of serving at an annual fund raiser for the Junior League. According to the facts you have provided, individuals and commercial restaurants will provide food and nonalcoholic beverages for this fund raiser. In exchange for an admission fee, patrons will have the privilege of sampling the food and beverages. You and three other public officials (two mayors and the probate judge) have been asked to help serve the various foods and beverages. You are also concerned about the fact that your name, along with the name of the other public officials was listed on the invitations to this fund raiser. In the invitation you were identified as district judge.

The pertinent portions of Canon 5 provide:

- B. Civic and charitable activities. 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, but he may be listed as an officer, director, or trustee of such an organization or institution."

Under Canon 2B, a judge "should at all times maintain the decorum and temperance befitting his office." Canon 2C provides, in part, that a judge "should not lend the prestige of his office to advance the private interests of others." Therefore, it is important in complying with the Canons of Judicial Ethics that you conduct yourself with dignity when serving at this fund raiser and that you not allow yourself to be placed in a position where it appears to the public that you are giving your professional endorsement to any particular restaurant or commercial establishment represented at the fund raiser.

With the above cautions, it is the opinion of the Commission that the activities you have described do not violate the Alabama Canons of Judicial Ethics.

The Commission thanks you for your inquiry.