

## Judicial Inquiry Commission

800 SOUTH MCDONOUGH STREET  
SUITE 201  
MONTGOMERY, ALABAMA 36104

July 10, 1992

This is in response to your request for an advisory opinion from the Judicial Inquiry Commission in connection with Advisory Opinion 92-433 issued on April 24, 1992.

In order to uphold the confidentiality of the proceedings of the Commission, this advisory opinion will not detail the specific facts involved in this case which have been communicated to you in confidence by separate opinion. Rule 5, Rules of Procedure of the Judicial Inquiry Commission.

It is the finding of this Commission that, under the present circumstances, a person of ordinary prudence in the judge's position knowing all of the facts known to the judge would find that there still remains a reasonable basis for questioning the judge's impartiality in any case where a party is represented by any member of the particular law firm in question. See *In re Sheffield*, 465 So.2d 350, 356 (Ala. 1984). With the improvement of the legal atmosphere within the judicial community of the county, the passage of time should reduce the appearances of partiality and impropriety. Therefore, it is the finding of this Commission that you should continue to recuse yourself in any case in which a party is represented by any member of the law firm in question until January of 1993. See Florida Advisory Opinion 86-9, May 13, 1986.