

Judicial Inquiry Commission

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MONTGOMERY, ALABAMA 36104

June 25, 1993

This is in response to your request for an advisory opinion from the Alabama Judicial Inquiry Commission. Your request is: May you rent or lease office space in a small building owned by you to the superintendent of the county school system for book storage.

It is the opinion of this Commission that the Alabama Canons of Judicial Ethics do not prohibit the type of leasing arrangement proposed. However, because such an arrangement would create a landlord-tenant relationship, you would be required, under Canon 3C(1), to disqualify yourself in any case in which the Clay County Board of Education was a party. See Advisory Opinion 91-432. Under Canon 3D, this disqualification could not be remitted.

This opinion has been reviewed and approved by the Judicial Inquiry Commission and is adopted as the opinion of the entire Commission.