

Judicial Inquiry Commission

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This is in response to your request for an advisory opinion from the Judicial Inquiry Commission. Your question is whether you may participate in the political campaign of another for the position of circuit judge. Although retired, you are on occasion called upon to perform the duties of an active judge.

Since you are serving part-time on an active duty status, Canon 7, Alabama Canons of Judicial Ethics, is applicable to your political activities. See Compliance section, Alabama Canons of Judicial Ethics. However, the admonishments of Canon 7 do not discourage participation by a judge in campaign activities in conjunction with a candidate for judicial office. Canon 7A(l). See Advisory Opinion 82-162, a copy of which is enclosed.

In engaging in campaign conduct a judge "should conduct himself in a manner at all times to prevent any political considerations, entanglements or influence from ever becoming involved in or from ever appearing to be involved in any judicial decision or in the judicial process." Canon 7A(l).

This advisory opinion has been considered and approved by the entire Judicial Inquiry Commission.