

Judicial Inquiry Commission

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This is your request for an advisory opinion from the Judicial Inquiry Commission. Your court reporter's spouse is a member of a law firm. Your question is whether you will be disqualified from presiding over cases in which appears a member of your court reporter's spouse's law firm.

This question was answered in Advisory Opinion 94-513. In that opinion, this Commission held that a judge is not disqualified from presiding over cases in which an attorney or any member of the attorney's firm represents a party merely because the attorney's wife is the judge's court reporter. The mere fact that a party is related by blood or marriage to the court reporter of the judge does not automatically require the judge's disqualification. The judge should inform the parties and their attorneys of the relationship between the judge and the court reporter to avoid any appearance of impropriety.