

## Judicial Inquiry Commission

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MONTGOMERY, ALABAMA 36104

January 24, 1997

The Judicial inquiry Commission has considered your request for an advisory opinion whether a judge who has a loan with a bank that is a party-plaintiff to a proceeding is required under the Canons of Judicial Ethics to disclose this circumstance to a defendant who does not answer the complaint or whether the judge may enter a requested default judgment without notice to the defendant.

It is the opinion of the Commission that a judge who has a loan with a bank that is a plaintiff in a proceeding need not disclose this circumstance to a defendant who fails to answer the complaint, and that the judge may proceed to enter a default judgment in such a situation.

Yours very truly,

JUDICIAL INQUIRY COMMISSION