

# Advisory Committee on the Code of Judicial Conduct

Hon. Frank H. Allen, Jr., Chairman  
Hon. Marie A. Baca  
Hon. James J. Wechsler  
Prof. William MacPherson

October 18, 2001

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Re: Judicial Advisory Opinion 01-07

Dear

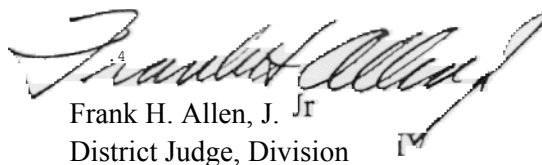
You have asked this committee to advise you as to whether or not it would be of violation of the Code of Judicial Conduct for a \_\_\_\_\_ Court Judge to also serve as a judge on a \_\_\_\_\_ Court.

You also indicate that the judge would be performing identical duties on the \_\_\_\_\_ Court as those required in \_\_\_\_\_ Court. There would be no conflict in schedules since the \_\_\_\_\_ Court matters would be heard on evenings, weekends and holidays. Also, given the sovereign jurisdiction of the Tribe, there would be no conflict of interest.

The answer to your question is found in Rule 21-500 I which provides:

No full-time municipal, magistrate, metropolitan, district or appellate judge may hold any other judicial position, elected or appointed.

Very truly yours,

  
Frank H. Allen, J. Jr.  
District Judge, Division

FHA/mah