



State of Kansas

Office of Judicial Administration

Kansas Judicial Center
301 West 10th
Topeka, Kansas 66612-1507

(913) 296-2256



JUDICIAL ETHICS ADVISORY PANEL

September 13, 1989

Judicial Ethics Opinion JE-30

Topic

Remittal of disqualification because of relationship.

A sister-in-law of a municipal judge for a small city has been appointed a patrolwoman for the city. The judge asks, "May I ethically preside at all proceedings in which my sister-in-law is involved if all parties to the proceedings are advised on record of our relationship and agree in writing that the relationship is immaterial?"

A sister-in-law of a judge is within the third degree of relationship and as such makes disqualification mandatory under Canon 3C(1)(d)(i) in any proceeding where both are involved. However, a Remittal of Disqualification under the provisions of Canon 3D allows a judge to continue to preside at all proceedings in which his sister-in-law is involved.

Robert H. Kaul
Robert H. Kaul, Chairman

Harry G. Miller
Harry G. Miller

John W. Brookens
John W. Brookens