



The Supreme Court
of Kansas

Kansas Judicial Center
Topeka, Kansas 66612-1507

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GARY L. GREEN
CLERK APPELLATE COURTS

JUDICIAL ETHICS ADVISORY PANEL

Judicial Ethics Opinion JE-43

March 19, 1993

Topic

Disqualification of a judge in a matter
in which he had been previously involved
as a practicing attorney.

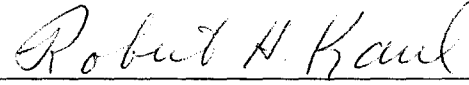
A lawyer was appointed to represent a proposed ward and conservatee in an involuntary guardianship and conservatorship proceeding in March of 1988. Letters of Guardianship and Conservatorship were issued to the present guardian and conservator in April of 1988.

In January of 1993 the lawyer became a judge. The annual accounting and report of the guardian/conservator has been submitted to the judge for consideration and approval.

The only connection with the matter by the lawyer, now a judge, was in being court appointed to represent the ward/conservatee in the original proceeding in 1988.

The judge now asks whether or not he may hear, consider, and approve or disapprove of the annual accounting and report filed in his court.

The answer is yes. We see no conflict of interest, no impropriety. The original involuntary guardianship and conservatorship proceeding in 1988, has little if any connection with the annual accounting and report of 1993.



Robert H. Kaul, Chairman



John W. Brookens



Harry G. Miller