

opinion on whether he should recuse himself from this case because of having made the donation.

The Committee Chair has responded to Justice Feldman's request, saying that there appears to be no formal decision or opinion on the question and that Justice Feldman "may not have to disqualify himself in [this] case simply because he donated money to the non-profit litigant in the case." Justice Feldman believes, however, that his contribution might lead a reasonable person to conclude that he strongly favors clean elections and therefore might not be impartial to the issues raised in the case. He therefore chooses not to participate in the consideration or decision of this case and thus recuses himself, even though not required to do so.

Dated this _____ day of July, 2002.


STANLEY G. FELDMAN, Justice