

You advise that you are an attorney in general practice and have served as counsel for your county's Department of Social Services (DSS) for approximately nine years. Recent organization has placed the department under the supervision of the county administrator. Previously, the department was considered independent of that office, answerable only to the regional office of the Virginia Department of Social Services. Although you have rendered legal services to the county only as counsel for the county Department of Social Services and although the county retains the services of another attorney as counsel on all nonsocial service related matters, a question has arisen as to whether you may represent clients before the county on a nonsocial service related matter (e.g. zoning).

You wish to know whether or not it is proper for you to represent other clients before the board of supervisors or other county departments on matters which the county regularly retains the services of a different attorney.

The Committee believes that LE Op. 843 and LE Op. 394 are dispositive of your inquiry, and that it would not be improper for you to represent other clients before the board of supervisors or the other county departments as long as the county retains the services of different attorneys for those matters and the county and DSS consent to the representation after full disclosure.

Committee Opinion
June 9, 1988