

Committee Opinion
October 5, 1984

LEGAL ETHICS OPINION 612

CONFLICT OF INTEREST – ASSOCIATE
ATTORNEY/PARTNER –
REPRESENTATION OF LAW PARTNER.

When adverse counsel has stated the intent to call an attorney for the opposing side as a witness concerning the nature of the business relationship among the defendants, the opposing attorney should not continue as counsel of record unless one of the exceptions stated in DR: 5-101(B) (1-3) is applicable. Furthermore, DR:5-101(A) states that

A lawyer shall not accept employment if the exercise of his professional judgment on behalf of his client may be affected by his own financial, business, property or personal interests, except with the consent of his client after full and adequate disclosure under the circumstances and should be considered by an attorney who is called upon to make a decision as to whether or not the representation may continue or whether withdrawal from representation is necessary.

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