

Committee Opinion
January 16, 1985

LEGAL ETHICS OPINION 658

CONFLICT OF INTEREST – UNLAWFUL
DETAINER – ATTORNEYS AS
WITNESS – SWORN AFFIDAVIT.

Even if an unlawful detainer proceeding is contested, the attorney for the landlord is not required to withdraw from representation solely on the basis that the attorney has sworn to the affidavit in support of the client's action in unlawful detainer. Pursuant to the provisions of DR:5- 102(B) of the Virginia Code of Professional Responsibility, the attorney for the landlord may continue representation of the landlord until it is apparent that the attorney's testimony as a witness is or may be prejudicial to the client.

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