

Committee Opinion  
October 21, 1985.

LEGAL ETHICS OPINION 731

CONFLICT OF INTEREST – PART-TIME  
COMMONWEALTH'S ATTORNEY –  
CIVIL PRACTICE.

The criminal prosecution by a part-time commonwealth's attorney of a civil client's husband might well suggest to the public some inappropriate conduct in the public office. Accordingly, while there is no provision of the Virginia Code of Professional Responsibility which per se disqualifies a part-time commonwealth's attorney from the criminal prosecution, the provisions of DR:9-101 and Ethical Consideration 9-2 [ EC:9-2] merit consideration and exercise of sound judgment by the part-time commonwealth's attorney.

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