

It is improper for a county attorney charged with a duty to represent the interests of the county subdivision committee to represent the interests of a developer in a subdivision application before the county subdivision committee. If the county and the developer are agreeable, and if the county retains independent counsel for the subdivision committee, then after full disclosure and consent, the attorney may represent the developer. Absent retention of independent counsel by the county subdivision committee, the Committee feels that representation of the developer by the attorney would be improper. [DR:5-105(C) and (D); LE Op. 394]

Committee Opinion
October 9, 1986