

Committee Opinion  
April 10, 1984

LEGAL ETHICS OPINION 562

PART-TIME COMMONWEALTH  
ATTORNEY – PARTNERSHIP WITH  
ASSISTANT COMMONWEALTH  
ATTORNEY – CONFLICT OF  
INTEREST.

Prior to his election as part-time commonwealth's attorney, an attorney represented a defendant in a criminal matter brought within his elected jurisdiction. It would now be improper for the attorney to represent the commonwealth in prosecuting co-defendants of his former client. It would also be improper for the Assistant Commonwealth Attorney to prosecute the co-defendants, as the Assistant shares a private law practice with the Commonwealth Attorney and is, therefore, vicariously disqualified from representing the Commonwealth. [ DR:5-105(A), (E)]

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