

Committee Opinion
February 5, 1985

LEGAL ETHICS OPINION 657

CONFLICT OF INTEREST –
REPRESENTATION AGAINST FORMER
CLIENT IN SUBSTANTIALLY
RELATED MATTER.

It is improper for an attorney in a recision proceeding to represent a party adverse to the grantor where the attorney previously represented the grantor in a proceeding for the appointment of a guardian ad litem, and both actions involve the issue of the grantor's competence and are substantially related. See DR:5-105(D).

Further, where the attorney presently represents a party who was present in the first action, it would appear that such representation will involve, at least potentially, the use of confidences or secrets gained by adverse counsel in his prior representation.

Committee Opinion
February 5, 1985