

Committee Opinion
March 15, 1985

LEGAL ETHICS OPINION 665

CONFLICT OF INTEREST – PART-TIME
COMMONWEALTH'S, CITY OR
COUNTY ATTORNEY-PRIVATE
PRACTICE-FAMILIAL
RELATIONSHIPS-SPOUSE.

It would be improper for the spouse and law partner of a part-time commonwealth's, city or county attorney to accept employment in a real estate transaction for which the approval of a subdivision plat by an official of the locality is required if in the course of securing such approval it was necessary for the part-time commonwealth's, city or county attorney to render advice. Similarly, it would be improper for said attorney to request a change in the conditions of plat approval if such change would require advice from the part-time commonwealth's, city or county attorney. In situations where a part-time commonwealth's, city or county attorney is not called upon to render advice, it would be proper for the spouse and law partner of the part-time commonwealth's, city or county attorney to proceed with representation provided there is full disclosure to the client concerning the relationship with the part-time commonwealth's, city or county attorney and, further, provided that there is no interest which would impair the independent professional judgment of the spouse and law partner of the part-time commonwealth's, city or county attorney.

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Legal Ethics Committee Notes. – Rule 1.8(i) now allows related lawyers to be directly adverse to one another if the clients consent.