

Committee Opinion
January 13, 1986

LEGAL ETHICS OPINION 759

APPEARANCE OF IMPROPRIETY –
CONFLICT OF INTEREST – SPOUSE
WITH DEPARTMENT OF SOCIAL
SERVICES.

It is not improper for an attorney whose spouse is employed by the local department of social services to appear in the following matters in which the local department of social services is involved, provided the spouse has no involvement in the case workup: (1) representation of a parent in a disputed custody matter where the department of social services will be asked to do a home study; (2) representation of a parent/adult charged with child abuse or an offense against a juvenile; (3) participation as a guardian ad litem in contested custody matters; and (4) representation of a juvenile when custody and home conditions may become a factor in the sentencing/disposition stage. [See LE Op. 608 and LE Op. 653]

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