

Committee Opinion
May 1, 1987

LEGAL ETHICS OPINION 881

CONFLICT OF INTEREST –
ATTORNEY'S WIFE EMPLOYED AS
LAW CLERK FOR JUDGE.

The wife of an attorney who is a member of a firm in private practice is employed as a law clerk by the chief judge of the United States Bankruptcy Court in that area. Given the above, it is improper for the attorney to appear before the bankruptcy judge in any matter in which the wife/law clerk has in any way been involved or may have any responsibility. It is improper for the attorney to appear in proceedings where the judge does not preside, such as a first creditors meeting, if the case will subsequently be assigned to that judge and the wife/law clerk will have any responsibility for that case. It is improper for the attorney to have any responsibility or in any way work with any file if the wife/law clerk also has responsibility for that same file. [DR:5-101, DR:7-109, DR:9-101(C); EC:9-2, EC:9-4; LE Op. 190, LE Op. 623, LE Op. 624, LE Op. 676, LE Op. 750 and LE Op. 845]

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