

Committee Opinion  
July 8, 1987

LEGAL ETHICS OPINION 949

LEGAL AID SOCIETY – CONFLICT OF  
INTEREST.

An individual received preliminary information regarding a divorce from an officer of a legal aid society. A year later, the same individual was interviewed by a pro bono program, which is a cooperative effort with the legal aid society, and referred to a private attorney in connection with the same domestic matter. The individual's spouse had also consulted the legal aid society on an unrelated matter prior to the filing of the divorce. When served with divorce papers, the spouse had the legal aid society file the appropriate answer and cross bill.

It is not improper, given the above, for the private attorney to continue to represent his client as long as full disclosure is made and consent of the parties received. It is improper, given the above, for the legal aid society to continue to represent its client. It is not improper for the legal aid society to assist its client in finding substitute counsel once proper disclosure and consent of the parties is obtained. However, it is not required that the legal aid society find substitute counsel. [ DR:4-101, DR:5-105; LE Op. 221 and LE Op. 241]

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