

ING ADDRESS P O BOX 1695  
AARCK, N D 58502-1695  
ST ADDRESS 5TH AT ROSSER  
MENT LIFE BLDG  
B1 K, N D 58502-1695  
TELEPHONE (701) 223-2711

JOHN A. ZUGER, P.C.  
LEONARD H. BUCKLIN, P.C.  
LYLE W. KIRMIS  
ROBERT V. BOLINSKE  
THOMAS D. SMITH, P.C.  
MURRAY G. SAGSVEEN, P.C.  
LANCE D. SCHREINER, P.C.  
JAMES S. HILL, P.C.  
PATRICK J. WARD  
REBECCA THIEM BENSON  
MICHAEL G. FIERGOLA  
CHARLES T. EDIN  
DANIEL S. KUNTZ

October 15, 1985

Re: Ethics Committee Opinion

Dear [REDACTED]

The Ethics Committee of the State Bar Association of North Dakota discussed your letter of May 9, 1985, at our October 15, 1985 meeting.

After review of prior opinions of the Ethics Committee, we determined that a city prosecutor in municipal court may appear as defense counsel in any criminal action in any court other than that which he, or another member of his firm, regularly appears as a city attorney or city prosecutor.

The above letter opinion is issued for advisory purposes only and is not binding on you, the courts of North Dakota, the Disciplinary Board, Grievance Committee, or any other member of the Bar of the State of North Dakota.

I hope this is of assistance to you. The Committee intends to formulate a position on the role of city attorneys, municipal judges, states attorneys, county judges, and other part-time prosecutors or judges for publication in "The Gavel" in the near future. However, we thought you would want this information as soon as possible and hereby advise you accordingly.

Sincerely,

Patrick J. Ward

PJW:gb