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June 26, 1987

Re: Ethics Committee Opinion

Dear [REDACTED]

This is to let you know that the Ethics Committee did address the questions raised in your letter of May 20th at the annual meeting of the State Bar Association in Bismarck on June 11th.

Those members of the Committee present discussed your letter and determined that the specific question that you presented is not one of ethics as much as it is the scope of your responsibilities under the defense contract. Since the proceedings are civil in nature and the contract provides for criminal defense, it is our opinion that you are not ethically obligated to represent them in a civil proceeding such as the administrative hearing.

Obviously your request also raises political and economic issues and leads into areas over which neither the Ethics Committee nor the State Bar Association have power to regulate. We would recommend that you approach the County Commissioners and point out the problem to them so that they can consider expanding the scope of the services provided under the contract to include representation at the civil hearing.

I hope this response is of some assistance to you. If you have any questions about this, please do not hesitate to bring this to my attention.

Sincerely,

*Pat Ward*

Patrick J. Ward

PJW:gb

cc: Members, Ethics Committee