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September 26, 1991

[REDACTED]

Dear [REDACTED]

RE: Request for Ethics Committee Advisory Opinion

The Ethics Committee of the State Bar Association of North Dakota has addressed and discussed the questions raised in your letter of September 9, 1991.

The Committee was of the opinion that there is nothing in the Rules of Professional Conduct which would prohibit you from holding both an insurance license and a license to practice law. The Committee, however, would caution you that in the event you do practice in both fields, that you will have to assure that you keep the businesses separate from the standpoint of letterhead and other communications with prospective clients or insureds. For example, the Committee did not believe you could indicate on your letterhead that you were both an attorney and an insurance agent. Of course, the Committee did not feel that would mean you could not operate both businesses from the same office location.

We would remind you that we are not issuing any type of an opinion with respect to whether there would be a problem with you holding an insurance license in light of the fact that you are also a municipal court judge. We would refer you to the Code of Judicial Conduct should you have any questions in this respect.

This letter opinion is issued to you for advisory purposes only and is not binding on you, the Courts of North Dakota, disciplinary

board grievance committees, or any other member of the Bar of the State of North Dakota.

Very truly yours,

Paul F. Richard
Chairman
Ethics Committee State Bar Association
of North Dakota

cc: Sherry King

91-11

[REDACTED]

September 9, 1991

Mr. Paul Richard
Attorney at Law
P.O. Box 6017
Fargo, ND 58108

RE: Ethics committee advisory opinion

Dear Mr. Richard:

In the process of diversification of my practice and with intent to continue practicing law, I have scheduled myself to take the North Dakota Life and Health insurance examination. This test is now scheduled for October 12, 1991.

I also intend to continue in my position as West Fargo Municipal Court Judge.

The purpose of this letter is to inquire as to whether there would be any ethical conflicts in holding both a license to practice law and a license to sell insurance. At this time, I would envision the sale of insurance to be a minor portion of my livelihood. I would very much appreciate any advisory opinion that can be granted by the Ethics Committee prior to that time as to whether there will be any difficulty in holding both these licenses and potentially in practicing both professions.

Thank you in advance for your anticipated response and please feel free to contact me with questions or comments.

Sincerely,

[REDACTED]

Phone: 701-282-3732
FAX: 701-282-8387