October 22, 1987

Re: Ethics Committee Opinion

Dear [Name]

This is in response to your letter of October 7, 1987, which was discussed at the Ethics Committee meeting on October 22nd.

We believe you should seek an opinion from the Judicial Ethical Advisory Service in regard to your question. Your question does raise concerns in this Committee, under Rule 1.7 of the Model Code of Professional Responsibility. We also would suggest that you refer to the proposed Disciplinary Policy of Judicial Referees which indicates that a Judicial Referee is an employee of the judge. We are concerned about the potential conflict of interest of a person who acts as a District Court Referee handling matters in front of the same judge to which he is responsible in his Referee capacity.

Sincerely,

Patrick J. Ward

PJW:gb

eth-opin
October 7, 1987

Mr. Pat Ward  
Attorney at Law  
P.O. Box 1695  
Bismarck, ND 58502-1695

RE: June 23, 1986 Informal Ethics Opinion letter

Dear Mr. Ward:

Enclosed please find for your review a photocopy of the above letter to me regarding my position as Municipal Judge and Compliance with the Rules of Judicial Conduct.

Another issue has arisen regarding the possibility of my being a part-time District Court Referee to handle child support, paternity, and Juvenile Court matters. While these three matters would obviously exclude my practice in District Court, it would be appreciated if you would confirm that a part-time District Court Referee may still practice matters like personal injury, contracts, collections, foreclosure actions and other default cases in District Court. Your early response would be appreciated.

Very truly yours,

[Handwritten signature]

[Stamp: Received Oct 08 1987]

ZUGER-BUCKLIN PJW