

DIGEST OF ETHICS ADVISORY PANEL
OPINION #91-6, REQUEST #136
Issued February 20, 1991

An attorney seeks Panel advice concerning the circumstances, if any, under which the attorney may seek a position within the town housing authority where the attorney is employed as a legal adviser to the town.

At the time the attorney submitted this inquiry, the remaining aspects of the selection process were the deliberations concerning the selection of candidates for interviews, the interviews, and the final selection process. It is the intention of the attorney to recuse him/herself from these deliberations, but to make him/herself available to answer general questions regarding the selection process. The attorney states that he/she would not give any advice concerning individual candidates.

The Panel takes the position that the attorney may properly apply for the position within the town housing authority. The Panel is of the opinion that the attorney must completely divorce him/herself from the selection process in order to comply with the Rhode Island Rules of Professional Conduct.

Ethics Advisory Panel advice is protective in nature. There is no requirement that an attorney abide by a Panel opinion, but if he or she does, he or she is fully protected from any charge of impropriety.