

ETHICS ADVISORY PANEL
OPINION #94-58 REQUEST #529
Issued August 25, 1994

The inquiring attorney practices in the United States Bankruptcy Court regarding Chapter 7, 13 and 11 bankruptcy petitions. The inquiring attorney's wife is a clerk in the Bankruptcy Court with ministerial duties mostly confined to Chapter 11 cases. The inquiring attorney would like to become a Bankruptcy Trustee for Chapter 7 petitions. The attorney asks whether a conflict would arise if he were appointed by the United States Trustee or a local Trustee.

Pursuant to rule 1.7(b) and past Ethics Advisory Panel Opinions, 94-35 (Issued June 2, 1994) and 90-29 (Issued June 25, 1990), the Panel opines that the inquiring attorney's appointment as a local trustee would not, on these facts, give rise to a conflict under the Rules of Professional Conduct.