

Final

**Ethics Advisory Panel
Opinion # 96-02, - Request # 644
February 8, 1996**

Facts:

The inquiring attorney represents an employee against an employer in a lawsuit. The inquiring attorney's spouse is employed at the employer's place of business in a supervisory capacity.

Issue Presents:

Whether there would be a conflict of interest for the inquiring attorney to represent the employee against the employer in light of his/her spouse's employment.

Opinion:

No.

Reasoning:

The Rules addressing conflict of interest are Rules 1.7, 1.8, and 1.9. Primarily, the Rules are concerned with conflict of interests that occurs between two clients. For example, Rule 1.7(a) states that "A lawyer shall not represent a client if the representation of that client will be directly adverse to another client . . ." Because the inquiring attorney's representation of one client, the employee, will not be adverse to another client, no conflict of interest exists.