

ETHICS ADVISORY PANEL
OPINION #93-98 REQUEST #443
Issued February 23, 1994

The inquiring attorney acts as legal counsel for a state agency that represents clients in child support matters. The agency is mandated to comply with a federal regulation. The regulation requires the attorneys for the agency to pursue a legal course of action that may not be in the best interests of the agency's clients. The inquiring attorney believes that the federal regulation creates a conflict with the agency's clients. The inquiring attorney seeks the Panel's advice as to an appropriate method of complying with the regulation and serving the clients' best interests.

The Panel has reviewed the federal regulation and concurs with the inquiring attorney that a conflict may arise between the attorneys' obligation to comply with the regulation and to act in the best interests of the clients. The Panel is unable to reconcile that potential conflict under the Rules of Professional Conduct.