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**1/70      Partners for attorney for Deputy  
Sheriffs Association accepting criminal,  
traffic cases**

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An attorney questioned the propriety of a lawyer, who is acting as a bargaining representative for a county association of deputy sheriffs, permitting his partners or associates to accept criminal and juvenile defense work in that county because of the possibility of a conflict of interest.

This inquiry was discussed in the light of a similar inquiry concerning the propriety of lawyer partners or associates of a lawyer-member of the municipal police and fire commission representing criminal defendants in that county, which matter is stated in an opinion below.

In the instance of an attorney representing the bargaining unit, it is this committee's opinion that there is no inherent conflict of interest which would absolutely foreclose his partners or associates from acting in behalf of criminal or juvenile offenders. In such instances where an actual conflict does arise, the lawyer would have to withdraw his representation. Therefore, at the outset he should advise his client of this possibility and obtain his consent to act in the case. The lawyer's conduct should be guided by Canon 5 of the Code of Professional Responsibility—a lawyer should exercise independent professional judgment on behalf of a client.