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**7/71      Accepting fees from criminal indigent  
improper**

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The committee confirmed its 1965 informal opinion in which it had held that it is ethically improper for an attorney to accept funds from an indigent criminal defendant or his family for defense of the case after accepting funds from the state or county for such representation, without disclosing the entire matter to the court and to the governmental unit involved, on the basis that the attorney would be working a potential fraud or deception on the court which authorized the disbursement of public funds to the attorney for the defense of such defendant. Such conduct would appear to be controlled by DR 1-102, which states that an attorney shall not engage in conduct involving fraud, deceit, or misrepresentation. (7/28/71)