

Advisory Opinion No. 91-11

A candidate for appointment to a City commission which meets monthly has requested an opinion as to whether it would be a conflict of interest under Chapter 68 of the City Charter for her to continue to serve full-time as the law assistant to a state court judge.

It is the opinion of the Board that this appointment does not create a conflict of interest. There may be circumstances, however, where the candidate's work for the court may interfere with the proper discharge of her duties for the commission. See Charter Section 2604(b)(2). For example, it is the opinion of the Board that, should any matter involving the commission come before the court, she should recuse herself from that matter. See Charter Section 2604(b)(3). In addition, the candidate is prohibited from disclosing any confidential information concerning the City which is obtained as the result of her official duties. Charter Section 2604(b)(4).

Further, the Board recommends that the candidate should consult the Code of Professional Responsibility to assure that she is in compliance with ethics provisions contained therein which might not be covered by Chapter 68.

Sheldon Oliensis
Chair

Benjamin Gim

Beryl R. Jones

Robert J. McGuire

Shirley Adelson Siegel

Dated: November 18, 1991