

Opinion 43
July 1951
18 Baylor L. Rev. 214 (1966)

CONFLICT OF INTERESTS - EMPLOYMENT

An attorney may not represent both drivers who have had a collision, are prima facie guilty of negligence under a city ordinance, are arrested and charged with "Negligent Collision," and have amicably settled their differences, in the prosecution of the criminal charges which were filed.

Canon 6. A.B.A. Canon 6.

QUESTION

Under a city ordinance where two vehicles have a collision, both drivers are prima facie guilty of negligence, and are arrested and charged with "Negligent Collision," in the event the parties have amicably settled their differences, would it be a violation of the Texas Canons of Ethics for the same attorney to represent both parties in the prosecution of the criminal charges which were filed?

OPINION

The committee is of the opinion that there would necessarily be a conflict of interest, and it would be a violation of both Texas Canon 6 and American Canon 6 for the same attorney to defend both charges. (9-1)