

ADVISORY OPINION NO. 2001-10

Issued On March 1, 2001 By The

WEST VIRGINIA ETHICS COMMISSION

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OPINION SOUGHT

A **State Bar Representative** asks if government attorneys may, on their own time, provide *pro bono* legal services to public service groups or organizations.

FACTS RELIED UPON BY THE COMMISSION

The WV State Bar Association's Rules of Professional Conduct encourage lawyers who practice law in West Virginia to render legal services in the public interest at no cost or reduced cost to "persons of limited means or to public service or charitable groups or organizations."

In A.O. 96-18 the Ethics Commission ruled that no provision of the Ethics Act would prevent a government lawyer from providing *pro bono* legal services to low income persons, as long as it was done on the attorney's own time and did not interfere with the timely completion of the lawyer's government job responsibilities, a determination to be made by the lawyer's agency.

Here a State Bar Representative asks if the Commission's earlier ruling in A.O. 96-18 would extend to *pro bono* work by government lawyers for public service groups or organizations and encompass dispute mediation and domestic violence cases.

CODE PROVISIONS RELIED UPON BY THE COMMISSION

WV Code § 6B-1-1 et. seq.

ADVISORY OPINION

The Commission's Advisory Opinion 96-18 does extend to *pro bono* work by government lawyers for public service groups or organizations and encompass dispute mediation and domestic violence cases. Such work would be subject to the same limitations discussed in the earlier opinion.

  
Chairman