

**PROFESSIONAL RESPONSIBILITY
AND DISCIPLINE**

By

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Minnesota Office of Lawyers Professional Responsibility

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OPINION NO. 6

Defense of Criminal Cases by Municipal Attorneys

It is improper for a city or municipal attorney to accept the defense of a criminal case arising within the limits of the city or municipality which he serves. It is not improper for a city or municipal attorney to accept the defense of criminal cases in other areas provided he is not required to challenge the validity of a state statute which he would otherwise be required to support while acting in his capacity as a prosecutor, and provided there is no other actual conflict of interest. If such a challenge or conflict arises, he should withdraw from the case.

In any event, defense counsel who is also a city or municipal attorney shall scrupulously refrain from any reference to his position as a city or municipal attorney in the course of all proceedings.

Adopted June 26, 1974.

OPINION NO. 7

**Indebtedness Incurred for Professional
Services on Behalf of Clients**

It is professional misconduct for an attorney to deny responsibility for the payment of compensation for services rendered by doctors, engineers, accountants, or other persons if the attorney has ordered or requested the services without informing the provider of the service, by express written statement at the time of the order or request, that he will not be responsible for payment.

Adopted June 26, 1974.

OPINION NO. 8

**Attorneys' Guidelines for Law Office Services
by Non-Lawyers**

Except to the extent permitted by the Supreme Court of the State of Minnesota, neither law school

students nor any other person not duly admitted to the practice of law shall be named on pleadings under any identification.

An investigator, adjustor, photographer, legal assistant, or other paralegal employee, may not be listed or otherwise shown on law firm letterheads. Such a paralegal may use a business card so identifying himself, which card carries the law firm's name and address.

Such a paralegal, so identified, may sign correspondence on behalf of the law firm, provided he or she does so by direction of the attorney employer.

Non-lawyers must be supervised by an attorney who is responsible for their work. If the attorney-supervisor permits violations of these guidelines, he shall be guilty of professional misconduct.

Adopted June 26, 1974.