

KENTUCKY BAR ASSOCIATION
Ethics Opinion KBA E-154
Issued: July 1976

This opinion was decided under the Code of Professional Responsibility, which was in effect from 1971 to 1990. Lawyers should consult the current version of the Rules of Professional Conduct and Comments, SCR 3.130 (available at <http://www.kybar.org>), before relying on this opinion.

Question: May a Magistrate or Justice of the Peace complete the defense of criminal cases undertaken prior to his appointment?

Answer: No.

OPINION

Under the heading “Partners and Members of Firm of Judges and Trial Commissioners”, the cited reference states: “It is improper, therefore, for any ... Magistrate to represent defendants in criminal cases in any court of criminal jurisdiction.” This disposes of the question.

Note to Reader

This ethics opinion has been formally adopted by the Board of Governors of the Kentucky Bar Association under the provisions of Kentucky Supreme Court Rule 3.530 (or its predecessor rule). The Rule provides that formal opinions are advisory only.