

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

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). Note that the Rule provides: "Both informal and formal opinions shall be advisory only; however, no attorney shall be disciplined for any professional act on his part performed in compliance with an opinion furnished to him on his petition, provided his petition clearly, fairly, accurately and completely states his contemplated professional act."