LIMITATIONS OF OUTSIDE PRACTICE OF CHILD ADVOCATES

The Committee in the course of discussing limitations on practice of certain other categories of attorneys, e.g. Prosecuting Attorneys, Family Law Masters, decided it was appropriate to consider what, if any, limitations should be placed on Child Advocates.

Since handling domestic relation cases may either cause disqualification by reason of subsequent conflict, (e.g. a person against whom the Advocate brought a divorce proceeding later needs assistance from the Advocate in his or her official capacity), or provide an incentive for the Child Advocate to handle a case on a fee basis rather than in his/her capacity as a Child Advocate (e.g. a client needs assistance in collecting child support), the Committee believes Child Advocates should be precluded from representing clients on any domestic relations matter in any county in the State.

For the reasons stated in LEI 87-07, Limitations on Practice of Lawyers who are Family Law Masters, partners, associates or others affiliated with the Child Advocate are precluded from representing clients on any domestic relations matter in the geographic region covered by the Child Advocate. But they may represent clients in other areas. Any disqualification Child Advocates have on an individual basis, such as not representing the opponent of a person who once was their client, are also imputed to the Child Advocate's partners, associates, or others affiliated with them.

Arthur M. Recht, Chairman