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**E-84-18 Village attorney's partner serving on zoning board of appeals**

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**Question**

Lawyer A is the village attorney for the Village of \_\_\_\_\_. A's duties as village attorney include advising the village's board, planning commission, standing committees and zoning board of appeals. In light of A's role as village attorney, may A's law partner serve on the village's zoning board of appeals?

**Opinion**

It appears that Lawyer A's partner would not place himself or herself in a conflict of interest situation by serving on the zoning board of appeals. However, a lawyer in A's position, serving as village attorney, could have a conflict of interest if his or her partner were to serve on the zoning board of appeals. Assuming, though, that the village board (which possesses the power of appointment to and removal from office) and the zoning board of appeals are apprised of the partnership relationship, it would be permissible for Lawyer A to continue as village attorney while his or her partner serves on the board of appeals so long as the performance of lawyer A's duties will in no manner be improperly affected by the fact that his or her partner is a member of the zoning board of appeals. *See* Formal Opinion E-80-7, 57 Wis. Bar Bull. 67 (June 1984); *cf.* Formal Opinion E-82-15, 57 Wis. Bar Bull. 80 (June 1984) (representing educational district when firm member serves on board of directors); Michigan State Bar Formal Opinion C-214, Mich. B.J. Special Supp., May 1984, at 34 (lawyer may simultaneously serve as township attorney and as member of county board of commissioners).