

Part 8

Ethical Responsibilities

17-18a-801 Public prosecutor's ethical duties.

An attorney exercising public prosecutor duties under this chapter:

- (1) is a lawyer representing an organization as a client under the Rules of Professional Conduct, Rule 1.13;
- (2) represents the state as an organizational client;
- (3) is considered the representative of the state; and
- (4) is empowered to make commitments for and decisions on behalf of the state.

Enacted by Chapter 237, 2013 General Session

17-18a-802 Representation by civil counsel -- County is client.

- (1)
 - (a) An attorney acting as civil counsel under this chapter represents an organization as a client in accordance with Rules of Professional Conduct, Rule 1.13.
 - (b) The county is the client organization described in Subsection (1)(a).
- (2) The attorney:
 - (a) does not represent a county commission, county agency, county board, county council, county officer, or county employee;
 - (b) counsels with the county regarding civil matters; and
 - (c) receives direction from the county through the county elected officers in accordance with the officers' duties and powers in accordance with law.
- (3) Notwithstanding Subsection (2)(a), the attorney may represent an employee named as a party in litigation:
 - (a) with the approval of the county executive; and
 - (b) if permitted by law and the Rules of Professional Conduct.

Enacted by Chapter 237, 2013 General Session

17-18a-803 License suspended -- Vacancy.

If the attorney is suspended or disbarred from the practice of law in the state, the attorney's office is vacant immediately upon suspension or disbarment.

Enacted by Chapter 237, 2013 General Session