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ter was sent 16, 1988

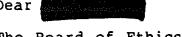
May 12, 1988



Case Number 88054.A

Re: City Employment

Dear



The Board of Ethics has reviewed your request for an advisory opinion to determine what restrictions will be placed upon your legal practice before the City once you become a City employee.

You stated that your current practice before the City consists of representing an underwriter involved in an upcoming municipal It is our conclusion that, once you bond issue. enter into City service, you will be prohibited from representing the underwriter (or any client) before the City and from having any economic interest in such representation. You can, of course, receive full compensation for any representations that you undertake prior to the date upon which you become an employee of the City of Chicago, May 16, 1988.

Section 26.2-9 of the Governmental Ethics Ordinance (Chapter 26.2 of the Municipal Code) states that:

> No...employee may represent, or have an economic interest in the representation of, any person other than the City in any formal or informal proceeding or transaction before any City agency in which the agency's action or non-action is of a non-ministerial nature (emphasis added).

"Economic interest" is defined in Section 26.2-"any interest 1(h) of the Ethics Ordinance as valued or capable of valuation in monetary terms."



Therefore, while serving as a city employee , you cannot represent clients, including underwriters, in transactions before City agencies. Furthermore, Section 26.2-9 will prohibit you from having an economic interest in your law firm's representation of clients before the City under these circumstances. This "economic interest" is not limited simply to the receipt of fees generated by such representations. The Ethics Ordinance definition of "economic interest," above, is quite broad, and includes such interests as the goodwill which would attach to your reputation if members of a law firm bearing your name were to represent clients before City agencies, even if you had taken a leave of absence from the firm or had sold your shares in it. Accordingly, upon your entrance into City service, if your firm intends to continue representing clients before City agencies, 1) you cannot receive any part of, or maintain any present or future interest in, the fees generated by those representations and 2) your name cannot be associated with the firm name.

Should you have any questions, please contact the Board of Ethics at 744-9660.

Sincerely,

S. Brandzel

Chairman



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