

CONFLICTS OF INTEREST

A conflict of interest arises when a set of circumstances creates a risk that professional judgment or actions regarding a primary interest will be unduly influenced by a secondary interest. In the legal representation context a conflict of interest arises when a client and a potential client have competing or adverse interests. These competing or adverse interests prevent an attorney from adequately representing the interests of one of the parties because in order to pursue the interests of one party, the other party's interests must be adversely affected. In the Fort Bliss Legal Assistance Office these conflicts of interest arise most commonly in the context of divorce and other family law situations. Based on the information described above, an attorney cannot represent both parties in a divorce proceeding. Also, the Fort Bliss Legal Assistance Office is considered one law firm. Therefore, an attorney-client relationship of one attorney is imputed to all of the other attorneys in the office.

Army Regulation (AR) 27-26 specifically prohibit an office attorney from assisting an individual when the attorney or other office attorney has, or has had, an attorney-client relationship with a client, where the client's interest is the same or substantially similar to the interest of the individual and representing the individual would be adverse to that client.

If you have questions, contact the Fort Bliss Legal Assistance Office at (915) 568-7141/7150 for an appointment to speak with an attorney. Let the appointments personnel know that a conflict exists and you need to see an attorney somewhere else. You will then be directed to a Legal Assistance Attorney in another office.