



City of Chicago
Eugene Sawyer, Acting Mayor

Board of Ethics
Harriet McCullough
Executive Director

Sol Brandzel
Chair

Mary Milano
Vice Chair

Rev. Don Benedict
Margaret Carter
Angeles Eames
Rev. A. Patterson Jackson
Marlene Rankin

Suite 1320
205 West Randolph Street
Chicago, Illinois 60606
(312) 744-9660

Letter was sent
May 16, 1988

May 12, 1988

[REDACTED]

Case Number 88054.A

Re: City Employment

Dear [REDACTED]

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.

[REDACTED] You stated that your current practice before the City consists of representing an underwriter involved in an upcoming municipal bond issue. It is our conclusion that, once you 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 26.2-1(h) of the Ethics Ordinance as "any interest valued or capable of valuation in monetary terms."



Page Two

Therefore, while serving as a City employee [REDACTED], 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

[REDACTED]

MA/ma [REDACTED]