

Nebraska Ethics Advisory Opinion for Lawyers
No. 74-12

THE PROHIBITION AGAINST A COUNTY ATTORNEY EMBODIED IN ADVISORY OPINION [No. 71-2](#) (AS AMENDED BY ADVISORY OPINION [No. 74-1](#)) DOES NOT EXTEND TO DIVORCE ACTIONS INVOLVING MINOR CHILDREN IN COUNTIES OTHER THAN THAT IN WHICH HE IS THE COUNTY ATTORNEY.

The Committee has been asked if a County Attorney or a member of his law firm can represent clients in a divorce action involving minor children which arise in a county other than that in which he is the County Attorney.

The reason for the prohibition found in [71-2](#) is that the County Attorney may become involved in his official capacity in prosecutions for failure to pay child support resulting from the divorce action. This reason cannot arise if the divorce action is in a different county; hence, the County Attorney in question is free to represent a client in such divorce action.

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