



OFFICE OF LEGAL AFFAIRS
EXTERNAL OPINION

External Opinion # EX-2003-1002

To: Otto E. Landrón-Pérez
P.O. Box 52044
Toa Baja, PR 00950-2044

Date: January 21, 2003

Subject: Potential Conflict of Interest Where PAI Coordinator is Spouse of PAI Attorney

You asked this Office for an Opinion regarding whether any LSC or other controlling Federal authority would find a conflict of interest to exist in a situation in which one spouse held the position of Coordinator of a PAI program for an LSC recipient and the other spouse was an attorney registered with that PAI program for paid referrals from the recipient.

There are no provisions in the LSC Act, appropriations laws or LSC regulations which impose specific conflict of interest standards upon recipients and their employees. Nor are there any provisions in the LSC Act, appropriations laws or LSC regulations which require recipients to adopt conflict of interest standards.¹ As such, there is no controlling Federal authority that would either expressly permit or prohibit the situation you describe. Rather, this type of conflict of interest question is entirely within the discretion of the recipient programs. Therefore, you will need to refer to PRLS and any policy PRLS may have implemented in order to resolve this issue.

Very truly yours,

Mattie C. Condray
Senior Assistant General Counsel
Office of Legal Affairs

Victor M. Fortuno
General Counsel
Office of Legal Affairs

mcondray@lsc.gov
(202) 336-8817

¹ Your letter also makes reference to Office of Management and Budget Circular A-110. As LSC is not a Federal agency, department or instrumentality, Circular A-110 does not apply to LSC or its recipients.