



RICHARD P. IEYOUNG
ATTORNEY GENERAL

State of Louisiana
DEPARTMENT OF JUSTICE
CIVIL DIVISION
BATON ROUGE
70804-9005

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DEC 16 2003
OPINION 03-0428

Honorable Joseph L. Waitz, Jr.
Terrebonne Parish District Attorney
7856 Main Street
Courthouse Annex Suite 220
Houma, Louisiana 70360

78 DUAL OFFICEHOLDING
Assistant District Attorney may also provide legal
services by contract with the parish government.

Dear Mr. Waitz:

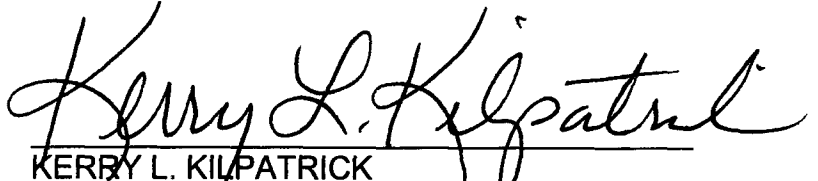
You advise us that two of your Assistant District Attorneys have been approached to perform, in their private practices, legal services for the Terrebonne Parish Consolidated Government on a part-time basis. You ask if the arrangement is legal.

The Dual Officeholding and Dual Employment Laws, R.S. 42:61, et. seq., are applicable only where two or more public offices and/or employments are simultaneously held. Here, we assume the law firm has a contractual relationship with the parish government to provide legal representation. Because one of the positions is held on a contract basis, the dual officeholding provisions are not involved. We find the law does not prohibit an assistant district attorney from providing contract legal services via his law firm to the parish government.

Very truly yours,

RICHARD P. IEYOUNG
ATTORNEY GENERAL

BY:


KERRY L. KILPATRICK
ASSISTANT ATTORNEY GENERAL

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