

Board of Ethics
City of Stamford
888 Washington Boulevard
Stamford, CT 06901

May 13, 2009

James M. Rubino, Esq.
1100 Summer Street
Stamford, CT 06905

Re: *Request for Advisory Opinion*

Dear Attorney Rubino:

You have requested that the Board of Ethics (the "Board") issue an advisory opinion concerning whether your potential representation of a new client would constitute a violation of the City of Stamford Code of Ethics (the "Code") in light of your membership on the City's Board of Education. In issuing this Advisory Opinion, the Board relies on the information contained in your written request dated April 27, 2009 and on the statements you made in person at our recent meeting on May 6, 2009.

As you know, as a member of the City's Board of Education, you are bound by the Code. We also understand that you are a tax attorney in private practice in Stamford, and that you have been approached by a Stamford public school teacher to represent her in connection with a federal tax issue. You have asked the Board for an advisory opinion concerning whether your legal representation of this teacher would constitute a violation of the Code, in light of your membership on the Board of Education.

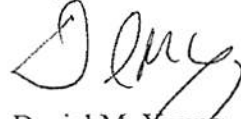
It is the unanimous opinion of the Board that no conflict under the Code would exist if you were to represent this school teacher with respect to her federal tax issues. We note that there currently is no issue or anticipated issue concerning this specific teacher that might require attention from the Board of Education. If such an issue were to arise, you may be required to recuse yourself from any Board of Education decision, but we offer no opinion as to this hypothetical situation and the necessity of future recusal from your Board of Education duties, in light of the numerous possible scenarios that could arise.

The scope of our authority is limited to the Code. The Board does not have the power to issue any opinion as to any other "local law" or with respect to any other obligation you may have as an attorney or Board of Education member.

This opinion is binding upon the Board unless amended or revoked, and your reliance upon this opinion in good faith is an absolute defense to any action or proceeding brought under the provisions of the Code with respect to the facts and circumstances as they have been presented to us.

Thank you for taking the time to request an advisory opinion, and for your service to the City of Stamford.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. Young', written over a horizontal line.

Daniel M. Young
Chairman, Board of Ethics

cc: Donna Loglisci (Town Clerk)
Members of the Board of Ethics (LiVolsi, Anderson, Bader, Lang, Levine, Summons)