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October 23, 2013

The Honorable Enbar Cohen
City Commissioner, City of Aventura
19200 West Country Club Drive
Aventura, FL 33180

Re: Ethics opinion related to prospective law school internships
INQ 13-268

Dear Commissioner Cohen:

You asked if the Miami-Dade County Ethics Code at Sec. 2-11.1 prevents you from accepting a paid or unpaid law school internship while serving as a City Commissioner in the City of Aventura.

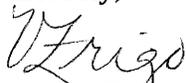
In general, the County Ethics Code does not prohibit this arrangement as long as it does not create divided loyalties—*i.e.*, induce you to place your personal or financial interests ahead of the public's interests. The County Ethics Code specifically states that you cannot exploit your official position to secure special privileges or exemptions for yourself or others. *See* the County Ethics Code at Sec. 2-11.1 (g).

Bearing this in mind, the County Ethics Code contains numerous other provisions that restrict your private business and employment dealings as well as your ability to vote on matters affecting your business and/or professional associates. When a conflict of interest arises, one's duty to the public must always prevail over a duty to oneself. For example, when faced with a voting conflict, you must disclose the conflict, abstain from the discussion, and recuse yourself from the vote. *See* the County Ethics Code at Sec. 2-11.1 (d).

Also, as a local elected official, you are subject to the ethics provisions found in Chapter 112 of the Florida Statutes. For an interpretation of state ethics laws, please contact the Florida Commission on Ethics at <http://www.ethics.state.fl.us>.

Finally, we encourage you to contact us again should you have a question about how the County Ethics Code applies to you prospectively in a particular context. *See* the Miami-Dade County Code at Sec. 2-1074 (y).

Sincerely,


Victoria Frigo
Senior Staff Attorney