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ADOPTED ETHICS OPINIONS

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94-2 (simultaneous use of more than one name for law firm)

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86-3 (referral to credit bureau) (*reaffirmed 2000-3*)

93-3 (disclosing information on IRS Form 8300)

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99-1 (insurer requests attorney to send billing to outside auditor without informed consent of insured)

2000-2 (effect of confidential settlement agreement on precluding further representation for subsequent clients)

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2005-1 (client's intent to commit suicide)

2006-3 (disclosure of insurance defense attorney bills to non-insurer contractors for screening)

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90-3 (disposition of client funds when client can't be located)

93-3 (disclosing information on IRS Form 8300)

98-3 (obligation of lawyer to honor writ of execution against client funds in the lawyer's trust account)

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2012-2 (deposit of advanced fee retainers in client trust account)

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- 91-1 (communication with former employees of corporation represented by counsel)
- 94-1 (communication with managing board of government body)
- 95-7 (communication with a represented party by an attorney acting pro se)
- 97-1 (unsolicited contact by opposing party)
- 98-1 (contact with defendant's insurer) (*vacating 78-4*)
- 2006-1 (lawyer communication with management of entity on lawyer's own behalf on a matter not in litigation)
- 2011-2 (communication with an employee of a represented corporation or entity)
- 2016-1 (May a lawyer surreptitiously track emails and other documents sent to opposing counsel?)
- 2017-2 (Attorney's Ability to Contact Government Official Who Is a Represented Party to Discuss Settlement or Other Policy Related to the Litigation)

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- 85-2 (ex parte communication with experts retained by opposing counsel)

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- 2017-2 (Attorney's Ability to Contact Government Official Who Is a Represented Party to Discuss Settlement or Other Policy Related to the Litigation)

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- 76-8 (former law clerk)

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- 78-3 (opposing attorney joins firm)
- 82-2 (district attorney married to superior court judge)
- 83-5 (opposing attorney)
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- 85-3 (former associate as witness)
- 85-6 (campaign disclosure)
- 86-2 (creditor's committee)
- 87-2 (representation of person under disability)
- 89-1 (concurrent representation of potentially adverse clients and class action)
- 91-2 (responsibilities of personal representative's attorney when conflict between personal representative and heirs) (modified by 2003-2)
- 91-3 (propriety of representing both parents and child when interests differ)
- 92-6 (sex between attorney and client of attorney's firm)
- 95-2 (government employee entering private practice with a firm handling litigation against attorney's former agency)
- 96-5 (propriety of signing "attorney's representation" in settlement agreements)
- 96-6 (considerations when acting as an arbitrator in one proceeding and an advocate in another proceeding)
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- 99-3 (in-house insurance company counsel representing insureds)
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- 2000-2 (effect of confidential settlement agreement on precluding further representation for subsequent clients)
- 2001-1 (attorney's duties when criminal client's custodian advises client has breached conditions of release)(see also 2014-2)
- 2003-2 (responsibility of attorney representing the personal representative of an estate when the personal representative is engaging in fraudulent or criminal conduct)
- 2008-2 (insurer does not become a client simply because attorney for insured pursues a subrogated claim)
- 2011-3 (collaborative law practice)
- 2012-3 (representation of closely held organization and its majority owners when their interests may be adverse to those of minority owners)
- 2014-2 (attorney's duties when informed that a criminal defendant is in violation of bail release conditions (clarification and supplement to 2001-1)

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- 2014-4 (lawyer's indemnification of opposing parties)
- 2015-1 (lawyer posting bail for client)
- 2017-1 (May a lawyer for the employer in a worker's compensation case present a lump-sum settlement offer, inclusive of legal fees?)

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- 84-10 (advance consent to withdraw improper)

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- 88-6 (interest in property subject to litigation)
- 92-4 (handling subrogation case on contingency basis when client able to pay hourly)
- 2004-2 (propriety of agreeing to pay attorney's fees assessed against a client if client loses on appeal)

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- 97-2 (use of threats of criminal prosecution in connection with a civil matter)

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- 93-1 (in a civil action without filing an Entry of Appearance)
- 95-3 (obligation of appointed defense counsel to reveal change in client's financial position affecting eligibility)
- 98-3 (obligation of lawyer to honor writ of execution against client funds in the lawyer's trust account)
- 2001-1 (attorney's duties when criminal client's custodian advises client has breached conditions of release)
- 2003-2 (responsibility of attorney representing the personal representative of an estate when the personal representative is engaging in fraudulent or criminal conduct)

Duties to Third Parties

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- 80-1 (propriety of attorney remitting monies when should have known there were liens) (*vacated in part by 86-4*)
- 86-4 (*vacating, in part, 80-1*)
- 88-2 (circumventing "due on sale" clause of real) property conveyance)
- 92-3 (*clarification of 86-4*)
- 2003-2 (responsibility of attorney representing the personal representative of an estate when the personal representative is engaging in fraudulent or criminal conduct
- 2008-2 (insurer does not become a client simply because attorney for insured pursues a subrogated claim)
- 2014-4 (lawyer's indemnification of opposing parties)

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- 79-1 (interest)
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- 93-3 (disclosing information on IRS Form 8300)
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- 2000-3 (reaffirmation of 86-3, referral of client identity to credit bureau)
- 2006-3 (disclosure of insurance defense attorney bills to non-insurer contractors for screening)
- 2009-1 (misleading to characterize a fee or retainer as "nonrefundable")
- 2012-2 (deposit of advanced fee retainers in client trust account)
- 2014-1 (charging clients a surcharge to use credit cards for legal services)
- 2017-1 (May a lawyer for the employer in a worker's compensation case present a lump-sum settlement offer, inclusive of legal fees?)

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95-6 (withhold a client's file unless client pays for copying file)

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2004-1 (lawyer's right to withhold expert reports where client fails to pay for them)

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2006-4 (use of prior judicial service information by candidate for office)

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99-2 (municipal attorney representing board hearing disputed matter involving municipality)

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Removing Materials from Opposing Attorney's Trash Receptacle

79-2 (propriety of removing materials from attorney's trash)

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2000-2 (effect of confidential settlement agreement on precluding further representation for subsequent clients)

2017-1 (May a lawyer for the employer in a worker's compensation case present a lump-sum settlement offer, inclusive of legal fees?)

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92-6 (sex between attorney and client of attorney's firm)

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Surrogate Mothers

84-4 (Propriety of Attorney Drafting A "Surrogate Mother" Contract)

Third Party Funds

80-1 (duty to third parties)

86-4 (duty to third parties *vacating in part 80-1*)

92-3 (*clarification of 86-4*)

2003-2 (responsibility of attorney representing the personal representative of an estate when the personal representative is engaging in fraudulent or criminal conduct)

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89-3 (insured objects to counsel retained by insurance company)

84-10 (consent to withdraw executed when representation undertaken)

91-5 (ethical obligation to withdraw after undertaking representation of estates with factually conflicting positions in litigation)

2003-3 (documents included in file to be returned to client)

2004-1 (lawyer's right to withhold expert reports where client fails to pay for them)

2011-1 (client entitled to original file on request)

2011-4 (when client in criminal appeal can't be contacted)

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