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William Schubert Explains Why Client Confidentiality Reigns Supreme for Motions to Withdraw

In an *IDC Quarterly* Legal Ethics Column

In The News | 1 min read
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Hinshaw attorney William (Bill) R. Schubert, II, authored a Legal Ethics column titled "For Motions to Withdraw, Client Confidentiality Reigns Supreme" in the Second Quarter 2026 edition of the *IDC Quarterly,* published by the Illinois Defense Counsel.

In his column, Bill discusses how attorneys seeking to withdraw from a client representation must prioritize maintaining the confidentiality of client information related to the representation. Drawing on ABA Formal Opinion 519 and the Illinois Rules of Professional Conduct, he outlines practical guidance and best practices for attorneys navigating these ethically challenging situations.

Key Takeaways

Less is More

- Keep motions to withdraw **brief and limited**, especially the initial written motion.
- A general reference to **"professional considerations"** may be an appropriate starting point when explaining the basis for withdrawal.

Inform the Client and Ask for Consent

- Attorneys generally cannot disclose information related to the representation without the **client's informed consent**, subject to limited exceptions.

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- **Keep the client informed** about what will be included in the motion and whether confidential information may need to be disclosed.
- Explain **how any disclosure would be made and how it could affect the client's interests**.

When in Doubt, Play it Out

- Compelling or mandatory grounds for withdrawal **do not guarantee that a court will permit withdrawal or disclosure of confidential information**.
- **If the court denies withdrawal**, the attorney may be required to continue representing the client while appropriately managing the ethical issue.

Consider Exceptions and Court Procedures with Caution

- Approach exceptions permitting disclosure of confidential information **cautiously and narrowly**.
- Avoid unauthorized disclosures in written motions and exhaust reasonable alternatives before revealing confidential information.
- If a court orders disclosure, provide **only what is necessary and minimize potential prejudice to the client**, such as avoiding a public filing when possible.

Seek Legal Advice on Professional Responsibility Concerns

- Attorneys may disclose information related to a representation when necessary to **obtain legal advice about their compliance with professional conduct rules**.
- Communications seeking that advice should remain **protected by attorney-client privilege**, and the client should not be billed for them.
- Ultimately, an attorney's desire to end a difficult representation should **yield to the client's interest in maintaining confidentiality**.

Read the full article

- *Illinois Defense Counsel Quarterly:* "For Motions to Withdraw, Client Confidentiality Reigns Supreme," Illinois Defense Counsel, *IDC Quarterly*, Volume 36, Number 2, Second Quarter 2026

About the *IDC Quarterly*

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