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The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - March 2013 Edition

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Duty to Report Errors to Client — Duty to Cooperate With Insurer

Illinois State Bar Association Mutual Insurance Company v. Frank M. Greenfield and Associates LTD., et al., 2012 IL App (1st) 110337

Risk Management Issue: How much information must a lawyer provide to a client regarding an error or omission in order to comply with the attorney's ethical duty to communicate with his or her client? To what extent can an insurer dictate a lawyer's fulfillment of his or her ethical duty to communicate about mistakes with a client through the cooperation clause in an insurance contract?

Loss of Privilege From Use of Employer-Provided Technology — E-mails — Duty to Inform Regarding Access to Employee E-mail

North Carolina 2012 Formal Ethics Opinion 5 (Oct. 26, 2012)

Risk Management Issue: What are the ethical obligations of a lawyer who, while representing an employer sued by an employee, discovers potentially privileged e-mail communications between the employee and her attorney stored in the employee's workplace computer?

Attorney-Client Relationship — Collaborative Family Law Agreements

Orange County Bar Association Opinion for Lawyers, No. 2011-01

Risk Management Issue: May a lawyer enter into a collaborative law agreement between the parties and the attorneys involved in a family law dispute? What are a lawyer's ethical duties and professional responsibilities when entering a collaborative law agreement in connection with a family law dispute?

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