

# **FEDERAL COURT RULES & PROCEDURES**

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## ETHICAL CONSIDERATIONS

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# When the Relationship Begins

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- P Reasonable reliances and implied assent
- P Prospective clients
- P Rejecting cases

# Fees

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P When to agree on fee

P Consequences of unreasonable fee

P Contingent fees

P Disputes

P Referral fees

# Decisions: The Client's Province

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P Settlement offer

P Whether to appeal

# Decisions: The Lawyer's Province

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P Strategy and procedure

P Expenses - confer with client

# Keeping the Client in the Loop

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P Duty to communicate

P Withholding information from client

# Ending the Relationship

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P Client initiates

P Permission from court to substitute

P Permissive withdrawal

P Mandatory withdrawal

P Attorney's duties concerning withdrawal

# Competence

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P Legal knowledge and skill

P Thoroughness and preparation

P Maintaining competence



# Diligence

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P Reasonable diligence and promptness

P Dedication and zeal

P Completion

# Privilege

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P Communication

P Confidential

P Holder

P Exceptions

P Duration

P Work product immunity

# Confidentiality and Exceptions

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P Client consent

P Dispute concerning attorney's conduct

P Disclosure to avoid future inquiries

# Independent Professional Judgment

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- P Conflicts of interest: General rule
- P Current clients
- P Former clients
- P Personal interests
- P Interests of third persons
- P Imputed disqualification