

Tip of the Month

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Communications With Multiple Clients

The Rules of Professional Conduct require certain kinds of communications with clients. When attorneys represent multiple clients, they will sometimes communicate directly with one client who is designated to inform the other clients of any information provided by the lawyer. In order to avoid claims by some clients that the attorney failed to provide certain significant information in violation of the duty to communicate, attorneys should obtain the written consent of the clients that the attorney will communicate directly with one designated client, and that the designated client will act as a conduit for information to and from the attorney and the other clients. If there is any exception to this procedure, such as for communications of settlement offers, which should be communicated directly to all clients, any direct communications with all clients should also be committed to writing. Do not trust that all clients will accurately remember any oral agreement that the lawyer need not communicate directly with them.