

## **What are your lawyer's professional obligations?**

All lawyers are subject to strict standards of professional responsibility. These standards are set forth in codes of conduct and Privileges, ethics, rules of professional conduct that are established by state bar associations. Although the rules will vary from state to state, here are some basic ethical and professional rules your lawyer must follow:

- Your lawyer must represent you ethically, zealously and within the bounds of the law
- Your lawyer must competently analyze legal issues and exercise knowledge of the law applicable to your case
- He or she must communicate with you in a timely and effective manner
- Your lawyer attorney owes you, as the client, a duty of loyalty. Your lawyer can't simultaneously represent you and another client with legal interests that conflict with yours. An example of an obvious conflict would be representation of both the landlord and the tenant in an eviction action.
- For so long as he or she continues to represent you, your lawyer is required to follow your

- directions in handling your case unless those directions are illegal
- Your lawyer must keep your personal property separate from his or her own property, and must keep your money in an escrow account. Any time you demand it, your lawyer must return your money or property.
  - Except in rare circumstances, your lawyer is required to keep client confidences confidential
  - Depending on the jurisdiction, lawyers may be prohibited from having personal relationships with their clients
  - Unless he or she first obtains your informed written consent, your lawyer is prohibited from taking on representation that is adverse to your interests.

Your attorney may have other responsibilities to you, depending on your case and the ethical rules that apply in your jurisdiction.

If a lawyer fails to abide by these rules, he or she can be disciplined by any bar association of which he or she is a member. It's possible the lawyer may even be disbarred for serious violations.

Criminal prosecution is also a possibility. And a failure to comply with the rules may be the basis for a malpractice action.

## **Are your discussions with your lawyer confidential?**

Yes. When you speak with an attorney about a legal matter, your communications with that attorney are privileged. This means that subject to some very limited exceptions, and unless you give permission, your attorney can't disclose any information you provide to a third party.

## **What responsibilities do you owe your lawyer?**

First of all, look at the retainer agreement that you may have signed when you hired your lawyer. Typically, these agreements will set out certain duties and responsibilities of the client. By signing the agreement, you are contractually bound to abide by them. Such duties and responsibilities may include:

- Being truthful with your lawyer
- Being cooperative with and responsive to your lawyer
- Being available to your lawyer and attending legal proceedings, as requested
- Paying your legal bills in a timely manner

These duties and responsibilities are pretty common sense, so they may be implied even

without a retainer agreement that expressly reduces them to writing. Regardless, a failure to abide by them may result in a lawyer deciding to terminate your client relationship.

**[Related Resources on lawyers.com](#)**