

DIGEST OF ETHICS ADVISORY PANEL
Opinion #88-9, Request #12
ISSUED MAY 13, 1988

An attorney seeks Panel advice as to whether it is permissible under the Code of Professional Responsibility for him to release certain confidential information. This information is sought by an organization providing pre-paid legal services; it is information which belongs to an individual who is the attorney's client but the organization's insured.

Disciplinary Rule 4-101(C)(1) provides in pertinent part that

"[a] lawyer may reveal: (1) confidences or secrets with the consent of the client . . . but only after a full disclosure to them."

The Panel takes the position that release of a document to the prepaid legal services provider which was prepared for a client who subscribes to the provider is proper where the client has authorized the release after full disclosure of exactly what is to be released and to whom.

Ethics Advisory Panel advice is protective in nature. There is no requirement that an attorney abide by a Panel opinion, but if he or she does, he or she is fully protected from any charge of impropriety.