

DIGEST OF ETHICS ADVISORY PANEL
Opinion #91-49, Request #157
Issued August 16, 1991

An attorney seeks Panel advice as to whether a lawyer who is handling a domestic relations case may secure an attorney's lien by recording the lien in the land records where the marital domicile is located. The attorney states this issue arises under circumstances in which an attorney is retained to represent a client in connection with a domestic relations matter but is discharged by the client prior to final resolution of the matter. The lien is to be asserted to secure payment of the unpaid amount of the reasonable value of the legal services rendered by the attorney prior to dismissal.

Sections 9-3-1 through 9-3-3 of the Rhode Island General Laws dictate the appropriate procedures for asserting an attorney's lien. It appears to the Panel that the proposed action falls outside the scope of the statutory procedures and as such would amount to improper conduct.