

DIGEST OF ETHICS ADVISORY PANEL

Opinion #92-4, Request #210

Issued January 14, 1992

An attorney seeks Panel advice as to conduct in connection with a former client. As counsel to a former client, a quasi-municipal corporation, the attorney provided representations relating to a commercial contract. The attorney also provided an opinion as to the enforceability of the agreement. Successor counsel is now asking that the contract be declared null and void. The opposing party seeks to enforce the agreement.

The Panel takes the position that the attorney may, but is not obligated to voluntarily assist successor counsel as to the matters that were pending in 1979 regarding a certain contract to which the attorney had given an opinion. The Panel further states that the attorney may not assist counsel for the other signatory since a conflict of interest would result. See the comment to Rule 1.16 of the Rhode Island Rules of Professional Conduct, entitled "Assisting the Client Upon Withdrawal."