

DIGEST OF ETHICS ADVISORY PANEL
Opinion #92-7, Request #213
Issued May 20, 1992

An attorney seeks Panel advice as to whether an attorney, as an officer of the court, has a duty to notify the tribunal if a client leaves a court-ordered program without court permission. The attorney heard a judge direct all lawyers that it was their duty as officers of the court to inform the tribunal of this information.

A fundamental principle in the client-lawyer relationship is that the lawyer maintain confidentiality of information relating to the representation of the client. Rule 1.6 of the R.I. Rules of Professional Conduct. This same rule is subject to certain limitations. One limitation provides that a lawyer must comply with the final order of a court of competent jurisdiction requiring the lawyer to give information about the client. (See Comments to Rule 1.6). The Panel concluded that the attorney would not violate Rule 1.6 if the attorney complied with a court order which required this type of disclosure.

The Panel declined to render an opinion regarding whether the client's absence from a court-ordered program constituted a future or continuing crime because the opinion required resolution of substantive law outside the area of the Rules of Professional Conduct.