

DIGEST OF ETHICS ADVISORY PANEL
Opinion #92-15, Request #205
Issued May 5, 1992

An attorney seeks Panel advice regarding the representation of a present client when the attorney had previously represented the client and his wife in a prior matter. The wife now is the adverse party in the present matter. It appears to the Panel that the present matter is substantially related to the prior matter in that both matters relate to the parties' interest in the same real estate.

The Panel is of the opinion that Rhode Island Rules of Professional Conduct 1.9(a) applies, which states that a lawyer who has formerly represented a client in a matter shall not represent another person in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client consents to such. Therefore, the Panel is of the opinion that the attorney cannot continue to represent a present client unless the former client consents after consultation.