

Final

**Rhode Island Supreme Court
ETHICS ADVISORY PANEL
Opinion No. 99-02, Request No. 767
Issued February 11, 1999**

Facts:

The inquiring attorney represented a plaintiff in a personal injury claim and filed a complaint in the Superior Court. The lawsuit was settled shortly after the complaint was filed. The only documents in the court file are the complaint and the stipulation of dismissal.

The inquiring attorney wants to publish the settlement in the "Verdicts and Settlements" section of the Rhode Island Lawyers' Weekly. He/she intends to withhold from publication the names of the parties, the identities of the insurance company, and the court docket number. He/she will disclose that the plaintiff's injuries resulted from an automobile collision where liability was not an issue. He/she will describe the plaintiff's injuries and disabilities, and will disclose the amount of plaintiff's special damages, the settlement amount and the date of settlement.

Issue Presented:

Is it a violation of Rule 1.6 for the attorney to disclose the information as described without the client's knowledge or consent?

Opinion:

Yes. The information the inquiring attorney seeks to disclose is information relating to the representation of the client, and therefore pursuant to Rule 1.6, he/she may not disclose it unless the client consents.

Reasoning:

Rule 1.6 entitled "Confidentiality of Information" states:

- (a) A lawyer shall not reveal information relating to representation of a client unless the client consents after consultation, except for disclosures that are impliedly authorized in order to carry out the representation, and except as stated in paragraph (b).

The exceptions stated in paragraph (b) of the rule are not applicable to this inquiry.

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It is the opinion of the Panel that the information that the inquiring attorney proposes to disclose is information relating to the representation of his/her client. As such, pursuant to Rule 1.6 the inquiring attorney is not permitted to disclose it for publication in Rhode Island Lawyers' Weekly without the client's consent.