

Digest of Ethics Advisory Panel
Opinion #91-46, Request #166
Issued July 18, 1991

An attorney seeks Panel opinion as to whether the attorney must disclose information concerning a murder allegedly committed by a third person, (A), who admitted having committed the crime to the attorney's client. The client stated that A was the victim's "pimp" and the victim was a prostitute who owed money to A. The attorney indicates that he/she has read about the murder in the newspaper.

The Panel takes the position that the attorney may, but is not obligated to, disclose this information to the proper authorities. No attorney-client privilege attaches to a statement made by a third person to the client concerning a matter totally unrelated to the representation of the client. Therefore, the statement is not "confidential." Because the statement is not confidential, the Rhode Island Rules of Professional Conduct do not prohibit the attorney from revealing this information. The Panel is not aware of any legal authority which would form a basis for imposing upon the attorney an affirmative duty to inform the authorities of A's admissions.