

DIGEST OF ETHICS ADVISORY PANEL

Opinion #92-2, Request #199

Issued January 14, 1992

An attorney seeks Panel advice concerning the appropriateness of a contingency fee arrangement in collecting past due alimony and past due child support and also the appropriateness of co-signing a loan for a client which will enable the client to pay the legal fee.

The Panel is of the opinion that it is proper to use a contingent fee arrangement in regard to collection of past due alimony as well as past due child support, but this type of arrangement would be improper when seeking to obtain increased alimony or increased child support. See Rule 1.5(d)(1) of the Rhode Island Rules of Professional Conduct.

In connection with the second inquiry, the Panel takes the position that under RULE 1.8(j) an attorney may assist the client in obtaining a loan but cannot be a co-signor of the note.