

ETHICS ADVISORY PANEL
OPINION #92-67, Request #294
Issued October 8, 1992

An attorney seeks Panel advice as to whether a conflict of interest exists under the circumstances described. A potential client seeks representation in a domestic matter. The attorney has previously represented a corporation controlled by the potential client's husband. The attorney informs the Panel that he has never represented the husband personally or acted jointly for the husband and wife. The attorney questions the ethical propriety of representing the wife in a domestic matter.

The Panel does not perceive that these facts include a conflict of interest with a current or former client, as the attorney never represented the husband. The Panel advises the attorney that Rule 1.6 entitled "Confidentiality of Information" governs this matter. The Rule states that:

(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).

Should the attorney represent the wife, the attorney may not, without the consent of the husband's corporation, reveal any information which was gained through the previous representation of the husband's corporation.