

ETHICS ADVISORY PANEL  
OPINION #94-67 REQUEST #538  
Issued September 28, 1994

The inquiring attorney asks whether he/she may share fees with another law firm regarding a legal malpractice case. The law firm, as a third-party defendant in the malpractice case, contributed a sum certain to the settlement of the case. The client executed a general release of the law firm in consideration of the law firm's settlement payment.

Rule 1.5 entitled "Fees" sets forth the criteria to be considered when determining the reasonableness of a fee. The Panel has opined in numerous opinions that an attorney is entitled to be paid quantum meruit, the fair value of services rendered before the former attorney's termination of representation. See, Ethics Advisory Panel General Opinion #4, Issued May 23, 1991. The Panel does not believe that compensating the other law firm for the time expended in this matter would violate the Rules of Professional Conduct.