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## **SAN DIEGO COUNTY BAR OPINIONS OFFER LEGAL ETHICS GUIDANCE**

*New Opinions Examine Inter-Firm Conflicts of Interest & Guardian Ad Litem Issues*

SAN DIEGO (December 27, 2017) – The San Diego County Bar Association (SDCBA) has issued two formal opinions providing ethical guidance for lawyers. Opinion 2017-1 details ethical issues arising from lawyers in the same firm advising clients on different matters, and Opinion 2017-2 examines ethical concerns resultant from an attorney’s concurrent representation of a parent and child via a guardian ad litem.

The SDCBA is a recognized leader in legal ethics, and through its Legal Ethics Committee, issues formal opinions on ethical matters where further guidance is warranted and weighs in on opinions issued by the State Bar Committee on Professional Responsibility and Conduct (COPRAC).

Opinion 2017-1 addresses the ethical concerns that arise when clients have lawyers in a firm with which they have a relationship represent them in litigation, even if the litigation arises out of legal services the firm has previously performed. The opinion discusses informed consent, conflict waivers and defending one’s work product. Opinion 2017-2 explores an attorney’s ethical duties when the attorney believes a guardian ad litem is not properly representing one client.

Attorney Eric Deitz chairs the SDCBA’s Legal Ethics Committee, which drafted both opinions, which were then reviewed and approved by the SDCBA’s Board of Directors.

“Whether due to a sense of continuity, efficiency or other reasons, clients not surprisingly turn to attorneys they know to represent them in litigation, even when the dispute involves work performed by the same firm,” Deitz said. “Opinion 2017-1 offers guidance to practitioners regarding the ethical considerations that attend such a scenario.”

With regard to Opinion 2017-2, Deitz said, “In our hypothetical scenario, the attorney’s representation of the child is through a guardian ad litem. This opinion addresses critical issues, including the question of ‘who is the client,’ as well as to whom and to what extent is an attorney bound by the duties of loyalty and confidentiality.”

To read Legal Ethics Opinions 2017-1 and 2017-2, please visit [www.sdcba.org/legalethics](http://www.sdcba.org/legalethics).

*The San Diego County Bar Association (SDCBA) is the region’s largest law related organization and the hub of the city’s legal community, headquartered in downtown San Diego. As the representative of the legal profession, the SDCBA aims to serve the county’s lawyers and legal professionals, and the greater San Diego community. For more information, please visit [www.sdcba.org](http://www.sdcba.org).*

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