



## Newsletters

### The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - December 2011

December 20, 2011

- Social Media—Communicating With Represented Parties—Impermissible Use of Subterfuge
  - Attorney-Client Privilege—Duty to Preserve Client Confidences—Electronic Storage of Client Information
  - Duty of Candor—Client Communications
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#### **Social Media—Communicating With Represented Parties—Impermissible Use of Subterfuge**

*San Diego Bar Opinion 2011-2 (May 24, 2011)*

Risk Management Issue: What are the limits of permissible social networking conduct by lawyers?

#### **Attorney-Client Privilege—Duty to Preserve Client Confidences—Electronic Storage of Client Information**

*New York State Bar Ethics Opinion 842 (Sept. 10, 2010), and District of Columbia Bar Legal Ethics Committee Opinion No. 357*

Risk Management Issue: What measures do law firms need to take to manage the risks associated with storage of client files and sensitive client information in the “cloud?”

#### **Duty of Candor—Client Communications**

Risk Management Issue: What is required in order for lawyers to fulfill their obligation to verify representations provided to by the client before relying on those representations?

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