

Keeping Client Confidences in the Digital Age

Suzanne Badawi
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Attorneys must maintain client confidences and secrets. While obvious, this is one of the most often overlooked obligations attorneys have, yet the consequences for violating this obligation are no less serious.

The California Bar can discipline an attorney for the failure to maintain client confidences and secrets, or for the failure to ensure others for whom the attorney has supervisory responsibility maintain client confidences and secrets. Independently, attorneys can face a legal malpractice claim for such failures.

The standard of skill, care, prudence and diligence by attorneys practicing law in the state of California includes adequate care to protect client confidences and secrets. Proximately caused damages for the failure to protect them range significantly. Victims of domestic abuse whose attorneys disclosed their identities, as well as businesses whose trade secrets were not adequately protected, among many others, can assert claims.

To read this article in its entirety, please visit: <http://tinyurl.com/o8cr3ww>.

Attorneys

Suzanne Y. Badawi

Practice Areas

Trade Secrets