

Hinderks Details Communications with Current and Former Employees, Third Parties, in *Legal Intelligencer* Column

In the News
03.10.2023

Stinson LLP's Legal Ethics & Professional Responsibility Chair [Mark Hinderks](#) authored a column for *The Legal Intelligencer*, "The Rules of Contact: Client Employees and Former Employees, and Represented and Unrepresented Others."

The column provides insight for attorneys regarding ABA Model Rule 3.4 (Fairness to Opposing Party and Counsel) and Rule 4.2 from the viewpoint of what is acceptable communication and conduct by attorneys in limiting access of an opposing party and their counsel to otherwise relevant information and how far an attorney can go in communicating with a represented party.

Hinderks explains how to abide by model rules and walks through possibilities of acceptable conduct and communication involving current employees, former employees, third parties as well as when an attorney is advising or ghostwriting for clients to communicate with represented parties, and when an attorney is acting in a capacity other than as an attorney. He addresses the question, "What if I am not acting as a lawyer but only as a business person?" and the consequences of that approach.

Hinderks leads the firm's Legal Ethics & Professional Responsibility practice. He is the author of Dear Ethics Lawyer, a twice-monthly newsletter with questions and answers concerning legal ethics, and a co-founder and presenter of "Ethics for Good," a twice-annual stage show which uses humor, skits and real-world scenarios to teach legal ethics to lawyers. Hinderks has presented more than 125 programs on legal ethics over the past 30 years, has authored many articles and handbook chapters on legal ethics, and has been deeply involved in professional organizations with legal ethics and professional responsibility as their focus.

Hinderks Details Communications with Current and Former Employees, Third Parties, in *Legal Intelligencer* Column

Sign in to *The Legal Intelligencer* to [read the full column](#).

CONTACT

Mark D. Hinderks

RELATED CAPABILITIES

Legal Ethics & Professional Responsibility

STINSON

STINSON LLP \ STINSON.COM