

## Hinderks Examines Attorney-Client Consensual Relations, Model Rule 1.8(j) in *Legal Intelligencer* Column

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Stinson LLP Partner [Mark Hinderks](#) authored an article for *The Legal Intelligencer*, "Lawyers, Clients and Sex: Circumstances Not Involving Actual 'Sexual Relations' Can Violate the Rules."

Hinderks examines Model Rule 1.8(j), which prohibits an attorney from having sexual relations with a client unless a consensual sexual relationship existed between them when the attorney-client relationship commenced. Hinderks evaluates whether an attorney's personal interests and relationship with a client could potentially violate other Model Rules, specifically Rules 1.1, 1.2, 1.4 and 1.7(a)(2), and provides insight on the risks associated with Rule 1.8(j) that could "manifest themselves in disciplinary or other legal trouble" or affect the outcome of a client's matter.

"Disciplinary authorities are focusing on these factors in lawyer-client relationships not involving physical sex," Hinderks writes. "The safer and better course of action is to withdraw from the matter to remove yourself from what has become a nonprofessional relationship, and eliminate any effect on your client's matter or the judgment of yourself or your client."

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.

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