

## Hinderks Explores Model Rule 1.13, Addresses Navigating Corporate, Individual Interests in *The Legal Intelligencer*

In the News  
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Stinson LLP Senior Counsel [Mark Hinderks](#) authored a column for *The Legal Intelligencer*, "Ethical Considerations in Representing an Organizational Client and Its Constituents."

Hinderks examines Model Rule 1.13 to explore ethical considerations for in-house counsel tasked with analyzing the tax implications of a proposed compensation package for all corporate officers and providing recommendations for optimization.

Hinderks highlights the potential conflicts of interest that can arise when representing both the corporation and individual corporate officers, including company stakeholders. He emphasizes the importance of clarifying the attorney-client relationship from the beginning, with in-house counsel determining whether they represent the corporation, the individual officers, or both. He also notes that in a joint representation scenario, the attorney would need to confirm they can represent both the company and its officers without material limitation.

"The best practice would be to remind all constituents that you are counsel for the corporation, clarify any additional persons you may be representing or advising after considering the potential for conflicts of interest and advise any individuals that you do not represent about the parameters of attorney-client privilege protection for any personal information they may convey to you," he writes.

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 135 programs on legal ethics

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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.

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

### CONTACT

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