

Committee Opinion  
May 22, 1985

LEGAL ETHICS OPINION 699

CONFIDENCES AND SECRETS –  
PERPETRATION OF FRAUD UPON  
TRIBUNAL.

It is not improper for an attorney to request that his client advise the court of the perpetration of the fraud, and upon the client's refusal to do so, to inform the court of the fraud, when the attorney represented the client in a Chapter 13 Bankruptcy and two years later the client informed the attorney of the existence of undisclosed assets including two notes payable to the client by two of the attorney's law partners who have denied the existence of the debts. The attorney may have to withdraw from representation if either the attorney or a member of the law firm will testify with regard to the nondisclosed assets. [DR:4-101(D) (2), DR:5-102]

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