

Committee Opinion  
August 24, 1988

LEGAL ETHICS OPINION 1113

PARTNERSHIP – DISSOLUTION OF  
LAW FIRM – TERMINATING  
REPRESENTATION – DUTY TO  
CLIENT.

You have advised that you were a partner in a law firm which has been dissolved. As a result of the dissolution, you and your partner notified all 600 of your clients and advised that they should elect either you or your partner to continue handling their cases. You received responses from all but approximately 100 clients. Of these 100 clients, you were involved with or were the responsible attorney for 20 of them and your partner dealt solely with the other 80 clients. You state that you are continuing to follow up in attempting to contact these 20 clients. In addition to the 600 clients you state that there are other clients which were being represented by your partner prior to the formation of your partnership, and that you never did any work for these clients.

You ask whether you have any ethical responsibility or liability for the "80 clients" and those that were clients of your partner prior to the formation of your partnership. In regards to the "80 clients" the Committee opines that you have taken reasonable steps to notify these clients of the dissolution of the partnership. Thus, the Committee opines that any such duty of notification which may be inferred from DR:2-102(C) has been fulfilled. In regards to those individuals who were clients of your partner prior to the formation of your partnership, the Committee opines that because, under the facts presented, these clients never engaged the partnership to represent them, no notification need be sent by you.

The Committee further opines that because you never represented either of these groups of clients, DR:2-108 governing the termination of representation of clients is inapplicable to your relationship with them.

Insofar as your inquiry asks what measures you should take to relieve yourself of legal liability, it is purely a legal question and is beyond the province of the Committee.

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