

*Committee Opinion*  
*January 30, 1978*

LEGAL ETHICS OPINION 287

DISCLOSURE OF CONFIDENTIAL  
INFORMATION – ACTIONS OF  
ADMINISTRATOR – CONFLICTS OF  
INTEREST – PERMISSIVE  
WITHDRAWAL BY ATTORNEY.

An attorney is not required to disclose to the court that his client, the administrator of an estate, misappropriated estate proceeds for personal use as long as the client makes prompt and full restitution to the estate. [See II: DR:4-101(D)(1).] Whether the admission of the misappropriation by the administrator to the attorney constitutes privileged communications is a legal rather than an ethics question. It is improper for an attorney to commence a suit against his client, the administrator, on behalf of the minor children; however, the attorney should advise the legal custodian of the minor children to secure counsel for wards. [See II: DR:7-103(A) & (B).] If the client refuses to file an accounting of the estate, the attorney should withdraw as counsel. [See II: DR:2-108(A)(1).]

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