

Committee Opinion
January 14, 1985

LEGAL ETHICS OPINION 651

CONTACT WITH ADVERSE
COUNSEL'S EMPLOYEE/REVIEW OF
ADVERSE COUNSEL'S FILE WITHOUT
PERMISSION.

It would be improper for an attorney to obtain information and documents from a former employee of adverse counsel in pending litigation, or for an attorney to review an adverse counsel's file which was inadvertently left in the attorney's office after depositions, if such conduct is deliberately wrongful, or is conduct involving dishonesty, fraud, deceit or misrepresentation, and reflects adversely on the attorney's fitness to practice law. [DR:1-102(A)(3), (4)]

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Legal Ethics Committee Notes. – L E Op. No. 1702 would require the lawyer to refrain from reviewing this material.