

Committee Opinion
August 30, 1985

LEGAL ETHICS OPINION 716

ATTORNEY MAKING A THREAT.

An attorney writes an individual that "If this check is not reclaimed in ten (10) days, my client will seek a warrant for your arrest under the appropriate Virginia statute dealing with the issuance of fraudulent checks." The Standing Committee on Legal Ethics interprets this language unequivocally to be threatening rather than in the nature of the notice anticipated by Virginia Code § 18.2-183, particularly in referring to "arrest." It is, therefore improper for an attorney to make such a threat. [See: DR:7-104 and § 18.2-183 Va. Code (1982 repl. vol.)]

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