

Committee Opinion
October 9, 1986

LEGAL ETHICS OPINION 839

DIVORCE – DESTRUCTION OF
TELEPHONE BILLS.

It is not improper for an attorney representing the wife in a divorce action to advise the wife to destroy phone bills which indicate she had placed calls to another man in whom she became interested four months after separating from her husband. The wife was under no obligation to produce or provide the telephone bills. [EC:7-24]

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Legal Ethics Committee Notes. – Under Rule 3.4(a), the lawyer cannot advise the client to destroy the telephone bills if it is foreseeable that the bills would be relevant evidence in the planned divorce action.