

Committee recommended adoption of a proposed rule ["Massachusetts Rule"] which requires that the prosecutor in a criminal case or a government lawyer shall not subpoena an attorney in any criminal cases or proceeding, including any proceeding before any grand jury, without prior judicial approval in circumstances where the prosecutor seeks to compel the attorney/witness to provide evidence concerning a person who is or was represented by the attorney/witness. Disciplinary Rule 8-102(A)(5) [DR:8-102], as stated above, was adopted by the Virginia Supreme Court on June 15, 1987, effective September 1, 1987.