

Committee Opinion
May 4, 1987

LEGAL ETHICS OPINION 907

CONFLICT OF INTEREST – ATTORNEY
AS WITNESS.

It is improper for an attorney to continue to represent a client when the attorney expects that he may be called as a witness to testify on behalf of his client and the testimony relates to the central issue of the cause of action unless one of the exceptions of DR:5-101(B) applies.

It is improper for an attorney to continue to represent a client when the attorney knows he will be called to testify on behalf of the adverse party who is a former client to the possible detriment of his present client. [DR:4-101(B) and (C), DR:5-101(B); LE Op. 723, LE Op. 654, LE Op. 612]

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