

Committee Opinion
September 3, 1987

LEGAL ETHICS OPINION 960

ATTORNEY – ATTORNEY AS
WITNESS.

While a sole practitioner, an attorney rendered substantial services to a defendant who later refused to pay for the services. Consequently, the attorney filed suit against the defendant, which was removed to circuit court. Since that time, the attorney has formed a law firm in which all the attorneys share in the company's profits and have various interests relating to the assets owned by the partnership. All outstanding accounts payable and fees received, even if generated prior to the foundation of the partnership, are assets of the new partnership. It is not improper, given the above, for one of the attorney's partners to represent the firm in this litigation if the attorney will be testifying as to the fee arrangement, services rendered and fair market value of the services. [DR:5-01(B)(2)]

Committee Opinion
September 3, 1987

Legal Ethics Committee Notes. – Rule 1.8(i) now allows related lawyers to be directly adverse to one another if the clients consent.