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Professional Ethics Committee

Approved May 21, 2014

INFORMAL OPINION 2014-04

Sharing Law Office Resources with Non-firm Lawyer

You ask if a lawyer who is not affiliated with your law firm may regularly use your firm's mailing address, conference room, and phone system. You indicate you plan to charge a fee for such regular usage of these resources.

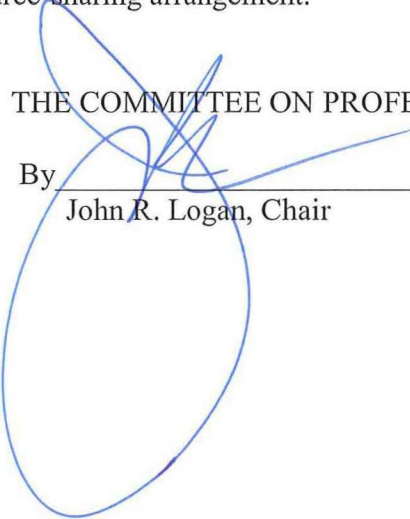
The Connecticut Rules of Professional Conduct do not prohibit such arrangements, so long as your firm and all resource-sharing attorneys implement and maintain appropriate safeguards to insure compliance with the following Rules: Rule 1.6 (Confidentiality of Information), Rule 1.15 (Safekeeping Property), Rule 7.1 (Communications Concerning Lawyer's Services), and Rule 7.5 (Firm Names and Letterheads). As we have previously opined on many aspects of office sharing arrangements, we refer you to the following opinions: Informal Opinion 97-09 (Regarding Letterhead, Business Cards and Other Listings for Attorneys Sharing Office Space Who are Not Partners); Informal Opinion 98-11 (Attorneys Sharing Office Space and Information); Formal Opinion 40 (Sharing of Office by Non-partner Attorneys); and, Informal Opinion 05-18 (Advertising by Attorney Licensed but not Resident in Connecticut).

"Attorneys involved in an office-sharing arrangement must ensure that in all communications made about the nature of their practice, the public is not confused, deceived or misled that there is any firm, partnership, corporate, "of counsel" or other relationship between

the attorneys when no such relationship exists. * * * If a potential client appears confused about the relationship among the attorneys in such an arrangement, the attorney should take steps to resolve this confusion, including making an affirmative disclaimer of any affiliation with the other attorneys in the shared office space.” D. C. Bar Ethics Opinion 303 “Sharing Office Space and Services by Unaffiliated Lawyers” (2001). These same concerns should be addressed when entering into regular resource-sharing arrangements.

In conclusion the resource-sharing arrangements that you propose are permitted by the Connecticut Rules of Professional Conduct provided that all participating lawyers implement and maintain appropriate safeguards to preserve client confidentiality, maintain the safekeeping of client property, and make clear that the law practices are not affiliated with one another in any way, other than in their resource-sharing arrangement.

THE COMMITTEE ON PROFESSIONAL ETHICS

By  _____
John R. Logan, Chair