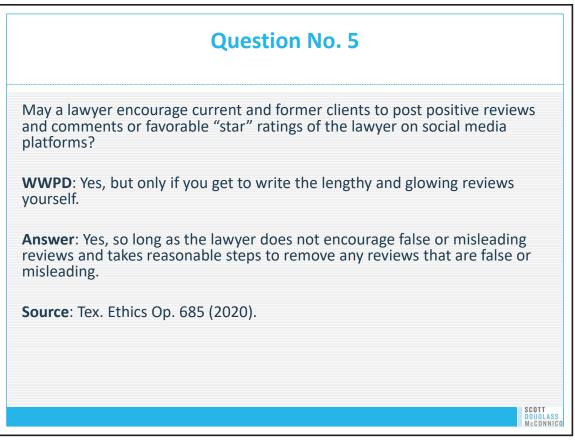


## Question No. 4 Does an attorney owe a duty of confidentiality to a party with whom the attorney meets to discuss potential representation if the party ultimately hires another attorney? WWPD: Of course, if it was really, really, confidential, and you didn't say at the beginning of the meeting, "if you don't hire me, there's no attorney/client relationship and I get to talk about what we talk about." Answer: Yes, Phil would be right. If a party reveals confidential information, it must be kept confidential unless the party was advised prior to the meeting that nothing discussed would be held confidential unless the attorney was subsequently engaged. Source: Comment 1 to Texas Disciplinary Rules of Professional Conduct 1.05; National Medical Enterprises, Inc. v. Godbey, 924 S.W.2d 123, 132 (Tex. 1996).



Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the <u>UT Law CLE eLibrary (utcle.org/elibrary)</u>

## Title search: Ethics Game Show: What Would Phil Do?

Also available as part of the eCourse 2020 eConference on State and Federal Appeals

First appeared as part of the conference materials for the  $30^{th}$  Annual Conference on State and Federal Appeals session "Ethics Game Show"