The Ethics Credits You've Been Waiting For

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Goals for the Presentation

- Recent updates to the RPC's
- Ethics rules for employment situations
- Candor towards the tribunal
- Feel free to offer questions throughout

Recent Updates to the RPCs

SOME IMPORTANT THINGS DID CHANGE

Overview of Recent Amendments to the RPCs

Rule or Comment Amended	Topic of Subject Amended	Source
RPC 1.13 and 1.16	in house counsel as employees	Washington Supreme Court Order 25700-A-1346
RPC 1.4(c)	communication-malpractice insurance disclosure	Washington Supreme Court Order 25700-A-1351
RPC 6.5	non-profit and court-annexed limited legal service programs-prospective notice	Washington Supreme Court Order 25700-A-1352
RPC 7.1, 7.2, 7.3, 7.4, 7.5 and 5.5	lawyer advertising and direct solicitation of clients	Washington Supreme Court Order 25700-A-1333

Amendment to RPC 1.13 and 1.16

RPC 1.13 Organization as Client

- Generally says that "A lawyer employed or retained by an organization represents the organization acting through its duly authorized constituents."
- Amendment adds Comment 16: "In-house lawyers and lawyers with comparable employment situations may face unique employment expectations that impact their rights if discharged by the client. *See Karstetter v. King County Corrections Guild*, 193 Wn.2d 672, 444 P.3d 1185 (2019); Comment [4] to Rule 1.16."

RPC 1.16

- Amendment adds the following language to Comment 4: A client has a right to discharge a lawyer at any time, with or without cause, subject to liability for payment for the lawyer's services. <u>However, the rule may apply differently with respect to in-house lawyers and lawyers with comparable employment situations. See Karstetter v. King County Corrections Guild, 193 Wn.2d. 672, 444 P.3d 1185 (2019); Washington Comment [16] to Rule 1.13.</u> Where future dispute about the withdrawal may be anticipated, it may be advisable to prepare a written statement reciting the circumstances.

Karstetter v. King County Corrections Guild, 193 Wn.2d. 672, 444 P.3d 1185 (2019)

Plaintiff worked for labor organizations representing King County corrections officers under a series of 5-year contracts which said he could only be terminated for cause with notice + opportunity to correct.

With his client's permission, Plaintiff eventually started cooperating in a whistleblower investigation against his client and was eventually terminated on the advice of 3rd party counsel.

Sued for breach of contract, wrongful discharge, retaliation, negligent infliction of emotional distress, tortious interference with employment, and specific performance of contract.

Trial court dismissed everything but breach of contract and wrongful discharge. Defendant appealed, arguing RPC 1.16 gave them the right to fire Plaintiff for any reason.

Karstetter v. King County Corrections Guild, 193 Wn.2d. 672, 444 P.3d 1185 (2019)

- "The unique employment status of and demands on in-house attorneys counsel against a rigid interpretation of RPC 1.16."
- Rules were written "when few lawyers worked outside the traditional private law firm practice model" and have not kept up with the times
- Recognizes the complex role of corporate attorneys
- Corporate attorneys are dependent on the "good will and confidence of a single employer to provide livelihood and career success."
- This makes the traditional withdrawal remedy less accessible
- Thus, the corporate counsel / employer client relationship is both an "an attorney-client relationship" and "an employer-employee relationship as well."
- "We therefore hold that in the narrow context of in-house attorneys, contract and wrongful discharge suits are available, provided these suits can be brought 'without violence to the integrity of the attorney-client relationship.'"

Amendment to RPC 1.4(c)– Professional Liability Insurance

- Title 1 deals with the client-lawyer relationship
  - Competence, diligence, scope, conflicts of interests etc.
- RPC 1.4 deals with communication
  - Consulting with clients on matters that require informed consent
  - Reasonable consultation about means of representation
  - Keep them reasonably informed about the status of the matter
- New RPC 1.4(c) creates an entire new section regarding minimum levels of lawyer professional liability insurance.
  - Available https://www.wsba.org/for-legal-professionals/ethics

Amendment to RPC 1.4(c)

- "A lawyer shall communicate to a client or prospective client a lack of minimum levels of lawyer professional liability insurance as required by the provisions of this Rule."
- When – before or at the time of commencing representation
- Methods – "notify the client in writing" and "promptly obtain the client's informed" written consent.
- If you know or reasonably should know that the policy has/will lapse/terminate during the representation — you get 30 days to obtain a new policy or provide prompt notice/obtain written consent
  - Otherwise "the lawyer shall withdraw from representation of the client"
- RPC 1.4(c)(2)(i-ii) contain stock language for both
- RPC 1.4(c)(3) — maintain these records for at least 6 years after the representation is terminated
- How much???
  - at least one hundred thousand dollars ($100,000) per occurrence, and three hundred thousand dollars ($300,000) for all claims submitted during the policy period.

Amendment to RPC 6.5 – Giving Clients Prospective Notice of Pro-Bono Conflict Screening Mechanisms

- RPC 6.5 deals with Nonprofit and Court-Annexed Limited Legal Services Programs
- Short term limited legal services without the expectation of continuing representation or collecting a fee
  - Pop up clinics
  - Pro bono work
- But what about conflicts of interest?
- RPC 6.5(a)(1) has the rule — 1.7, 1.9(a), 1.10, and 1.18(c) do not apply if:
  - (i) the program lawyers or LLLTs representing the opposing clients are screened by effective means from information relating to the representation of the opposing client;
  - (ii) each client is notified of the conflict and the screening mechanism used to prohibit dissemination of information relating to the representation; such notice, may be given prospectively; and
  - (iii) the program is able to demonstrate by convincing evidence that no material information relating to the representation of the opposing client was transmitted by the personally disqualified lawyers or LLLTs to the lawyer representing the conflicting client before implementation of the screening mechanism and notice to the opposing client.
- Notice requirements in RPC 6.5(c)

7.3, 7.4, 7.5 and 5.5 Regarding Direct Solicitation of Clients and Lawyer Advertising

Advertising Amendments

7.1 communications regarding a lawyer's services

7.2 repealed

7.3 limitations on the solicitation of clients

7.4 repealed

7.5 repealed

5.5 unauthorized practice of law and multijurisdictional practice of law

Changes to 7.1

- Rule says: "A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. A communication is false or misleading if it contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading. "

Amendments are all to the comments

- stripping references to Rule 7.2 regarding advertising
- comment 4 now says "It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation. RPC 8.4(c)."
- advertising is good and especially important to help address access to justice issues
- can include standard business information and references
- clarifies that there are no problems with advertising on TV, the internet, or through electronic communications
- advertisements can state that the lawyer is a "specialist" as long that is not "false or misleading"
  - "certifications" have to be from an approved State Authority or accredited by the ABA or WSBA or some other group authorized to offer accreditation

Additional Changes to 7.1

- Use of trade names "is acceptable so long as it is not misleading."
- Likewise okay to keep a "trade name" that names a lawyer who is no longer with the entity
  - But "it is misleading to use the name of a lawyer or [licensed legal technician] not associated with the firm or a predecessor of the firm, or the name of an individual who is neither a lawyer nor an LLLT"
- Lawyers sharing office space, but who are not associated together for the practice of law, cannot combine their names
  - Must maintain separate "letterheads, cards, and pleading paper, and must sign their names individually at the end of all pleadings and correspondence"
- "In order to avoid misleading the public, when lawyers or LLLTs are identified as practicing in a particular office, the firm should indicate the jurisdictional limitations on those not licensed to practice in the jurisdiction where the office is located." Comment 14.

7.2 is Repealed – Parts are Subsumed into 7.1 and 7.3

RPC 7.2 ADVERTISING [Reserved.]

(a) Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services through written, recorded or electronic communication, including public media.

(b) A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may

(1) pay the reasonable costs of advertisements or communications permitted by this Rule;

(2) pay the usual charges of a legal service plan or a not-for-profit lawyer referral service;

(3) pay for a law practice in accordance with Rule 1.17; and (4) refer clients to another lawyer or LLLT pursuant to an agreement not otherwise prohibited under these Rules that provides for the other person to refer clients or customers to the lawyer, if

(i) the reciprocal referral agreement is not exclusive, and

(ii) the client is informed of the existence and nature of the agreement.

(c) Any communication made pursuant to this Rule shall include the name and office address of at least one lawyer or law firm responsible for its content.

Amendments to 7.3: Solicitation of Clients

- Previously the rules forbid direct solicitation of clients, but 7.3(a) now says "A lawyer may solicit professional employment unless:"
  - the solicitation is false or misleading;
  - the lawyer knows or reasonably should know that the physical, emotional, or mental state of the subject of the solicitation is such that the person could not exercise reasonable judgment in employing a lawyer;
  - the subject of the solicitation has made known to the lawyer a desire not to be solicited by the lawyer; or
  - the solicitation involves coercion, duress, or harassment (see Comment 10 for examples)
- 7.3(b) now says "a lawyer shall not compensate, or give or promise anything of value to, a person who is not an employee or lawyer in the same law firm for the purpose of recommending or securing the services of the lawyer or law firm" but you can:
  - pay the reasonable cost of advertisements or communications permitted by RPC 7.1
  - pay the usual charges of a legal services plan or non-profit lawyer referral service
  - pay for a law practice in accordance with RPC 1.17
  - refer clients pursuant to a referral agreement as long as (1) the agreement is not exclusive and (2) you tell the client about the agreement
  - "give nominal gifts that are neither intended nor reasonably expected to be a form of compensation for recommending a lawyer's services"
- Comments clarify that "solicitations can include in-person, written, telephonic, and electronic communications"

7.4 is Repealed – Parts Subsumed into the Comments of 7.1

RPC 7.4 COMMUNICATION OF FIELDS OF PRACTICE AND SPECIALIZATION[Reserved.]

(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law.

(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.

(c) A lawyer engaged in Admiralty practice may use the designation "Admiralty," "Proctor in Admiralty" or substantially similar designation.

(d) A lawyer shall not state or imply that a lawyer is a specialist in a particular field of law, except upon issuance of an identifying certificate, award, or recognition by a group, organization, or association, a lawyer may use the terms "certified", "specialist", "expert", or any other similar term to describe his or her qualifications as a lawyer or his or her qualifications in any subspecialty of the law. If the terms are used to identify any certificate, award, or recognition by any group, organization, or association, the reference must:

- (1) be truthful and verifiable and otherwise comply with Rule 7.1;
- (2) identify the certifying group, organization, or association; and
- (3) the reference must state that the Supreme Court of Washington does not recognize certification of specialties in the practice of law and that the certificate, award, or recognition is not a requirement to practice law in the state of Washington.

7.5 is Repealed – Parts Subsumed into the Comments of 7.1

RPC 7.5 FIRM NAMES AND LETTERHEADS[Reserved.]

(a) A lawyer shall not use a firm name, letterhead or other professional designation that violates Rule 7.1. A trade name may be used by a lawyer in private practice if it does not imply a connection with a government agency or with a public or charitable legal services organization and is not otherwise in violation of Rule 7.1.

(b) A law firm with offices in more than one jurisdiction may use the same name or other professional designation in each jurisdiction, but identification of the lawyers or LLLTs in an office of the firm shall indicate the jurisdictional limitations on those not licensed to practice in the jurisdiction where the office is located.

(c) The name of a lawyer or LLLT holding a public office shall not be used in the name of a law firm, or in communications on its behalf, during any substantial period in which the lawyer or LLLT is not actively and regularly practicing with the firm.

(d) Lawyers may state or imply that they practice in a partnership or other organization only when that is a fact.

Amendments to 5.5

Rule more or less says that

- "A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so"
- Generally prohibits lawyers who are not licensed in the jurisdiction, and
- Discusses other rules relating to multi-jurisdictional practice and pro hac vice proceedings

Amendment just clarifies that "this rule does not prohibit a law firm with offices in multiple jurisdictions from establishing and maintaining an office in this jurisdiction even if some of the lawyers who are members of the firm or are otherwise employed or retained by or associated with the law firm are not authorized to practice law in this jurisdiction."

Ethics Rules for Employment Situations

HOW AM I DOING ON TIME? I MADE A LOT OF SLIDES.

First situation re RPC 1.13

You represent a company. It has shareholders, officers, executives, and employees.

Your client contact is someone who (1) has the power to make decisions and set policy but (2) isn't at the top of the ladder.

They reach out with a question: "Can the company implement this [absolutely illegal] policy?"

- Retaliate against all whistleblowers
- Deny all FMLA leave requests
- Automatic furlough for employees who submit disability accommodation requests

You research the issue and say "No, that could expose the company to ruinous liability."

They say, "Thank you for your advice but we are going to do it anyway."

Do you have to do anything? If so, what?

Applicable Rules

RPC 1.13(a) says "A lawyer employed or retained by an organization represents the organization acting through its duly authorized constituents."

- Comment 1: organizational clients cannot act directly, but only through its "constituents" i.e. officers, directors, employees, and shareholders
- Comment 3: when they act, lawyers usually have to accept those decisions "even if their utility or prudence is doubtful" or if they "[entail] serious risks."

BUT RPC 1.13(b) has an exception:

- Which was too big for me to put on this slide
- So I made another slide
- You're welcome

Exception in RPC 1.13(b)

- Elements of the Exception
  - knowledge that an "officer, employee or other person associated with the organization";
  - is/intends to/refuses to act "in a matter related to the representation that is a violation of a legal obligation to the organization, or a violation of law;
  - that reasonably might be imputed to the organization"; and
  - that is "likely to result in substantial injury to the organization"

  Then
  - "the lawyer shall proceed as is reasonably necessary in the best interest of the organization"
  - which almost always means that "the lawyer shall refer the matter to higher authority in the organization, including, if warranted by the circumstances, to the highest authority that can act on behalf of the organization as determined by applicable law."
    - unless you reasonably believe that it is not necessary in the best interest of the organization to do so

  Factors to consider per Comment Four
    - the seriousness of the violation and its consequences
    - the responsibility in the organization and the apparent motivation of the person involved
    - the policies of the organization concerning such matters
    - whether there is some basis to think you can get the constituent to reconsider

What if you try that and cannot get a response?

- If despite your efforts the highest authority that can act insists upon or fails to address the situation in a timely and appropriate manner AND
- You "reasonably believe that the violation is reasonably certain to result in substantial injury to the organization" THEN
- "then the lawyer may reveal information relating to the representation whether or not Rule 1.6 permits such disclosure, but only if and to the extent the lawyer reasonably believes necessary to prevent substantial injury to the organization."

- What does that mean in practice?
  - The rules don't really say.

Second situation: conflicts between organizations and its employees

Assume that you are representing a business with employees, managers, supervisors, ect.

Someone sues the business, saying X employee did something that harmed me.

- Example 1: an employee accesses customer records and uses them to follow a customer or another employee home or send them threatening messages
- Example 2: several employees start a fight with the plaintiff at a firm-sponsored happy hour

Are there special steps you need to take when dealing with the offending employee? – well, it depends on whether the employee could have adverse interests to his employer

- "Where the employee steps aside from the employer's purposes in order to pursue a personal objective of the employee, the employer is not vicariously liable." *Niece v. Elmview Grp. Home*, 131 Wn.2d 39, 48, 929 P.2d 420 (1997).
- In Washington, "[t]he proper inquiry is whether the employee was fulfilling his or her job functions at the time he or she engaged in the injurious conduct." *Anderson v. Soap Lake Sch. Dist.*, 191 Wn.2d 343, 373, 423 P.3d 197 (2018).
- Thus, "[a]n employee's conduct will be outside the scope of employment if it 'is different in kind from that authorized, far beyond the authorized time or space limits, or too little actuated by a purpose to serve the master.'" *Id*.

RPC 1.13 creates special notice requirements

RPC 1.13(a) says “A lawyer employed or retained by an organization represents the organization acting through its duly authorized constituents.”

- (f) says that the “lawyer shall explain the identity of the client when the lawyer knows or reasonably should know that the organization's interests are adverse to those of the constituents with whom the lawyer is dealing”
- Comment 10: “Care must be taken to assure that the individual understands that, when there is such adversity of interest, the lawyer for the organization cannot provide legal representation for that constituent individual, and that discussions between the lawyer for the organization and the individual may not be privileged.”

Rules repeatedly say what a lawyer knows or reasonably should know are inferred from the circumstances

So, in either example, it seems that there are enough grounds for the lawyer to know, or at least suspect, that the client’s interests are not aligned with the offending employees.

Third situation: defending both businesses and employees

Assume the facts are largely the same from the last situation, except both the business and the employee are named defendants. Can you represent both under the RPC's?

- Spoiler Alert: it depends, but under these facts, probably not.

RPC 1.13(g) says:

- A lawyer representing an organization may also represent any of its directors, officers, employees, members, shareholders or other constituents, subject to the provisions of Rule 1.7.
- If the organization's consent to the dual representation is required by Rule 1.7, the consent shall be given by an appropriate official of the organization other than the individual who is to be represented, or by the shareholders.

RPC 1.7(a) defines concurrent conflicts of interests to include situations where:

- the representation of one client will be directly adverse to another client; or
- there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

Third situation: defending both businesses and employees

If you are still unsure, and think the facts might permit it, consult the waiver rules in RPC 1.7(b), which allow representation if:

- (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;
- (2) the representation is not prohibited by law;
- (3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal; and
- (4) each affected client gives informed consent, confirmed in writing (following authorization from the other client to make any required disclosures).

Also, the whole situation implicates the rules in RPC 4.3 about dealing with unrepresented individuals:

- (1) don't say or imply that you are disinterested;
- (2) make "reasonable efforts" when "the lawyer knows or reasonably should know" that the unrepresented person misunderstands your role; and
- (3) don't advise them to do anything other than seek a lawyer if there's even a reasonable possibility of a conflict.

Candor Towards the Tribunal

OKAY I PROMISE THIS WILL BE THE LAST SET OF SLIDES, IF WE EVEN GET THIS FAR. I DON'T KNOW. I HAVEN'T PRACTICED.

Let's Start With Some Ground Rules

I. RULE 1.2(d) "A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent…"

II. 3.1: "A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous...."

III. 3.4: A lawyer shall not:
   I. (a) unlawfully obstruct another party's access to evidence or unlawfully alter, destroy or conceal a document or other material having potential evidentiary value. A lawyer shall not counsel or assist another person to do any such act;
   II. (b) falsify evidence, counsel or assist a witness to testify falsely, or offer an inducement to a witness that is prohibited by law

IV. 4.1(a): "In the course of representing a client a lawyer shall not knowingly: (a) make a false statement of material fact or law to a third person…"
   I. comment: [1]: includes (1) incorporating or affirming a statement of another person that the lawyer knows is false; or (2) making "partially true but misleading statements or omissions that are the equivalent of affirmative false statements."

V. 8.4 says it is professional misconduct for a lawyer to engage in conduct: (c) involving dishonesty, fraud, deceit or misrepresentation; or (d) that is prejudicial to the administration of justice.

And Here's What You Have to Do Once You Have Done It

RULE 3.3. CANDOR TOWARD THE TRIBUNAL: (a) A lawyer shall not knowingly:

- (1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;
- (2) fail to disclose a material fact to a tribunal when disclosure is necessary to avoid assisting a criminal or fraudulent act by the client unless such disclosure is prohibited by Rule 1.6;
- (3) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by the opposing party;
- (4) offer evidence that the lawyer knows to be false.

Rule 3.3(c) says "If the lawyer has offered material evidence and comes to know of its falsity, the lawyer shall promptly disclose this fact to the tribunal unless such disclosure is prohibited by Rule 1.6."

- Comment 11 says this rule doesn't apply unless you know the evidence to be false but cautions that knowledge can be inferred from the circumstances.

Let's talk about Rule 1.6

I. 1.6(a) "A lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b)."

II. (b) contains 8 limited exceptions
   I. prevent reasonably certain death or substantial bodily harm;
   II. prevent the client from committing a crime;
   III. to prevent, mitigate or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a crime or fraud in furtherance of which the client has used the lawyer's services;
   IV. secure legal advice about the lawyer's compliance with these Rules;
   V. establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client, to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the lawyer's representation of the client
   VI. comply with a court order
   VII. detect and resolve conflicts of interest arising from the lawyer's change of employment or from changes in the composition or ownership of a firm (subject to some limitations not relevant here)
   VIII. inform a tribunal about any breach of fiduciary responsibility when the client is serving as a court-appointed fiduciary such as a guardian, personal representative, or receiver.

What do you do if you can’t make a disclosure under 1.6?

Rule 3.3(d) says:

- “the lawyer shall promptly make reasonable efforts to convince the client to consent to disclosure.”
- “If the client refuses to consent to disclosure, the lawyer may seek to withdraw from the representation in accordance with Rule 1.16.”

Normally you don’t have to withdraw

- “The lawyer may, however, be required by Rule 1.16(a) to seek permission of the tribunal to withdraw if the lawyer's compliance with this Rule's duty of candor results in such an extreme deterioration of the client-lawyer relationship that the lawyer can no longer competently represent the client.”
- See also Rule 1.16(b) for the circumstances in which a lawyer will be permitted to seek a tribunal's permission to withdraw.
- In connection with a request for permission to withdraw that is premised on a client's misconduct, a lawyer may reveal information relating to the representation as permitted by Rule 1.6.

However, if the situation is serious enough, you may want to evaluate whether there is a conflict of interest between you and your client, and, if there is, consider advising them to get their own lawyer.

Situation 3: Their Side Potentially Violates the RPC's With Untrue Representations

1. Believe it or not this can have ethical implications for you.
2. Rule 8.3(a) says: "A lawyer who knows that another lawyer or LLLT has committed a violation of the applicable Rules of Professional Conduct that raises a substantial question as to that lawyer's or LLLT's honesty, trustworthiness or fitness as a lawyer or LLLT in other respects, should inform the appropriate professional authority." (emphasis added).
3. Important Questions:
    1. Do you know that a violation has occurred?
    2. Does the violation raise a substantial question about the individual's honesty, trustworthiness or fitness as a lawyer or in other respects?
    3. Should you report the violation?

Situation 3: Their Side Potentially Violates the RPC's With Untrue Representations

I. Do you know a violation has occurred? – it's a judgment call

II. Does the violation raise a substantial question about the individual's honesty, trustworthiness or fitness as a lawyer or in other respects?

  I. Comment 3: "The term 'substantial' refers to the seriousness of the possible offense and not the quantum of evidence of which the lawyer is aware."

III. Should you report it?

  I. Permissive but not mandatory.

    I. Comment 1: "Lawyers are not required to report the misconduct of other lawyers, LLLTs, or judges."

    II. Comment 3: "Lawyers are not required "to report every violation of the applicable Rules", but "the failure to report a serious violation may undermine the belief that the legal profession should be self-regulating."

  II. Comments give reasons why you should

    I. "Self-regulation of the legal profession, however, creates an aspiration that members of the profession report misconduct to the appropriate disciplinary authority when they know of a serious violation of the applicable Rules of Professional Conduct."

    II. "An apparently isolated violation may indicate a pattern of misconduct that only a disciplinary investigation can uncover."

    III. "Reporting a violation is especially important where the victim is unlikely to discover the offense."

The End

ENJOY YOUR WELL-EARNED ETHICS CREDITS!