

MINUTES

COMMITTEE: Ethics Committee

DATE: July 3, 1997

7. CHAPTER 6, RULES 7 TO 7.9: WHETHER LAWYER POSSESSING CONFIDENTIAL INFORMATION CAN TRANSFER FROM UNION TO MANAGEMENT ROLE

A lawyer is currently employed by a union. The lawyer's contract with the union is to expire shortly and the lawyer would like to take a position as in-house counsel with one of the employers with whom the union holds a collective agreement. The lawyer is currently working on a number of matters where the party on the other side is her prospective employer. The employer has retained outside counsel to deal with those matters.

The lawyer has asked the Committee whether she is in a conflict of interest that would prevent her from accepting the position as counsel for the employer even if she does not act as counsel or participate in any way in the matters where she had represented the union.

In the Committee's opinion, it would be proper for the lawyer to accept employment with the employer provided she complies with the requirements of Chapter 6, Rule 7.4 of the *Professional Conduct Handbook*.

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