

MINUTES

COMMITTEE: Ethics Committee

DATE: July 10, 2003

8. CHAPTER 5: WHETHER LAWYER CAN RELEASE INFORMATION TO PERMIT POLICE TO DETERMINE IF CLIENT HAS BEEN MURDERED

A lawyer believes he represented a female client some time ago in a criminal matter. The police working with the Missing Women's Task Force found his card with the words "family friend" marked on it. The police have requested that he provide them with information about her. The lawyer judges that the police request is a bona fide one and has asked whether he may provide the police with any information which, in other circumstances, would be regarded as confidential. The lawyer notes that the former client may still be alive.

It was the Committee's opinion that the lawyer's duty of confidentiality requires him to continue to keep the client's information confidential unless he is relieved of that responsibility by the client, the client's personal representative or a court.

JO/
July 2003