

Professional Ethics Committee
2010-2011 Year-End Report
Submitted by: Margaret B. Angel

The Professional Ethics Committee provides an important service to members of the Allegheny County Bar Association by providing prompt and confidential advice to members of the ACBA regarding the Pennsylvania Rules of Professional Conduct. The Committee provides advice to members of the Association regarding their own prospective conduct to assist lawyers in resolving issues implicating the Rules. The Committee refrains from opining about the conduct of other lawyers or matters in litigation.

The Committee consists of 31 lawyers from diverse areas of practice. Each month, two to three lawyers are assigned as Duty Officers who are available to take calls from members of the Association having ethics questions. Ordinarily, one of the Duty Officers is immediately available to give at least preliminary advice. In the event of a complex question, the Duty Officer proceeds to research the issue and review the question with other members of the Committee. A written Duty Officer Report is prepared and circulated to the full Committee in advance of the next monthly meeting. The Committee meets each month at Bar Association headquarters to review, discuss, and approve, with occasional revisions, the advice given by the individual Duty Officers.

At the monthly meetings of the Committee, the members discuss recent opinions of the Ethics Committee of the ABA, PBA, and Philadelphia Bar Guidance Committee as well as changes in the Rules and case law interpreting the Rules. The Committee meetings are characterized by scholarly and spirited discussion that serves to educate the members of the Committee regarding the application of the Rules.

The Committee membership includes a number of lawyers who have been active on the Committee for over 30 years. Continuity on the Committee is essential to maintain a high level of expertise in addressing issues of professional ethics.

During 2010, the Committee addressed over 39 individual inquiries involving such issues as conflicts of interest, charging and retaining liens, file ownership and retention, the duty to report attorney misconduct, maintenance of IOLTA funds, lawyer advertising and confidentiality issues.

The Committee has developed Operating Guidelines and a protocol for handling inquiries and rendering reports. These materials are provided to all new members of the Committee.