

NEW HAMPSHIRE  
BAR ASSOCIATION  
**ETHICS COMMITTEE**



### **Ethics Helpline**

In addition to issuing Ethics Committee Formal Opinions and Practical Ethics articles, members of the Ethics Committee provide informal assistance to members of the Bar via the Ethics Helpline. See "How to Obtain Answers". Committee members who handle Helpline calls act as "sounding boards" and provide "reality checks" to the inquiring attorney, and will help to focus the further research of the inquirer. However, they will not provide definitive answers to Helpline questions.

#### **Is my issue appropriate for Helpline?**

- It must involve proposed conduct, rather than past conduct.
- It must involve your own conduct, not the conduct of another attorney.
- It cannot involve conduct which is an issue of pending litigation or disciplinary action.

#### **What is the process for obtaining assistance through Helpline?**

Contact Robin by telephone, 603-715-3259. She will take your preliminary information and try to put you in touch with one of the members of the committee who might be able to help you.

The committee members are lawyers who are volunteering their time to help other lawyers work through their ethical issues. Accordingly, it can sometimes take a day or two for someone to contact you.

#### **Is Helpline providing me with legal representation?**

ABSOLUTELY NOT. The purpose of Helpline is to offer guidance only. The members are acting as a "sounding board" and providing "reality checks". The members will try to be helpful in directing the further research of the inquirer. Due to the limited nature of the informal telephone conversation, the members will not give definitive answers to Helpline questions.

Even without the attorney-client relationship, however, both you and the member should be careful about conflicts. Please consider carefully the identity of the person you are assigned, as well as his or her firm and business affiliations, to avoid conflicts.

#### **Will my conversations with the committee member be "confidential"?**

Since there is no attorney-client relationship between you and the committee member, there is no confidentiality or privilege with respect to such communications in the legal sense. As with opinion inquiries, however, the committee will limit the voluntary disclosure of the identity of the inquiring attorney, and of all discussions, deliberations, files and records of the committee, to the extent that they may disclose the identity of the inquiring attorney, to members of the committee and Bar staff assigned to the committee, unless otherwise ordered by compulsory legal process or unless the inquiring attorney waives these protections in writing. If you have reason for greater restriction on disclosure, let your assigned member know, you may also want to consider obtaining counsel or legal representation where confidentiality may be preserved.

### **What if Helpline doesn't help?**

The member may conclude that your issue is too difficult or complex for informal assistance and may recommend that you consult with a New Hampshire attorney who handles these issues. When you are in need of counsel, you may contact the Bar Association's Lawyer Referral Service for confidential courtesy referrals for [Attorney Discipline Defense issues](#). Referrals may be requested anonymously if preferred.