

“The Accidental Client,” *Los Angeles County Bar Association Update*

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By: Kirsten Hicks Spira

In an article for the *Los Angeles County Bar Association Update*, Partner Kirsten Hicks Spira and Associate Rebekah Lee discuss how attorney-client relationships are formed and provide tips for lawyers to avoid being accused of picking up or maintaining a client, when that was not what was intended by the lawyer.

“While the California’s Rules of Professional Conduct impose several broad duties on a lawyer—such as truthfulness to a tribunal and third parties—it almost goes without saying that a lawyer’s duty of care, including their duty to be conflict-free, is owed only to the lawyer’s client. Therefore, knowing who your clients are is paramount to discharging your responsibilities. Sound easy? It should be, but beware: lawyers sometimes find themselves picking up clients, or maintaining clients, without expressly meaning to do so,” the authors write.

“While an attorney-client relationship cannot be established unilaterally, potential pitfalls abound unless the lawyer communicates clearly. These best practices, consisting of clear and specific communications regarding the start and end of such a relationship, may help lawyers avoid some of those pitfalls,” the authors also write.

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