

GENERAL INFORMATION FORM

Submitting Entity: Task Force on Corporate Responsibility

Submitted By: James H. Cheek, III, Chair

1. Summary of Recommendation(s): The recommendation is to amend Rule 1.6(b) of the ABA Model Rules of Professional Conduct to permit the lawyer to reveal client information and to amend the related Comment to Rule 1.6.

2. Approval by Submitting Entity: The recommendation as submitted was approved by the Task Force through its adoption of its Report dated March 31, 2003.

3. Has this or a similar recommendation been submitted to the House or Board previously?

Yes. The recommendation is identical to the proposal by the ABA Commission on Evaluation of the Rules of Professional Conduct ("Ethics 2000 Commission") to amend Rule 1.6 by adding subsections (b)(2) and (b)(3). The proposal to add subsection (b)(2) was defeated in the House of Delegates at the August 2001 Annual Meeting, and the Ethics 2000 Commission thereupon withdrew its proposal to add subsection (b)(3). In addition, a proposal similar to an element of the proposed amendments to Rule 1.6 was presented to the House of Delegates at the 1991 Annual Meeting and defeated.

4. What existing Association policies are relevant to this recommendation and how would they be affected by its adoption?

The recommendation addresses core areas of concern in relation to the professional responsibilities of lawyers to their clients and to the public.

5. What urgency exists which requires action at this meeting of the House?

The Task Force was directed by the President of the ABA in March 2002 to evaluate "systemic issues relating to corporate responsibility" in relation to, among other things, "the framework of laws and regulations and ethical principles governing the roles of lawyers." The Task Force believes that its recommendations merit prompt attention by the House of Delegates in light of recent changes in applicable law, including new federal legislation and related proposed and final rules regulating lawyer professional conduct by the Securities and Exchange Commission.

6. Status of legislation (if applicable): Not applicable.

7. Cost to the Association (both direct and indirect costs): None.

8. Disclosure of Interest (if applicable): None.
9. Referrals: The Task Force's Report is expected to be distributed to each of the Sections and Divisions and Standing Committees of the ABA.
10. Contact Person (prior to the meeting): James H. Cheek, III, Chair, Task Force on Corporate Responsibility, Bass Berry Sims, PLC, Suite 2700, 315 Deaderick St., Nashville, TN 37238-3001, business: (615) 742-6223, fax: (615) 742-6298, email jcheek@bassberry.com.
11. Contact Person (who will present the report to the House): James H. Cheek, III, Chair, Task Force on Corporate Responsibility, Bass Berry Sims, PLC, Suite 2700, 315 Deaderick St., Nashville, TN 37238-3001, business: (615) 742-6223, fax: (615) 742-6298, email jcheek@bassberry.com.