

# Bar LEADER

Issue 10

## TOOLKIT

FROM THE AMERICAN BAR ASSOCIATION

### Theme for October: **Attorney-Client Privilege**

#### **Welcome**

Attorney-client privilege is the longest-standing legal tradition in Western law, predating the founding of our republic and Magna Carta. It is also the topic for this *Bar Leader Toolkit*.

We should be able to expect that a tradition as revered as attorney-client privilege would be kept intact and sacrosanct, but that is not the case. In recent years, actions by government agencies have eroded these rights.

This toolkit offers information that puts attorney-client privilege into perspective, outlining steps to preserve it. It offers two op-eds, one on why we should care about the privilege and the other on attorney-client privilege at a time of online transparency.

It also offers information for bar publications - a column and a Q-and-A - as well as a presentation suitable for legal or lay audiences and a bibliography for further reading.

Current ABA President H. Thomas Wells Jr. believes attorney-client privilege is important to the integrity of our legal system. He notes that without lawyers to help them, the people have nowhere to turn when they seek protection from government abuse. According to Wells, the freedom of the American people depends on the freedom of their lawyers to practice without government interference. We hope you agree.

As always, I welcome your thoughts on this toolkit.

Sincerely,

Roseanne Lucianek  
Director, Bar Services

© 2008 American Bar Association

### Featured Tools

[Home](#)

[Op-ed on Why We](#)

[Should Care About  
Attorney-Client  
Privilege](#)

[Op-Ed on Attorney-Client  
Privilege in a Time of  
Transparency](#)

[Column for Bar  
Publication](#)

[Presentation on  
Background of  
Attorney-Client  
Privilege](#)

[Q-and-A for Bar  
Publication](#)

[Bibliography of ABA  
Resources](#)

[ABA Calendar](#)

[Contact Us](#)

[Give us your feedback,  
CLICK HERE!](#)

[DOWNLOAD a PDF of  
BarLeader Toolkit](#)



Theme for October: **Attorney-Client Privilege**

## What is attorney-client privilege, and why should anyone care about it?

For starters, the term is a bit misleading. The client is the one who has the privilege - the right to speak to a lawyer with confidence that discussions will remain secret. What the lawyer has is a legal duty. On threat of disbarment, the lawyer must shield and protect the client's secrets unless or until the client releases the lawyer from the obligation. And, without that release, the lawyer's responsibility remains even after the client dies.

Let's look at some instances where attorney-client privilege affects everyday people. For example, a group of employees may wish to open their own business together. If they consult a lawyer about establishing a partnership for a new firm, they need to know that their plans will remain confidential until they are ready to announce their venture.

A childless couple may want to explore aspects of adoption while not wanting to reveal their exploratory forays until they are certain whether or not they will proceed with formal applications.

Parents writing a will may prefer to make those arrangements without telling their children about its provisions in advance.

Creating a business, adopting a child, writing a will, in addition to signing a contract, buying a home or dealing with previous or future employers - each of these activities can involve confidential information and trigger legal concerns. The attorney-client privilege is what allows people to address those legal issues without fear that secrets will be exposed.

The attorney-client privilege is not the only legally recognized shield for shared secrets. Other commonly recognized privileges exist between husbands and wives, priests and penitents, and doctors and patients. But the attorney-client privilege predates them all.

In January, the new Congress has the opportunity to protect the integrity of our legal system by introducing legislation that will formalize the right of attorney-client privilege. Write to your senators and Congressional Representative asking them to formally acknowledge this traditional right. Ask them to resist regulating our longest-

## Featured Tools

[Home](#)

[Op-ed on Why We](#)

[Should Care About](#)

[Attorney-Client](#)

[Privilege](#)

[Op-Ed on Attorney-Client](#)

[Privilege in a Time of](#)

[Transparency](#)

[Column for Bar](#)

[Publication](#)

[Presentation on](#)

[Background of](#)

[Attorney-Client](#)

[Privilege](#)

[Q-and-A for Bar](#)

[Publication](#)

[Bibliography of ABA](#)

[Resources](#)

[ABA Calendar](#)

[Contact Us](#)

[Give us your feedback,  
CLICK HERE!](#)

[DOWNLOAD a PDF of  
BarLeader Toolkit](#)

held freedom.

© 2008 American Bar Association



Theme for October: **Attorney-Client Privilege**

## Attorney-Client Privilege in a Time of Transparency

Transparency in government — that is, making available to the public as much information as is legally possible — is a good thing. That's what the city council of Monroe, Washington, thought when its members voted to post all the city's documents on line earlier this year.

The city instead found itself in a classic Catch 22 situation, running into a conflict with attorney-client privilege.

The city council had voted to post all documents in order to restore faith in its ability to govern after the community learned that a developer had avoided paying an \$850,000 school tax impact fee.

In spite of the council's good intentions, the city's insurer said it would cancel coverage if the city released records that implied a waiver of attorney-client privilege if the records involved a lawsuit or personnel issue.

The \_\_\_\_\_ Bar Association agrees in principle with making government as transparent as possible while at the same time protecting attorney-client privilege.

Many states and communities have open-meeting, or "sunshine," laws that require all meetings of governing bodies and appointed boards to take place at regularly scheduled times and to be open to the public. The only times when a board or committee should meet behind closed doors is when discussing a lawsuit or personnel concern.

That standard should apply to transparency on the Web as well. Communities should be encouraged to post as many of their records, minutes of meetings, written submissions or other documents as possible as long as those postings do not contain information related to either a lawsuit or a personnel issue.

In this instance, by using a reasoned approach, the \_\_\_\_\_ Bar Association believes that communities can achieve transparency on the Web while maintaining the integrity of attorney-client privilege.

That's what the Monroe City Council ultimately decided.

## Featured Tools

[Home](#)

[Op-ed on Why We](#)

[Should Care About](#)

[Attorney-Client](#)

[Privilege](#)

[Op-Ed on Attorney-Client](#)

[Privilege in a Time of](#)

[Transparency](#)

[Column for Bar](#)

[Publication](#)

[Presentation on](#)

[Background of](#)

[Attorney-Client](#)

[Privilege](#)

[Q-and-A for Bar](#)

[Publication](#)

[Bibliography of ABA](#)

[Resources](#)

[ABA Calendar](#)

[Contact Us](#)

[Give us your feedback,  
CLICK HERE!](#)

[DOWNLOAD a PDF of  
BarLeader Toolkit](#)



## Theme for October: Attorney-Client Privilege

### Dear Colleague:

To say that attorney-client privilege is a subject near and dear to the hearts of lawyers would be an understatement. The concept of attorney-client privilege is the cornerstone to the way we practice law in this country.

It is a concept that pre-dates our republic. In fact, the privilege extends back to ancient Rome and became part of the English legal system before Magna Carta. It is the first evidentiary privilege recognized by English Common Law, formally noted in 1577 during the reign of Elizabeth I. In the United States, the privilege was adopted by the colonies and first formally codified by Delaware in its constitution of 1776.

Recent presidents of the American Bar Association have taken firm stands supporting the privilege, which has come under attack from federal government policies during the past few years. Until recently, the waiver policy followed by the Department of Justice assumed companies and individuals under investigation would waive attorney-client privilege or work-product protections.

First, ABA President Michael S. Greco (2005–2006) called on lawyers independently and through state and local bar associations to educate themselves on the issues and to make comments to appropriate governmental agencies. Greco said that the attorney-client privilege has served our country well, and it is a bedrock of our free society.

Following an extensive letter-writing and lobbying campaign, ABA President Karen J. Mathis (2006–2007), reported that thanks to the support of state and local bar associations from across the country, the Department of Justice began backpedaling on its demands for companies and individuals to waive the right to attorney-client privilege.

Current ABA President H. Thomas Wells Jr. points out that the freedom of the American people depends on the freedom of its lawyers to practice without government interference.

With a new Congress in January, there is a chance to create a legislative solution to this attempted government interference. Please let your representatives in Congress know that you support maintaining the integrity of attorney-client privilege.

## Featured Tools

[Home](#)

[Op-ed on Why We](#)

[Should Care About  
Attorney-Client  
Privilege](#)

[Op-Ed on Attorney-Client  
Privilege in a Time of  
Transparency](#)

[Column for Bar  
Publication](#)

[Presentation on  
Background of  
Attorney-Client  
Privilege](#)

[Q-and-A for Bar  
Publication](#)

[Bibliography of ABA  
Resources](#)

[ABA Calendar](#)

[Contact Us](#)

[Give us your feedback,  
CLICK HERE!](#)

[DOWNLOAD a PDF of  
BarLeader Toolkit](#)

The \_\_\_\_\_ Bar association supports the bi-partisan endorsements of proposed legislation to limit the ability of the government to interfere or threaten to interfere with such an important, established and respected legal tradition.

© 2008 American Bar Association



Theme for October: **Attorney-Client Privilege**

## Explaining Attorney-Client Privilege to Non-Lawyers

Although attorney-client privilege resonates with lawyers, non-lawyers may wonder why there is so much concern about a concept that may seem esoteric.

**The following questions and answers may help in explaining the privilege to a general audience:**

### What is the attorney-client privilege?

Attorney-client privilege is the right of clients to refuse to disclose confidential communications with their lawyers, or to allow their lawyers to disclose them. It is the client's privilege, not the lawyer's, and is the earliest known "privileged communication" in the law. The attorney-client privilege is viewed as fundamental to preserve the constitutionally based right to effective assistance of legal counsel, in that lawyers cannot function effectively on behalf of their clients without the ability to communicate with them in confidence. Attorney-client privilege extends to the work product.

### What is a work product?

A work product in context of attorney-client privilege can range from the lawyer's records of the client discussion, the lawyer's perceptions of what is being said or notes on how to proceed with the case.

### Are communications with lawyers the only types of communication protected as confidential?

No. Communications between other persons with special relationships also are accorded confidentiality protections, or "privileged" status. All of these reflect a societal view that it is more important to foster full and frank communication between people with specific relationships than it is to allow others to break the protection of confidentiality that such privileges provide. Among other privileged communications are priest-penitent communications, between clergy and those whom they counsel; doctor-patient communications, allowing people with physical or mental illness to consult physicians in confidence; and, under certain circumstances, spousal communications, which can protect from forced disclosure confidential conversations between married couples.

### Why does the ABA have a task force on the Attorney Client Privilege?

The ABA Task Force on the Attorney Client Privilege was created in October 2004 in response to what was perceived as a growing trend to encourage or coerce

## Featured Tools

[Home](#)

[Op-ed on Why We](#)

[Should Care About](#)

[Attorney-Client](#)

[Privilege](#)

[Op-Ed on Attorney-Client](#)

[Privilege in a Time of](#)

[Transparency](#)

[Column for Bar](#)

[Publication](#)

[Presentation on](#)

[Background of](#)

[Attorney-Client](#)

[Privilege](#)

[Q-and-A for Bar](#)

[Publication](#)

[Bibliography of ABA](#)

[Resources](#)

[ABA Calendar](#)

[Contact Us](#)

[Give us your feedback, CLICK HERE!](#)

[DOWNLOAD a PDF of BarLeader Toolkit](#)

corporations to waive their privilege in exchange for lenience in government investigations, prosecutions or sentencing for alleged corporate crime.

**Why should the public care about protecting corporations' confidential communications with lawyers, especially after egregious examples of corporate crime such as Enron?**

The ABA agrees that all criminals should be subject to prosecution and punishment, in accordance with due process and preservation of constitutional protections. But a basic tenet of our Constitutional system is that people cannot be forced to incriminate themselves. The courts have ruled that organizations are entitled to the same attorney client privilege as are individuals.

The ABA, coalition members and the former Justice Department officials are asking only that corporations retain the same privileges accorded to individuals and recognized by the courts as corporate rights. Corporate leadership threatened with indictment of the company can be pressured into surrendering legal rights even when no wrongdoing has taken place, to avoid harm to stock values, business relationships and public trust. When the rights of corporations are infringed, the impact on society at-large can be enormous. Corporate value is diminished and investors lose money. Investors include such entities as pension plans serving retired people who worked their entire lives, and pensions are put at risk. Employees lose jobs, and their families are put at risk. In 2006 the Supreme Court of the United States overturned the conviction of Arthur Andersen, but that was too late to save the jobs of 28,000 employees.

A more complete list of questions and answers is available at: <http://www.abanet.org/media/issues/acprivilegeqa.html>.



Theme for October: **Attorney-Client Privilege**

**The ABA provides a wealth of resources on attorney-client privilege, including audio programs, books, downloadable reports or other formats.**

**Here is a partial list:**

*The Attorney-Client Privilege and the Work-Product Doctrine, Fifth Edition*, two-volume book by Edna Selan Epstein, published in June 2007, ABA Section of Litigation.

In addition to providing a comprehensive overview of the current law of the attorney-client and work-product immunities, the fifth edition includes many case illustrations and contextual examples, as well as numerous practical tips and guidance. Volume one examines the attorney-client privilege and volume two covers work-product protection. Both discuss when protections apply, when they don't and suggestions on how to handle the gray areas.

*Protecting Against the Loss of Attorney-Client Privilege in Complex International Transactions*, a downloadable article by Francine Friedman Griesing, published in March 2007, ABA Section of Real Property, Trust and Estate Law.

Most clients assume when they confer with counsel that the substance of their communications are subject to the attorney-client privilege and are confidential. In today's changing legal landscape, however, this assumption is no longer true. As a result, attorneys need to understand the current state of the law in order to protect against the loss of attorney-client privilege, particularly when representing organizations both at home and abroad.

*The Attorney-Client Privilege in Civil Litigation, Fourth Edition*, a book edited by Vincent S. Walkowiak, published in July 2008; ABA Tort, Trial and Insurance Practice Section and the Constitutional Law and Ethics & Professional Responsibility Committees of the ABA General Practice, Solo and Small Firm Division.

Written for practitioners, the fourth edition addresses problems and offers solutions, including new or enhanced coverage of the attorney-client privilege and work product doctrine. New chapters deal with intellectual property, international transactions and e-discovery.

## Featured Tools

[Home](#)

[Op-ed on Why We](#)

[Should Care About  
Attorney-Client  
Privilege](#)

[Op-Ed on Attorney-Client](#)

[Privilege in a Time of  
Transparency](#)

[Column for Bar  
Publication](#)

[Presentation on  
Background of  
Attorney-Client  
Privilege](#)

[Q-and-A for Bar  
Publication](#)

[Bibliography of ABA  
Resources](#)

[ABA Calendar](#)

[Contact Us](#)

[Give us your feedback,  
CLICK HERE!](#)

[DOWNLOAD a PDF of  
BarLeader Toolkit](#)

*The Risks of E-mail Communication*, an audio program consisting of two CDs and printed course materials, by William J. Connolly, Gregory J. Lyons, et al, published November 2006, ABA Section of Business Law.



This audio program explores the essential principles of protecting the attorney-client privilege in electronic communication. It discusses the dangers e-mails can pose to companies as well as how individuals can draft e-mail messages to protect the company's attorney-client privilege.

*Attorney-Client Privilege: How to Protect the Privilege, Avoid Waiver, the Pros and Cons of Deliberate Waiver*, an audio program consisting of a CD and written course materials, by J. Bradley Bennett, Michael E. Clark, et al, published June 2006, ABA Section of Business Law, Center for CLE and Center for Professional Responsibility.

This program focuses on various strategies that in-house and outside counsel may use to avoid triggering problems during government investigations, acknowledging the difficult decisions businesses and their counsels need to make regarding waiving privilege.

*Electronic Evidence: Law and Practice*, book by Paul R. Rice, published August 2008, ABA Section of Litigation. Author Paul Rice, who has 40 years of teaching experience, offers a unique perspective on the attorney-client privilege issues of electronic evidence. He has served as a special master for more than 30 years, ruling on thousands of privilege claims. He has written the leading treatises on attorney-client privilege for both state and federal courts. His book explores the range of problems encountered with electronic communications from discovery to trial, while offering practical solutions to both existing and potential problems.

For even more ABA materials on attorney-client privilege, please [click here](#).

© 2008 American Bar Association

## Theme for October: Attorney-Client Privilege

### 2008 ABA Calendar

Find out when ABA meetings will take place in your community or one close by.

#### November 2008

DATES	MEETING NAME	SPONSOR	LOCATION
11/05/2008 - 11/05/2008	No Time Like the Present: Parenting Plans for Any and Every Age Child	ABA Center for CLE; Section of Family Law	Webcast/ Teleconference
11/05/2008 - 11/07/2008	Financial Institution Bonds: From the Masters	Tort Trial and Insurance Practice Section	Baltimore
11/05/2008 - 11/08/2008	18th Annual Review of the Field of National Security Law Conference	Standing Committee on Law and National Security	Washington, DC
11/06/2008 - 11/08/2008	Negotiating Business Acquisitions 2008	ABA Center for CLE, Section of Business Law	Las Vegas
11/06/2008 - 11/07/2008	18th Annual National Institute on ERISA Litigation	Joint Committee on Employee Benefits; Section of Business Law; Health Law Section; Tort Trial and Insurance Practice Section; Section of Labor and Employment Law; Section of Real Property, Trust and Estate Law; Section of Taxation	Chicago
11/06/2008 - 11/06/2008	Forum on the Construction Industry 2008 Construction Contracts Program	Forum Committee on the Construction Industry	
11/06/2008 - 11/06/2008	Update on Rights in Technical Data and Computer Software	ABA Center for CLE; Section of Public Contract Law	Webcast/ Teleconference
11/06/2008 - 11/06/2008	Danger, Will Robinson: Introduction to Securitized Lending	ABA Center for CLE; Section of Real Property, Trust and Estate Law	Webcast/ Teleconference

## Featured Tools

[Home](#)

[Op-ed on Why We](#)

[Should Care About Attorney-Client Privilege](#)

[Op-Ed on Attorney-Client Privilege in a Time of Transparency](#)

[Column for Bar Publication](#)

[Presentation on](#)

[Background of Attorney-Client](#)

[Privilege](#)

[Q-and-A for Bar](#)

[Publication](#)

[Bibliography of ABA](#)

[Resources](#)

[ABA Calendar](#)

[Contact Us](#)

[Give us your feedback, CLICK HERE!](#)

[DOWNLOAD a PDF of BarLeader Toolkit](#)



11/06/2008 - 11/06/2008	End Runs, Dual Channels, and Other Ways Your Deal May Not Be What It Seems	ABA Center for CLE; Section of Business Law	Webcast/ Teleconference
11/06/2008 - 11/09/2008	2008 RPTE Fall Leadership Meeting	Section of Real Property, Trust and Estate Law	Montreal; Canada
11/06/2008 - 11/07/2008	The Next Big Wave of Cross-Border Litigation	Section of International Law	Coral Gables, Fla.
11/07/2008 - 11/09/2008	Standing Committee on Bar Activities and Services	Division for Bar Services	Charleston, S.C.
11/07/2008 - 11/07/2008	National Institute on Class Actions	ABA Center for CLE; Section of Litigation	New York City
11/07/2008 - 11/08/2008	Fall 2008 Commission Meeting	Commission on Mental and Physical Disability Law	Washington, D.C.
11/08/2008 - 11/10/2008	ABA-IPL 2008 Fall Leadership meeting	Section of Intellectual Property Law	
11/10/2008 - 11/11/2008	23rd Annual National Institute on Compensation for Executives and Directors	Joint Committee on Employee Benefits; Section of Business Law; Health Law Section; Tort Trial and Insurance Practice Section; Section of Labor and Employment Law; Section of Real Property, Trust and Estate Law; Section of Taxation	New York City
11/10/2008 - 11/10/2008	Employment Litigation Skills Training	Section of Labor and Employment Law	Seattle
11/10/2008 - 11/10/2008	FJE Fall Council Meeting	The Fund for Justice and Education	Washington, D.C.
11/11/2008 - 11/11/2008	The Educated Use of 529 Accounts: Opportunities, Risks, and Complexities	ABA Center for CLE; Section of Real Property, Trust and Estate Law	Webcast/ Teleconference
11/11/2008 - 11/11/2008	Traversing the Ethical Minefield: A Potpourri of Ethics Dilemmas Confronting the Conscientious Trial	ABA Center for CLE; Section of Litigation	Webcast/ Teleconference
11/11/2008 - 11/12/2008	Antitrust Law Section Officers Meeting (11.11) & Council Meeting (11.12)	Section of Antitrust Law	Washington, D.C.
11/12/2008 - 11/12/2008	Section of Business Law - 2008 Committee on Commercial Finance	Section of Business Law	San Francisco
11/12/2008 - 11/13/2008	19th Annual Philadelphia Tax Conference	Section of Taxation	Philadelphia

11/12/2008 - 11/12/2008	The Final 2009 Physician Fee Schedule	ABA Center for CLE Health Law Section	Webcast/ Teleconference
11/12/2008 - 11/12/2008	Employment Mediation Strategies: From Selection to Resurrecting the Faltering Mediation	ABA Center for CLE; Section of Labor and Employment Law	Webcast/ Teleconference
11/12/2008 - 11/12/2008	High Speed Chases, Dog Bites and Electronic Control Devices: An Overview of Police Liability	ABA Center for CLE; Government and Public Sector Lawyers Division	Webcast/ Teleconference
11/13/2008 - 11/15/2008	60th Anniversary - Universal Declaration of Human Rights	Section of International Law	
11/13/2008 - 11/14/2008	2008 Antitrust Fall Forum	Section of Antitrust Law	Washington, D.C.
11/13/2008 - 11/13/2008	2008 Women in Products Liability Regional CLE Workshop	Section of Litigation	New York City
11/13/2008 - 11/14/2008	ALI-ABA Course of Study: Tax Exempt Charitable Organizations	Section of Taxation	Washington, D.C.
11/13/2008 - 11/13/2008	Provision Impossible: Should You Choose to Accept This Assignment or Sublease...	ABA Center for CLE; Section of Real Property, Trust and Estate Law	Webcast/ Teleconference
11/13/2008 - 11/15/2008	Section of Business Law - 2008 Committee on Banking Law Fall Meeting	Section of Business Law	Baltimore
11/14/2008 - 11/14/2008	2008 Pharmaceutical Regional CLE Workshop New York, NY	Section of Litigation	New York City
11/14/2008 - 11/15/2008	Section of Business Law - 2008 Committee on LLCs, Partnerships and Unincorporated Entities	Section of Business Law	Washington, D.C.
11/14/2008 - 11/15/2008	StC on Specialization Committee Business Meeting	Standing Committee on Specialization	Portland, Ore.
11/14/2008 - 11/15/2008	Uncorking the Tough Issues How In-House and Government Attorneys Unravel Them	Section of Public Contract Law	Napa, Calif.
11/14/2008 - 11/15/2008	Commission on Homelessness and Poverty Business Meeting	Commission on Homelessness & Poverty	Seattle
11/15/2008 - 11/15/2008	Site Evaluation Workshop for Law School Representatives and New Site Evaluators	Section of Legal Education and Admissions to the Bar	Des Plaines, Ill.
11/17/2008 - 11/18/2008	Washington Healthcare Summit 2008	Health Law Section	Arlington, Va.

11/18/2008 - 11/18/2008	Ethical Issues in Fiduciary Representation	ABA Center for CLE; Section of Real Property, Trust and Estate Law; Young Lawyers Division	Webcast/ Teleconference
11/18/2008 - 11/18/2008	Introduction to Adult and Embryonic Stem Cell Technology: The Intersection of Law and Science	ABA Center for CLE; Section of Science and Technology Law	Webcast/ Teleconference
11/19/2008 - 11/19/2008	Current Developments in Tax Law 2008	ABA Center for CLE; General Practice, Solo and Small Firm Division; Section of Taxation	Teleconference
11/20/2008 - 11/22/2008	Section of Business Law - 2008 Fall Meeting	Section of Business Law	Washington, D.C.
11/20/2008 - 11/20/2008	Getting the Business Deal into the Contract - Choosing the Right Words	ABA Center for CLE; Section of Business Law	Webcast/ Teleconference
11/20/2008 - 11/20/2008	Strategies for Helping the At-Risk Lawyer	ABA Center for CLE; Standing Committee on Lawyers Professional Liability	Webcast/ Teleconference

## December 2008

<b>DATES</b>	<b>MEETING NAME</b>	<b>SPONSOR</b>	<b>LOCATION</b>
12/02/2008 - 12/02/2008	Antitrust Economics for Attorneys: The Economics of Innovation and Intellectual Property, Part 2	Section of Antitrust Law	Teleconference
12/03/2008 - 12/03/2008	Billing Pitfalls - How to Avoid the Ethical Quagmires	ABA Center for CLE; Section of Family Law	Webcast/ Teleconference
12/03/2008 - 12/03/2008	Advanced FLSA Litigation Update	ABA Center for CLE; Section of Labor and Employment Law	Webcast/ Teleconference
12/03/2008 - 12/03/2008	Key Differences Between US & Chinese Visas: Hot Topics	ABA Center for CLE; Section of International Law	Webcast/ Teleconference
12/05/2008 - 12/05/2008	Providing Persons with Disabilities & the Elderly With Equal Access to Justice	Tort Trial and Insurance Practice Section	Gulfport, Fla.
12/05/2008 - 12/05/2008	StC on Lawyers Professional Liability Meeting	Standing Committee on Lawyers Professional Liability	Santa Monica, Calif.
12/08/2008 - 12/08/2008	Low Income Taxpayer Representation Workshop	Section of Taxation	Arlington, Va.
12/08/2008 - 12/10/2008	Antitrust Trial Skills Training	Section of Antitrust Law	Chicago

12/10/2008 - 12/10/2008	Deal or No Deal? Transacting in Native America	ABA Center for CLE; Section of Business Law	Webcast/ Teleconference
12/10/2008 - 12/10/2008	Preparing Witnesses Ethically and Effectively	ABA Center for CLE; Section of Labor and Employment Law	Webcast/ Teleconference
12/11/2008 - 12/11/2008	Ethics for Healthcare Attorneys	ABA Center for CLE; Health Law Section; Young Lawyers Division	Webcast/ Teleconference
12/11/22008 - 12/11/2008	Section of Business Law - 2008 Committee on Corporate Laws Winter Meeting	Section of Business Law	Manalapan, Fla.
12/17/2008 - 12/17/2008	Top Tips for Avoiding Malpractice Claims	ABA Center for CLE; General Practice, Solo and Small Firm Division	Teleconference
12/18/2008 - 12/18/2008	Understanding Surveys and Decoding Legal Descriptions	ABA Center for CLE; Section of Real Property, Trust and Estate Law	Webcast/ Teleconference

© 2008 American Bar Association

Theme for October: **Attorney-Client Privilege**

## Explaining Attorney-Client Privilege to Non-Lawyers

Thanks for taking the time to review *Bar Leader Toolkit*, an online resource for bar association leaders. Please take a couple of minutes to answer the following questions. Your answers will guide us as we plan future online materials.

**This information was informative and helpful:**

Yes      No      Somewhat

**I would like to see other topics covered in this format:**

Yes      No      Somewhat

**The tools I would find most useful are:**

Articles  
Op-Ed pieces  
Q-and-A's  
PowerPoint Presentations  
PowerPoint Presentations  
Video news releases  
Radio news releases  
Other

**I am affiliated with:**

Local Bar Association      State Bar Association

© 2008 American Bar Association

## Featured Tools

[Home](#)

[Op-ed on Why We](#)

[Should Care About](#)

[Attorney-Client](#)

[Privilege](#)

[Op-Ed on Attorney-Client](#)

[Privilege in a Time of](#)

[Transparency](#)

[Column for Bar](#)

[Publication](#)

[Presentation on](#)

[Background of](#)

[Attorney-Client](#)

[Privilege](#)

[Q-and-A for Bar](#)

[Publication](#)

[Bibliography of ABA](#)

[Resources](#)

[ABA Calendar](#)

[Contact Us](#)

[Give us your feedback,  
CLICK HERE!](#)

[DOWNLOAD a PDF of  
BarLeader Toolkit](#)

