



Fundamentals

Online Course

American Immigration Lawyers Association

Chart Comparing Rules 1.7, 1.9, and 1.18

*From the AILA Ethics Compendium Chapter ABA Model Rule 1.9 Duties to Former Clients:
AILA Doc. No. 13100890, posted August 7, 2018, page 8-8*

Here are key differences among the conflict protections for current, former and prospective clients:

Rule 1.7	Rule 1.9	Rule 1.18
Current clients	Former clients	Prospective clients
<p>A conflict exists for a lawyer where:</p> <p>The representations of two concurrent clients are directly adverse, or there is a significant risk that the representation of one client will materially limit the lawyer’s responsibilities to the other client.</p>	<p>A conflict exists for a lawyer where:</p> <ol style="list-style-type: none"> 1. Representation of a person is in the same matter, or in a substantially related matter, as a former client’s matter; and, 2. The interests of the person and the former client in the matter are materially adverse. 	<p>A conflict exists for a lawyer where:</p> <ol style="list-style-type: none"> 1. A client has interests materially adverse to those of a prospective client in the same or a substantially related matter; and, 2. The lawyer received information from the prospective client that could be significantly harmful to the prospective client in the matter.

The AILA Ethics Compendium: Modern Legal Ethics for Immigration Lawyers is a comprehensive resource to help members, new and experienced, navigate ethics rules and ethical dilemmas that arise in immigration practice. Because of the complex interaction of state ethics rules, federal laws and regulations targeted at lawyers, members need to have specialized resources to navigate these complexities.

This noteworthy project, headed by the AILA Ethics Committee and the AILA Practice & Professionalism Center, separately analyzes state and federal professional conduct rules, court opinions, legal ethics opinions, and other authority to provide information and guidance to immigration lawyers.

The full AILA Ethics Compendium, a resource with more than 600 pages of ethical guidance, is available for free to AILA members at the following link: <https://www.aila.org/practice/ethics/compendium>