

Attorney Client Relationships in the Legislative Arena

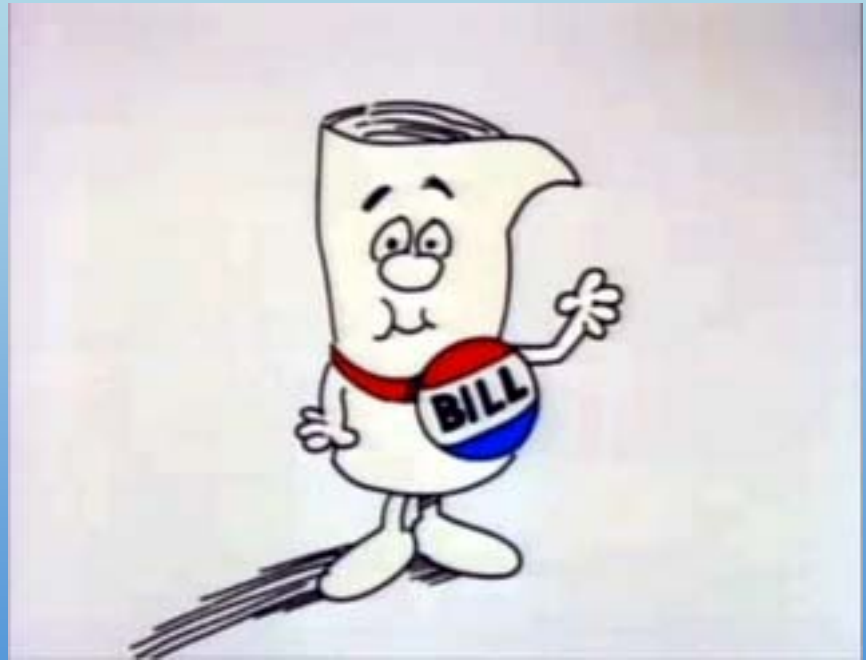
NCSL Legislative Summit
Chicago, August 7, 2012

Attorney Legislator Obligations



Attorney Legislators as the client

- House counsel opinions
- Bill drafting



Attorney Legislators acting as attorneys

- EC 8-8 says that "A lawyer who is a public officer should not engage in activities in which his personal and professional interests are or foreseeably may be in conflict with his official duties."
- Florida law – financial disclosure, conflict rules
- Information Gathering
- Specific Cases



Interaction with Lobbyists

- Lobbyists/attorney separation- Florida Supreme Court decision- *Florida Association of Professional Lobbyists, Inc., et al v. Division of Legislative Information Services, etc, et al., SC 08-971 (March 19, 2009)*
- Attorney client privilege can apply to lobbyists -
- "I find that the weight of legal authority supports the argument of Expedia that the attorney-client and work-product privileges can include communications with public-relations and government-relations consultants as well as other corporations which share a common interest with Expedia relative to the principle in this case."

Advantages and Disadvantages of Attorney Legislators

