

Nebraska Ethics Advisory Opinion for Lawyers
No. 73-4

FACTS

A local credit bureau is a client of the inquiring lawyer. On occasion, the credit bureau institutes lawsuits against debtors. To facilitate this, the inquiring lawyer has drafted a form of petition in which the credit bureau inserts relevant information such as the balance due, assignor's name and pertinent dates. When completed, the lawyer reviews and signs his name to each petition, which is then filed by the credit bureau in the appropriate court. Filing fees are advanced by the credit bureau. Other necessary pleadings are prepared, and other appearances are made by the lawyer, who inquires if this arrangement is ethical.

DISCUSSION

Canon 3, Code of Professional Responsibility, states:

"A lawyer should assist in preventing the unauthorized practice of law."

This inquiry appears to fall within the scope of EC 3-6 to this effect.

"A lawyer often delegates tasks to clerks, secretaries or other lay persons. Such delegation is proper if the lawyer maintains a direct relationship with his client, supervises the delegated work and has complete professional responsibility for the work product. This delegation enables a lawyer to render legal service more economically and efficiently."

In this instance, it appears that the lawyer has delegated to the credit bureau the task of completing forms of petition prepared by him. He assumes full responsibility for drafting other required pleadings and

for all court appearances.

CONCLUSION

We conclude that this arrangement is ethically permissible.

Nebraska Ethics Advisory Opinion for Lawyers
No. 73-4