"Reply All" Redux: Does ABA Formal Opinion 503 Elevate Lawyers' Interests above the Client's?

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Daniel Q. Harrington published the article, "Reply All" Redux: Does ABA Formal Opinion 503 Elevate Lawyers' Interests above the Client's?" for the American Bar Association Litigation Section.

In the article, Dan discusses Formal Opinion 503 of the ABA Standing Committee on Ethics and Professional Responsibility. This opinion was issued on November 2, 2022, and concludes that lawyers who copy or "cc" their clients on emails to opposing counsel impliedly consent to opposing counsel communicating with their client by hitting "reply all" when responding. Opinion 503 relies heavily on the reasoning of New Jersey Advisory Committee on Professional Ethics Opinion 739 that was issued in March 2021.

To read the full article, click here.

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