

**Thursday, November 4, 2021
2:15 PM – 3:30 PM**

General Session 5

**Ethics at the Kitchen Table...and in the Coffee Shop:
Navigating Ethical Issues in the New Remote Work World**

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- I. Introductions
- II. Setting the (Kitchen) Table: Welcome to the Post-COVID Work World
- III. Systems
 - 1. Does it matter where you are?
 - 2. Do jurisdictions matter anymore?
 - 3. Unauthorized practice of law
 - 4. ABA Ethics Opinion and Safe Harbor Rule
 - 5. Issues related to shared spaces such as coffee shops
 - 6. Confidentiality and protection of private information
 - 7. Technology and use of personal devices
 - 8. Video calls and inadvertent disclosure of private information
 - 9. Written policies for lawyers and law firms
- IV. People
 - 1. What does supervision mean and require?
 - 2. How do you supervise attorneys you rarely, or ever, see?
 - 3. The ethics rules also apply to non-attorneys
 - 4. Ethics violations flow upstream from the non-attorneys and junior attorneys to the supervising attorneys
 - 5. Supervising in person is hard, doing so virtually is infinitely harder
 - 6. Blocks on computers
 - 7. Virtual clean desk policies
 - 8. Computers that turn off or go to sleep when not in use
 - 9. Written policies for lawyers and law firms
- V. Succession Planning
 - 1. How do you virtually train people to follow ethics rules?
 - 2. How does lack of ethics training affect law firms planning for the future?
 - 3. Younger lawyers have always lived virtually in a world where everything is shared
 - 4. How do young lawyers get trained to work virtually while protecting information?
- VI. Fees and Diligence
 - 1. New monitoring tools are needed for the new work world
 - 2. Supervision related to fees and diligently responding to clients goes virtual