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Model Article on Relations between Lawyers

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Lawyers must behave in such a manner that other lawyers, in particular their opponents, and their bar authorities, can trust them at all times.

They must act respectfully towards each other.

A properly functioning legal system requires that lawyers can trust each other at all times. Such a relationship of trust ensures that lawyers do not need to protect themselves and their clients against another lawyer's possible disloyal behaviour.

By acting accordingly, lawyers make the conduct of litigation and negotiations more efficient, facilitate settlement negotiations on behalf of their clients and reduce the costs of their services, thereby acting in the best interest of their clients.

Similarly, a properly functioning self-regulated profession such as the legal profession requires that bar authorities can trust their members without the need to seek outside assistance, from courts or other authorities, to obtain the truth.

A lawyer who instructs a colleague to act on behalf of a client in a particular matter has no ethical obligation for the payment of such colleague's fees beyond what the law may require.

*When a lawyer **has instructed another lawyer on behalf of** a client who fails to pay the instructed lawyer's fees, a controversy can arise on whether the instructing lawyer has any liability towards the instructed lawyer for such payment. This article states the rule that a lawyer who instructs a colleague to act on behalf of a client in a particular matter is liable for the payment of such colleague's fees to the extent the law so requires but has no ethical obligation beyond that.*