



### **ABA Issues Formal Opinion 507 on Office Sharing with Other Lawyers**

Practicing law is expensive. One way in which many lawyers manage those expenses is to share office space with other lawyers. Office-sharing arrangements provide a multitude of benefits; but like anything, with benefit comes risk. Properly managing that risk can help make your practice more profitable.

The ABA Standing Committee on Ethics and Professional Responsibility's [most recent opinion \(507, released July 12\)](#) provides guidance on office sharing. The ABA Committee identifies the major areas of possible concern: "office sharing lawyers should appreciate that such arrangements will require them to take appropriate measures to comply with their ethical duties concerning confidentiality of information, conflicts of interest, supervision of non-lawyers, and communications about their services."

The Committee's suggestions to maintain client confidentiality include:

[S]eparate lobby or waiting areas; refraining from leaving client files out on workspaces, conference rooms, or kitchen tables; installing privacy screens on computer monitors and locking down computers when not actively in use; clean desk policies; and regular training and reminders to staff of the need to keep all client information confidential. Office sharing lawyers can also restrict access to client-related information by securing physical client files in locked cabinets or offices and using separate telephone lines and computer systems. Lawyers, however, may overcome confidentiality concerns with shared telephone and computer systems with appropriate security measures, staff training, and client disclosures.

The Committee's minimum standard for communication is that "unaffiliated lawyers sharing space must take reasonable measures to ensure that clients are not confused about their associations with the other lawyers practicing in the immediate area." To accomplish that goal, the Committee suggests that lawyers:

use separate business cards, letterhead, and directory listings, as well as office signs, firm names, and advertisements that describe their distinct practices and do not suggest a close association between professionals operating within the same space. It is desirable for lawyers sharing office space to have separate telephone lines, but a receptionist may answer a common telephone line with a generic salutation such as "Law Offices" to avoid implying that the lawyers are practicing together in the same firm.

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The Committee warns that “Lawyers in shared office arrangements should pay particular attention to (1) avoiding the imputation of conflicts of interest, (2) taking on potential new matters that are adverse to clients represented by other office sharing lawyers, and (3) consulting with fellow office sharing lawyers.” Failure to observe confidentiality protections and staff oversight will increase the likelihood of creating conflicts where none would have otherwise existed.

If you’re considering office sharing, or if you’re already sharing an office, this opinion is worth reading. If you have questions or want to talk more about the risks and benefits of office sharing, get in touch with risk management counsel.

Have a risk management or ethics questions? We’re here to help. To obtain a consultation, you should log in to [Attorneys Risk Management](#), and click on the “Request a Risk Management Consultation” button.



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