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Issue 244 | March 17

ABA Ethics Opinion Clarifies Responsible Virtual Practice

ABA Ethics Committee Gives Guidance on Responsible Virtual Practice

COVID-19 has given many lawyers a crash course in how to practice virtually. But what do the ABA Model Rules of Professional Conduct say about how to work responsibly while working remotely? Last week, the ABA Standing Committee on Ethics and Professional Responsibility issued a formal ethics opinion that provides clarifying guidance. The opinion says that the Model Rules permit virtual practice, but that lawyers working remotely must fully consider and comply with their ethical responsibilities, including "technological competence, diligence, communication, confidentiality, and supervision." The opinion also addresses and provides guidance on specific types of technology, including: hardware and software, cloud file storage, virtual meeting platforms, virtual document and data exchange platforms, and smart speakers and virtual assistants. Learn more at [LawSites](#).

2021 Law School Applicants' LSAT Scores Take Big Jump Forward

It's been said that the number of applications to ABA-accredited law schools for fall 2021 is significantly up, perhaps due to a soft job market, current events that have brought new focus to legal issues, and people stuck at home with more time to work on applications. Now, the latest numbers from the Law School Admission Council show that LSAT scores for recent applicants are higher, too: The number of applicants with LSAT scores of 175 to 180 is up by 99 percent over last year; the number with scores of 170 to 174 is up by 53.4 percent; and the number with scores of 165 to 169 is up by 26.6 percent. What could be behind these big increases in LSAT scores? Find out at [ABA Journal](#).

ABA Techshow 2021: CEOs of Fastcase, Clio Urge Lawyers Toward 'Better Normal'

Old normal, new normal, or better normal? Once the pandemic subsides, how should lawyers think about the way they practice and some of the things they've learned in the past year or so? That was the subject of a session at last week's ABA Techshow 2021, featuring Ed Walters from Fastcase and Jack Newton from Clio. Walters and Newton, who are both CEOs and cofounders of their respective legal tech companies, urged lawyers to keep moving forward rather than trying to "rebuild what was broken in 2019," as Walters said. Newton shared statistics from Clio's 2020 Legal Trends Report that indicate that clients prefer working with law firms that offer a lot of electronic services. [ABA Journal](#) provides a brief recap of this session.

Are Judicial Evaluations Useful to Voters? Survey from York County Bar Association Aims to Find Out

For the many bars that conduct judicial evaluations and make them available to the public before an election, a persistent question is often whether voters read this information and use it to help make their decisions. The York County (Pa.) Bar Association is now trying to find out, via a survey conducted by the Arthur J. Glatfelter Institute for Public Policy at York College. The survey, which asks what people think of the York County Bar Association Poll and whether they use it in the voting booth, is open to all residents of York County until

March 31. The [York Daily Record](#) has more information, including how this survey relates to the bar's broader plans for its judicial poll, and how a new website from the Pennsylvania Bar Association might soon gather evaluations from the state's county bars.

LA Times: Lawyer Sued Many Times for Malpractice, Misappropriation May Have Escaped Discipline Because of Ties to State Bar of California

Did a tangentially famous Los Angeles trial lawyer make use of his connections at the State Bar of California to evade disciplinary charges? That's what the Los Angeles Times alleges, in investigative reporting focused on Tom Girardi, the husband of The Real Housewives of Beverly Hills star Erika Jayne. According to the investigation, Girardi and his firm, Girardi Keese, were accused of legal malpractice or misappropriation of client money in at least 45 lawsuits. Another estimated 14 suits claimed that lawyers or experts never received fees they were owed. Girardi won some of these cases and settled others before trial. The investigation suggests that Girardi may have avoided bar discipline because of suspiciously close relationships with State Bar of California leaders and staff, including the bar investigator at the time (a position that was eliminated in 2015). [ABA Journal](#) has more details.

March-April Bar Leader: BLI Issue Highlights Governance, Communications, and More

It's time for the 2021 ABA Bar Leadership Institute, March 17-19. The [March-April issue of Bar Leader](#) gets in the BLI spirit with articles on governance, communication, facilitation, and other topics that will help you be a better leader. Note: Bar Leader Weekly will be on hiatus next week. The next issue will be sent on Wednesday, March 31.



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