

## Rules of Professional Conduct for City Attorneys

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1



## Overview and the Evolution of the California Rules of Professional Conduct

2

## Five Core Ethics Inquiries for City Attorneys

- Who is the client in the Office of the City Attorney?
- What is the proper methodology for communication with the city client?
- What is the application of the duty of confidentiality?
- What are the managerial and supervisory responsibilities within the Office of the City Attorney?
- What is the interplay between civility and ethics in the context of representation provided by the Office of the City Attorney?

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3

## Who is the client in the Office of the City Attorney?

- Rule 1.13
- *Ward v. Superior Court* (May 24, 1997) 70 Cal.App.3d 23
- *People ex rel Deukmejian v. Brown* (March 12, 1981) 29 Cal.3d 150
- Government Code section 41801
- Interplay with confidentiality and conflict of interest rules and laws
- Practical tips

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4

## What is the proper methodology for communication with the city client?

- Rule 1.14
- Business and Professions Code section 6068(m)
- Practical tips

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5

## What is the application of the duty of confidentiality?

- Business and Professions Code section 6068(e)
- Evidence Code provisions
- *Roberts v. City of Palmdale* (June 24, 1993) 5 Cal.4<sup>th</sup> 3
- New working environments
- Practical tips

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6

## What are the managerial and supervisory responsibilities within the Office of the City Attorney?

- Rules 5.1 and 5.3
- *In the Matter of Sullivan* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 608
- Practical tips

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7

## What is the interplay between civility and ethics in the context of representation provided by the Office of the City Attorney?

- "Beyond the Oath: Recommendations for Improving Civility" (September 2021)
- *LaSalle v. Vogel* (2019) 36 Cal.App.5th 127
- *Karton v. Ari Design & Constr.* (2021) 61 Cal.App.5th 734
- Practical tips

8

# Thank You for Attending!

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