



PROGRAM MATERIALS

Program #35189

September 26, 2025

Tactics for Dealing with an Aggressive Litigator

Copyright ©2025 by

- Zachary Pyers, Esq. - Reminger Co., LPA**

**All Rights Reserved.
Licensed to Celesq®, Inc.**

Celesq® AttorneysEd Center
www.celesq.com

**5301 North Federal Highway, Suite 150, Boca Raton, FL 33487
Phone 561-241-1919**

Tactics for Dealing with an Aggressive Litigator

Zachary Pyers, Esq.
Reminger Co., L.P.A.

Legal Professionalism

“Informal discussions with [lawyers] liken professionalism to the now famous definition of obscenity, ‘You know it when you see it.’”

Legal Professionalism

- There are numerous cartoon depictions of lawyers that make the points that: (1) lawyers only care about money, (2) lawyers only care about themselves, and (3) lawyers lie.
- Issues that arise within professionalism also include “incivility, discourteous conduct, inconsideration, anger issues, over-contentiousness, argumentativeness, willingness to distort manipulate and conceal to win, arrogance, condescension, and abusiveness.” Charles E. McCallum, Professionalism: It’s No Joke, ABA Business Law Today Vol. 16, No. 3, January/February 2007.

Legal Professionalism

- Some argue that the cure to the lack of professionalism in the legal profession is education, whether during law school or practice.
- To provide a baseline for professionalism in the legal profession, the Canons of Professional Ethics was promulgated in 1908.
- Subsequently, the American Bar Association (ABA) took on the role of providing a model set of rules for the professional conduct of lawyers.
- The ABA Model Rules of Professional Conduct (previously known as the Model Code of Professional Responsibility 1969-1983) were promulgated in 1983 to establish a baseline for ethical duties within the profession.
- While the ABA is a private organization, the rules have been adopted, in whole or in part, by forty-nine states and four territories of the United States.
- California and Puerto Rico have not adopted the ABA Model Rules. Continued modifications to the ABA Model Rules of Professional Conduct serve as a conduit by which states update and modify their codes of professional conduct for lawyers.

Legal Professionalism

- The Preamble to the ABA Model Rules of Professional Conduct provide a framework for a lawyer's responsibilities.
- These responsibilities include a lawyer's responsibility to the public, clients, the judicial system, and opposing counsel.
- "In the nature of law practice, however, conflicting responsibilities are encountered. Virtually all difficult ethical problems arise from conflict between a lawyer's responsibilities to clients, to the legal system and to the lawyer's own interest in remaining an ethical person while earning a satisfactory living. The Rules... often prescribe terms for resolving such conflicts."

Legal Professionalism

- The overarching theme of the Professional Conduct requirements is that the lawyer is to act as a professional.
- Lawyers must maintain a professional, courteous, and civil attitude toward all involved in the legal system while zealously protecting a client's interests within the bounds of the law.
- This is especially important because law is a self-regulating profession.
- The future of the profession relies on lawyers conducting themselves as professional, not as the cartoon depictions found in magazines.

Dedication to Clients

- “As a representative of clients, a lawyer performs various functions. As advisor, a lawyer provides a client with an informed understanding of the client's legal rights and obligations and explains their practical implications. As advocate, a lawyer zealously asserts the client's position under the rules of the adversary system. As negotiator, a lawyer seeks a result advantageous to the client but consistent with requirements of honest dealings with others. As an evaluator, a lawyer acts by examining a client's legal affairs and reporting about them to the client or to others.”

Dedication to Clients

- “A lawyer must [] act with commitment and dedication to the interests of the client and with zeal in advocacy upon the client’s behalf.” Numerous rules promulgated by the ABA relate to a lawyer’s dedication and responsibilities to their client.
- The most basic of those rules, ABA Rule 1.3, requires that a lawyer “act with reasonable diligence and promptness in representing a client.” A lawyer’s duty of loyalty to their client requires the lawyer put the client’s interests before their own, maintain confidentiality, avoid conflicts of interest, and zealously advocate on their client’s behalf.
- “Being a professional is neither about money nor about professional fulfillment. Both of these are consequences of an unqualified dedication to excellence in serving clients and their needs.”

Dedication to Clients

- Lawyers maintain a duty of confidentiality, a duty to avoid conflicts of interest, and a duty to zealously advocate on behalf of those clients. Many of these duties extend to current clients, prospective clients, and former clients.
- “A lawyer’s responsibilities as a representative of clients, an officer of the legal system, and a public citizen are usually harmonious.”
- As such, a lawyer’s zealous representation of clients also serves the public interest of encouraging the public to seek legal advice.

Dedication to Clients- Confidentiality

- “The concepts of lawyer confidentiality and attorney-client privilege both concern information that the lawyer must keep private and are protective of the client’s ability to confide freely.”
- Confidentiality is so integral to the profession that the requirement survives the death of a client.

Dedication to Clients- Confidentiality

- The requirements of confidentiality are set forth in ABA Model Rule 1.6, which provides:
 - (a) A lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b).
 - (b) A lawyer may reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:
 - (1) to prevent reasonably certain death or substantial bodily harm;
 - (2) to prevent the client from committing a crime or fraud that is reasonably certain to result in substantial injury to the financial interests or property of another and in furtherance of which the client has used or is using the lawyer's services;
 - (3) to prevent, mitigate or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a crime or fraud in furtherance of which the client has used the lawyer's services;
 - (4) to secure legal advice about the lawyer's compliance with these Rules;
 - (5) to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client, to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the lawyer's representation of the client;
 - (6) to comply with other law or a court order; or
 - (7) to detect and resolve conflicts of interest arising from the lawyer's change of employment or from changes in the composition or ownership of a firm, but only if the revealed information would not compromise the attorney-client privilege or otherwise prejudice the client.
 - (c) A lawyer shall make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client.

Dedication to Clients- Confidentiality

- The requirements of confidentiality are set forth in ABA Model Rule 1.6, which provides:
 - (a) A lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b).
 - (b) A lawyer may reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:
 - (1) to prevent reasonably certain death or substantial bodily harm;
 - (2) to prevent the client from committing a crime or fraud that is reasonably certain to result in substantial injury to the financial interests or property of another and in furtherance of which the client has used or is using the lawyer's services;
 - (3) to prevent, mitigate or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a crime or fraud in furtherance of which the client has used the lawyer's services;
 - (4) to secure legal advice about the lawyer's compliance with these Rules;
 - (5) to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client, to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the lawyer's representation of the client;
 - (6) to comply with other law or a court order; or
 - (7) to detect and resolve conflicts of interest arising from the lawyer's change of employment or from changes in the composition or ownership of a firm, but only if the revealed information would not compromise the attorney-client privilege or otherwise prejudice the client.
 - (c) A lawyer shall make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client.

Dedication to Clients- Confidentiality

- There are few exceptions to the requirements of confidentiality, including imminent harm to other, by means of death, substantial bodily harm, or fraud resulting in substantial injury to financial interests.
- Notably, the exceptions to the requirement of confidentiality centers on imminent harm—knowledge of past harm does not permit disclosure.
- Clients may give informed consent to reveal confidential information.
- “Other exceptions to the confidentiality rule include disclosure that is authorized by law, disclosure impliedly authorized by the client in order to effectuate the representation, disclosure for the lawyer to seek legal ethics advice and disclosure by the lawyer in self-defense against a claim by the client.”

Dedication to Clients- Conflict of Interest

- The duty to avoid conflicts of interest is discussed in ABA Model Rules 1.7-1.11.
- “According to the Restatement of the Law Governing Lawyers, a conflict of interest exists ‘if there is a substantial risk that the lawyer’s representation of the client would be materially and adversely affected by the lawyer’s own interests or by the lawyer’s duties to another current client, a former client, or a third person.’ The key is whether the lawyer’s exercise of independent professional judgment is likely to be unduly influenced by other interests.”

Dedication to Clients- Zealous Advocacy and its Limitations

- “A lawyer should pursue a matter on behalf of a client despite opposition, obstruction or personal inconvenience to the lawyer, and take whatever lawful and ethical measures are required to vindicate a client's cause or endeavor. A lawyer must also act with commitment and dedication to the interests of the client and with zeal in advocacy upon the client's behalf... The lawyer's duty to act with reasonable diligence does not require the use of offensive tactics or preclude the treating of all persons involved in the legal process with courtesy and respect.”

Upholding the Spirit (as Well as the Letter) of the Law: Honesty, Integrity & Fair Dealings

- Honesty, integrity and civility have been held out as the three pillars of professionalism.
- Lawyers are bound by the ethics of the profession to maintain honesty and integrity in all of their professional interactions. This includes honesty to clients, courts, and third-parties.
- Further, professionalism and the mandates regarding honest communication within the legal field also requires fair dealings that honor not only the letter of the law, but its spirit as well.

Upholding the Spirit (as Well as the Letter) of the Law: Honesty, Integrity & Fair Dealings

- ABA Model Rule of Professional Conduct 3.3 requires lawyer maintain candor toward the tribunal, and provides:
 - (a) A lawyer shall not knowingly:
 - (1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;
 - (2) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly averse to the position of the client and not disclosed by opposing counsel; or
 - (3) offer evidence that the lawyer knows to be false. If a lawyer, the lawyer's client, or a witness called by the lawyer, has offered material evidence and the lawyer comes to know of its falsity, the lawyer shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal. A lawyer may refuse to offer evidence, other than the testimony of a defendant in a criminal matter, that the lawyer reasonably believes is false.
 - (b) A lawyer who represents a client in an adjudicative proceeding and who knows that a person intends to engage, is engaging or has engaged in criminal or fraudulent conduct related to the proceeding shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal.
 - (c) The duties stated in paragraphs (a) and (b) continue to the conclusion of the proceeding, and apply even if compliance requires disclosure of information otherwise protected by Rule 1.6.
 - (d) In an ex parte proceeding, a lawyer shall inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse.

Upholding the Spirit (as Well as the Letter) of the Law: Honesty, Integrity & Fair Dealings

- ABA Model Rule of Professional Conduct 4.1 requires lawyers maintain honesty in their interactions with third parties, and prohibits lawyers from making false statements of material fact or law and from failing to disclose material facts to a third person when “disclosure is necessary to avoid assisting a criminal or fraudulent act by a client.”
- Further, ABA Model Rule of Professional Conduct 8.4 provides an even broader prohibition and states, “[i]t is professional misconduct for a lawyer to... engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.”

Upholding the Spirit (as Well as the Letter) of the Law: Honesty, Integrity & Fair Dealings

- This broad prohibition on dishonesty exists to uphold the ideals of the profession.
- “A lawyer’s conduct should conform to the requirements of the law, both in professional service to clients and in the lawyer’s business and personal affairs... A lawyer should demonstrate respect for the legal system and for those who serve it, including judges, other lawyers and public officials.”

Upholding the Spirit (as Well as the Letter) of the Law: Honesty, Integrity & Fair Dealings

- “The Model Rules of Professional Conduct unambiguously require uncompromising honesty and integrity. A lawyer may not engage in conduct involving ‘dishonest, fraud, deceit, or misrepresentation,’ even when in a specific instance honesty works to the client’s disadvantage.”
- Further, the requirements that lawyers act with honesty and integrity is so integral to the profession that the rule extends beyond representation and the practice of law.
 - “For example, a lawyer who commits fraud in the conduct of a business is subject to discipline for engaging in conduct involving dishonesty, fraud, deceit or misrepresentation.”

Upholding the Spirit (as Well as the Letter) of the Law: Honesty, Integrity & Fair Dealings

- Misconduct can occur outside the bound of legal practice that may nevertheless impact a lawyer's licensure.
- ABA Model Rule 8.4 provides that it is professional misconduct to:
 - (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
 - (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;
 - (c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;
 - (d) engage in conduct that is prejudicial to the administration of justice;
 - (e) state or imply an ability to influence improperly a government agency or official or to achieve results by means that violate the Rules of Professional Conduct or other law;
 - (f) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law; or
 - (g) engage in conduct that the lawyer knows or reasonably should know is harassment or discrimination on the basis of race, sex, religion, national origin, ethnicity, disability, age, sexual orientation, gender identity, marital status or socioeconomic status in conduct related to the practice of law. This paragraph does not limit the ability of a lawyer to accept, decline or withdraw from a representation in accordance with Rule 1.16. This paragraph does not preclude legitimate advice or advocacy consistent with these Rules.

Civility

- As a representation of the profession, lawyers are expected to act with civility in their dealings with clients, parties, opposing counsel, and the courts.
- The Florida Supreme Court reiterated that standard in *The Florida Bar v. Jeffrey Alan Norkin*, 132 So.3d 77 (Oct. 31, 2013), when the court suspended a lawyer for two years for rudeness and incivility. The Court opined, “[I]f we are to have an honored and respected profession, we are required to hold ourselves to a higher standard... [respondent] has denigrated lawyers in the eyes of the public.”

Civility

- Not only does incivility harm the image of the profession, but there comes a point at which incivility and zealous advocacy are incongruous.
- The Honorable Sandra Day O'Connor has noted: "In my view, incivility disserves the client because it wastes time and energy—time that is billed to the client at hundreds of dollars an hour, and energy that is better spent working on the case than working over the opponent."

Civility-

Understanding Aggressive Litigation Tactics

- Overly aggressive attorneys may use confrontational language, make personal attacks, interrupt frequently, make unfounded accusations, or employ intimidation tactics.
- An aggressive lawyer may employ tactics in motion practice by including inflammatory rhetoric or personal tactics in their motions.
- The aggressive attorney may make excessive discovery requests or unreasonable demands.

Civility-

Preparing Your Client for Aggressive Opposing Counsel

- Set expectations. Communicate your expectations for professional behavior and boundaries.
- Coach the client to remain calm. Remaining calm ensure that you can think clearly and respond appropriately.
- Avoid reacting emotionally and keep the conversation professional.
- Continue to address the opposing attorney respectfully, while advocating for your client.
- If your client can tell you are remaining calm in the face of dealing with difficult opposing counsel, the client is more likely to remain calm and confident in your advocacy.

Civility-

Dealing with Difficult Opposing Counsel

- **Stay Calm and Carry On**
 - It is important to remember that opposing counsel may intentionally be difficult for a strategic purpose.
 - For example, if opposing counsel refuses to turn over documents, despite their clear discoverability, the documents may be damaging to the opposing party's case.
 - Likewise, if opposing counsel has a tendency to send you nasty emails at 4:45 on Friday afternoons, they may do so with the hope of ruining your weekend, or making you less likely to want to work on that case. Regardless of opposing counsel's motives, the obligation to zealously represent your client does not waiver. You must push forward despite an opposing counsel's difficult behavior. In short, stay calm and carry on.

Civility-

Dealing with Difficult Opposing Counsel

- **Understanding When to Make a Record, and If Opposing Counsel is Making a Record**
 - Inevitably, there is a time in every litigator's life when an opposing counsel's behavior reaches the point that it needs to be brought to the Court's attention.
 - During these cases, make sure that you have adequately made a record of the opposing counsel's behavior so that the court can properly assess it.
 - Also, consider the possibility that opposing counsel may be using your own actions to construct a record.
 - Thus, never send a correspondence that you would not want the judge to see.
 - If the behavior occurs during a deposition, note that behavior orally on the record. Deposition transcripts do not show the volume of someone's voice, body movements, or hand gestures.

Civility-

Dealing with Difficult Opposing Counsel

- **Understanding the Rules of Engagement**
 - Simply put, there is no substitute for knowing or understanding the applicable rules in your jurisdiction.
 - Knowledge of the local, civil, or appellate rules, and the Rules of Professional Conduct, can often remedy a difficult situation.
 - Just as important as understanding the written rules is understanding the customs in your particular practice area or jurisdiction. For example, does a particular judge prefer to have discovery disputes heard informally before a magistrate before briefing is done? Understanding the unwritten rules and customs is important when you have to address a difficult opposing counsel's behavior.

Civility-

Dealing with Difficult Opposing Counsel

- **Find Your Mr. Miyagi**
 - The practice of law is just that—a “practice.”
 - The best attorneys always strive to get better. Just as athletes use coaches to assist in their practices, lawyers—especially young lawyers—should identify mentors to coach them in their practice. These mentors could be in your firm or office, or they might be a more experienced practitioner in your area.
 - Mentors can not only assist with addressing difficult opposing counsel, but can offer a level of reassurance that often eases the stress of young lawyers. Seek out good mentors early in your career and do not wait until a crisis arrives.

Civility-

Dealing with Difficult Opposing Counsel

- **Learn to Leave It at the Office**

- The practice of law is stressful. This is especially true for litigators, given the adversarial nature of the system.
- There are winners and losers, and it is often a zero-sum game. It can feel like your client's money, professional reputation, or company's existence is resting on your shoulders.
- Difficult opposing counsel only exacerbate this stress.
- Recognize stress and develop ways to leave the stress at the office. Whether this is turning off your phone after a certain hour, taking yoga classes, or spending time with your family, remember to engage in activities that decrease your stress. This will ultimately allow you to be a more focused, professional, and diligent attorney.

Dedication to Excellence in the Legal Practice, to Always Enhance One's Knowledge and Skills

- ABA Model Rule 1.1 requires that lawyers “provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.”
- “To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology, engaged in continuing study and education and comply with all continuing legal educational requirements to which the lawyer is subject.”
- A lawyer should strive to perform at the highest level of skill and improve throughout the practice of law. In order to perform at this level, lawyers must “update, renew, and expand such knowledge and skills through continuing legal education. And, as professionals, lawyers who develop or acquire new knowledge or techniques freely share it with the profession generally, in furtherance of the public interest, just as doctors readily share with one another new treatments that may alleviate suffering or save lives.”

Communication Techniques in Dealing with Difficult Opposing Counsel

- Focus on the facts and keep the communications strictly about the legal issues at hand. Avoid responding to personal attacks.
- Control the conversation by reframing. An overly aggressive attorney may make unreasonable demands or use inflammatory statements. Focus the conversation on what you would like to happen and restate positions as interests.
 - Ex. “I expect an answer by the end of the day of the day.” You can reframe to opposing counsel, “I am glad that we both want to have this matter settled quickly.” Then negotiate a timeline that works for both of you.
- Communicate via teleconference or phone call if communication is more difficult via email. A difficult attorney may be more aggressive over email than via phone and more reasonable on the phone. Also, actually talking to opposing counsel versus email may limit any miscommunications.

Advance Negotiation Strategies When Dealing with Difficult Opposing Counsel

- Remain calm when negotiating with an overly aggressive attorney.
- Set clear boundaries and ground rules. Don't be afraid to politely call out unacceptable behavior.
- Point out common ground. Emphasize points of agreement in attempt to disarm opposing counsel.
- Know when to stand firm versus concede strategically.
- Use ADR effectively. A neutral third party may help facilitate dialogue and help reach a mutually acceptable resolution.

Tactical Use of Evidence and Discovery - Dealing with Difficult Opposing Counsel

- Control the narrative. By strategically revealing evidence, an attorney can counteract bullying or aggressive strategies employed by opposing counsel.
- Prevent discovery abuse with protective orders and motions.
- Uncover weaknesses in opposing counsel's aggressive tactics through discovery.

Courtroom Advocacy When Dealing with Difficult Opposing Counsel

- Maintain professionalism. Regardless of opposing counsel's demeanor, maintaining professionalism is crucial.
- Adequate preparation and anticipating any potential issues may help circumvent any difficulties with opposing counsel.
- Employ assertive yet respectful cross-examination techniques.
- Address concerns or unreasonable behavior respectfully.
- Be mindful of lasting impressions. Attacks on opposing counsel will negatively impact the jury and the judge's perception of you and your client.

Dedication to Excellence in the Legal Practice, to Always Enhance One's Knowledge and Skills

- No nationwide rule exists with regard to continuing legal education. Notably, among the top licensed professions that require continuing education, lawyers are the only individuals without a national standard.
- However, the ABA promulgated a model rule for continuing legal education that jurisdictions can use as a model for the minimum requirements a lawyer should meet. While jurisdictions throughout the United States differ- most have some minimum continuing education requirement. The ABA minimum standard requires every active lawyer complete fifteen hours of continuing legal education annually.

Protecting the Image of the Legal Profession: Accepting Responsibility for One's Own Professional Conduct and Peer Regulation

- Maintaining the image of the legal profession requires its members to act with the utmost respect—for their peers, their clients, and the profession itself.
- The integrity of the profession is currently upheld by internal self-regulation, which promoted independence from government.
- “An independent legal profession is an important force in preserving government under law, for abuse of legal authority is more readily challenged by a profession whose members are not dependent on government for the right to practice.”

Protecting the Image of the Legal Profession: Accepting Responsibility for One's Own Professional Conduct and Peer Regulation

- ABA “Model Rule 8.3(a) imposes a mandatory reporting obligation on every lawyer with respect to other lawyers’ violations of the professional rules. Probably no other professional requirement is as widely ignored by lawyers subject to it.”
- “Moreover the lawyer’s duty to report professional misconduct is the foundation for the claim that we can be trusted to regulate ourselves as a profession. If we fail in our duty, we forfeit that trust and have no right to enjoy the privilege of self regulation or the confidence and respect of the public.”

Protecting the Image of the Legal Profession: Accepting Responsibility for One's Own Professional Conduct and Peer Regulation

- ABA Model Rule 8.3 provides:
 - (a) A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, shall inform the appropriate professional authority.
 - (b) A lawyer who knows that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial question as to the judge's fitness for office shall inform the appropriate authority.
 - (c) This Rule does not require disclosure of information otherwise protected by Rule 1.6 or information gained by a lawyer or judge while participating in an approved lawyers assistance program.

Protecting the Image of the Legal Profession: Accepting Responsibility for One's Own Professional Conduct and Peer Regulation

- Who must report is a question fairly clearly answered by the text of ABA Model Rule 8.3—"a lawyer."
- While the rule can be read as not requiring a lawyer to report their own misconduct, numerous states have specific requirements for self-report or view self-report as mitigation. Self-report has been viewed as genuine remorse and significantly lessened sanctions.
- Further, there are other obligations that may require attorneys to report their own misconduct—for example, most states require lawyers notify the bar if they are convicted of a crime. Courts have found that lawyers are required to report the misconduct of attorneys and judges even if it would implicate their own misconduct.
- For example, in *Lisi v. Several Attorneys*, 596 A. 2d 313 (R.I. 1991) a lawyer's failure to report a judge for solicitation of a loan violated Rule 8.3, while the lawyers' loans to the judge violated Rule 3.5. That a violation of 3.5 would have been implicated in the lawyer's report of the judge did not supersede the lawyer's duties to report under Rule 8.3.

Conclusion

- “Lawyers play a vital role in the preservation of society. The fulfillment of this role requires an understanding by lawyers of their relationship to our legal system. The Rules of Professional Conduct, when properly applied, serve to define that relationship.”