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Understanding Fiduciary Duty

By Mark A. Marsden, Christopher M. Mastrobuono, and Nancy Duffey Lambert

Lawyers are fiduciaries and owe a duty of loyalty to their clients. Lawyers also owe a duty of loyalty to the entities they represent. Lawyers have been sanctioned for breaching their duty of loyalty to a client by representing a client with a conflict of interest. Lawyers have been sanctioned for breaching their duty of loyalty to a client by representing an opposing party in a matter. Lawyers have been sanctioned for breaching their duty of loyalty to a client by representing a client in a matter against a former client