

NOTICE TO THE BAR

ADVISORY COMMITTEE ON PROFESSIONAL ETHICS REQUESTS COMMENTS ON SUPREME COURT REFERRAL IN DELANEY V. DICKEY - ARBITRATION PROVISIONS IN RETAINER AGREEMENTS AND THE SCOPE OF AN ATTORNEY'S DISCLOSURE REQUIREMENTS

By this notice, the Supreme Court Advisory Committee on Professional Ethics requests comments from interested persons regarding the Supreme Court's referral to the Committee in Delaney v. Dickey, __ N.J. __ (A-30-19, December 21, 2020). In that decision the Court found that lawyers must "explain to a client the benefits and disadvantages of arbitrating a prospective dispute between the attorney and client." Slip opinion at 4. It set forth the general guidelines and referred the issues raised in the opinion to the Advisory Committee for further review. The Court stated: "The Committee may make recommendations to this Court and propose further guidance on the scope of an attorney's disclosure requirements." Slip opinion at 44.

The Advisory Committee requests comments from interested persons regarding this matter. Comments should be sent by February 12, 2021 to:

Advisory Committee on Professional Ethics
Attention: Carol Johnston, Committee Secretary
Richard J. Hughes Justice Complex
P.O. Box 970, Trenton, New Jersey, 08625-0970

Comments may also be submitted via Internet e-mail to the following address:
Comments.Mailbox@njcourts.gov.

The Advisory Committee will not consider comments submitted

anonymously. Thus, those submitting comments by mail should include their name and address and those submitting comments by e-mail should include their name and e-mail address.

A handwritten signature in blue ink, appearing to read "Ronald K. Chen".

Ronald K. Chen, Esq.
Chair, Advisory Committee on
Professional Ethics

Dated: January 13, 2021