Ethics Inquiry Question of the Month: November 2025 – Lawyer's Ethical Response to a Client's Negative Review.

Summary: This month's question asks how lawyers can ethically and professionally respond to negative client reviews while honoring their duty of confidentiality under Rule of Professional Conduct 1.6. Except for limited exceptions, Rule 1.6 prohibits lawyers from revealing information relating to the representation of a client unless the client gives informed consent or one of the exceptions provided in the rule applies. A negative review does not trigger the "self-defense" exception provided for in subparagraph (b)(5) of the Rule. A good approach would be to courteously explain to the client that confidentiality prevents addressing specific facts online or in a public setting, while noting that the lawyer does not agree with the review and offering to meet with the client to discuss the client's concerns privately.

Question: A lawyer represented a relative in a long-running dispute, working under a contingency fee arrangement. After years of effort, the case concluded successfully with a significant financial award to the relative. When it came time to pay, however, the relative refused to honor the agreement, insisting the lawyer's work wasn't worth the claimed fee. The relative then posted a negative review on an online review website, and the disagreement spilled into family life. The relative excluded the lawyer from a family holiday gathering and the lawyer thought about explaining the dispute to other relatives to justify the lawyer's absence. How can the lawyer respond to a client's negative review?

Duty of Confidentiality in Responding to Negative Reviews

Whether a client's criticism comes from online reviews or in the context of planned family gatherings, a single negative comment, especially one that feels unfair or inaccurate, can be frustrating and impact a lawyer's reputation. Understandably, many lawyers want to respond directly to any criticism and set the record straight. But before posting anything online or responding in a public setting, lawyers must carefully consider their ethical obligations.

Rule of Professional Conduct 1.6 prohibits lawyers from revealing information relating to the representation of a client unless the client provides informed consent or a specific exception applies.

> RULE 1.6: CONFIDENTIALITY OF INFORMATION
> (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) or required by paragraph (c).

The duty of confidentiality is broad and applies not only to matters communicated in confidence by the client with the expectation that it will be kept secret, but to all information relating to the representation, whatever its source. A lawyer may not disclose such information except as authorized or required by the Rules of Professional Conduct or other law. Subparagraph (b) of Rule 1.6 lists circumstances under which a lawyer may, in their discretion, reveal information about the representation of a client. Subparagraph (c) requires a lawyer to reveal information about the representation of a client to the extent the lawyer reasonably believes necessary to prevent reasonably certain death or substantial bodily harm.

The "self-defense" exception under Rule 1.6(b)(5) allows a lawyer to disclose otherwise confidential client information if it is reasonably necessary to defend themselves against accusations of wrongful conduct, such as malpractice claims, disciplinary complaints, or criminal charges.

> A lawyer may reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:
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> (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;

A negative client review does **not** trigger the "self-defense" exception under Rule of Professional Conduct 1.6(b)(5). The self-defense exception is narrowly tailored and permits disclosure of confidential information only when the lawyer is facing a formal claim or charge (e.g., malpractice lawsuit, disciplinary complaint, criminal allegation) or disclosure is reasonably necessary to establish a defense in that proceeding. A negative review is not considered a "controversy" or "proceeding" under the rule; it's just a publicly expressed opinion, not a legal or disciplinary action.

Why it Matters

Responding with restraint is key. It not only protects a lawyer from ethical missteps but also reflects positively on the lawyer's reputation. Prospective clients often pay more attention to how a lawyer handles criticism than to the criticism itself, and a measured, respectful reply demonstrates a commitment to professionalism and client care.

Even if family members may already know some of the details for the falling out, the lawyer cannot be the source of confidential case details. Disciplinary cases show that lawyers who reveal client information, even in response to unfair criticism, risk disciplinary consequences. For example:

- In re 2016PR00076, M.R. 28222 (IL S.Ct. 9/16/22) Lawyer censured and placed on probation for disclosing more client confidences than necessary when responding to a negative online review.
- In re 2021PR00090, M.R. 31247 (IL S.Ct. 5/19/22) Lawyer suspended two years for, *inter alia*, threatening to abandon a client's patent application unless the client removed or updated a negative online review.
- In re 2003PR00104, M.R. 20607 (IL S.Ct. 1/13/06) Lawyer censured for threatening to reveal and disclosing confidential information during a fee dispute in a custody case.
- In re 1994PR00791, M.R. 10777 (IL S.Ct. 03/27/95) Lawyer censured for violating Rule 1.6 by reporting a client to immigration authorities during a bond dispute, leading to detention.

How to Respond Ethically
A thoughtful, professional response can demonstrate integrity and reassure prospective clients who may hear or read the review. Consider these approaches:

- **Limit disclosures**: Explain that your ethical duty of confidentiality prevents you from addressing the specifics of the complaint.
- **Be courteous and professional**: Respond calmly, courteously, and without hostility. State that you do not believe the review reflects a fair or accurate account of events.
- **Avoid threats:** Never use confidential information or representation as leverage against a client.
- **Focus on professionalism:** Do not let personal reputation concerns interfere with professional duties.
- **Use general statements**: Emphasize commitment to client service and ethical standards rather than case specifics.
- **Offer to discuss privately:** Invite the client to discuss concerns privately in a confidential setting to resolve issues. Focus on resolving issues constructively and avoid debating the facts of the case in any public forum.
- **Respect confidentiality:** Rule 1.6 remains a central duty in all contexts.

Conclusion

Family disputes can feel intensely personal, but professional obligations remain. Lawyers must resist the urge to defend themselves by disclosing client information, whether the criticism comes from online reviews or family gatherings.