

EXAMPLE OF MEMORANDUM DISTRIBUTED

M E M O R A N D U M

Privileged and Confidential

To: Mills Legal Clinic's Ethics Committee

From: Larry Marshall

Re: Problem 6

[Note: Because of client confidentiality issues, this memorandum has been heavily redacted because it will be made public. The original memorandum circulated to the students included client names and details of the matter.]

[One of our] clinics represents a number of not-for-profit organizations that are seeking to secure a legislative solution to the problem of "[redacted]. The not-for-profit clients work with individuals who [have a keen interest in this legislation].

As is often the case, Senate and House staffers work with lawyers for various interest-groups in discussing and drafting legislation. In this instance, a staffer who is working on a preliminary draft of a bill sent a copy to one of the students with whom the staffer has been working. The staffer told the student that the draft was for the students and the supervising lawyers' eyes only and is to be kept confidential (i.e., not to be shared with the client).

The Clinic is faced with the question of how to deal with this material—which would be of great interest to its clients. Please help advise the Clinic on how to proceed.

In analyzing the issue it would also be helpful to explore—for future instances--whether the student should have been willing to accept the documents on the terms specified by the staffer.



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