

Yelp Review Leads to N.J. Lawyer's Suspension Where Client Info was not "Generally Known"

"Just because information relating to your representation of a client might be publicly available, your duty of confidentiality means that you can't disclose it if it is not 'generally known.' The two concepts – public availability and being 'generally known' – are not the same, as a New Jersey lawyer learned earlier this month when the state supreme court imposed a one-year suspension in a disciplinary case that (among other things) involved a Yelp review," reports Karen Rubin in Thompson Hine's in *The Law for Lawyers Today Confidentiality*.

"According to the disciplinary board's decision, the lawyer represented a client in a child custody matter and achieved a 'seemingly good result' via settlement. Over a year later, however, the client posted 'poor reviews' of the lawyer's services on several websites. In turn, as set out in the board decision, the lawyer posted a review of the client's massage business on Yelp, where he said that the client 'is a convicted felon for fleeing the state with children. A wonderful parent. Additionally, she has been convicted of shoplifting from a supermarket. Hide your wallets well during a massage. Ooops, almost forgot about the DWI conviction. Well maybe a couple of beers during a massage would be nice.'"

"After the client complained, the lawyer sought to explain his actions, according to the board decision. He admitted he was 'very upset' by the client's negative Yelp rating of his practice, and felt that his response was justified because 'what was good for the goose was good for the gander.'"

Read the article.