

This is your new

Attorney-Client Privilege Answer Book

2019 Edition

By Christopher S. Ruhland

Attorney-Client Privilege Answer Book is a practical resource for attorneys and clients seeking to understand the most significant privilege in the practice of law. The book, written in question-and-answer format, examines the boundaries of the privilege, providing guidance on issues that attorneys grapple with on a regular basis as to what is, and is not, covered by the privilege, and how the privilege is protected and lost. Among the topics receiving in-depth treatment are what constitutes “attorney,” “client,” and “communication” for purposes of the privilege; choice-of-law issues; waiver; and exceptions to the privilege.

The 2019 edition is updated throughout, reflecting the most current state of the law. New material in the 2019 edition includes:

- A review of recent cases in which corporate clients claimed that communications with their vendors were privileged, due to the involvement of the corporation’s attorneys. (Q 4.6, Can an attorney have privileged communications through the attorney’s agents or employees?)
- A discussion of the circumstances under which an attorney’s notes and other writings that are not communicated to a client may be protected by the attorney-client privilege. (*New* Q 6.2.3, Are an attorney’s notes or other writings privileged when they are not communicated to the client?)
- An analysis of whether a client who takes action or makes a decision after consulting with an attorney can assert the attorney-client privilege to shield from disclosure the reasons for the client’s action or decision. (*New* Q 6.2.4, When a client receives advice from an attorney regarding a legal problem and then takes action or makes a decision, does the privilege protect the action or decision?)
- Revised and updated discussions of the way in which federal and state courts address the topic of subject matter waiver in different circumstances. (*New* Q 11.4.1, What is the scope of a waiver of the privilege under Federal Rule of Evidence 502(a)?; *new* Q 11.4.2, What is the scope of a waiver in other cases?)

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