

1.7 Comparison Chart

Georgia Rule 1.7 Conflict of Interest: General Rule	ABA Model Rule 1.7 Conflict of Interest: Current Clients
<p>(a) A lawyer shall not represent or continue to represent a client if there is a significant risk that the lawyer's own interests or the lawyer's duties to another client, a former client, or a third person will materially and adversely affect the representation of the client, except as permitted in (b)</p>	<p>(a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:</p> <ul style="list-style-type: none"> (1) <i>the representation of one client will be directly adverse to another client; or</i> (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.
<p>(b) If client consent is permissible a lawyer may represent a client notwithstanding a significant risk of material and adverse effect if each affected or former client consents, <i>preferably in writing</i>, to the representation after:</p> <ul style="list-style-type: none"> (1) consultation with the lawyer (2) having received in writing reasonable and adequate information about the material risks of the representation, and 	<p>(b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), a lawyer may represent a client if:</p> <ul style="list-style-type: none"> (4) each affected client gives <i>informed consent confirmed in writing</i> <p><i>No Comparable provision</i></p> <p>Comment [18] Informed consent requires that each affected client be aware of the relevant circumstances and of the material and reasonably foreseeable ways that the conflict could have adverse effects on the interests of that client.</p>
<ul style="list-style-type: none"> (3) having been given the opportunity to consult with independent counsel 	<p><i>No Comparable provision</i></p>
<p>(c) Client consent is not permissible if the representation:</p> <ul style="list-style-type: none"> (1) is prohibited by law <i>or these rules</i> (2) includes the assertion of a claim by one client against another client represented by the lawyer in the same or <i>substantially related</i> proceeding 	<p>(b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), a lawyer may represent a client if:</p> <ul style="list-style-type: none"> (2) the representation is not prohibited by law (3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding
<ul style="list-style-type: none"> (3) involves circumstances rendering it reasonably unlikely that the lawyer will be able to provide adequate representation to one or more of the affected clients. 	<ul style="list-style-type: none"> (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client