Overview of the Legal Ethics & Law Firm Practice

Your Trusted Ethics & Law Firm Advisor
Do These Nightmares Keep You Up?

• Your firm’s client data is lost due to inadequate cyber security protections and the client asks for a security audit
• A new practice group joins your firm but is conflicted out on major clients
• A dispute brews among your firm’s partners that leads to a firm split-up
• A departing lawyer forwards electronic client files to his personal email without your permission
• Your firm ends up on both sides of a matter and may be disqualified
• A firm partner has been engaging in improper billing practices and the client begins an investigation
• Your accounting department discovers that client escrow funds were deposited in the firm’s operating account
• A firm lawyer is found to have a long-standing drug or alcohol problem that has led to neglecting client matters
• Your partner tells you she pays referral fees to a non-lawyer contact who refers significant work
• You return to the office after time away and on your desk is a manila envelope from the Attorney Grievance Committee
How Can We Help You?

Even lawyers and law firms need to hire outside ethics counsel when they face conflicts of interests with clients, ethics complaints and investigations by disciplinary authorities and motions to disqualify by opposing counsel.

Moses & Singer’s Legal Ethics & Law Firm Practice offers a unique service that combines our ethics advisory and disciplinary defense work with a wide range of other practice capabilities, such as corporate, litigation, employment and white-collar criminal defense, that our law firm and lawyer clients may need in the course of the representation.

We have worked with law firm clients on conflicts of interest issues, escrow account irregularities, billing investigations, law firm names, partnership agreements, employment issues, intellectual property matters, business structures with non-lawyers, reporting of misconduct, negotiation and litigation ethics, disputes and litigation with departing partners, partnership disputes, attorney advertising, and opening a New York branch office. In addition, we have represented law firm partners moving between firms in ethics matters, and have defended lawyers facing disciplinary investigations before the First Department's Attorney Grievance Committee and with complaints by The Lawyers’ Fund for Client Protection.

Our practice group includes Devika Kewalramani, chair of the New York City Bar’s Professional Discipline Committee, Alvin H. Schulman, former chair of the New York City Bar’s Professional and Judicial Ethics Committee, and David Rabinowitz and Arnold N. Bressler, who along with Devika and Alvin, have extensive experience representing law firm and lawyer clients in ethics, discipline, business disputes, litigation and corporate matters.
Representative Matters

Outside Legal Ethics and General Counsel to Law Firms

- Acted as outside ethics counsel on legal ethics and professional responsibility matters for New York law firms.
- Acted as outside ethics and compliance counsel for multi-state firms opening New York offices.
- Advised firms and lawyers on ethics matters arising from law firm mergers, buy-outs, break-ups and partner disputes.
- Counseled lawyers on professional discipline charges and investigations.
- Counseled firms on ethics matters relating to structuring business ventures with non-lawyers.
- Examined firm websites and marketing materials for compliance with attorney advertising rules.
- Represented lateral lawyers on ethical duties relating to law firm departures and transition-related issues.
- Counseled law firms on cutting edge practice arrangements, including virtual law offices and cloud computing.
- Advised firms and lawyers on handling escrow accounts.
- Conducted ethics and risk management audits for law firms.
- Developed law firm ethics manuals with key policies on client confidentiality, conflicts checking, cyber security and social media.

Corporate and Business Counsel to Law Firms

- Advised law firm in connection with separation of a practice group.
- Represented major New York City based law firm in restructuring its shareholders agreement and other governing documents.
- Negotiated agreement under which senior partner of a law firm transitioned to semi-retirement.
- Negotiated settlement with legal malpractice insurance carrier over claim payment by law firm.
- Represented major New York City based law firm in connection with $25 million credit facility.
- Advised law firm in connection with multi-year office lease.
Devika Kewalramani is a partner and co-chair of Moses & Singer's Legal Ethics & Law Firm Practice, which advises law firms, lawyers and legal departments on ethical and legal aspects of law practice. She also currently serves as the firm's general counsel. Devika represents law firms and attorneys in legal ethics, professional discipline, law firm risk management, lawyer licensing and admissions matters, including escrow issues, conflicts of interest, structuring arrangements with non-lawyers, multijurisdictional practice, disqualification, lateral transition, law firm mergers and break-ups, partner disputes, ethics in alternate dispute resolution, reporting/disclosure issues, attorney advertising, law firm cyber security issues, social media use, legal fee disputes, and other professional responsibility issues. She conducts ethics and risk management audits for law firm and legal department clients.

A frequent lecturer, panelist and author on legal ethics, Devika speaks to law firms, corporate legal departments, bar associations and other professional organizations on a variety of legal ethics matters. The editor of New York State Bar Association's Journal magazine recognized Devika as author of one of the best articles of 2010: “Up Close and Professional With New York's Engagement Letter Rules” (September 2010). Her article, “Demystifying ESQrow Ethics” was featured on the front page of the New York State Bar Association Journal’s May 2013 edition. Devika is a faculty member of the Practising Law Institute and of Lawline.com.

Devika is Chair of the Committee on Professional Discipline of the New York City Bar Association.


She was appointed a member of the New York Commission on Statewide Attorney Discipline in 2015 and served as a co-chair of its Subcommittee on Transparency and Access.
PROFESSIONAL AFFILIATIONS

• Chair, Committee on Professional Discipline, New York City Bar Association
• Co-Chair, Subcommittee on Legal Ethics, Corporate Counsel Committee, American Bar Association Section of Litigation
• Member, New York Commission on Statewide Attorney Discipline, Co-Chair, Subcommittee on Transparency and Access (2015)
• Member, Committee on Continuing Legal Education, New York State Bar Association
• Member, Advisory Board of the Ethics Institute, New York County Lawyer's Association
• Member, Public Policy and Action Committee, New York County Lawyers' Association
• Member, Editorial Board of The Practical Lawyer, published by ALI CLE
• Member, International Board of Advisors, Jindal Global Law School, Sonipat, Haryana, India
• Past Chair, Subcommittee on Engagement Letters, Professional Responsibility Committee, New York City Bar Association
• Past Member, Committee on Professional Ethics, New York State Bar Association

PUBLICATIONS

• Lexis® Practice Advisor for Corporate Counsel: Ethics For In-House Counsel, Author (2012-current).
Legal Ethics Presentations

• "Ethical Issues in Representing Real Estate Joint Ventures," Keynote Speaker, Strafford Publications Seminar, March 2017
• "Unscrambling the Ethics Rules, the Thin Line Between Professional Conduct and Personal Behavior, and More," Guest Lecturer, CUNY School of Law, November 2016.
• "Bagels, Lox and a Side of Ethics," Anti-Defamation League, November 2016.
• "Out With the Old, In With the New: An Introduction to New York’s Statewide Rules for Attorney Disciplinary Matters," Panel Chair, New York City Bar Bridge-the-Gap Program, September 2016.
• "Getting Admitted to the First or Second Departments," New York City Bar Association's New Lawyer Institute, September 2016.
• "Bridge-the-Gap Orientation Program for Newly Admitted Attorneys," organized by New York State Supreme Court, Appellate Division, First Department's Character and Fitness Committee, held at the New York County Lawyer's Association, January 2017, July 2016, February and November 2015, September 2014.
• "Ethical Issues for Mediators and Attorneys," New York State Bar Association Dispute Resolution Section Diversity Committee CLE Program, April 2016.
• "Ethics and Professional Responsibility In The Indian Legal Profession," Jindal Global Law School, October 2015.
• "Getting Admitted to the First and Second Departments," New York City Bar’s New Lawyers Institute, September 2015 and October 2014.
• "Setting Up and Maintaining Client Relationships to Avoid Ethical Dilemmas," New York State Bar Association, June 2015.
• "Is It All Good? The Legal and Ethical Implications of Legalizing Marijuana in America," American Bar Association, Labor and Employment Law Section, Ethics and Professional Responsibility Committee, Midwinter Meeting 2015, March 2015.
Legal Ethics Presentations

- “Professionalism,” CUNY School of Law, April 2014.
- "Ethical Issues Facing Real Estate Attorneys," Practising Law Institute, Annual Commercial Real Estate Institute, 2008-2013.
- "Ethical Arrhythmias in Trusts & Estates Practice", American Heart Association’s, 13th Annual Invitational Conference on Estate Planning and Administration, April 2013.
- "Be Careful Who You 'Like': Legal and Ethical Implications of Social Media Use in the Workplace and Employment and Labor Litigation," Seton Hall University School of Law Circuit Review Symposium, February 2013.
- "To Click or Not to Click: That is the Ethical Question?" New York Chapter of the National Academy of Elder Law Attorneys (NAELA), January 2013.
- "Ethical Gaps, Mishaps and Traps in Real Estate Practice," Practising Law Institute, November 2012.
- "Ethics in Elder Law," Practising Law Institute’s (PLI) 24th Annual Elder Law Institute, April 2012.
Legal Ethics Presentations

- "Ethical Considerations for the Real Estate Leasing Attorney," Analysis of Case Study by Devika Kewalramani, Practising Law Institute, November 2009, November 2010 and November 2011.
- 2nd Annual USA India Business Summit, participant, June 2011.
- "From Outsourced to Cloudsourced: The Next Level of Risks," Moses & Singer’s In-House Counsel CLE Program, June 2011.
- "Indian Businesses Go Green," host, Citi-Anchin Indian Initiative, June 2010.
Legal Ethics Presentations

• "The Rules, They Are A-Changin’," The Copyright Society of the U.S.A., September 2009.
• "Law Firms and In-House Counsel," MSI Global Alliance North America and Latin America Local Members’ Meeting, January 2009 (Miami).
• "Legal Ethics: Solutions to the Most Common Challenges," National Business Institute, September 2008.
• "Law Firm Blogs: Legal and Ethical Concerns," Moses & Singer’s In-House Counsel CLE Program, November 2007.
• "Ethical Duties of Supervisory and Subordinate Lawyers," Moses & Singer’s In-House Counsel CLE Program, October 2008; New York City Bar Association, October 2007.

• "What You Need to Know About Legal Opinions," Moses & Singer’s In-House Counsel CLE Program, January 2007.
• "What Every Lawyer Needs to Know About Conflicts of Interest," New York City Bar Association, June 2006.
Legal Ethics Articles

- "In-House Counsel: Avoid Stretching Your License Beyond It's Legal and Ethical Limits" *Lexis Practice Advisor Journal™*, June 2016.
- "Ex-Files: Retain or Return a Former Client's Files?" *Moses & Singer Client Alert*, December 2015.
- "Lawyers & Marijuana: If It's Legal, Can It Be Ethical?" Submitted for panel, "Is It All Good? The Legal and Ethical Implications of Legalizing Marijuana in America," at American Bar Association, Labor and Employment Law Section, Ethics and Professional Responsibility Committee, Midwinter Meeting, March 2015.

- "Cybersecurity Ethics and Risks Takes Center Stage at a Presentation to be Given by Devika Kewalramani and Amyt Eckstein, Attorneys at Moses & Singer LLP," *PRWeb*, May 2013.
Legal Ethics Articles

- "The Greenwashing Domino Effect," Thomson Reuters News & Insight; Canadian Competition & Antitrust Law; Canadian Advertising & Marketing Law, February 2012.
- "Privilege Invoked If Company Reasonably Believes In-house Counsel is a Lawyer," Moses & Singer Client Alert, February 2011.

Prior Results Do Not Guarantee A Similar Outcome
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