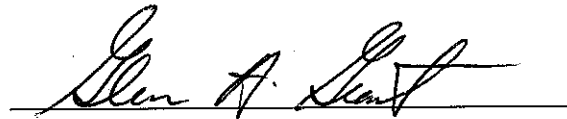


## NOTICE TO THE BAR

### AMENDMENT TO RULE OF PROFESSIONAL CONDUCT 1.16(d) -- COMMON LAW RETAINING LIEN ABROGATED

By notice dated November 14, 2012 the New Jersey Supreme Court invited comments on a report and recommendation by the Advisory Committee on Professional Ethics (ACPE) regarding the continued viability of the common law retaining lien as it relates to RPC 1.16(d). The ACPE's recommendation was to amend RPC 1.16(d) so as to specifically prohibit the use of a retaining lien. The Court received a number of comments in response to that notice.

After reviewing the ACPE's report and the comments received regarding that report, the Court has determined to adopt the amendment to RPC 1.16(d) as recommended by the ACPE. Accordingly, published with this notice is the Court's March 25, 2013 order amending RPC 1.16(d) so as to prohibit the use of a retaining lien. That amendment is effective April 1, 2013.

A handwritten signature in black ink, appearing to read "Glenn A. Grant", is written over a horizontal line.

Hon. Glenn A. Grant, J.A.D.  
Acting Administrative Director of the Courts

Dated: March 25, 2013

**SUPREME COURT OF NEW JERSEY**

It is ORDERED that the attached amendments to RPC 1.16 of the New Jersey Rules of Professional Conduct are adopted to be effective April 1, 2013.

For the Court,

A handwritten signature in black ink, appearing to read "S. P. ...", written over a horizontal line.

Chief Justice

Dated: March 25, 2013

RPC 1.16. Declining or Terminating Representation

(a) ... no change

(b) ... no change

(c) ... no change

(d) Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee that has not been earned or incurred. The lawyer may retain papers relating to the client to the extent permitted by other law. No lawyer shall assert a common law retaining lien.

Note: Adopted July 12, 1984 to be effective September 10, 1984; paragraphs (b), (c), and (d) amended November 17, 2003 to be effective January 1, 2004; paragraph (d) amended March 25, 2013 to be effective April 1, 2013.