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In The News

Akerman Partner Eric Rapkin Authors Article on the Ethical Issues of Practicing Remotely

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Real Estate Practice Group Chair Eric Rapkin authored an article for ACREL (American College of Real Estate Lawyer) News & Notes on the ethical issues of practicing remotely. Before the Covid-19 pandemic, many attorneys worked remotely at times, but only as an incidental part of their practice, typically only while traveling for business or while on vacation. With the onset of the pandemic, many firms closed their offices and sent their employees to work at home. If "home" for an attorney is in a state where the attorney is not licensed, ethical issues arise under, among other things, the rules regarding multijurisdictional practice and the unlicensed practice of law.

"Prior to the technological advances of the last few decades, it was neither easy nor practical to attempt to practice full-time from home, whether the attorney's home was in the state in which he or she is licensed or home was in a different state. But since the invention and proliferation of personal computers, the Internet, and e-mail, we can instantaneously communicate and send and receive documents regardless of physical location," wrote Rapkin.

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