

FAQ: What are the Ethics of Working Remotely?

Many attorneys are working remotely these days. See [Advisory Opinion 201601 Ethical Practices of the Virtual or Hybrid Office](#). Here's a rundown of the basics:

1. There is no requirement that WSBA members have a physical office address. This can create frustration for counsel trying to serve documents by physical delivery. AO 201601 gives specifics for WSBA address requirements and discusses service issues. A lawyer working remotely may use a post office box, private mailbox, or business service center as an office address in advertisements as long as that information is accurate. Lawyers must be mindful of their duty to avoid misrepresentation. [RPC 7.1. cmt. \[6\]](#).
2. A Washington licensed lawyer may remotely practice Washington law in another jurisdiction only if allowed by the other jurisdiction. The lawyer should confirm the other state's rule on multijurisdictional practice and unauthorized practice of law. See also ABA Opinion 495. In most states, the remotely practicing lawyer may not establish or advertise a physical office or hold themselves out as available to practice law to the local public. The lawyer may be subject to discipline in each jurisdiction and should comply with local business and tax regulations.
3. A lawyer who is licensed in another state may practice law remotely from a Washington location only if they adhere to the same above limitations on remote practice. See [RPC 5.5](#).
4. Lawyers practicing remotely are bound by the same ethical duties as if they were in a physical office. See also ABA Opinion 498 on Virtual Practice. In particular, lawyers should be mindful of duties of supervision regarding assistants' use of electronic devices, as well as vendor services such as computer cloud services, social media, and other digital services. [RPC 5.1, 5.3](#). Lawyers must protect confidential client information and make reasonable efforts to ensure no unauthorized disclosure of online or digital information. [RPC 1.6](#). Lawyers must continue to be vigilant regarding avoiding conflicts of interest and must comply with all Washington trust account rules. [RPC 1.7, 1.15A](#) and [1.15B](#).