
E-84-6 Attorney paying expenses

Question

May an attorney in connection with his or her representation of a client incur expenses such as postage, long-distance telephone calls and the attorney's travel expenses?

Opinion

In ABA Informal Op. 388 (Maru, *Digest of Bar Association Ethics Opinions*, 1970 Supp., #5046), the ABA Committee on Ethics and Professional Responsibility stated the "telephone calls, hotel bills, etc." are not expenses which must be paid or reimbursed by the client. Accordingly, so long as the postage, phone and travel expenses are personal expenses of the attorney and not expenses of the client, payment of the expenses by the attorney would not be improper. *See also* Op. 154, 28 Ore. S.B.B. 10 (Oct. 1967) (attorney may bear investigation and travel expenses). *But see* SCR 20.26(2).