



Nick Badgerow Explains Corporate Counsel Obligation in Suspected Misconduct Cases

Spencer Fane attorney [Nick Badgerow](#) recently published an article featured in the *Journal of the Kansas Bar Association* discussing corporate counsel's obligations when representing a corporation.

Titled "Up the Ladder or Out the Door: Corporate Counsel's Obligations with Respect to Corporate Misconduct," the article explains the ethical and corporate obligations that must be followed by a lawyer, including the obligation to report information "up the ladder," when certain situations arise.

Nick described the corporate lawyer's obligations and how Rule 1.13, Rules of Professional Conduct, applies to situations when an attorney cannot find solution for particular matters involving potential significant injury to the company, about which the lawyer becomes aware. He highlighted other rules and exceptions for Kansas and non-Kansas attorneys.

"Lawyers representing corporate, governmental and other legal entities perform important functions. They also frequently receive important and confidential information," Nick noted. "But such lawyers must always be mindful of their power, authority, and obligation to identify threats of substantial injury identified in such confidential information...and to make every effort to avoid those threats, even taking it to the highest authority in the organization."

To read the full blog post, please click [here](#).