

	Duty of Confidentiality (Rule 1.6)	Attorney-Client Communication	Attorney Work-Product
Information Protected	Information relating to the representation	Private communication between attorney and client (or their agents)	Attorney's mental impressions
Source of Information	Any source	Communication between attorney and client	Attorney <ul style="list-style-type: none"> • Document/material may be prepared by non-attorney
Form of Information	Any form	Communications <ul style="list-style-type: none"> • Verbal or non-verbal 	Tangible Work-Product <ul style="list-style-type: none"> • Documents or other material Intangible Work-Product <ul style="list-style-type: none"> • Attorney's recollections
Purpose of Information	Any purpose	Securing legal representation or advice	Preparing for litigation
When Information Was Acquired/Created	Any time	During representation <ul style="list-style-type: none"> • Includes communication between attorney and prospective client, even if no attorney-client relationship ultimately results 	In anticipation of litigation <ul style="list-style-type: none"> • May include documents/material prepared in transactional representation, where prepared in anticipation of possible future litigation arising from transaction
Effect of Protection	Attorney may not disclose or use information <ul style="list-style-type: none"> • In any context, for any purpose • Absent client's consent or implied authority 	No compelled testimony or disclosure by client or attorney <ul style="list-style-type: none"> • But information communicated is not itself protected if discoverable from other sources 	Documents/material protected against discovery <ul style="list-style-type: none"> • Protection applies to documents/materials themselves, not the information they contain) • May be overcome by showing of substantial need and unavailability from other source without substantial hardship
Waiver	Only client	Only client	Attorney or Client