

FOULSTON

ATTORNEYS AT LAW

Corporate Counsel Series: Ethics 2026

Bradbury Thompson Alumni Center
1701 SW Jewell Ave., Topeka, KS 66621
Tuesday, February 17, 2026

Agenda

11:00 a.m. – 11:30 a.m. Lunch and networking

11:30 a.m. – 11:35 a.m. Opening remarks

11:35 a.m. – 12:25 p.m.

Guarding the Privilege in the Digital Age: Ethical Pitfalls for In-House Counsel

Teresa Shulda

In-house counsel operate at the intersection of legal duty and corporate strategy, often facing unique ethical challenges in preserving attorney-client privileged communications. This presentation explores the complexities of privilege in the corporate context, including issues of dual roles, executive communications, communications with non-management and third parties, and common interest privileges. We will also address the ethical and logistical dilemmas associated with the disclosure of confidential client information through modern digital tools and processes, such as artificial intelligence (AI), virtual communications like Zoom and Teams, and considerations for recording those conversations. Attendees will gain insights into best practices for protecting privileged communications while leveraging modern technologies.

Rules:

- KRPC 1.1 Competence
- KRPC 1.4 Communication
- KRPC 1.6 Confidentiality
- KRPC 1.3 Organization as a Client
- KRPC 5.3 Nonlawyer Assistance
- KRPC 8.4 Misconduct

12:25 p.m. – 12:35 p.m. Break

12:35 p.m. – 1:25 p.m.

Lawyer “Severance”: When Will Your Outie’s Conduct Get Your Innies Sent to the Break Room (and Other Recent Tales From the World of Legal Ethics)

Jeremy Graber and Jake Holly

In the TV series *Severance*, workers can surgically “sever” their work self (“innie”) from their outside-of-work self (“outie”). For lawyers, the line between work life and private life is not at all clear. In this presentation, we’ll discuss when and under what circumstances the actions of your “outie” could subject you to discipline under the rules of professional conduct. This presentation will also cover other recent developments and ethics cases in the news over the last year. Rules and authority that will be addressed may include:

- Matter of Valdez, 2025 WL 2490573 (Kan. Aug. 29, 2025)
- Kansas Rules of Professional Conduct, including KRPC 1.6, KRPC 3.5, KRPC 4.1, KRPC 8.4
- Kansas Supreme Court Rules governing disciplinary procedures, including Rule 226
- ABA Formal Opinion 514

1:30 p.m. Conclusion