

Digest of Ethics Advisory Panel  
Opinion #91-25, Request #129b.  
Issued May 23, 1991

An attorney seeks Panel advice concerning the ethical propriety of a letter the attorney intends to send to prospective clients concerning Bankruptcy and the collection of delinquent debts.

Rhode Island Rule of Professional Conduct 7.3(b)(1)(a) requires that the attorney's proposed letter "be plainly marked 'advertisement' on the face of the envelope and at the top of each page of the written communication in type one size larger than the largest type used in the written communication."

The Panel takes the position that in order to comply with Rule 7.3 because the word "advertisement" in the upper right corner is printed in type which is not larger than the largest type used in the letter and is much lighter than the print used in the letter.

The Panel takes the position that the proposed letter must contain the following disclaimer in order to comply with Rhode Island Rule of Professional Conduct 7.4:

Rhode Island does not have a procedure for certification or recognition of specialization by lawyers.

Ethics Advisory Panel advice is protective in nature. There is no requirement that an attorney abide by a Panel opinion, but if he or she does, he or she is fully protected from any charge of impropriety.