

Digest of Ethics Advisory Panel
Opinion #91-61, Request #177
Issued August 29, 1991

An attorney seeks Panel guidance concerning a proposed advertisement he would like to distribute to potential plaintiffs in a class action lawsuit he intends to file.

The Panel takes the position that the propriety of the proposed advertisement is governed by Rhode Island Rule of Professional Conduct 7.3 entitled "Direct Contact with Prospective Clients," which provides in part that a lawyer may not solicit professional employment from a prospective client with whom the lawyer has no family or prior professional relationship when a significant motive is pecuniary gain. Rule 7.3 goes on to say that written communication to this group must be plainly marked "advertisement." The Panel declines to edit the proposed advertisement with regard to the attorney fee arrangement.