

ETHICS ADVISORY PANEL  
OPINION #94-56 REQUEST #526  
Issued August 25, 1994

An attorney would like to display a sign, approximately four feet by four feet with his/her name and the designation of "attorney at law" at his/her brother's medical office. The attorney states that although there is a vacant office in the building, he/she has not decided at this time to hold office hours at this location. The attorney asks whether he/she may erect a sign at an address where he/she does not conduct legal business.

Rule 7.1 entitled "Communications Concerning a Lawyer's Services" states the following:

A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. A communication is false or misleading if it:

(a) contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading;

(b) is likely to create an unjustified expectation about results the lawyer can achieve, or states or implies that the lawyer can achieve results by means that violate the Rules of Professional Conduct or other law; or

(c) compares the lawyer's services with other lawyers' services, unless the comparison can be factually substantiated.

The Panel opines that the placement of a sign at an office building conveys to the public that there is in fact an attorney holding office hours and conducting legal business at that location. For an attorney to place a sign at an office location where that attorney does not practice law is misleading to the public pursuant to Rule 7.1.