

Final

**Rhode Island Supreme Court
Ethics Advisory Panel Op. 2019-01
Issued June 18, 2019**

FACTS

The inquiring attorney, whose law office has relocated, proposes to walk around his/her law office neighborhood to introduce himself/herself to owners and operators of local businesses for the purpose of soliciting their legal business. He/she plans to leave a letter written on his office stationery with the businesses when he visits. He/she has submitted a copy of the letter to the Panel. In the letter the inquiring attorney introduces himself/herself, states his/her involvement with the community, and lists areas of his/her law practice. The inquiring attorney asks whether the proposal is permissible under the Rules of Professional Conduct.

ISSUE PRESENTED

May a lawyer make in-person contact with business owners and operators in his law office neighborhood to solicit professional employment?

OPINION

Yes. Rule 7.3, which prohibits in-person contact with prospective clients for solicitation of professional employment, contains an exception for business organizations.

REASONING

Rule 7.3(a) of the Rules of Professional Conduct which prohibits in-person solicitation of prospective clients, contains an exception for businesses. The Rule states in pertinent part as follows:

Rule 7.3. Direct contact with prospective clients. (a) A lawyer shall not by in-person, live telephone or real-time electronic contact solicit professional employment from a prospective client when a significant motive for the lawyer's doing so is the lawyer's pecuniary gain, unless the person contacted:

- (1) is a lawyer;
- (2) has a family, close personal, or prior professional relationship with the lawyer; or
- (3) is a business organization, a not-for-profit organization, or governmental body and the lawyer seeks to provide services related to the organization.

The inquiring attorney may make in-person contact with business owners and operators in his law office neighborhood to introduce himself and to solicit professional employment. The letter he/she proposes to leave with the businesses is in the nature of an advertisement. In compliance with Rule 7.2 entitled "Advertising," the inquiring attorney must forward a copy of the letter to disciplinary counsel, and must otherwise comply with paragraph (b) of Rule 7.2.