

Digest of Ethics Advisory Panel  
Opinion #92-20, Request #233  
Issued May 5, 1992

An attorney seeks Panel advice regarding the propriety of a sample advertisement which states the attorney's name, address, areas of law practiced and bar memberships.

As a threshold matter, the Panel declines to embark on the task of editing documents, and therefore cannot give general approval to the advertisement. See, Advisory Opinion #90-18.

Rule 7.2(a) of the Rhode Island Rules of Professional Conduct states, "Subject to the requirements of Rule 7.1, a lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services . . . a lawyer may advertise services through public media, such as . . . . written communication not involving solicitation as defined in Rule 7.3." Rule 7.2(b) requires a lawyer to retain a copy of any advertisement for two years along with a record of when and where it was used.

The Panel advises that the facts in this inquiry warrant strict compliance with Rule 7.4 which states:

A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. A lawyer may not, however, indicate that his or her practice is limited to or concentrated in particular fields of law unless, as part of the communication, the lawyer also indicates that Rhode island does not have a procedure for certification or recognition of specialization by lawyers.

To clearly meet the requirements of Rules 7.2 and 7.4, the attorney's advertisement cannot contain any false or misleading statements about the attorney or the attorney's services and the disclaimer must be included within the advertisement.