

FINAL

**ETHICS ADVISORY PANEL
OPINION # 96-25, - REQUEST # 685
Issued - September 12, 1996**

FACTS:

The inquiring attorney was invited to join a "Leads Group" which is a group of individuals in the business community that meets every other week for breakfast to discuss business opportunities each member may have for other members. The individuals evenly divide the total bill incurred for breakfast.

ISSUE PRESENTED:

The inquiring attorney asks whether it is appropriate to join such a group.

OPINION:

The inquiring attorney may join such a group subject to the restrictions set forth below.

REASONING:

Rule 7.2(c) of the Rules of Professional Conduct states:

(c) A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may pay the reasonable cost of advertising or written communication permitted by this rule and may pay the usual charges of a not-for-profit lawyer referral service or other legal service organization.

Under Rule 7.2(c), a lawyer may pay the reasonable cost of advertising and the usual charge of a not-for-profit lawyer referral service or other legal service organization, but may not otherwise pay a fee for referral of business, or give another anything of value in exchange for referrals. See, RI Ethics Advisory Panel Opinion # 95-3 (Issued March 23, 1995) (fee paid for bar association's lawyer referral service not violative of Rule 7.2(c)); and RI Ethics Advisory Panel Opinion # 95-5 (Issued July 13, 1995) (fee paid for non-profit charitable organization's lawyer referral service which is not affiliated with bar association would be violative of Rule 7.2(c)).

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The Panel recognizes that the range of business opportunities available through such a group may extend beyond client-customer referrals. Therefore the inquiring attorney may participate in such a group as long as referring prospective clients to the attorney is not the sole purpose of the group, the attorney does not accept referrals from members in exchange for the attorney's referring his/her clients to other members, the attorney does not solicit members of the group, and there are no improper fee-sharing or referral payments involved in the arrangement.