

NEW YORK STATE BAR ASSOCIATION  
Professional Ethics Committee Opinion

Attorneys should avoid not only impropriety but the appearance of impropriety as well. ABA Opinions Nos. 49 and 50.

Accordingly, it is the opinion of this Committee that the lawyer in question may not properly represent defendants in traffic or misdemeanor cases in the same county in which his partner is Assistant District Attorney.

Opinion #41 - 12/28/66 (14-66) Topic: Advertising.  
Letterhead of Lawyer Admitted to  
Overruled by 434 Practice in Two States.

Digest: Improper for letterhead to contain statement that lawyer is admitted to practice in another state.

Canon: None

QUESTION

Is it proper for an attorney who is admitted to practice both in Florida and in New York to use a letterhead reading as follows:

"SUITE----	Admitted
BUILDING ----- JOHN JONES	New York Bar
MIAMI, FLORIDA Attorney and Counsellor at Law	Florida Bar"

OPINION

In the opinion of the Committee, the proposed letterhead format is improper and in contravention of the Canons of Professional Ethics dealing with advertising and solicitation. The letterhead of a New York lawyer may not contain a statement that he is admitted in another state. Such a statement does not serve the same proper professional purpose as the listing of an office address in another state from which the lawyer performs professional services. (See Informal Opinion No. 821, January 22, 1965, Committee on Professional Ethics, American Bar Association; DRINKER, LEGAL ETHICS, p. 229).

Opinion #42 - 1/18/67 (15-66) Topic: Advertising.  
Notice of Mexican Divorce Service.

Digest: Lawyer's announcement of specialty in Mexican divorces is improper even if mailed only to other attorneys.

Canon: Former Canons 27, 42

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QUESTION

A local Bar Association has asked the opinion of this Committee on the following question: May an attorney, without violating Canons 27 and 42 of the Canons of Professional Ethics, mail the following notice to attorneys only?

FOR ATTORNEYS ONLY

*Complete Mexican Divorce Service*

\$225

*Includes Separation Agreement If Required.*

*Associated With Mexican Attorney*

*All Particulars and Arrangements Handled.*

*Rapid Service, Absolute Satisfaction.*

JOHN DOE  
Attorney at Law  
2 Anyone Street  
Doe, N. Y.  
(000) DOE-00000

OPINION

The announcement is condemned as being in bad taste, crass commercialism and improper advertising.

Opinion #43 - 1/26/67 (24-66) Topic: Legal Services for Indigents.

Digest: Lawyers may participate in the work of community law offices for the poor if the Appellate Division grants such approval.

Canon: Former Canons 27, 28, 35, 47

QUESTION

The Committee on Professional Responsibility of this Association has requested this Committee's opinion as to whether various plans for providing legal services to persons who otherwise might not be able to afford them, and the publicizing of the availability of such service, and the participation in such plans by lawyers on a volunteer basis or as paid employees, are permissible under the Canons of Professional Ethics.