



Committee on Professional Ethics

Opinion #270 - 10/20/72 (56-72)

Topic: Advertising: Newspaper
Column; Identification
of Lawyer-Author

Digest: Identification of
author of newspaper
column on legal topics
should be limited to
name and admission to Bar.

Code: DR 2-104(A)(4)
EC 2-1, 2-2, 2-4, 2-5.

QUESTION

Is it proper for a lawyer to write a regular column intended for publication in a weekly newspaper and national syndication, describing court decisions and legal problems of interest to the lay public where the column would contain the name of the author along with a small picture of the author in a box at its head.

OPINION

The education of the public concerning legal problems is desirable and to this end it is not improper for a lawyer to write a column on legal problems of interest to the lay public for a newspaper of general circulation. However, the articles must not be motivated by a desire for personal publicity. DR 2-104(A)(4); EC 2-1; EC 2-2; EC 2-4; EC 2-5; N.Y. County 599 (1972); ABA Inf. 1198 (1971). While it would be proper for the author to identify himself by name and as a member of the bar of a particular state, any further identifying information would be unnecessary and could be construed as advertising. N.Y. County 599 (1972); ABA Inf. 1198 (1971). The identification of the lawyer should be without emphasis. N.Y. State 72 (1968); ABA Inf. 487 (1961); see also, N.Y. State 204 (1971).

The publication of a photograph of the lawyer, when a newspaper requires a standard size picture in all of its feature columns turns on the admonition in EC 2-2 that "a lawyer who participates in such activities should shun personal publicity." Generally a small picture in good taste would not be improper.
