



Committee on Professional Ethics

Opinion #284 - 2/23/73 (4-73) Topic: Professional Announcement;
Letterhead

Digest: Use of abbreviation "Hon."
before name of retired
Judge may be proper on an
announcement card sent
only to members of the
profession, but is improper
on a firm's letterhead

Code: DR 2-102(A)(2); 2-102(A)(4)

QUESTION

May the abbreviation "Hon." be used before the name of a retired Judge upon becoming a member or "Of Counsel" to a law firm after retirement?

OPINION

DR 2-102(A)(2) referring to an announcement card, provides in pertinent part:

"It shall not state biographical data except to the extent reasonably necessary to identify the lawyer or to explain the change in his association, but it may state the immediate past position of the lawyer".

It had been held that an announcement card for a lawyer returning to private practice from government service, could contain a brief and dignified reference to the position occupied with the government or other past position immediately prior to such return. ABA 301 (1961); N.Y. State 200 (1971). Accordingly, if an announcement card is being sent once solely to members of the legal profession shortly after the retirement of a Judge, there is no objection to the use of the abbreviation "Hon." before the name of the retired Judge. However, the abbreviation should not be used in any subsequent announcements of the firm.

It would be improper, however, to use such abbreviation on the letterhead of the firm. DR 2-102(A)(4). A letterhead of a firm may not state that a member of the firm is or was formerly a member of any legislature (federal, state or local), a judge, or counsel in any capacity to any federal, state or legislative body or local agency. N.Y. State 200 (1971); ABA Inf. 1006 (1967); N.Y. County 605 (1972). The rule is the same whether the lawyer is a partner in, associate of, or counsel to the law firm.
