



## Committee on Professional Ethics

Opinion #309 - 11/16/73 (39-73)

Topic: Group Legal Services

Modified by 416

Digest: Legal services to members of organization under group plan must be incidental and reasonably related to primary purposes of organization.

Code: DR 2-103(D)(5)

### QUESTION

May a law firm enter into an agreement with a college student association for the rendition of legal services to the association and to its members for a fixed annual fee to be paid by the association?

### OPINION

DR 2-103(D)(5) permits a lawyer to cooperate with the legal service activities of non-profit organizations where the recommending, furnishing or paying for such services to its members "is incidental and reasonably related to the primary purposes of such organization" N.Y. State 297 (1973); N.Y. State 163 (1970).

A plan involving a college student association and its members would, accordingly, not violate DR 2-103(D)(5), provided it is limited to legal services incidental and reasonably related to the association's primary purposes. The activities discussed in N.Y. State 163 (1970) were found not to be incidental and reasonably related to a union's primary purpose while other activities discussed in N.Y. State 297 (1973) were found to be incidental and reasonably related to the union's primary purpose.

Because a college or university student association's primary purpose is to be concerned with the student member's general welfare to the extent that their activities are borne out of the fact of their college or university attendance, such problems as those involving landlord-tenant relationships, consumer affairs, domestic relations, disputes with the university and traffic offenses may be considered "incidental and reasonably related" to the association's primary purpose. Examples of services which would not be "incidental and reasonably related" would be those involving business ventures, probate, estate planning and drafting of trust instruments.

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