



Committee on Professional Ethics

Opinion #316 - 12/18/73 (46-73)

Topic: Advertising; brochure
describing law partnership

Digest: Brochure listing lawyers in
firm and describing their
qualifications improper.

Code: DR 2-101(A) and (B); DR 2-105
(A); cf. DR 2-102(A)(2);
Canon 9; EC 2-9

QUESTION

May a law firm prepare a brochure to be given to clients or prospective clients concerning the number of lawyers in the firm, their educational background, their experience and other pertinent information concerning activities of the firm?

OPINION

A brochure describing the activities of a law firm and the qualifications and experience of its members tend to unduly emphasize the importance of the firm and the competence of its partners, including very possibly their expertise in various branches of the law. Distributions by lawyers of such material to clients and prospective clients would constitute a form of advertising clearly proscribed by the Code. DR 2-101(A) and (B); DR 2-105(A); cf. DR 2-102(A)(2).

The apparent purpose of the brochure would be the indirect solicitation of legal business in violation of the traditional ban against such conduct. EC 2-9. The mere appearance of such impropriety should be avoided. Canon 9.

For these reasons the issuance of the brochure is disapproved. See, Matter of Connelly, 18 A.D. 2d 466, 479, 240 N.Y.S. 2d 126, 139 (1st Dept. 1963); ABA Inf. 530 (1962); N.Y. City 615 (1942).

This opinion does not prohibit appropriate answers to unsolicited inquiries concerning the firm.
