

STATEWIDE GRIEVANCE COMMITTEE



Advisory Opinion #07-00616-A Television Commercial

Pursuant to Practice Book §2-28B, the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, reviewed a request for an advisory opinion filed on July 19, 2007. The proposed advertisement consists of a 30 second television commercial in Spanish. The commercial is to air on Telemundo, locally in Hartford, New Haven and Springfield. This reviewing committee concludes one portion of the advertisement does not comply with the Rules of Professional Conduct.

The third sentence of the voice layover, heard during the commercial, makes the statement "They are exclusively in charge of immigration law." (underline added). The underlined phrase used in the advertisement violates Rule 7.4 of the Rules of Professional Conduct because it indicates specialization, which is inappropriate unless the lawyer is certified as a specialist in accordance with Rule 7.4 A of the Rules of Professional Conduct. Also it is inappropriate to attribute specialization to a law firm.

With the removal of the reference to "exclusively in charge of", this portion of the advertisement will comply with Rule 7.4.

Pursuant to Practice Book §2-28B(a) a suggested script was submitted with the advisory opinion request. The suggested changes are in compliance with the Rules of Professional Conduct

except for the phrase “practice exclusively US immigration law” in the third sentence of the voice layover. As indicated above, this language violates Rule 7.4 of the Rules of Professional Conduct because it implies that the lawyer or law firm is a specialist in a particular field of law.

With the removal of the reference to “exclusively”, the suggested script will comply with Rule 7.4.

The television advertisement displays the following for the duration of the commercial:

“Law Offices of Wayne E. Chapple, 241 Main Street, 5th Floor, Hartford, CT 06106.”

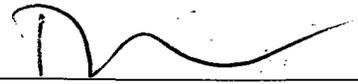
Rule 7.2 (d) of the Rules of Professional Conduct provides:

Any advertisement or communication made pursuant to this Rule shall include the name of at least one lawyer admitted in Connecticut responsible for its content. In the case of television advertisements, the name, address and telephone number of the lawyer admitted in Connecticut shall be displayed in bold print for fifteen seconds or the duration of the commercial, whichever is less, and shall be prominent enough to be readable.

The advertisement displays “Law Offices of” before the responsible attorney’s name. Since the only name that appears following “Law Offices of” is the responsible attorney’s name, and it appears in a different color than the words “Law Office of”, the advertisement is in compliance with Rule 7.2(d).

Accordingly, this reviewing committee opines that the foregoing portion of the advertisement containing the phrase “exclusively in charge of” and the proposed script language “practice exclusively US immigration law” do not comply with the Rules of Professional Conduct.

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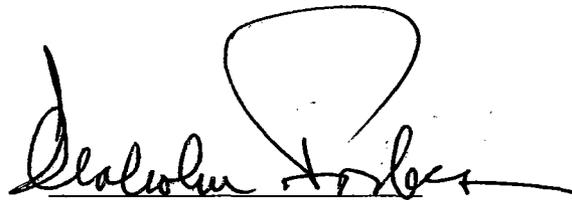
A handwritten signature in black ink, appearing to read 'Tracie Molinaro', written above a horizontal line.

Attorney Tracie Molinaro

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Attorney John Matulis, Jr.

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Malcolm Forbes

STATE OF CONNECTICUT



Michael P. Bowler
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(860) 568-5157

STATEWIDE GRIEVANCE COMMITTEE

www.jud.ct.gov

Second Floor – Suite Two

287 Main Street, East Hartford, Connecticut 06118-1885

August 10, 2007

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WAYNE ELLIOT CHAPPLE
THE LAW OFFICE OF
WAYNE E CHAPPLE LLC
241 MAIN ST FIFTH FL
HARTFORD, CT 06106

Re: 07-00616-A

Dear WAYNE ELLIOT CHAPPLE:

Enclosed is the written advisory opinion regarding the above referenced matter. If you have questions regarding this opinion, please email the Statewide Grievance Committee at Attorney.Advertising@jud.ct.gov or call (860) 568-5157.

Sincerely,

Statewide Grievance Committee

**Cc: Attorney Tracie Molinaro
Attorney John C. Matulis
Mr. Malcolm Forbes**

Please note that a request for an advisory opinion does not negate your obligation to file a copy of the advertisement, if necessary pursuant to Practice Book §2-28A, prior to or concurrently with its first dissemination.