

STATEWIDE GRIEVANCE COMMITTEE



Advisory Opinion #12-03904-A **Radio Advertisement Concerning Bankruptcy Process and Firm's Services**

Pursuant to Practice Book §2-28B, the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee¹, reviewed a request for an advisory opinion filed on June 11, 2012. The proposed advertisement is a radio commercial. The reviewing committee concluded that the advertisement complies with the Rules of Professional Conduct.

The proposed radio commercial advertises the bankruptcy services of the requesting law firm. A script of the proposed content of the commercial was provided for the advisory opinion request. The advertisement is purportedly spoken by the requesting attorney, who states his name and offers information about the firm's legal services. The proposed advertisement asserts that the firm provides a free, no-obligation consultation and will "walk" a client through the various steps of the bankruptcy process.

The radio commercial poses a series of questions concerning the various decisions to be made in evaluating bankruptcy as an option and offers that the law firm can assist. Further information about bankruptcy protection and the automatic bankruptcy stay are discussed. The commercial concludes by referring the listener to a website address comprised of the term "bankruptcy" and four numbers and offering a toll free number which incorporates part of the

¹ Mr. Vincent Mauro, the lay person member originally assigned to this Reviewing Committee, became unavailable and this decision was rendered by Attorney Evelyn Gryk Frolich and Attorney Noble Allen.

firm's name. The name of the law firm is a trade name apparently used by the firm's attorneys who are admitted in Connecticut and is part of a law group based in Massachusetts. The requesting law firm has a Connecticut firm juris number.

The proposed advertisement complies with Rule 7.2(d) of the Rules of Professional Conduct which requires the name of a Connecticut admitted attorney responsible for the advertisement be provided, since the name of the attorney is spoken in the radio advertisement. Pursuant to Rule 7.2(i) of the Rules of Professional Conduct, the above referenced information which references the firm's name, website information and toll free number is presumed not to violate the provisions of Rule 7.1 of the Rules of Professional Conduct, and therefore is not false or misleading.

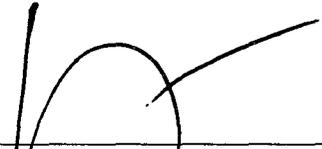
The name of the firm is a trade name and does not violate the provisions of Rule 7.5 of the Rules of Professional Conduct, which regulates attorney trade names. The website address is composed of four numbers and a practice area, and the toll free number incorporates the firm's trade name. The website address and the toll free number also comply with Rule 7.5. None of the information in the proposed advertisement is misleading pursuant to Rule 7.1 and the content discussing the bankruptcy process does not contain language implying specialization which would violate Rules 7.4 and 7.4A.

Accordingly, this reviewing committee opines that the proposed advertisement complies with the Rules of Professional Conduct. This reviewing committee offers no opinion as to whether or not this communication complies with the federal Bankruptcy Code advertising rules.

(E)

ISSUE DATE: July 10, 2012

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Attorney Noble F. Allen


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