

STATEWIDE GRIEVANCE COMMITTEE



Advisory Opinion #16-01754-A Firm Announcement Advertising New Partners Statement Regarding Attorney Services

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 February 11, 2016. The proposed advertisement will appear in newspapers, local magazines and be used as a mailer for a local bar association and chamber of commerce. The reviewing committee concluded that the advertisement complies with the Rules of Professional Conduct.

The proposed advertisement is a print advertisement announcing that two attorneys “have become partners of the firm.” The attorneys are pictured and a brief biographical statement is provided. One attorney, a member of the firm since 2011, “has focused her practice on Matrimonial and Family Law.” The second attorney, a firm member since 2008, “concentrates his practice on Land Use & Real Estate Development, Tax Appeals & Valuation Law, and Civil Litigation.”

The advertisement offers that both attorneys “are experienced and skilled attorneys adept at handling complex legal matters.” The firm congratulates both and notes they are “the first partners named since the year 2000.” The name of the firm, address, phone and fax numbers, email and website address are listed in the advertisement along with a graphic of “Lady Justice” and a gavel.

The proposed advertisement complies with Rule 7.2(d) of the Rules of Professional Conduct by listing the name of at least one attorney admitted in Connecticut responsible for its content. Pursuant to Rule 7.2(i) of the Rules of Professional Conduct, the above referenced information

which references the firm's name, address, phone number, website and email information 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 language used to describe the areas of practice of the attorneys does not violate Rules 7.4 and 7.4A of the Rules of Professional Conduct, which control how an attorney may describe practice areas and limits the use of terms of specialization to properly certified attorneys. In the proposed advertisement the attorneys "focus" or "concentrate" in listed practice areas.

The requesting attorney in asking for the advisory opinion was particularly concerned about the phrase which states that the attorneys "are experienced and skilled attorneys adept at handling complex legal matters." Rule 7.1 of the Rules of Professional Conduct regulates the content of attorney advertising and provides: "A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services." As stated in the commentary to Rule 7.1, statements made in attorney advertising must have a "reasonable factual foundation." This reviewing committee does not have independent knowledge of the skill of the firm's attorneys and this opinion assumes that the law firm makes the statement because it is factually true. The statement does not contain impermissible characterizations of the attorney's services such as superlative descriptions or claims of specialization and does not violate Rule 7.1.

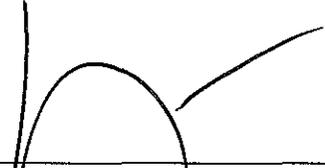
Accordingly, this reviewing committee opines that the advertisement complies with the Rules of Professional Conduct.

(E)

ISSUE DATE: February 25, 2016



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Mr. Peter M. Jenkins