

STATEWIDE GRIEVANCE COMMITTEE



Advisory Opinion #12-03903-A Radio Advertisement for Bankruptcy 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 services of the requesting law firm in the area of bankruptcy law. 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 affordable services with an experienced bankruptcy attorney in Chapter 7 and Chapter 13 filings.

The radio commercial offers a "free, no-strings-attached" confidential case evaluation and indicates that more information can be obtained at a website address that consists of "Bankruptcy" and four numbers. The proposed advertisement proceeds to discuss the general problem of significant debt and the fact that bankruptcy may be a solution but each case must be evaluated separately. The commercial concludes by providing a toll free number which incorporates part of

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.

the firm's name, repeats the website address, and offers convenient appointments early in the morning, at night or on Sundays. 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 debt and bankruptcy 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.

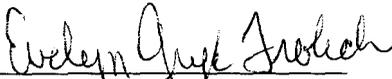
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ISSUE DATE: July 10, 2012

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Attorney Noble F. Allen


Attorney Evelyn Gryk Frolich