

You wish to know whether an attorney may administer a prepaid legal services plan filed and approved by the SCC, providing the services under the plan, and personally market the program to individuals, businesses and groups.

Disciplinary Rule 2-103(B) [ DR:2-103] states "a lawyer shall not assist in, cooperate with, or offer any qualified legal services plan or assist in or cooperate with any insurer providing legal services insurance as authorized by law to promote the use of his services or those of his partner or associate or any other lawyer affiliated with him or his firm if his assistance, cooperation or offer, and the communications of the organization, are not in accordance with the standards of DR:2-101 or 2-103(A), as appropriate."

The Committee opines that as long as the prepaid legal plan is properly licensed by the State Corporation Commission ( § 38.2-4400 et seq., Va. Code) and you comply with the provisions of DR:2-101 and DR:2-103, it is not improper for you to personally market the prepaid legal services program.

Committee Opinion  
March 2, 1988