

You advise that you wish to purchase a display advertisement that will give your name, office address and phone number, and will list four areas of law in which you practice. No other representations will be made in this advertisement. The display ad will be located in a local grocery store on a freestanding consumer information center, along with other advertisers. The primary objective of the center is the dissemination of consumer information, although the sponsor of the center is a private "for profit" ad marketing company, which sells the space.

You wish to know whether or not it is proper for an attorney to use such a display advertisement.

Disciplinary Rule 2-101(A) states, "A lawyer shall not, on behalf of himself or any other lawyer affiliated with him or his firm, use or participate in the use of any form of public communication if such communication contains a false, fraudulent, misleading, or deceptive statement or claim."

There does not appear to be anything within your advertisement which would violate DR:2-101.

The Committee, however, does direct you to DR:2-104(A) and (B). Disciplinary Rule 2-104(A) states, "A lawyer shall not hold himself out publicly as, or imply that he is, a recognized or certified specialist except in accordance with either DR:2-101, DR:2-102 or DR:2-103. "Disciplinary Rule 2-104(B) states, "A lawyer may state, announce or hold himself out as limiting his practice to a particular area or field of law so long as his communication of such limitation of practice is in accordance with the standards of DR:2-101, DR:2-102, or DR:2-103." The Committee believes you must be cautious not to violate either of these two disciplinary rules when listing the four areas of law in which you practice.

Committee Opinion
March 8, 1988