

Committee Opinion
May 2, 1989

LEGAL ETHICS OPINION 1231

ADVERTISEMENT AND
SOLICITATION: USE OF THE WORD
"SPECIALIZES" IN ADVERTISEMENT.

You have asked the Committee to consider whether a proposed advertisement which an attorney intends to place in the Virginia State Trooper Magazine is in violation of any of the Disciplinary Rules or Ethical Considerations of the Code of Professional Responsibility.

The opinion of the Committee assumes that the factual allegations are accurate and that the attorney's practice is limited to the area stated. Given that, and pursuant to DR:2-101 and DR:2-103, the information concerning the attorney's former employment as a police officer from one of the larger metropolitan areas in the southeastern United States as well as the specific areas of personal injury and workers' compensation cannot be construed to be a false, fraudulent, misleading or deceptive statement or claim.

By a split decision, the Committee previously opined in LE Op. 923 that it was not per se unethical for an attorney to advertise that he specializes in a certain area of law as long as the advertisement did not state that the attorney was a recognized or certified specialist. (See also LE Op. 979)

While the word "specializes" alone does not imply a recognized specialist designation, the Committee believes that a more appropriate and less misleading choice of words would be "areas of practice are limited to the representation of state, county and municipal law enforcement officers and deputy sheriffs."

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