



January 1, 2010

ABA Commission on Ethics 20/20
321 N. Clark Street
Chicago, IL 60654
ethics2020@staff.abanet.org

Re: Preliminary Issues Outline - Legal Marketing Association Initial Comments

The Legal Marketing Association (LMA) is pleased to support the ABA Commission on Ethics 20/20 (Commission) in its efforts to address critical issues impacting the professional values of the American legal profession.

LMA is a not-for-profit organization with nearly 3,000 members worldwide dedicated to serving the needs and maintaining the professional standards of the men and women involved in marketing within the legal profession. The majority of LMA members work in law firms, ranging from global firms with more than 1,000 lawyers to small boutique practices. Members range from law partners to support staff, with many serving in a firm's administration. More information about LMA may be found at www.legalmarketing.org.

During the Commission's process, LMA's interest and input will be focused mainly on the Preliminary Issues Outline, Section II - Issues that Arise in Light of Current and Future Advances in Technology That Enhance Virtual Cross-Border Access; Subsections A & C. This section seems most likely to encompass Rules 7.1 through 7.5 of the ABA Model Rules of Professional Conduct that govern communications concerning lawyer services, advertising and among other provisions, contact with potential clients. LMA also is interested in the Commission's consideration of Rule 8.5: Choice of Law with regard to eliminating the phrase *or offers to provide* in 8.5(a). Additionally, there may be other provisions of interest as the work evolves.

In 2006, LMA's International Board of Directors adopted a resolution supporting uniform regulation, interpretation and disciplinary enforcement of the rules of professional conduct governing client development among all jurisdictions of the United States. As part of the first phase of the Commission's work, LMA would be pleased to provide further information, as well as the position paper in support of the resolution. More so than ever, and with the advent of new and developing technologies such as Facebook, Twitter, web blogs, etc., the current regulatory climate makes it difficult to comply with the myriad of state bar rules.

LMA encourages the Commission to consider Rules 7.1 through 7.5 and 8.5(a), and to amend/develop model rules that are balanced between protecting consumers of legal services, and allowing the legal profession to truthfully communicate to the lay public about the scope and availability of legal services.

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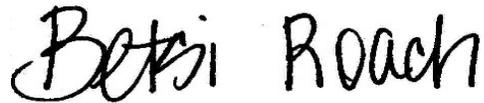
LMA looks forward to participating in the Commission's ongoing research and dialogue as it develops recommendations to the ABA's House of Delegates. If appropriate, our organization would be pleased to assist the Commission in its efforts or present testimony at a future Commission meeting.

Thank you for your consideration.

Respectfully submitted,

Handwritten signature of Nathan Darling in cursive script.

Nathan Darling
2010 President

Handwritten signature of Betsi Roach in cursive script.

Betsi Roach
Executive Director