

	<p style="text-align: center;">American Bar Association CPR Policy Implementation Committee</p> <p style="text-align: center;">Variations of the ABA Model Rules of Professional Conduct</p> <p style="text-align: center;">Rule 5.7 Responsibilities Regarding Law-Related Services</p> <p>(a) A lawyer shall be subject to the Rules of Professional Conduct with respect to the provision of law-related services, as defined in paragraph (b), if the law-related services are provided:</p> <p style="padding-left: 40px;">(1) by the lawyer in circumstances that are not distinct from the lawyer's provision of legal services to clients; or</p> <p style="padding-left: 40px;">(2) in other circumstances by an entity controlled by the lawyer individually or with others if the lawyer fails to take reasonable measures to assure that a person obtaining the law-related services knows that the services are not legal services and that the protections of the client-lawyer relationship do not exist.</p> <p>(b) The term "law-related services" denotes services that might reasonably be performed in conjunction with and in substance are related to the provision of legal services, and that are not prohibited as unauthorized practice of law when provided by a nonlawyer.</p> <p>Variations from ABA Model Rule are noted. Based on reports of state committees reviewing recent changes to the model rules. For information on individual state committee reports, see http://www.abanet.org/cpr/jclr/home.html.</p> <p>Comments not included.</p> <p>*Current links to state Rules of Professional conduct can be found on the ABA website: http://www.abanet.org/cpr/links.html*</p>
AL Effective 2/19/09	Does not adopt
AK Effective 4/15/09	(b) Changes “means” to “denotes.”
AZ Effective 12/1/03	This rule is new to AZ and is slightly different from the new MR: (a) “A lawyer may provide, to clients and to others, law-related services, as defined in paragraph (b), either: (1) by the lawyer in circumstances that are not distinct from the lawyer’s provision of legal services to clients; or (2) by a separate entity which is controlled by the lawyer individually or with others.

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	<p>Where the law-related services are provided by the lawyer in circumstances that are not distinct from the lawyer's provision of legal services to clients, the lawyer shall be subject to the provisions of the Rules of Professional Conduct in the course of providing such services. In circumstances in which law-related services are provided by a separate entity controlled by the lawyer individually or with others, the lawyer shall not be subject to the Rules of Professional Conduct, in the course of providing such services, only if the lawyer takes reasonable measures to assure that a person obtaining the law-related services knows that the services of the separate entity are not legal services and that the protections of the client-lawyer relationship do not apply.</p> <p>(b): same as MR</p>
AR Effective 5/1/05	Same as MR
CA Current Rule	<p>[California's Rules of Professional Conduct are structured differently from the ABA Model Rules. Please see California Rules : http://calbar.ca.gov/calbar/pdfs/rules/Rules_Professional-Conduct.pdf]</p>
CO Effective 1/1/08	Same as MR
CT Effective 1/1/07	Does not adopt
DE Effective 7/1/03	Same as MR
District of Columbia Effective 2/1/07	Same as MR
FL Effective 5/22/06	<p>Title: replaces "Law-Related" with "Nonlegal"</p> <p>(a) Services Not Distinct From Legal Services. A lawyer who provides nonlegal services to a recipient that are not distinct from legal services provided to that recipient is subject to the Rules Regulating The Florida Bar with respect to the provision of both legal and nonlegal services.</p> <p>(b) Services Distinct From Legal Services. A lawyer who provides nonlegal services to a recipient that are distinct from any legal services provided to the recipient is subject to the Rules Regulating The Florida Bar with respect to the nonlegal services if the lawyer knows or reasonably should know that the recipient might believe that the recipient is receiving the protection of a client-lawyer relationship.</p> <p>(c) Services by Nonlegal Entity. A lawyer who is an owner, controlling party, employee, agent, or otherwise is affiliated with an entity providing nonlegal services to a recipient is subject to the Rules Regulating The Florida Bar with respect to the nonlegal services if the lawyer knows or reasonably should know that the recipient might believe that the recipient is receiving the protection of a client-lawyer relationship.</p> <p>(d) Effect of Disclosure of Nature of Service. Subdivision (b) or (c) does not apply if the lawyer makes reasonable efforts to avoid any misunderstanding by the recipient receiving nonlegal services. Those efforts must include advising the</p>

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	recipient, preferably in writing, that the services are not legal services and that the protection of a client-lawyer relationship does not exist with respect to the provision of nonlegal services to the recipient.
GA* Effective 1/1/01	<i>*Has not amended Rule since the most recent amendments to the ABA Model Rules</i> (a)(2) Deletes “in other circumstances by an entity” and adds instead “by a separate entity;” Adds to end: “The maximum penalty for a violation of this Rule is a public reprimand.”
HI* Effective 1/1/94	<i>*Has not amended Rule since the most recent amendments to the ABA Model Rules</i> Does not have.
ID Effective 7/1/04	Did not make Ethics 2000’s 2/02 changes to (b)(1)
IL Effective 1/1/2010	Reserved
IN Effective 1/1/05	Same as MR
IA Effective 7/1/05	Same as MR
KS Effective 7/1/07	Same as MR
KY Effective 7/15/09	Does not adopt
LA Effective 3/1/04	Does not adopt
ME Effective 8/1/09	Same as MR
MD Effective 7/1/05	Same as MR
MA Rules effective 9/1/08	Same as MR
MI Rules effective 10/1/88 Amendments effective	Same as MR. Adds “Michigan” to the “Rules of Professional Conduct.”

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1/1/2011	
MN Effective 10/1/05	Same as MR
MS Effective 11/3/05	Same as MR
MO Effective 7/1/07	Same as MR
MT Effective 4/1/04	Does not adopt
NE Effective 9/1/05	Same as MR
NV Effective 5/1/06	Does not adopt
NH Effective 1/1/08	Same as MR
NJ Effective 1/1/04	Does not adopt
NM Effective 11/2/09	Changed to Rule 16-507; (a) Renamed Paragraph “ A. Application of rule; ” Changes “paragraph (b)” to “Paragraph B of this rule;” (b) Renamed Paragraph “ B. Definition of “law-related services.” ”
NY Effective 4/1/09	Does not adopt. However has instead: <i>RULE 5.7: RESPONSIBILITIES REGARDING NONLEGAL SERVICES</i> <i>(a) With respect to lawyers or law firms providing nonlegal services to clients or other persons:</i> <i>(1) A lawyer or law firm that provides nonlegal services to a person that are not distinct from legal services being provided to that person by the lawyer or law firm is subject to these Rules with respect to the provision of both legal and nonlegal services.</i> <i>(2) A lawyer or law firm that provides nonlegal services to a person that are distinct from legal services being provided to that person by the lawyer or law firm is subject to these Rules with respect to the nonlegal services if the person receiving the services could reasonably believe that the nonlegal services are the subject of a client-lawyer relationship.</i>

	<p><i>(3) A lawyer or law firm that is an owner, controlling party or agent of, or that is otherwise affiliated with, an entity that the lawyer or law firm knows to be providing nonlegal services to a person is subject to these Rules with respect to the nonlegal services if the person receiving the services could reasonably believe that the nonlegal services are the subject of a client-lawyer relationship.</i></p> <p><i>(4) For purposes of paragraphs (a)(2) and (a)(3), it will be presumed that the person receiving nonlegal services believes the services to be the subject of a client-lawyer relationship unless the lawyer or law firm has advised the person receiving the services in writing that the services are not legal services and that the protection of a client-lawyer relationship does not exist with respect to the nonlegal services, or if the interest of the lawyer or law firm in the entity providing nonlegal services is de minimis.</i></p> <p><i>(b) Notwithstanding the provisions of paragraph (a), a lawyer or law firm that is an owner, controlling party, agent, or is otherwise affiliated with an entity that the lawyer or law firm knows is providing nonlegal services to a person shall not permit any nonlawyer providing such services or affiliated with that entity to direct or regulate the professional judgment of the lawyer or law firm in rendering legal services to any person, or to cause the lawyer or law firm to compromise its duty under Rule 1.6(a) and Rule 1.6(c) with respect to the confidential information of a client receiving legal services.</i></p> <p><i>(c) For purposes of this Rule, “nonlegal services” shall mean those services that lawyers may lawfully provide and that are not prohibited as an unauthorized practice of law when provided by a nonlawyer.</i></p>
<p>NC Effective 3/1/03</p>	<p>did not previously have this rule; essentially have proposed the rule without the changes added by E2k (which were not extensive.)</p>
<p>ND Effective 8/1/06</p>	<p>Same as MR</p>
<p>OH Effective 2/1/07</p>	<p>(a): replaces “paragraph (b)” with “division (e) of this rule,” adds to end “in either of the following circumstances”</p> <p>(b)(2): adds “or owned” after “controlled;” replaces “if the lawyer fails to take” with “unless the lawyer takes,” “assure” with “ensure”</p> <p>Adds (b) A lawyer who controls or owns an interest in a business that provides a law-related service shall not require any customer of that business to agree to legal representation by the lawyer as a condition of the engagement of that business. A lawyer who controls or owns an interest in a business that provides law-related services shall disclose the interest to a customer of that business, and the fact that the customer may obtain legal services elsewhere, before performing legal services for the customer.</p> <p>Adds (c) A lawyer who controls or owns an interest in a business that provides a law-related service shall not require the lawyer’s client to agree to use that business as a condition of the engagement for legal services. A lawyer who controls or owns an interest in a business that provides a law-related service shall disclose the interest to the client, and the fact that the client may obtain the law-</p>

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	<p>related services elsewhere, before providing the law-related services to the client. Adds (d) Limitations or obligations imposed by this rule on a lawyer shall apply to both of the following:</p> <p>(1) every lawyer in a firm who knows that another lawyer in his or her firm controls or owns an interest in a business that provides a law-related service;</p> <p>(2) every lawyer in a firm that controls or owns an interest in a business that provides a law-related service.</p> <p>(e): same as MR (b) but deletes “and in substance are related to”</p>
OK Effective 1/1/08	Same as MR
OR Effective 12/1/06	Reserved
PA Effective 7/1/06	<p>replaces MR (a)(1) – (2) with paragraphs (a) – (c):</p> <p>(a) A lawyer who provides nonlegal services to a recipient that are not distinct from legal services provided to that recipient is subject to the Rules of Professional Conduct with respect to the provision of both legal and nonlegal services.</p> <p>(b) A lawyer who provides nonlegal services to a recipient that are distinct from any legal services provided to the recipient is subject to the Rules of Professional Conduct with respect to the nonlegal services if the lawyer knows or reasonably should know that the recipient might believe that the recipient is receiving the protection of a client-lawyer relationship.</p> <p>(c) A lawyer who is an owner, controlling party, employee, agent, or is otherwise affiliated with an entity providing nonlegal services to a recipient is subject to the Rules of Professional Conduct with respect to the nonlegal services if the lawyer knows or reasonably should know that the recipient might believe that the recipient is receiving the protection of a client-lawyer relationship.</p> <p>adds as (d): Paragraph (b) or (c) does not apply if the lawyer makes reasonable efforts to avoid any misunderstanding by the recipient receiving nonlegal services. Those efforts must include advising the recipient that the services are not legal services and that the protection of a client-lawyer relationship does not exist with respect to the provision of nonlegal services to the recipient.</p> <p>(e) same as MR (b)</p>
RI Effective 4/15/07	Same as MR
SC Effective 10/1/05	Same as MR
SD Effective 1/1/04	Same as MR
TN Effective 1/1/11	Same as MR
TX* Effective 3/1/05	<p><i>*Has not amended Rule since the most recent amendments to the ABA Model Rules</i></p> <p>Does not have</p>

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UT Effective 11/1/05	Same as MR
VT Effective 9/1/09	Same as MR
VA Effective 1/1/04	Same as MR
WA Effective 9/1/06	Same as MR
WV* Effective 1/1/89	<i>*Has not amended Rule since the most recent amendments to the ABA Model Rules</i> Does not have.
WI Effective 7/1/07	Does not have MR Adds Limited liability legal practice (a)(1) A lawyer may be a member of a law firm that is organized as a limited liability organization solely to render professional legal services under the laws of this state, including chs. 178 and 183 and subch. XIX of ch. 180. The lawyer may practice in or as a limited liability organization if the lawyer is otherwise licensed to practice law in this state and the organization is registered under sub. (b). (2) Nothing in this rule or the laws under which the lawyer or law firm is organized shall relieve a lawyer from personal liability for any acts, errors or omissions of the lawyer arising out of the performance of professional services. (b) A lawyer or law firm that is organized as a limited liability organization shall file an annual registration with the state bar of Wisconsin in a form and with a filing fee that shall be determined by the state bar. The annual registration shall be signed by a lawyer who is licensed to practice law in this state and who holds an ownership interest in the organization seeking to register under this rule. The annual registration shall include all of the following: (1) The name and address of the organization. (2) The names, residence addresses, states or jurisdictions where licensed to practice law, and attorney registration numbers of the lawyers in the organization and their ownership interest in the organization. (3) A representation that at the time of the filing each lawyer in the organization is in good standing in this state or, if licensed to practice law elsewhere, in the states or jurisdictions in which he or she is licensed. (4) A certificate of insurance issued by an insurance carrier certifying that it has issued to the organization a professional liability policy to the organization as provided in sub. (bm). (5) Such other information as may be required from time to time by the state bar of Wisconsin. (bm) The professional liability policy under sub. (b)(4) shall identify the name of the professional liability carrier, the policy number, the expiration date and the limits and deductible. Such professional liability insurance shall provide not less than the following limits of liability:

	<p>(1) For a firm composed of 1 to 3 lawyers, \$100,000 of combined indemnity and defense cost coverage per claim, with a \$300,000 aggregate combined indemnity and defense cost coverage amount per policy period.</p> <p>(2) For a firm composed of 4 to 6 lawyers, \$250,000 of combined indemnity and defense cost coverage per claim, with \$750,000 aggregate combined indemnity and defense cost coverage amount per policy period.</p> <p>(3) For a firm composed of 7 to 14 lawyers, \$500,000 of combined indemnity and defense cost coverage per claim, with \$1,000,000 aggregate combined indemnity and defense cost coverage amount per policy period.</p> <p>(4) For a firm composed of 15 to 30 lawyers, \$1,000,000 of combined indemnity and defense cost coverage per claim, with \$2,000,000 aggregate combined indemnity and defense cost coverage amount per policy period.</p> <p>(5) For a firm composed of 31 to 50 lawyers, \$4,000,000 of combined indemnity and defense cost coverage per claim, with \$4,000,000 aggregate combined indemnity and defense cost coverage amount per policy period.</p> <p>(6) For a firm composed of 51 or more lawyers, \$10,000,000 of combined indemnity and defense cost coverage per claim, with \$10,000,000 aggregate combined indemnity and defense cost coverage amount per policy period.</p> <p>(c) Nothing in this rule or the laws under which a lawyer or law firm is organized shall diminish a lawyer's or law firm's obligations or responsibilities under any provisions of this chapter.</p> <p>(d) A law firm that is organized as a limited liability organization under the laws of any other state or jurisdiction or of the United States solely for the purpose of rendering professional legal services that is authorized to do business in Wisconsin and that has a least one lawyer licensed to practice law in Wisconsin may register under this rule by complying with the provisions of sub. (b).</p> <p>(e) A lawyer or law firm that is organized as a limited liability organization shall do all of the following:</p> <p>(1) Include a written designation of the limited liability structure as part of its name.</p> <p>(2) Provide to clients and potential clients in writing a plain-English summary of the features of the limited liability law under which it is organized and the applicable provisions of this chapter.</p>
<p>WY Effective 7/1/06</p>	<p>Same as MR</p>

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