

AMERICAN BAR ASSOCIATION
CPR POLICY IMPLEMENTATION COMMITTEE

STATE ADOPTION OF THE ABA MODEL RULES OF PROFESSIONAL
CONDUCT AND COMMENTS¹

A. ADOPTED THE RULES AND THE COMMENTS (40 STATES)

1. **Alabama** (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative).

http://alabar.org/rulechanges/Rule%205.5_Rules%20of%20Professional%20Code_Unauthorized%20Practice%20of%20Law_Supreme%20Court%20order.pdf

2. **Alaska** (The Comments are intended as guides to interpretation, but the text of each rule is authoritative). <http://www.courts.alaska.gov/sco/sco1680.pdf>

3. **Arizona** (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative). [The professional conduct of members shall be governed by the Model Rules of Professional Conduct of the American Bar Association, adopted August 2, 1983, as amended by this court and adopted as the Arizona Rules of Professional Conduct. Amended June 9, 2003; effective Dec. 1, 2003].

<http://weblinks.westlaw.com/result/default.aspx?cite=UUID%28NBF203A0071%2D7A11DAA16E8%2DD4AC7636430%29&db=1003576&findtype=VQ&fn=%5Ftop&pb=D A010192&rlt=CLID%5FFQRLT13288432210185&rp=%2FSearch%2Fdefault%2Ewl&rs=WEBL11%2E04&service=Find&spa=AZR%2D1000&sr=TC&vr=2%2E0>

4. **Arkansas** (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative). <http://courts.state.ar.us/opinions/2005a/20050303/arpc2005.html>

5. **Colorado** (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative).

http://www.courts.state.co.us/userfiles/File/Court_Probation/Supreme_Court/Rule_Changes/2007/07_07.pdf

6. **Connecticut** (The Commentaries are intended as guides to interpretation, but the text of each Rule is authoritative). (Amended June 26, 2006, effective January 1, 2007.)

http://www.jud.ct.gov/Publications/PracticeBook/PB_2011.pdf

7. **Delaware** (The Comments are intended as guides to interpretation, but the text of each rule is authoritative).

http://courts.delaware.gov/Rules/?DLRPCwithComments_Oct2007.pdf

8. **District of Columbia** (The Comments are intended as guides to interpretation, but the text of each rule is authoritative). http://www.dcbarr.org/new_rules/rules.cfm

9. Florida (The comment accompanying each rule explains and illustrates the meaning and purpose of the rule. The comments are intended only as guides to interpretation, whereas the text of each rule is authoritative. Thus, comments, even when they use the term "should," do not add obligations to the rules but merely provide guidance for practicing in compliance with the rules.

http://www.floridasupremecourt.org/clerk/comments/2004/04-2246_PetitionAppendixC2Column.pdf#xml=http://199.242.69.43/texis/search/pdfhi.txt?query=rules+of+professional+conduct&pr=Florida+Supreme+Court&prox=page&rorder=500&rprox=500&rdfreq=500&rwfreq=500&rlead=500&rdepth=0&sufs=0&order=r&cq=&id=4d36ff647

10. Georgia (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative). June 12, 2000, the Supreme Court of Georgia adopted the new Georgia Rules of Professional Conduct that became effective on January 1, 2001. The Georgia Rules of Professional Conduct replace rules 4-101 and 4-102 of Part IV, Discipline, of the Rules of the State Bar of Georgia. Part III, Canons of Ethics, is deleted in its entirety and reserved for future use. <http://www.gabar.org/handbook/>

11. Hawaii (The comments are intended as guides to interpretation, but the text of each rule is authoritative). <http://www.state.hi.us/jud/ctrules/hrpcond.htm>

12. Idaho (The comments are intended as guides to interpretation, but the text of each rule is authoritative). <http://isb.idaho.gov/pdf/rules/irpc.pdf>

13. Illinois (The comments are intended as guides to interpretation, but the text of each rule is authoritative). http://www.state.il.us/court/supremecourt/rules/art_viii/ArtVIII_NEW.htm#order

14. Indiana (The comments are intended as guides to interpretation, but the text of each rule is authoritative). http://www.state.in.us/judiciary/rules/prof_conduct/index.html

15. Iowa (The comments are intended as guides to interpretation, but the text of each rule is authoritative). <http://www.iowacourts.gov/wfdata/frame2397-1066/File1.pdf>

16. Kansas (The comments are intended as guides to interpretation, but the text of each rule is authoritative). <http://www.kscourts.org/kansas-courts/supreme-court/orders/2007/2007SC021.pdf>

17. Kentucky (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative). <http://courts.ky.gov/NR/rdonlyres/AA868FA5-6B4B-4C20-A06C-D5C4FC0D1596/0/RevisedSCRuleseffective7152009.pdf>

18. Maryland (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative). <http://michie.lexisnexis.com/maryland/lpext.dll?f=templates&fn=main-h.htm&cp=>

19. Massachusetts (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative). <http://www.mass.gov/obcbbo/rpcnet.htm>

20. Mississippi (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative).
http://www.mssc.state.ms.us/rules/msrulesofcourt/rules_of_professional_conduct.pdf

21. Missouri (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative). <http://www.courts.mo.gov/page.jsp?id=707>

22. Nebraska (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative). <http://www.supremecourt.ne.gov/rules/pdf/Ch3Art5.pdf>

23. New Mexico (The commentaries are intended as guides to interpretation, but the text of each rule is authoritative).
<http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&fn=main-h.htm&2.0>

24. North Carolina (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative). <http://www.ncbar.com/rules/rpcsearch.asp>

25. North Dakota (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative).
<http://www.ndcourts.gov/Rules/Conduct/contents.htm#Preamble, Scope and Terms>

26. Ohio (The comments are intended as guides to interpretation, but the text of each rule is authoritative).
<http://www.sconet.state.oh.us/LegalResources/Rules/ProfConduct/profConductRules.pdf>

27. Oklahoma (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative).
<http://www.oscn.net/applications/OCISWeb/index.asp?level=1&ftdb=STOKST05#Appendix3-A-OklahomaRulesofProfessionalConduct>

28. Pennsylvania (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative).
<http://www.padisciplinaryboard.org/documents/RulesOfProfessionalConduct.pdf>

29. Rhode Island (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative).
http://www.courts.ri.gov/supreme/pdf-files/Rules_Of_Professional_Conduct.pdf

30. South Carolina (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative). <http://www.sccourts.org/courtReg/>

31. South Dakota (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative). http://www.sdbar.org/Rules/Rules/PC_Rules.htm

32. Tennessee (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative).

http://www.tba.org/ethics/TSC_Order_Adopting_TRPC.pdf

33. Texas (The Comments also frequently illustrate or explain applications of the rules, in order to provide guidance for interpreting the rules and for practicing in compliance with the spirit of the rules. The Comments do not, however, add obligations to the rules and no disciplinary action may be taken for failure to conform to the Comments).

http://www.texasbar.com/AM/Template.cfm?Section=Grievance_Info_and_Ethics_Help_line&Template=/CM/ContentDisplay.cfm&ContentFileID=96

34. Utah (The comments are intended as guides to interpretation, but the text of each rule is authoritative). http://www.utcourts.gov/resources/rules/ucja/#Chapter_13

35. Vermont (The comments are intended as guides to interpretation, but the text of each rule is authoritative).

<http://www.michie.com/vermont/lpext.dll?f=templates&fn=main-h.htm&2.0>

36. Virginia (Comments do not add obligations to the Rules but provide guidance for practicing in compliance with the Rules). <http://www.vsb.org/docs/2009-10-pg-rpc.pdf>

37. Washington (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative).

http://www.courts.wa.gov/court_rules/?fa=court_rules.rulesPDF&groupName=ga&setName=RPC

38. West Virginia (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative). <http://www.wvdc.org/ropc.htm>

39. Wisconsin (The Comments are intended as guides to interpretation, but the text of each rule is authoritative). <http://legis.wisconsin.gov/rsb/scr/5200.pdf>

40. Wyoming (The Comments are intended as guides to interpretation, but the text of each Rule is authoritative).

http://courts.state.wy.us/CourtRules_Entities.aspx?RulesPage=AttorneysConduct.xml

B. ADOPTED THE RULES BUT NOT THE COMMENTS (4 STATES)

1. Maine (The specific rules of the Maine Rules of Professional Conduct are stated below. To aid in understanding of the rules, a Preamble from the Maine Task Force on Ethics precedes the rules, and the text of each rule is followed by comments and reporter's notes. The Preamble, comments and reporter's notes state the history of and reasons for recommending the rules, discuss the relation of the new rules to the current

Code of Professional Responsibility, and offer interpretations of the new rules, but the Preamble, comments and reporter's notes are not part of the rules adopted by the Court).

http://www.courts.state.me.us/rules_forms_fees/rules/MRProfCondPLUS3-10.pdf

2. Michigan (The rules and comments were largely drawn from the American Bar Association's Model Rules of Professional Conduct. Prior to submission of those Model Rules to the Michigan Supreme Court, the State Bar of Michigan made minor changes in the rules and the comments to conform them to Michigan law and preferred practice. The Supreme Court then adopted the rules, with such substantive changes as appeared proper to the Court. Additional changes in the comments were then made by staff to conform the comments to the rules as adopted by the Supreme Court. The Supreme Court has authorized publication of the comments as an aid to the reader, but the rules alone comprise the Supreme Court's authoritative statement of a lawyer's ethical obligations).

<http://coa.courts.mi.gov/rules/documents/5MichiganRulesOfProfessionalConduct.pdf>

3. Minnesota (On June 17, 2005, the Minnesota Supreme Court ordered that: the amendments to the Minnesota Rules of Professional Conduct contained herein are prescribed and promulgated to be effective October 1, 2005. The inclusion of comments is made for convenience and does not reflect court approval of the comments made therein). <http://lprb.mncourts.gov/rules/Pages/MRPC.aspx>

4. New Hampshire (Effective January 1, 2008: . . . only the text of the following rules are being adopted – the New Hampshire Comments and ABA Comments set forth below are not being adopted as part of the rules).

<http://www.courts.state.nh.us/supreme/orders/20072507.pdf>

C. ADOPTED THE RULES WITH NO COMMENTS (6 STATES)

1. Louisiana (Revised Rules effective March 1, 2004).

<http://www.ladb.org/Publications/ropc.pdf>

2. Montana (Effective April 1, 2004).

http://www.montanaodc.org/Portals/ODC/docs/rules_of_professional_conduct.pdf

3. Nevada (Effective May 1, 2006).

<http://www.leg.state.nv.us/courtrules/RPC.html>

4. New Jersey <http://www.judiciary.state.nj.us/rules/apprpc.htm>

5. New York (Effective April 1, 2009)

http://www.nysba.org/Content/NavigationMenu/ForAttorneys/ProfessionalStandardsforAttorneys/Professional_Standar.htm

6. Oregon (Effective January 1, 2005). <http://www.osbar.org/docs/rulesregs/orpc.pdf>

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¹ **CALIFORNIA:** California has not adopted the Model Rules but the proposed California Rules of Professional Conduct include Comments.