

**Comparison of Newly Adopted Connecticut Rules of Professional Conduct  
with ABA Model Rules**

	CONNECTICUT
	<p>Rules as adopted by Connecticut Supreme Court to be effective 1/1/07.  Revisions to 1.15 effective 1/1/2012.  Revisions to 1.2, 1.8, 5.5 and 7.4(A) effective 1/1/08.  Variations from the Model Rules are noted.  Rules only; Comment comparison not included.</p>
Preamble	<p>Does not number paragraphs  Second paragraph: same as MR [2] but in last sentence deletes “an” before “evaluator,” replaces “acts by examining” with “examines” and “reporting” with “reports” and adds “on the client’s behalf” to end  Sixth paragraph: same as MR [6] but does not have third and fourth sentences and replaces “Therefore, all lawyers should devote professional time and resources and use civic influence” with “All lawyers should work”</p>
Scope	<p>Does not number paragraphs  First paragraph: same as MR [14] but does not have last two sentences  Second paragraph: same as former MR [14]  Third paragraph: same as MR [17]  Fourth paragraph: same as former MR [16]  Fifth and sixth paragraphs: same as MR [19] and [20]  Seventh and eighth paragraphs: same as former MR [19] and [20]  Ninth paragraph: same as MR [21] but adds “Commentaries do not add obligations to the Rules but provide guidance for practicing in compliance with the Rules. The Commentaries are sometimes used to alert lawyers to their responsibilities under other law, such as court rules and statutes relating to matters of licensure, laws defining specific obligations of lawyers and substantive and procedural law in general.” to end</p>
Rule 1.0	<p>Adds (b) “Client” or “person” as used in these Rules includes an authorized representative unless otherwise stated.  (c) – (o): same as MR (b) – (n)</p>
Rule 1.1	Identical
Rule 1.2	<p>(a): adds to end “Subject to revocation by the client and to the terms of the contract, a client’s decision to settle a matter shall be implied where the lawyer is retained to represent the client by a third party obligated under the terms of a contract to provide the client with a defense and indemnity for the loss, and the third party elects to settle a matter without contribution by the client.”  (c): adds to end “Such informed consent shall not be required when a client cannot be located despite reasonable efforts where the lawyer is retained to represent a client by a third party which is obligated by contract to provide the client with a defense.”</p>
Rule 1.3	Identical
Rule 1.4	Identical
Rule 1.5	(a)(2): replaces “apparent” with “made known”

	<p>(b): deletes “preferably” in first sentence and adds “in writing before the fees or expenses to be billed at higher rates are actually incurred. This subsection shall not apply to public defenders or in situations where the lawyer will be paid by the court or a state agency.” to end</p> <p>(c): in second sentence adds “of the recovery” after “percentages” and “as a fee” after “accrue to the lawyer,” replaces “litigation and other expenses to be deducted from the recovery” with “whether and to what extent the client will be responsible for any court costs and expenses of litigation”</p> <p>(d): replaces “divorce” with “dissolution of marriage or civil union”</p> <p>Does not have MR (e)(1)</p> <p>(e)(1) The client is advised in writing of the compensation sharing agreement and of the participation of all the lawyers involved, and does not object; and</p> <p>(e)(2): same as MR (e)(3)</p>
<p>Rule 1.6</p>	<p>(a): adds “(c) or (d)” to end</p> <p>(b) A lawyer shall reveal such information to the extent the lawyer reasonably believes necessary to prevent the client from committing a criminal or fraudulent act that the lawyer believes is likely to result in death or substantial bodily harm.</p> <p>(c): same as MR (b) but adds “such” before “information” and deletes “relating to the representation of a client”</p> <p>(c)(1) Prevent the client from committing a criminal or fraudulent act that the lawyer believes is likely to result in substantial injury to the financial interest or property of another;</p> <p>(c)(2) Prevent, mitigate or rectify the consequence of a client’s criminal or fraudulent act in the commission of which the lawyer’s services had been used;</p> <p>(c)(3): same as MR (b)(4)</p> <p>(c)(4): same as MR (b)(6)</p> <p>(d): same as MR (b)(5) but adds “A lawyer may reveal such information” to beginning</p>
<p>Rule 1.7</p>	<p>Identical</p>
<p>Rule 1.8</p>	<p>Title: has former MR</p> <p>(a): adds “including investment services” after “transaction” and “or former client” after both instances of “client”</p> <p>(a)(1): adds “or former client” after both instances of “client” and “to the client or former client” after “writing”</p> <p>(a)(2): adds “or former client” after “client,” replaces “of the desirability” with “that the client of former client should consider the desirability”</p> <p>(a)(3): adds “or former client” after first two instances of “client”</p> <p>Adds (a)(4) With regard to a business transaction, the lawyer advises the client or former client in writing either (A) that the lawyer will provide legal services to the client or former client concerning the transaction, or (B) that the lawyer will not provide legal services to the client or former client and that the lawyer is involved as a business person only and not as a lawyer representing the client or former client and that the lawyer is not one to whom the client or former client can turn for legal advice concerning the transaction; and</p> <p>Adds (a)(5) With regard to the providing of investment services, the lawyer</p>

	<p>advises the client or former client in writing (A) whether such services are covered by legal liability insurance or other insurance, and either (B) that the lawyer will provide legal services to the client or former client concerning the transaction, or (C) that the lawyer will not provide legal services to the client or former client and that the lawyer is involved as a business person only and not as a lawyer representing the client or former client and that the lawyer is not one to whom the client or former client can turn to for legal services concerning the transaction. Investment services shall only apply where the lawyer has either a direct or indirect control over the invested funds and a direct or indirect interest in the underlying investment.</p> <p>Adds For purposes of subsection (a)(1) through (a)(5), the phrase “former client” shall mean a client for whom the two-year period starting from the conclusion of representation has not expired.</p> <p>(e)(1): replaces “advance” with “pay” and adds “on behalf of the client” after “litigation”</p> <p>(f)(1): adds to end “subject to revocation by the client, such informed consent shall be implied where the lawyer is retained to represent a client by a third party obligated under the terms of a contract to provide the client with a defense”</p> <p>(g): adds to end “Subject to revocation by the client and to the terms of the contract, such informed consent shall be implied and need not be in writing where the lawyer is retained to represent a client by a third party obligated under the terms of a contract to provide the client with a defense and indemnity for the loss and the third party elects to settle a matter without contribution by the client.”</p>
Rule 1.9	Identical
Rule 1.10	Identical
Rule 1.11	Identical
Rule 1.12	<p>(a): deletes “and substantially”</p> <p>(b): deletes both instances of “and substantially”</p>
Rule 1.13	Identical
Rule 1.14	Identical
Rule 1.15	<p>Adds (a):</p> <p><i>(a) As used in this Rule, the terms below shall have the following meanings:</i></p> <p><i>(1) “Allowable reasonable fees” for IOLTA accounts are per check charges, per deposit charges, a fee in lieu of a minimum balance, federal deposit insurance fees, sweep fees, and a reasonable IO LTA account administrative or maintenance fee.</i></p> <p><i>(2) An “eligible institution” means (i) a bank or savings and loan association authorized by federal or state law to do business in Connecticut, the deposits of which are insured by an agency of the United States government, or (ii) an openend investment company registered with the United States Securities and Exchange Commission and authorized by federal or state law to do business in Connecticut. In addition, an eligible institution shall meet the requirements set forth in subsection (h) (3 )</i></p>

*below. The determination of whether or not an institution is an eligible institution shall be made by the organization designated by the judges of the superior court to administer the program pursuant to subsection (h) (4 ) below, subject to the dispute resolution process provided in subsection (h) (4 ) (E) below.*

*(3) “Federal Funds Target Rate” means the target level for the federal funds rate set by the Federal Open Market Committee of the Board of Governors of the Federal Reserve System from time to time or, if such rate is no longer available, any comparable successor rate. If such rate or successor rate is set as a range, the term “Federal Funds Target R ate” means the upper limit of such range.*

*(4) “Interest- or dividend-bearing account” means (i) an interest-bearing checking account, or (ii) an investment product which is a daily (overnight) financial institution repurchase agreement or an open-end money market fund. A daily financial institution repurchase agreement must be fully collateralized by U .S. Government Securities and may be established only with an eligible institution that is “well-capitalized” or “adequately capitalized” as those terms are defined by applicable federal statutes and regulations. An open-end money market fund must be invested solely in U.S. Government Securities or repurchase agreements fully collateralized by U.S. Government Securities, must hold itself out as a “money market fund” as that term is defined by federal statutes and regulations under the Investment Company Act of 1940 and, at the time of the investment, must have total assets of at least \$ 250,000,000.*

*(5) “IOLTA account” means an interest- or dividend-bearing account established by a lawyer or law firm for clients’ funds at an eligible institution from which funds may be withdraw n upon request by the depositor without delay. An IOLTA account shall include only client or third person funds, except as permitted by subsection (h) (6) below. The determination of whether or not an interest- or dividend-bearing account meets the requirements of an IO LT A account shall be made by the organization designated by the judges of the superior court to administer the program pursuant to subsection (h) (4) below.*

*(6) “Non-IOLTA account” means an interestor dividend-bearing account, other than an IOLTA account, from which funds may be withdraw n upon request by the depositor without delay.*

*(7) “U .S . Government Securities” means direct obligations of the United States government, or obligations issued or guaranteed as to principal and interest by the United States or any agency or instrumentality thereof, including United States government-sponsored enterprises, as such term is defined by applicable federal statutes and regulations.*

CT (b) is the same as MR (a), but requires that the records be kept for a period of seven years.

CT (c) is the same as MR (b), but adds “or obtaining a waiver of fees and

	<p>service charges on the account” after “paying bank service charges on that account.”</p> <p>CT (d) is the same as MR, but adds to the beginning: “Absent a written agreement with the client otherwise”</p> <p>CT (e) is the same as MR (d), but adds “or third person” after “by agreement with the client” in the second sentence.</p> <p>CT (f) is the same as MR (e)</p> <p>Adds at the end:</p> <p><i>(g) Notwithstanding subsections (b), (c), (d), (e) and (f), lawyers and law firms shall participate in the statutory program for the use of interest earned on lawyers’ clients’ funds accounts to provide funding for the delivery of legal services to the poor by nonprofit corporations whose principal purpose is providing legal services to the poor and for law school scholarships based on financial need. Lawyers and law firms shall place a client’s or third person’s funds in an IOLTA account if the lawyer or law firm determines, in good faith, that the funds cannot earn income for the client in excess of the costs incurred to secure such income. For the purpose of making this good faith determination of whether a client’s funds cannot earn income for the client in excess of the costs incurred to secure such income, the lawyer or law firm shall consider the following factors: (1) The amount of the funds to be deposited; (2) the expected duration of the deposit, including the likelihood of delay in resolving the relevant transaction, proceeding or matter for which the funds are held; (3) the rates of interest, dividends or yield at eligible institutions where the funds are to be deposited; (4) the costs associated with establishing and administering interest-bearing accounts or other appropriate investments for the benefit of the client, including service charges, minimum balance requirements or fees imposed by the eligible institutions; (5) the costs of the services of the lawyer or law firm in connection with establishing and maintaining the account or other appropriate investments; (6) the costs of preparing any tax reports required for income earned on the funds in the account or other appropriate investments; and (7) any other circumstances that affect the capability of the funds to earn income for the client in excess of the costs incurred to secure such income. No lawyer shall be subject to discipline for determining in good faith to deposit funds in the interest earned on lawyers’ clients’ funds account in accordance with this subsection.</i></p> <p><i>(h) An IOLTA account may only be established at an eligible institution that meets the following requirements:</i></p> <p><i>(1) No earnings from the IO LT A account shall be made available to a lawyer or law firm.</i></p> <p><i>(2) Lawyers or law firms depositing a client’s or third person’s funds in an IOLTA account shall direct the depository institution:</i></p> <p><i>(A) To remit interest or dividends, net of allow able reasonable fees, if any, on the average monthly balance in the account, or as otherwise</i></p>
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*computed in accordance with the institution's standard accounting practices, at least quarterly, to the organization designated by the judges of the superior court to administer this statutory program;*

*(B) To transmit to the organization administering the program with each remittance a report that identifies the name of the lawyer or law firm for whom the remittance is sent, the amount of remittance attributable to each IOLTA account, the rate and type of interest or dividends applied, the amount of interest or dividends earned, the amount and type of fees and service charges deducted, if any, and the average account balance for the period for which the report is made and such other information as is reasonably required by such organization; and*

*(C) To transmit to the depositing lawyer or law firm at the same time a report in accordance with the institution's normal procedures for reporting to its depositors.*

*(3) Participation by banks, savings and loan associations, and investment companies in the IOLTA program is voluntary. An eligible institution that elects to offer and maintain IOLTA accounts shall meet the following requirements:*

*(A) The eligible institution shall pay no less on its IOLTA accounts than the highest interest rate or dividend generally available from the institution to its non-IOLTA customers when the IOLTA account meets or exceeds the same minimum balance or other eligibility qualifications on its non-IOLTA accounts, if any. In determining the highest interest rate or dividend generally available from the institution to its non-IOLTA customers, an eligible institution may consider, in addition to the balance in the IO LTA account, factors customarily considered by the institution when setting interest rates or dividends for its non-IO LTA customers, provided that such factors do not discriminate between IO LTA accounts and non-IO LTA accounts and that these factors do not include the fact that the account is an IO LTA account. In lieu of the rate set forth in the first sentence of this subparagraph, an eligible institution may pay a rate equal to the higher of either (i) one percent per annum, or (ii) sixty percent of the Federal Funds Target Rate. Such alternate rate shall be determined for each calendar quarter as of the first business day of such quarter and shall be deemed net of allowable reasonable fees and service charges. The eligible institution may offer, and the lawyer or law firm may request, a sweep account that provides a mechanism for the overnight investment of balances in the IO LT A account in an interest- or dividend-bearing account that is a daily financial institution repurchase agreement or a money market fund. Nothing in this Rule shall preclude an eligible institution from paying a higher interest rate or dividend than described above or electing to waive any fees and service charges on an IO LT A account. An eligible institution may choose to pay the higher interest or dividend rate on an IOLTA account in lieu of establishing it as a higher rate*

*product.*

*(B) Interest and dividends shall be calculated in accordance with the eligible institution's standard practices for non-IOLTA customers.*

*(C) Allowable reasonable fees are the only fees and service charges that may be deducted by an eligible institution from interest earned on an IOLTA account. Allowable*

*reasonable fees may be deducted from interest or dividends on an IOLTA account only at the rates and in accordance with the customary practices of the eligible institution for non-IOLTA customers. No fees or service charges other than allowable reasonable fees may be assessed against the accrued interest or dividends on an IOLTA account. Any fees and service charges other than allowable reasonable fees shall be the sole responsibility of, and may only be charged to, the lawyer or law firm maintaining the IOLTA account. Fees and service charges in excess of the interest or dividends earned on one IOLTA account for any period shall not be taken from interest or dividends earned on any other IOLTA account or accounts or from the principal of any IOLTA account.*

*(4) The judges of the superior court, upon recommendation of the chief court administrator, shall designate an organization qualified under Sec. 50-1(c)(3) of*

*the Internal Revenue Code, or any subsequent corresponding Internal Revenue Code of the United States, as from time to time amended, to administer the program. The chief court administrator shall cause to be printed in the Connecticut Law Journal an appropriate announcement identifying the designated organization. The organization administering the program shall comply with the following:*

*(A) Each June mail to each judge of the superior court and to each lawyer or law firm participating in the program a detailed annual report of all funds disbursed under the program including the amount disbursed to each recipient of funds;*

*(B) Each June submit the following in detail to the chief court administrator for approval and comment by the Executive Committee of the superior court: (i) its proposed goals and objectives for the program; (ii) the procedures it has established to avoid discrimination in the awarding of grants;*

*(iii) information regarding the insurance and fidelity bond it has procured; (iv) a description of the recommendations and advice it has received from the Advisory Panel established by General Statutes § 51-81c and the action it has taken to implement such recommendations and advice; (v) the method it utilizes to allocate between the two uses of funds provided for in § 51-81c and the frequency with which it disburses funds for such purposes; (vi) the procedures it has established to monitor grantees to ensure that any limitations or restrictions on the use of the granted funds have been observed by the grantees, such procedures to include the receipt of annual audits of each grantee showing compliance with grant awards and setting forth*

	<p><i>quantifiable levels of services that each grantee has provided with grant funds; (vii) the procedures it has established to ensure that no funds that have been awarded to grantees are used for lobbying purposes; and (viii) the procedures it has established to segregate funds to be disbursed under the program from other funds of the organization;</i></p> <p><i>(C) Allow the judicial branch access to its books and records upon reasonable notice;</i></p> <p><i>(D) Submit to audits by the judicial branch; and</i></p> <p><i>(E) Provide for a dispute resolution process for resolving disputes as to whether a bank, savings and loan association, or open-end investment company is an eligible institution within the meaning of this Rule.</i></p> <p><i>(5) Before an organization may be designated to administer this program, it shall file with the chief court administrator, and the judges of the superior court shall have approved, a resolution of the board of directors of such an organization which includes provisions:</i></p> <p><i>(A) Establishing that all funds the organization might receive pursuant to subsection (h) (2) (A) above will be exclusively devoted to providing funding for the delivery of legal services to the poor by nonprofit corporations whose principal purpose is providing legal services to the poor and for law school scholarships based on financial need and to the collection, management and distribution of such funds;</i></p> <p><i>(B) Establishing that all interest and dividends earned on such funds, less allow able reasonable fees, if any, shall be used exclusively for such purposes;</i></p> <p><i>(C) Establishing and describing the methods the organization will utilize to implement and administer the program and to allocate funds to be disbursed under the</i></p> <p><i>program, the frequency with which the funds will be disbursed by the organization for such purposes, and the segregation of such funds from other funds of the organization;</i></p> <p><i>(D) Establishing that the organization shall consult with and receive recommendations from the Advisory Panel established by General Statutes § 5 1 -8 1c regarding the</i></p> <p><i>implementation and administration of the program , including the method of allocation and the allocation of funds to be disbursed under such program;</i></p> <p><i>(E) Establishing that the organization shall comply with the requirements of this Rule; and</i></p> <p><i>(F) Establishing that said resolution will not be amended, and the facts and undertakings set forth in it will not be altered, until the same shall have been approved by the judges of the superior court and ninety days have elapsed after publication by the chief court administrator of the notice of such approval in the Connecticut Law Journal.</i></p> <p><i>(6) Nothing in this subsection (h) shall prevent a lawyer or law firm from depositing a client's or third person's funds, regardless of the amount of</i></p>
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	<p><i>such funds or the period for which such funds are expected to be held, in a separate non-IOLTA account established on behalf of and for the benefit of the client or third person. Such an account shall be established as:</i></p> <p><i>(A) A separate clients' funds account for the particular client or third person on which the interest or dividends will be paid to the client or third person; or</i></p> <p><i>(B ) A pooled clients' funds account with subaccounting by the bank, savings and loan association or investment company or by the lawyer or law firm, which provides for the computation of interest or dividends earned by each client's or third person's funds and the payment thereof to the client or third person.</i></p> <p><i>(i) A lawyer who practices in this jurisdiction shall maintain current financial records as provided in this Rule and shall retain the following records for a period of seven years after termination of the representation:</i></p> <p><i>(1) receipt and disbursement journals containing a record of deposits to and withdrawals from client trust accounts, specifically identifying the date, source, and description of each item deposited, as well as the date, payee and purpose of each disbursement;</i></p> <p><i>(2) ledger records for all client trust accounts showing, for each separate trust client or beneficiary, the source of all funds deposited, the names of all persons for whom the funds are or were held, the amount of such funds, the descriptions and amounts of charges or withdrawals, and the names of all persons or entities to whom such funds were disbursed;</i></p> <p><i>(3) copies of retainer and compensation agreements with clients as required by Rule 1.5 of the Rules of Professional Conduct;</i></p> <p><i>(4) copies of accountings to clients or third persons showing the disbursement of funds to them or on their behalf;</i></p> <p><i>(5) copies of bills for legal fees and expenses rendered to clients;</i></p> <p><i>(6) copies of records showing disbursements on behalf of clients;</i></p> <p><i>(7) the physical or electronic equivalents of all checkbook registers, bank statements, records of deposit, prenumbered canceled checks, and substitute checks provided by a financial institution;</i></p> <p><i>(8) records of all electronic transfers from client trust accounts, including the name of the person authorizing transfer, the date of transfer, the name of the recipient and confirmation from the financial institution of the trust account number from which money was withdrawn and the date and the time the transfer was completed;</i></p> <p><i>(9) copies of monthly trial balances and at least quarterly reconciliations of the client trust accounts maintained by the lawyer; and</i></p> <p><i>(10) copies of those portions of client files that are reasonably related to client trust account transactions.</i></p> <p><i>(j) With respect to client trust accounts required by this Rule:</i></p> <p><i>(1) only a lawyer admitted to practice law in this jurisdiction or a person under the direct supervision of the lawyer shall be an authorized signatory</i></p>
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	<p><i>or authorize transfers from a client trust account;</i></p> <p><i>(2) receipts shall be deposited intact and records of deposit should be sufficiently detailed to identify each item; and</i></p> <p><i>(3 ) withdrawals shall be made only by check payable to a named payee and not to cash, or by authorized electronic transfer.</i></p> <p><i>(k) The records required by this Rule may be maintained by electronic, photographic, or other media provided that they otherwise comply with these Rules and that printed copies can be produced. These records shall be readily accessible to the lawyer.</i></p> <p><i>(l) Upon dissolution of a law firm or of any legal professional corporation, the partners shall make reasonable arrangements for the maintenance of client trust account records specified in this Rule.</i></p> <p><i>(m) Upon the sale of a law practice, the seller shall make reasonable arrangements for the maintenance of records specified in this Rule.</i></p>
Rule 1.16	(d): deletes “or expense” and “or incurred” from first sentence and adds “If the representation of the client is terminated either by the lawyer withdrawing from representation or by the client discharging the lawyer, the lawyer shall confirm the termination in writing to the client before or within a reasonable time after the termination of the representation.” to end
Rule 1.17	(a): replaces language after “sold” with “in Connecticut”
Rule 1.18	(a): adds “or communicates” after “discusses” and “concerning” before “the possibility” (d)(2)(i): deletes “and is apportioned no part of the fee therefrom”
Rule 2.1	Identical
Rule 2.2	Identical
Rule 2.3	Identical
Rule 2.4	Identical
Rule 3.1	Identical
Rule 3.2	Identical
Rule 3.3	(a)(3): does not include second sentence (c): adds “at least” after “continue” Adds (e) When, prior to judgment, a lawyer becomes aware of discussion or conduct by a juror which violates the trial court’s instructions to the jury, the lawyer shall promptly report that discussion or conduct to the trial judge.
Rule 3.4	(1) – (6): same as MR (a) – (f) Adds (7) Present, participate in presenting, or threaten to present criminal charges solely to obtain an advantage in a civil matter.
Rule 3.5	Title: deletes “of the Tribunal” (1) – (3): same as MR (a) – (c) (4): same as MR (d) but adds “or ancillary proceedings such as depositions and mediations” to end
Rule 3.6	Does not have MR (b) (b) and (c): same as MR (c) and (d)
Rule 3.7	Identical

Rule 3.8	(1) – (4): same as MR (a) – (d) Does not have MR (e) (5): same as MR (f) but deletes language before “exercise” and deletes “or this Rule” at end
Rule 3.9	Identical
Rule 4.1	Identical
Rule 4.2	Replaces “person” with “party” and did not “or a court order”
Rule 4.3	Identical
Rule 4.4	Identical
Rule 5.1	Identical
Rule 5.2	Does not have MR (b)
Rule 5.3	Identical
Rule 5.4	Does not have MR (a)(4)
Rule 5.5	Title: Unauthorized Practice of Law (a): adds to end “The practice of law in this jurisdiction is defined in Practice Book Section 2-44A. Conduct described in paragraphs (c) and (d) in another jurisdiction shall not be deemed the unauthorized practice of law for purposes of this paragraph (a). (b)(1): replaces “these Rules or other law” with “law” (c): adds after “United States jurisdiction” “which accords similar privileges to Connecticut lawyers in its jurisdiction, and provided that the lawyer is” (c)(3): deletes “arbitration” and replaces “if the services arise out of or are reasonably related to the lawyer’s practice” with “with respect to a matter that is substantially related to, or arises” (c)(4): adds “legal services provided to an existing client of the” after “related to the” (d)(1): replaces text after “and” with “the lawyer is an authorized house counsel as provided in Practice Book Section 2-1 5A; or” (d)(2): deletes “are services that,” moves “to provide” to after “law,” replaces “of” with “in” Adds (e) A lawyer not admitted to practice in this jurisdiction and authorized by the provisions of this Rule to engage in providing legal services on a temporary basis in this jurisdiction is thereby subject to the disciplinary rules of this jurisdiction with respect to the activities in this jurisdiction. Adds (f) A lawyer desirous of obtaining the privileges set forth in subparagraphs (c)(3 ) or (4 ), (1) shall notify the Statewide Bar Council as to each separate matter prior to any such representation in Connecticut, (2) shall notify the Statewide Bar Council upon termination of each such representation in Connecticut, and (3) shall pay such fees as may be prescribed by the Judicial Branch.
Rule 5.6	Identical
Rule 5.7	Did not adopt
Rule 6.1	A lawyer should render public interest legal service. A lawyer may discharge

	<p>this responsibility by providing professional services at no fee or a reduced fee to persons of limited means or to public service or charitable groups or organizations, by service in activities for improving the law, the legal system or the legal profession, and by financial support for organizations that provide legal services to persons of limited means.</p>
Rule 6.2	Identical
Rule 6.3	Identical
Rule 6.4	Identical
Rule 6.5	<p>Adds (b) A lawyer who provides short-term limited legal services pursuant to this Rule must secure the client’s informed consent to the limited scope of the representation. See Rule 1.2(c). If a short-term limited representation would not be reasonable under the circumstances, the lawyer may offer advice to the client but must also advise the client of the need for further assistance of counsel. Except as provided in this Rule, the Rules of Professional Conduct, including Rules 1.6 and 1.9(c), are applicable to the limited representation.</p> <p>(c): same as MR (b)</p>
Rule 7.1	Identical
Rule 7.2	<p>Adds (b)(1) A copy or recording of an advertisement or communication shall be kept for three years after its last dissemination along with a record of when and where it was used. An electronic advertisement or communication shall be copied once every three months on a compact disk or similar technology and kept for three years after its last dissemination.</p> <p>(2) A lawyer shall comply with the mandatory filing requirement of Practice Book Section 2-28A.</p> <p>(c) and (c)(1): same as MR (b) and (b)(1)</p> <p>(c)(2): same as MR (b)(2) but deletes “legal service plan or a”</p> <p>(c)(3): same as MR (b)(3)</p> <p>Does not have MR (b)(4)</p> <p>(d) Any advertisement or communication made pursuant to this Rule shall include the name of at least one lawyer admitted in Connecticut responsible for its content. In the case of television advertisements, the name, address and telephone number of the lawyer admitted in Connecticut shall be displayed in bold print for fifteen seconds or the duration of the commercial, whichever is less, and shall be prominent enough to be readable.</p> <p>Adds (e) Advertisements on the electronic media such as television and radio may contain the same factual information and illustrations as permitted in advertisements in the print media.</p> <p>Adds (f) Every advertisement and written communication that contains information about the lawyer’s fee, including those indicating that the charging of a fee is contingent on outcome, or that no fee will be charged in the absence of a recovery, or that the fee will be a percentage of the recovery, shall disclose whether and to what extent the client will be responsible for any court costs and expenses of litigation. The disclosure concerning court costs and expenses of litigation shall be in the same print size and type as the information regarding the lawyer’s fee and, if broadcast, shall appear for the</p>

	<p>same duration as the information regarding the lawyer's fee. If the information regarding the fee is spoken, the disclosure concerning court costs and expenses of litigation shall also be spoken.</p> <p>Adds (g) A lawyer who advertises a specific fee or range of fees for a particular service shall honor the advertised fee or range of fees for at least 90 days unless the advertisement specifies a shorter period; provided that, for advertisements in the yellow pages of telephone directories or other media not published more frequently than annually, the advertised fee or range of fees shall be honored for no less than one year following publication.</p> <p>Adds (h) No lawyers shall, directly or indirectly pay all or part of the cost of an advertisement by a lawyer not in the same firm unless the advertisement discloses the name and address of the nonadvertising lawyer, and whether the advertising lawyer may refer any case received through the advertisement to the nonadvertising lawyer.</p> <p>Adds (i) The following information in advertisements and written communications shall be presumed not to violate the provisions of Rule 7.1:</p> <p>(1) Subject to the requirements of Rule 7.3, the name of the lawyer or law firm, a listing of lawyers associated with the firm, office addresses and telephone numbers, office and telephone service hours, fax numbers, website and e-mail addresses and domain names, and a designation such as "attorney" or "law firm."</p> <p>(2) Date of admission to the Connecticut bar and any other bars and a listing of federal courts and jurisdictions where the lawyer is licensed to practice.</p> <p>(3) Technical and professional licenses granted by the state or other recognized licensing authorities.</p> <p>(4) Foreign language ability.</p> <p>(5) Fields of law in which the lawyer practices or is designated, subject to the requirements of Rule 7.4, or is certified pursuant to Rule 7.4A.</p> <p>(6) Prepaid or group legal service plans in which the lawyer participates.</p> <p>(7) Acceptance of credit cards.</p> <p>(8) Fee for initial consultation and fee schedule.</p> <p>(9) A listing of the name and geographic location of a lawyer or law firm as a sponsor of a public service announcement or charitable, civic or community program or event.</p> <p>(10) Nothing in this Rule prohibits a lawyer or law firm from permitting the inclusion in the law directories intended primarily for the use of the legal profession of such information as has traditionally been included in these publications.</p>
Rule 7.3	<p>Title: replaces "Direct" with "Personal"</p> <p>(a) A lawyer shall not initiate personal, live telephone, or real-time electronic contact, including telemarketing contact, with a prospective client for the purpose of obtaining professional employment, except in the following circumstances:</p> <p>(1) If the prospective client is a close friend, relative, former client or one whom the lawyer reasonably believes to be a client;</p> <p>(2) Under the auspices of a public or charitable legal services organization;</p>

	<p>(3) Under the auspices of a bona fide political, social, civic, fraternal, employee or trade organization whose purposes include but are not limited to providing or recommending legal services, if the legal services are related to the principal purposes of the organization;</p> <p>(4) If the prospective client is a business organization, a not-for-profit organization or governmental body and the lawyer seeks to provide services related to the organization.</p> <p>(b) A lawyer shall not contact, or send, a written or electronic communication to, a prospective client for the purpose of obtaining professional employment if:</p> <p>(1) The lawyer knows or reasonably should know that the physical, emotional or mental state of the person makes it unlikely that the person would exercise reasonable judgment in employing a lawyer,</p> <p>(2) It has been made known to the lawyer that the person does not want to receive such communications from the lawyer,</p> <p>(3) The communication involves coercion, duress, fraud, overreaching, harassment, intimidation or undue influence,</p> <p>(4) The written communication concerns a specific matter and the lawyer knows or reasonably should know that the person to whom the communication is directed is represented by a lawyer in the matter, or</p> <p>(5) The written or electronic communication concerns an action for personal injury or wrongful death or otherwise relates to an accident or disaster involving the person to whom the communication is addressed or a relative of that person, unless the accident or disaster occurred more than forty days prior to the mailing of the communication.</p> <p>(c) Every written communication, as well as any communication by audio or video recording, or other electronic means, used by a lawyer for the purpose of obtaining professional employment from a prospective client known to be in need of legal services in a particular matter, must be clearly and prominently labeled "Advertising Material" in red ink on the first page of any the written communication and the lower left corner of the outside envelope or container, if any, and at the beginning and ending of any communication by audio or video recording or other electronic means. If the written communication is in the form of a self-mailing brochure or pamphlet, the label "Advertising Material" in red ink shall appear on the address panel of the brochure or pamphlet. Brochures solicited by clients or prospective clients need not contain such mark. No reference shall be made in the communication to the communication having any kind of approval from the Connecticut bar. Written communications mailed to prospective clients shall be sent only by regular United States mail, not by registered mail or other forms of restricted delivery.</p> <p>Adds (d) The first sentence of any written communication concerning a specific matter shall be: "If you have already retained a lawyer for this matter, please disregard this letter."</p> <p>Adds (e) A written communication seeking employment by a specific prospective client in a specific matter shall not reveal on the envelope, or on the outside of a selfmailing brochure or pamphlet, the nature of the client's</p>
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	<p>legal problem.</p> <p>Adds (f) If a contract for representation is mailed with the communication, the top of each page of the contract shall be marked “SAMPLE” in red ink in a one size larger than the largest type used in the contract and the words “DO NOT SIGN” shall appear on the client signature line.</p> <p>Adds (g) Written communications shall be on letter-sized paper rather than legal-sized paper and shall not be made to resemble legal pleadings or other legal documents. This provision does not preclude the mailing of brochures and pamphlets.</p> <p>Adds (h) If a lawyer other than the lawyer whose name or signature appears on the communication will actually handle the case or matter, or if the case or matter will be referred to another lawyer or law firm, any written communication concerning a specific matter shall include a statement so advising the client.</p> <p>(i): same as MR (d)</p>
<p>Rule 7.4</p>	<p>Title: deletes “and Specialization”</p> <p>First paragraph: first sentence same as MR (a) and adds “A lawyer shall not state or imply that the lawyer is a specialist except as follows and as provided in Rule 7.4A:” to end</p> <p>(1) and (2): same as MR (b) and (c)</p> <p>Does not have MR (d)</p>
<p>Adds Rule 7.4A</p>	<p>Certification as Specialist</p> <p>(a) Except as provided in Rule 7.4, a lawyer shall not state or imply that he or she is a specialist in a field of law unless the lawyer is currently certified as a specialist in that field of law by a board or other entity which is approved by the Rules Committee of the superior court of this state. Among the criteria to be considered by the Rules Committee in determining upon application whether to approve a board or entity as an agency which may certify lawyers practicing in this state as being specialists, shall be the requirement that the board or entity certify specialists on the basis of published standards and procedures which (1) do not discriminate against any lawyer properly qualified for such certification, (2) provide a reasonable basis for the representation that lawyers so certified possess special competence, and (3) require redetermination of the special qualifications of certified specialists after a period of not more than five years.</p> <p>(b) A lawyer shall not state that he or she is a certified specialist if the lawyer’s certification has terminated, or if the statement is otherwise contrary to the terms of such certification.</p> <p>(c) Certification as a specialist may not be attributed to a law firm.</p> <p>(d) Lawyers may be certified as specialists in the following fields of law:  (1) Administrative law: The practice of law dealing with states, their political subdivisions, regional and metropolitan authorities and other public entities including, but not limited to, their rights and duties, financing, public housing and urban development, the rights of public employees, election law, school law, sovereign immunity, and constitutional law; practice before federal and state courts and governmental agencies.</p>

	<p>(2) Admiralty: The practice of law dealing with all matters arising under the carriage of goods by sea act (COGSA), Harter Act, Jones Act, and federal and state maritime law including, but not limited to, the carriage of goods, collision and other maritime torts, general average, salvage, limitation of liability, ship financing, ship subsidies, the rights of injured sailors and longshoremen; practice before federal and state courts and governmental agencies (including the Federal Maritime Commission).</p> <p>(3) Antitrust: The practice of law dealing with all matters arising under the Sherman Act, Clayton Act, Federal Trade Commission Act, Hart-Scott-Rodino Antitrust Improvements Act and State Antitrust Statutes including but not limited to, restraints of trade, unfair competition, monopolization, price discrimination, restrictive practices; practice before federal and state courts and governmental agencies.</p> <p>(4) Appellate practice: The practice of law dealing with all procedural and substantive aspects of civil and criminal matters before federal and state appeals courts including, but not limited to, arguments and the submission of briefs.</p> <p>(5) Business Bankruptcy: The practice of law dealing with all aspects of the United States Bankruptcy Code when the debtor was engaged in business before the institution of a Chapter 7, 9, or 11 proceeding. This includes, but is not limited to, business liquidations, business reorganizations, and related adversary and contested proceedings.</p> <p>(6) Child Welfare Law: The practice of law representing children, parents or the government in all child protection proceedings including emergency, temporary custody, adjudication, disposition, foster care, permanency planning, termination, guardianship, and adoption. Child Welfare Law does not include representation in private child custody and adoption disputes where the state is not a party.</p> <p>(7) Consumer Bankruptcy: The practice of law dealing with all aspects of the United States Bankruptcy Code when the debtor was not engaged in business before the institution of a Chapter 7, 12, or 13 proceeding. This includes, but is not limited to, liquidations, wage earner plans, family farmers and related adversary and contested proceedings.</p> <p>(8) Civil rights and discrimination: The practice of law dealing with all matters arising under federal and state law relating to proper treatment in the areas of, among others, public accommodations, voting, employment, housing, administration of welfare and social security benefits; practice before federal and state courts and governmental agencies.</p> <p>(9) Civil trial practice: The practice of law dealing with representation of parties before federal or state courts in all noncriminal matters.</p> <p>(10) Commercial transactions: The practice of law dealing with all aspects of commercial paper, contracts, sales and financing, including, but not limited to, secured transactions.</p> <p>(11) Consumer claims and protection: The practice of law dealing with all aspects of consumer transactions including, but not limited to, sales practices, credit transactions, secured transactions and warranties; all matters arising</p>
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	<p>under the Equal Credit Opportunity Act, the Fair Credit Reporting Act, the Magnuson-Moss Act, the Truth in Lending Act, state statutes such as the “Little FTC” acts, and other analogous federal and state statutes.</p> <p>(12) Corporate and business organizations: The practice of law dealing with all aspects of the formation, operation and dissolution of corporations, partnerships (general and limited), agency and other forms of business organizations.</p> <p>(13) Corporate finance and securities: The practice of law dealing with all matters arising under the Securities Act of 1933, Securities Exchange Act of 1934, Investment Advisors Act (or the Federal Securities Code, if adopted) and other federal and state securities statutes; financing corporate activities; mergers and acquisitions; practice before the Securities and Exchange Commission and state securities commissions.</p> <p>(14) Criminal: The practice of law dealing with the prosecution or representation of persons accused of crimes at all stages of criminal proceedings in federal or state courts, including, but not limited to, the protection of the accused’s constitutional rights.</p> <p>(15) Environmental: The practice of law dealing with all aspects of the regulation of environmental quality by both federal and state governments; control of air pollution, water pollution, noise pollution, toxic substances, pesticides, and civilian uses of nuclear energy; solid waste/resource recovery; all matters arising under the National Environmental Policy Act, Clean Air Act, Federal Water Pollution Control Act, Noise Control Act, Solid Waste Disposal Act, Toxic Substance Control Act and other federal and state environmental statutes; practice before federal and state courts and governmental agencies.</p> <p>(16) Estate planning and probate: The practice of law dealing with all aspects of the analysis and planning for the conservation and disposition of estates, giving due consideration to the applicable tax consequences, both federal and state; the preparation of legal instruments in order to effectuate estate plans; administering estates, including tax related matters, both federal and state.</p> <p>(17) Family and matrimonial: The practice of law dealing with all aspects of antenuptial and domestic relationships, separation and divorce, alimony and child support, child custody matters and adoption, giving due consideration to the tax consequences, and court proceedings relating thereto.</p> <p>(18) Government contracts and claims: The practice of law dealing with all aspects of the negotiation and administration of contracts with federal and state governmental agencies.</p> <p>(19) Immigration and naturalization: The practice of law dealing with obtaining and retaining permission to enter and remain in the United States including, but not limited to, such matters as visas, change of status, deportation and naturalization; representation of aliens before courts and governmental agencies; protection of aliens’ constitutional rights.</p> <p>(20) International: The practice of law dealing with all aspects of the relations among states, international business transactions, international taxation, customs and trade law and foreign and comparative law.</p>
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	<p>state and local tax laws and foreign tax laws, including counseling with respect thereto; practice before federal and state courts and governmental agencies.</p> <p>(27) Workers' Compensation: The practice of law dealing with the representation of parties before federal and state agencies, boards and courts in actions to determine eligibility for workers' compensation, and disability.</p>
Adds Rule 7.4B	<p>Legal Specialization Screening Committee</p> <p>(a) The Chief Justice, upon recommendation of the Rules Committee of the superior court, shall appoint a committee of five members of the bar of this state which shall be known as the "Legal Specialization Screening Committee." The Rules Committee of the superior court shall designate one appointee as chair of the Legal Specialization Screening Committee and another as vice chair to act in the absence or disability of the chair.</p> <p>(b) When the committee is first selected, two of its members shall be appointed for a term of one year, two members for a term of two years, and one member for a term of three years, and thereafter all regular terms shall be three years. Terms shall commence on July 1. In the event that a vacancy arises in this position before the end of a term, the Chief Justice, upon recommendation of the Rules Committee of the superior court, shall appoint a member of the bar of this state to fill the vacancy for the balance of the term. The Legal Specialization Screening Committee shall act only with a concurrence of a majority of its members, provided, however, that three members shall constitute a quorum.</p> <p>(c) The Legal Specialization Screening Committee shall have the power and duty to:</p> <p>(1) Receive applications from boards or other entities for authority to certify lawyers practicing in this state as being specialists in a certain area or areas of law.</p> <p>(2) Investigate each applicant to determine whether it meets the criteria set forth in Rule 7.4A (a).</p> <p>(3) Submit to the Rules Committee of the superior court a written recommendation, with reasons therefor, for approval or disapproval of each application, or for the termination of any prior approval granted by the Rules Committee.</p> <p>(4) Adopt regulations and develop forms necessary to carry out its duties under this section. The regulations and forms shall not become effective until first approved by the Rules Committee of the superior court.</p> <p>(5) Consult with such persons deemed by the committee to be knowledgeable in the fields of law to assist it in carrying out its duties.</p>
Adds Rule 7.4C	<p>Application by Board or Entity to Certify Lawyers as Specialists</p> <p>Any board or entity seeking the approval of the Rules Committee of the superior court for authority to certify lawyers practicing in this state as being specialists in a certain field or fields of law as set forth in Rule 7.4A (d), shall file an original and six copies of its application with the Legal Specialization Screening Committee pursuant to Rule 7.4B.</p>
Rule 7.5	Identical
Rule 7.6	Did not adopt

As of July 1, 2011

Rule 8.1	Identical
Rule 8.2	Identical
Rule 8.3	(a): adds “A lawyer may not condition settlement of a civil dispute involving allegations of improprieties on the part of a lawyer on an agreement that the subject misconduct not be reported to the appropriate disciplinary authority.” to end (c): replaces language after “Rule 1.6” with “or General Statutes § 51-81d(f)”
Rule 8.4	Identical
Rule 8.5	Identical

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