Implementation of Amendments to
ABA Model Rules of Professional Conduct on Lawyer Advertising

Over the course of the last five years, studies and proposals from the Association of Professional Responsibility Lawyers (APRL) and the American Bar Association Standing Committee on Ethics and Professional Responsibility resulted in 2018 amendments to the ABA Model Rules of Professional Conduct. More information about these amendments can be found here. Jurisdictions amending their Rules of Professional Conduct regulating lawyer advertising.

The following jurisdictions have amended their advertising rules in the wake of the APRL and ABA research and recommendations:

- **Virginia**, effective July 1, 2017, amended its Rule 7.1 and 7.3. It deleted Rules 7.2 (Advertising), 7.4 (Communication of Fields of Practice and Certification), and 7.5 (lawyer and Firm Names and Letterheads). The Virginia Supreme Court order is available here.
- **Oregon** has amended its Rule 7.2 (Advertising) to remove “not-for-profit” from (b)(2) and to require listing “contact information” in lieu of “office address.” It has also amended its Rule 7.3 (Solicitation of Clients) deleting the requirement specific to in-person, telephone or real-time electronic contact” and deleting exception for prepaid and group legal service plans. The amendments were effective January 11, 2018. Oregon’s rules are available here. Oregon is reviewing the ABA amendments.
- **Connecticut** has amended its Rules of Professional Conduct changing Rules 7.1 (Communication concerning a Lawyer’s Services), 7.2 (Communication concerning a Lawyer’s Services: Specific Rules), and 7.3 (Solicitation of Clients) and eliminating Rules 7.4 (Communication of Fields of Practice) and 7.5 (Firm Names and Letterheads). Connecticut has Rules 7.4A-7.4C addressing certification. The revisions can be found here.
- **Montana** has amended its Rules of Professional Conduct changing Rule 7.2 to follow the Model and eliminating its Rule 7.4 on specialization. Montana retained its Rules 7.1 (Communications Concerning A Lawyer’s Services), 7.3 (Direct Contact with Prospective Clients), and 7.5 (Firm Names and Letterheads) which all differ from the Model Rules of Professional Conduct.

The Washington State Bar Association has proposed to the Washington Supreme Court amendments to Washington Rules of Professional Conduct on lawyer advertising. A copy of the proposal can be found here.

The Iowa Supreme Court has released for comment proposed amendments to its Rules of Professional Conduct on advertising. These amendments track the ABA amended Model Rules. A copy of the release can be found here.

Other states are reviewing the amendments to the Model Rules on lawyer advertising including:

- Colorado
- Tennessee
- Arkansas
- Alabama
- Louisiana
- North Carolina

At the same time, Texas has amended State Bar Code to include a section on Deceptive Advertising Practices. This section creates new restrictions on legal services advertising that appears on television including prohibiting the use of certain language and mandated warnings and disclosures. The new provision is available here.