

	<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 7.2: ADVERTISING</p> <p>(a) Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services through written, recorded or electronic communication, including public media.</p> <p>(b) A lawyer shall not give anything of value to a person for recommending the lawyer's services except that a lawyer may</p> <p style="padding-left: 40px;">(1) pay the reasonable costs of advertisements or communications permitted by this Rule;</p> <p style="padding-left: 40px;">(2) pay the usual charges of a legal service plan or a not-for-profit or qualified lawyer referral service. A qualified lawyer referral service is a lawyer referral service that has been approved by an appropriate regulatory authority;</p> <p style="padding-left: 40px;">(3) pay for a law practice in accordance with Rule 1.17; and</p> <p style="padding-left: 40px;">(4) refer clients to another lawyer or a nonlawyer professional pursuant to an agreement not otherwise prohibited under these Rules that provides for the other person to refer clients or customers to the lawyer, if</p> <p style="padding-left: 80px;">(i) the reciprocal referral agreement is not exclusive, and</p> <p style="padding-left: 80px;">(ii) the client is informed of the existence and nature of the agreement.</p> <p>(c) Any communication made pursuant to this rule shall include the name and office address of at least one lawyer or law firm responsible for its content.</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> <p>** Highlight indicates adoption of Ethics 20-20 Commission August 2012 and February 2013 Rule amendment(s): black-letter or Comment.</p>
<p>AL Effective 2/19/09</p>	<p>Adds to beginning of paragraph: <i>A lawyer who advertises concerning legal services shall comply with the following;</i></p> <p>(a) Deletes reference in first clause to Rule 7.3; Replaces everything following</p>

	<p>“services though” with: <i>public media, such as a telephone directory, legal directory, newspaper or other periodical, outdoor displays, radio, television, or written communication not involving solicitation as defined in Rule 7.3;</i></p> <p>Adds (b):</p> <p><i>(b) A true copy or recording of any such advertisement shall be delivered or mailed to the office of the general counsel of the Alabama State Bar at its then current headquarters within three (3) days after the date on which any such advertisement is first disseminated; the contemplated duration thereof and the identity of the publisher or broadcaster of such advertisement, either within the advertisement or by separate communication accompanying said advertisement, shall be stated. Also, a copy or recording of any such advertisement shall be kept by the lawyer responsible for its content, as provided hereinafter by Rule 7.2(d), for six (6) years after its last dissemination.</i></p> <p>(c) combines MR (b), (b)(1) and (b)(2) but adds “written” before “communication;” deletes “or qualified” from MR (b)(2); deletes everything after referral service” in MR (b)(2);</p> <p>Does not adopt MR (b)(3) and (4);</p> <p>(d) is similar to MR (c) but deletes “and office address;” deletes “or law firm;”</p> <p>Adds (e) and (f):</p> <p><i>(e) No communication concerning a lawyer's services shall be published or broadcast, unless it contains the following language, which shall be clearly legible or audible, as the case may be: "No representation is made that the quality of the legal services to be performed is greater than the quality of legal services performed by other lawyers."</i></p> <p><i>(f) If fees are stated in the advertisement, the lawyer or law firm advertising must perform the advertised services at the advertised fee, and the failure of the lawyer and/or law firm advertising to perform an advertised service at the advertised fee shall be prima facie evidence of misleading advertising and deceptive practices. The lawyer or law firm advertising shall be bound to perform the advertised services for the advertised fee and expenses for a period of not less than sixty (60) days following the date of the last publication or broadcast.</i></p>
<p>AK</p> <p>*Amendment effective 10/15/2017</p>	<p>Same as MR</p>
<p>AZ Effective 1/1/14</p>	<p>Does not include new (b)(4)</p> <p>(c): deletes “office address of” and replaces with “contact information for” adds as (d): (d) Every advertisement (including advertisement by written solicitation) that contains information about the lawyer’s fees shall be subject to the following requirements:</p> <p>(1) advertisements and written solicitations indicating that the charging of a fee is contingent on outcome or that the fee will be a percentage of the recovery shall disclose (A) that the client will be liable for expenses regardless of outcome unless the repayment of such is contingent upon the outcome of the matter and (B) whether the percentage fee will be computed before expenses are deducted</p>

	<p>from the recovery;</p> <p>(2) range of fees or hourly rates for services may be communicated provided that the client is informed in writing at the commencement of any client-lawyer relationship that the total fee within the range which will be charged or the total hours to be devoted will vary depending upon that particular matter to be handled for each client and the client is entitled without obligation to an estimate of the fee within the range likely to be charged;</p> <p>(3) fixed fees for specific routine legal services, the description of which would not be misunderstood or be deceptive, may be communicated provided that the client is informed in writing at the commencement of any client-lawyer relationship that the quoted fee will be available only to clients whose matters fall within the services described and that the client is entitled without obligation to a specific estimate of the fee likely to be charged;</p> <p>(4) a lawyer who advertises a specific fee, range of fees or hourly rate for a particular service shall honor the advertised fee, or range of fees, for at least ninety (90) days unless the advertisement specifies a shorter period; provided, 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 as (e): Advertisements on the electronic media may contain the same information as permitted in advertisements in the print media. If a law firm advertises on electronic media and a person appears purporting to be a lawyer, such person shall in fact be a lawyer employed full-time at the advertising law firm. If a law firm advertises a particular legal service on electronic media, and a lawyer appears as the person purporting to render the service, the lawyer appearing shall be the lawyer who will actually perform the service advertised unless the advertisement discloses that the service may be performed by other lawyers in the firm.</p> <p>adds as (f); Communications required by paragraphs (c) and (d) shall be clear and conspicuous. To be “clear and conspicuous” a communication must be of such size, color, contrast, location, duration, cadence, and audibility that an ordinary person can readily notice, read, hear, and understand it.</p>
<p>AR</p> <p>*Amendment effective 6/26/2014</p>	<p>(a) Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services through public media, such as a telephone directory, legal directory, newspaper or other periodical, outdoor advertising, radio or television, or through written communication.</p> <p>(b) A copy or recording of an advertisement or communication shall be kept for five years after its last dissemination along with a record of when and where it was used.</p> <p>(c) A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may pay the reasonable cost of advertisements or communications permitted by this rule and may pay the usual charges for not-for-profit lawyer referral service or other legal service organization; and may pay for a law practice in accordance with Rule 1.17.</p> <p>(d) Any communication made pursuant to this Rule shall include the name of at least one lawyer who is licensed in Arkansas and who is responsible for its content, and shall disclose the geographic location of the office or offices of the attorney or the firm in which the lawyer or lawyers who actually perform the</p>

	<p>services advertised principally practice law.</p> <p>(e) Advertisements may include photographs, voices or images of the lawyers who are members of the firm who will actually perform the services. If advertisements utilize actors or other individuals, those persons shall be clearly and conspicuously identified by name and relationship to the advertising lawyer or law firm and shall not mislead or create an unreasonable expectation about the results the lawyer may be able to obtain. Clients or former clients shall not be used in any manner whatsoever in advertisements. Dramatization in any advertisement is prohibited.</p>
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	<p>(b)(2) Replaces with: <i>(2) pay the usual charges of a not-for-profit lawyer referral service or legal service organization.</i></p>
CT Effective 1/1/07	<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 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</p>

	<p>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>
<p>DE</p> <p>*Amendments Effective 3/1/2013</p>	<p>Adds at the beginning of (b): “Except as permitted by Rule 1.5(e),” did not add (b)(4)</p>
<p>District of Columbia Effective 2/1/07</p>	<p>Does not adopt</p>
<p><u>FL</u> Effective 5/22/06</p>	<p>Title: same as MR 7.1</p> <p>The following shall apply to any communication conveying information about a lawyer’s or a law firm’s services except as provided in subdivisions (e) and (f) of rule 4-7.1:</p> <p>(a) Required Content of Advertisements and Unsolicited Written Communications.</p> <p>(1) Name of Lawyer or Lawyer Referral Service. All advertisements and written</p>

	<p>communications pursuant to these rules shall include the name of at least 1 lawyer or the lawyer referral service responsible for their content.</p> <p>(2) Location of Practice. All advertisements and written communications provided for under these rules shall disclose, by city or town, 1 or more bona fide office locations of the lawyer or lawyers who will actually perform the services advertised. If the office location is outside a city or town, the county in which the office is located must be disclosed. A lawyer referral service shall disclose the geographic area in which the lawyer practices when a referral is made. For the purposes of this rule, a bona fide office is defined as a physical location maintained by the lawyer or law firm where the lawyer or law firm reasonably expects to furnish legal services in a substantial way on a regular and continuing basis.</p> <p>(b) Permissible Content of Advertisements and Unsolicited Written Communications. If the content of an advertisement in any public media or unsolicited written communication is limited to the following information, the advertisement or unsolicited written communication is exempt from the filing and review requirement and, if true, shall be presumed not to be misleading or deceptive.</p> <p>(1) Lawyers and Law Firms. A lawyer or law firm may include the following information in advertisements and unsolicited written communications:</p> <p>(A) the name of the lawyer or law firm subject to the requirements of this rule and rule 4-7.9, a listing of lawyers associated with the firm, office locations and parking arrangements, disability accommodations, telephone numbers, website addresses, and electronic mail addresses, office and telephone service hours, and a designation such as “attorney” or “law firm”;</p> <p>(B) date of admission to The Florida Bar and any other bars, current membership or positions held in The Florida Bar or its sections or committees, former membership or positions held in The Florida Bar or its sections or committees with dates of membership, former positions of employment held in the legal profession with dates the positions were held, years of experience practicing law, number of lawyers in the advertising law firm, and a listing of federal courts and jurisdictions other than Florida where the lawyer is licensed to practice;</p> <p>(C) technical and professional licenses granted by the state or other recognized licensing authorities and educational degrees received, including dates and institutions;</p> <p>(D) military service, including branch and dates of service;</p> <p>(E) foreign language ability;</p> <p>(F) fields of law in which the lawyer practices, including official certification logos, subject to the requirements of subdivision (c)(6) of this rule regarding use of terms such as certified, specialist, and expert;</p> <p>(G) prepaid or group legal service plans in which the lawyer participates;</p> <p>(H) acceptance of credit cards;</p> <p>(I) fee for initial consultation and fee schedule, subject to the requirements of subdivisions (c)(7) and (c)(8) of this rule regarding cost disclosures and honoring advertised fees;</p> <p>(J) common salutary language such as “best wishes,” “good luck,” “happy holidays,” or “pleased to announce”;</p> <p>(K) punctuation marks and common typographical marks;</p>
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	<p>(L) an illustration of the scales of justice not deceptively similar to official certification logos or The Florida Bar logo, a gavel, traditional renditions of Lady Justice, the Statue of Liberty, the American flag, the American eagle, the State of Florida flag, an unadorned set of law books, the inside or outside of a courthouse, column(s), diploma(s), or a photograph of the lawyer or lawyers who are members of or employed by the firm against a plain background consisting of a single solid color or a plain unadorned set of law books.</p> <p>(2) Lawyer Referral Services. A lawyer referral service may advertise its name, location, telephone number, the referral fee charged, its hours of operation, the process by which referrals are made, the areas of law in which referrals are offered, the geographic area in which the lawyers practice to whom those responding to the advertisement will be referred, and, if applicable, its nonprofit status, its status as a lawyer referral service approved by The Florida Bar, and the logo of its sponsoring bar association.</p> <p>(3) Public Service Announcements. A lawyer or law firm may be listed as a sponsor of a public service announcement or charitable, civic, or community program or event as long as the information about the lawyer or law firm is limited to the permissible content set forth in subdivision (b)(1) of this rule.</p> <p>(c) Prohibitions and General Regulations Governing Content of Advertisements and Unsolicited Written Communications.</p> <p>(1) Statements About Legal Services. A lawyer shall not make or permit to be made a false, misleading, or deceptive communication about the lawyer or the lawyer's services. A communication violates this rule if it:</p> <ul style="list-style-type: none">(A) contains a material misrepresentation of fact or law;(B) is false or misleading;(C) fails to disclose material information necessary to prevent the information supplied from being false or misleading;(D) is unsubstantiated in fact;(E) is deceptive;(F) contains any reference to past successes or results obtained;(G) promises results;(H) states or implies that the lawyer can achieve results by means that violate the Rules of Professional Conduct or other law;(I) compares the lawyer's services with other lawyers' services, unless the comparison can be factually substantiated; or(J) contains a testimonial. <p>(2) Descriptive Statements. A lawyer shall not make statements describing or characterizing the quality of the lawyer's services in advertisements and unsolicited written communications.</p> <p>(3) Prohibited Visual and Verbal Portrayals and Illustrations. A lawyer shall not include in any advertisement or unsolicited written communication any visual or verbal descriptions, depictions, illustrations, or portrayals of persons, things, or events that are deceptive, misleading, manipulative, or likely to confuse the viewer.</p> <p>(4) Advertising Areas of Practice. A lawyer or law firm shall not advertise for legal employment in an area of practice in which the advertising lawyer or law firm does not currently practice law.</p> <p>(5) Stating or Implying Florida Bar Approval. A lawyer or law firm shall not</p>
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	<p>make any statement that directly or impliedly indicates that the communication has received any kind of approval from The Florida Bar.</p> <p>(6) Communication of Fields of Practice. A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. A lawyer shall not state or imply that the lawyer is “certified,” “board certified,” a “specialist,” or an “expert” except as follows:</p> <p>(A) Florida Bar Certified Lawyers. A lawyer who complies with the Florida certification plan as set forth in chapter 6, Rules Regulating The Florida Bar, may inform the public and other lawyers of the lawyer’s certified areas of legal practice. Such communications should identify The Florida Bar as the certifying organization and may state that the lawyer is “certified,” “board certified,” a “specialist in (area of certification),” or an expert in (area of certification).”</p> <p>(B) Lawyers Certified by Organizations Other Than The Florida Bar or Another State Bar. A lawyer certified by an organization other than The Florida Bar or another state bar may inform the public and other lawyers of the lawyer’s certified area(s) of legal practice by stating that the lawyer is “certified,” “board certified,” a “specialist in (area of certification),” or an “expert in (area of certification)” if:</p> <p>(i) the organization’s program has been accredited by The Florida Bar as provided elsewhere in these Rules Regulating The Florida Bar; and,</p> <p>(ii) the member includes the full name of the organization in all communications pertaining to such certification.</p> <p>(C) Certification by Other State Bars. A lawyer certified by another state bar may inform the public and other lawyers of the lawyer’s certified area(s) of legal practice and may state in communications to the public that the lawyer is “certified,” “board certified,” a “specialist in (area of certification),” or an “expert in (area of certification)” if:</p> <p>(i) the state bar program grants certification on the basis of standards reasonably comparable to the standards of the Florida certification plan as set forth in chapter 6, Rules Regulating The Florida Bar, as determined by The Florida Bar; and,</p> <p>(ii) the member includes the name of the state bar in all communications pertaining to such certification.</p> <p>(7) Disclosure of Liability For Expenses Other Than Fees. Every advertisement and unsolicited written communication that contains information about the lawyer’s fee, including those that indicate no fee will be charged in the absence of a recovery, shall disclose whether the client will be liable for any expenses in addition to the fee.</p> <p>(8) Period for Which Advertised Fee Must be Honored. 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 1 year following publication.</p> <p>(9) Firm Name. A lawyer shall not advertise services under a name that violates the provisions of rule 7.9.</p> <p>(10) Language of Required Statements. Any words or statements required by this</p>
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	<p>subchapter to appear in an advertisement or direct mail communication must appear in the same language in which the advertisement appears. If more than 1 language is used in an advertisement or direct mail communication, any words or statements required by this subchapter must appear in each language used in the advertisement or direct mail communication.</p> <p>(11) Appearance of Required Statements. Any words or statements required by this subchapter to appear in an advertisement or direct mail communication must be clearly legible if written or intelligible if spoken aloud.</p> <p>(12) Payment by Nonadvertising Lawyer. No lawyer shall, directly or indirectly, pay all or a part of the cost of an advertisement by a lawyer not in the same firm. Rule 4-1.5(f)(4)(D) (regarding the division of contingency fees) is not affected by this provision even though the lawyer covered by rule 4-1.5(f)(4)(D)(ii) advertises.</p> <p>(13) Referrals to Another Lawyer. If the case or matter will be referred to another lawyer or law firm, the communication shall include a statement so advising the prospective client.</p> <p>(14) Payment for Recommendations; Lawyer Referral Service Fees. A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may pay the reasonable cost of advertising or written or recorded communication permitted by these rules, may pay the usual charges of a lawyer referral service or other legal service organization, and may purchase a law practice in accordance with rule 4-1.17.</p>
<p>GA Effective 3/21/14</p>	<p>Title Identical to MR</p> <p>(a) Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services through:</p> <ol style="list-style-type: none"> (1) public media, such as a telephone directory, legal directory, newspaper or other periodical; (2) outdoor advertising; (3) radio or television; (4) written, electronic or recorded communication. <p>(b) A copy or recording of an advertisement or communication shall be kept for two years after its last dissemination along with a record of when and where it was used.</p> <p>(c) Prominent disclosures. Any advertisement for legal services directed to potential clients in Georgia, or intended to solicit employment for delivery of any legal services in Georgia, must include prominent disclosures, clearly legible and capable of being read by the average person, if written, and clearly intelligible by an average person, if spoken aloud, of the following:</p> <ol style="list-style-type: none"> (1) Disclosure of identity and physical location of attorney. Any advertisement shall include the name, physical location and telephone number of each lawyer or law firm who paid for the advertisement and who takes full personal responsibility for the advertisement. In disclosing the physical location, the responsible lawyer shall state the full address of the location of the principal bona fide office of each lawyer who is prominently identified pursuant to this paragraph. For the purposes of this Rule, a bona fide office is defined as a physical location maintained by the lawyer or law firm from which the lawyer or law firm furnishes legal services on a regular and continuing basis. In the absence of a bona fide physical office, the lawyer shall prominently disclose the

	<p>full address listed with the State Bar of Georgia or other Bar to which the lawyer is admitted. A lawyer who uses a referral service shall ensure that the service discloses the location of the lawyer's bona fide office, or the registered bar address, when a referral is made.</p> <p>(2) Disclosure of referral practice. If the lawyer or law firm will refer the majority of callers to other attorneys, that fact must be disclosed and the lawyer or law firm must comply with the provisions of Rule 7.3(c) regarding referral services.</p> <p>(3) Disclosure of spokespersons and portrayals. Any advertisement that includes a non-attorney spokesperson, portrayal of a lawyer by a non-lawyer, portrayal of a client by a non-client, or any paid testimonial or endorsement, shall include prominent disclosure of the use of a non-attorney spokesperson, portrayal of a lawyer by a non-lawyer, or of a client by a non-client.</p> <p>(4) Disclosures regarding fees. A lawyer or law firm advertising any fixed fee for specified legal services shall, at the time of fee publication, have available to the public a written statement clearly describing the scope of each advertised service, which statement shall be available to the client at the time of retainer for any such service.</p> <p>(5) Appearance of legal notices or pleadings. Any advertisement that includes any representation that resembles a legal pleading, notice, contract or other legal document shall include prominent disclosure that the document is an advertisement rather than a legal document. The maximum penalty for a violation of this Rule is a public reprimand.</p>
<p>HI Effective 1/1/14</p>	<p>(2): “pay the usual charges of a not-for-profit lawyer referral service or qualified legal assistance organization, which charges, in addition to any referral fee, may include a fee calculated as a percentage of legal fees earned by the lawyer to whom the service or organization has referred a matter, provided that any such percentage fee shall be used only to pay the reasonable operating expenses of the service or organization and to fund public service activities of the service or organization, including the delivery of pro bono legal services; and”</p> <p>Deletes MR (4)</p> <p>(c): Deletes “and office address” after “name”; Deletes “or law firm” before “responsible”</p>
<p>ID *Amendments effective 7/1/2014</p>	<p>Adds (b): A copy or recording of an advertisement or communication shall be kept for two years after its last dissemination along with a record of when and where it was used.</p> <p>(c): Identical to MR (b)</p> <p>(d): Identical to MR (c)</p>
<p>IL Effective 1/1/2010</p>	<p>(2) Deletes “or qualified” after not-for-profit; deletes second sentence, “A qualified lawyer...regulatory authority;”</p> <p>(4)(c) Capitalizes “Rule.”</p>
<p>IN Effective 1/1/05</p>	<p>(a) Subject to the requirements of this rule, lawyers and law firms may advertise their professional services and law related services. The term “advertise” as used in these Indiana Rules of Professional Conduct refers to any manner of public communication partly or entirely intended or expected to</p>

As of May 14, 2018

	<p>promote the purchase or use of the professional services of a lawyer, law firm, or any employee of either involving the practice of law or law-related services. (b)(2) deletes second sentence of MR (c) Adds sentence to end: The lawyer or law firm responsible for the content of any communication subject to this rule shall keep a copy or recording of each such communication for six years after its dissemination.</p>
<p>IA *Amendments Effective 1/1/13</p>	<p>Same as MR</p>
<p>KS *Amendments Effective 3/1/2014</p>	<p>Does not adopt MR (b); Adds: <i>(b) A copy or recording of an advertisement or communication shall be kept for two years after its last dissemination along with a record of when and where it was used.</i> <i>(c) A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may pay the reasonable cost of advertisements or communications permitted by this rule and may pay the usual charges of a not-for-profit lawyer referral service or other legal service organization.</i> (d) is similar to MR (c) but deletes “or law firm.”</p>
<p>KY *Amendment effective January 1, 2016</p>	<p>(1) is MR (a): Changes “Rules 7.1 and 7.3” to “4.5 and 7.10” and adds “legal” before “services” (2) is MR (b) (2)(a) is MR (b)(1) (2)(b) is MR (b)(2): deletes “or” between “not-for-profit” and “qualified lawyer” and replaces appropriate regulatory authority” with “Advertising Commission” (c) is MR (b)(3) (d) is MR (b)(4) (3) is MR (c): Adds second sentence “The lawyer or lawyers in Kentucky shall be responsible for the content of the advertisement.” Adds (4): Communication by a lawyer with a person or entity with whom that lawyer has an immediate family or current attorney-client relationship, or a communication in response to an inquiry from any person or entity seeking information, shall be exempt from the provisions of the Advertising Rules and the Advertising Regulations, with the exception of SCR 3.130(7.10). Adds (5): If a lawyer or law firm advertises legal services and a lawyer’s name or image is used to present the advertisement, the lawyer must be the person who will actually perform the service advertised unless the advertisement prominently discloses that the service may be performed by other lawyers. If the lawyer whose name or image is used is not licensed to perform the services in Kentucky, such fact shall be disclosed in the advertisement. If the advertising lawyer or firm is advertising for clients for the purpose of referring the client to another lawyer or firm, that fact must be disclosed prominently in the advertisement. Adds (6): The lawyer shall retain a copy or recording of all advertisements utilized by the lawyer, as well as a record of when and where it was used, for 2</p>

	<p>years after its last dissemination. Electronic retention is permitted if in PDF format, or such other formats as the Commission may designate by regulation. In the event of the pendency of any disciplinary action before the Inquiry Commission, Board of Governors or Court, the lawyer shall continue to retain a copy until the termination of that proceeding.</p>
<p>LA Amendment Effective June 2, 2016</p>	<p>does not include (a) or (c) or (b)(3) and (4) breaks MR (b) into two parts, (a) and (b)</p> <p>The following shall apply to any communication conveying information about a lawyer, a lawyer’s services or a law firm’s services:</p> <p>(a) Required Content of Advertisements and Unsolicited Written Communications. (1) Name of Lawyer. All advertisements and unsolicited written communications pursuant to these Rules shall include the name of at least one lawyer responsible for their content. (2) Location of Practice. All advertisements and unsolicited written communications provided for under these Rules shall disclose, by city or town, one or more bona fide office location(s) of the lawyer or lawyers who will actually perform the services advertised. If the office location is outside a city or town, the parish where the office is located must be disclosed. For the purposes of this Rule, a bona fide office is defined as a physical location maintained by the lawyer or law firm where the lawyer or law firm reasonably expects to furnish legal services in a substantial way on a regular and continuing basis, and which physical location shall have at least one lawyer who is regularly and routinely present in that physical location. In the absence of a bona fide office, the lawyer shall disclose the city or town of the primary registration statement address as it appears on the lawyer’s annual registration statement. If an advertisement or unsolicited written communication lists a telephone number in connection with a specified geographic area other than an area containing a bona fide office or the lawyer’s primary registration statement address, appropriate qualifying language must appear in the advertisement. (3) The following items may be used without including the content required by subdivisions (a)(1) and (a)(2) of this Rule 7.2: (A) Sponsorships. A brief announcement in any public media that identifies a lawyer or law firm as a contributor to a specified charity or as a sponsor of a public service announcement or a specified charitable, community, or public interest program, activity, or event, provided that the announcement contains no information about the lawyer or the law firm other than permissible content of advertisements listed in Rule 7.2(b) and the fact of the sponsorship or contribution, in keeping with Rule 7.8(b); (B) Gift/Promotional Items. Items, such as coffee mugs, pens, pencils, apparel, and the like, that identify a lawyer or law firm and are used/disseminated by With amendments through June 2, 2016. 38 a lawyer or law firm not in violation of these Rules, including but not limited to Rule 7.2(c)(13) and Rule 7.4; and (C) Office Sign(s) for Bona Fide Office Location(s). A sign, placard, lettering, mural, engraving, carving or other alphanumeric display conveying information about a lawyer, a lawyer’s services or a law firm’s services that is permanently</p>

	<p>affixed, hanging, erected or otherwise attached to the physical structure of the building containing a bona fide office location for a lawyer or law firm, or to the property on which that bona fide office location sits.</p> <p>(b) Permissible Content of Advertisements and Unsolicited Written Communications. If the content of an advertisement in any public media or unsolicited written communication is limited to the following information, the advertisement or unsolicited written communication is exempt from the filing and review requirement and, if true, shall be presumed not to be misleading or deceptive. (1) Lawyers and Law Firms. A lawyer or law firm may include the following information in advertisements and unsolicited written communications:</p> <p>(A) subject to the requirements of this Rule and Rule 7.10, the name of the lawyer or law firm, a listing of lawyers associated with the firm, office locations and parking arrangements, disability accommodations, telephone numbers, Web site addresses, and electronic mail addresses, office and telephone service hours, and a designation such as “attorney”, “lawyer” or “law firm”;</p> <p>(B) date of admission to the Louisiana State Bar Association and any other bars, current membership or positions held in the Louisiana State Bar Association, its sections or committees, former membership or positions held in the Louisiana State Bar Association, its sections or committees, together with dates of membership, former positions of employment held in the legal profession, together with dates the positions were held, years of experience practicing law, number of lawyers in the advertising law firm, and a listing of federal courts and jurisdictions other than Louisiana where the lawyer is licensed to practice;</p> <p>(C) technical and professional licenses granted by the State or other recognized licensing authorities and educational degrees received, including dates and institutions;</p> <p>(D) military service, including branch and dates of service;</p> <p>(E) foreign language ability;</p> <p>(F) fields of law in which the lawyer practices, including official certification logos, subject to the requirements of subdivision (c)(5) of this Rule;</p> <p>(G) prepaid or group legal service plans in which the lawyer participates;</p> <p>(H) fee for initial consultation and fee schedule, subject to the requirements of subdivisions (c)(6) and (c)(7) of this Rule;</p> <p>(I) common salutatory language such as “best wishes,” “good luck,” “happy holidays,” or “pleased to announce”;</p> <p>(J) punctuation marks and common typographical marks; and</p> <p>(K) a photograph or image of the lawyer or lawyers who are members of or employed by the firm against a plain background.</p> <p>(2) Public Service Announcements. A lawyer or law firm may be listed as a sponsor of a public service announcement or charitable, civic, or community program or event as long as the information about the lawyer or law firm is limited to the permissible content set forth in subdivision (b)(1) of this Rule.</p> <p>(c) Prohibitions and General Rules Governing Content of Advertisements and Unsolicited Written Communications.</p> <p>(1) Statements About Legal Services. A lawyer shall not make or permit to be made a false, misleading or deceptive communication about the lawyer, the lawyer’s services or the law firm’s services. A communication violates this Rule</p>
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	<p>if it:</p> <ul style="list-style-type: none">(A) contains a material misrepresentation of fact or law;(B) is false, misleading or deceptive;(C) fails to disclose material information necessary to prevent the information supplied from being false, misleading or deceptive;(D) contains a reference or testimonial to past successes or results obtained, except as allowed in the Rule regulating information about a lawyer's services provided upon request; (Suspended)(E) promises results;(F) states or implies that the lawyer can achieve results by means that violate the Rules of Professional Conduct or other law;(G) compares the lawyer's services with other lawyers' services, unless the comparison can be factually substantiated;(H) contains a paid testimonial or endorsement, unless the fact of payment is disclosed;(I) includes (i) a portrayal of a client by a non-client without disclaimer of such, as required by Rule 7.2(c)(10); (ii) the depiction of any events or scenes, other than still pictures, photographs or other static images, that are not actual or authentic without disclaimer of such, as required by Rule 7.2(c)(10); or (iii) a still picture, photograph or other static image that, due to alteration or the context of its use, is false, misleading or deceptive;(J) the portrayal of a lawyer by a non-lawyer, the portrayal of a law firm as a fictionalized entity, the use of a fictitious name to refer to lawyers not associated together in a law firm, or otherwise implies that lawyers are associated in a law firm if that is not the case;(K) resembles a legal pleading, notice, contract or other legal document;(L) utilizes a nickname, moniker, motto or trade name that states or implies an ability to obtain results in a matter; or(M) fails to comply with Rule 1.8(e)(4)(iii). <p>(2) Prohibited Visual and Verbal Portrayals and Illustrations. A lawyer shall not include in any advertisement or unsolicited written communication any visual or verbal descriptions, depictions, illustrations (including photographs) or portrayals of persons, things, or events that are false, misleading or deceptive.</p> <p>(3) Advertising Areas of Practice. A lawyer or law firm shall not state or imply in advertisements or unsolicited written communications that the lawyer or law firm currently practices in an area of practice when that is not the case.</p> <p>(4) Stating or Implying Louisiana State Bar Association Approval. A lawyer or law firm shall not make any statement that directly or impliedly indicates that the communication has received any kind of approval from The Louisiana State Bar Association.</p> <p>(5) Communication of Fields of Practice. A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. A lawyer may state that the lawyer is a "specialist," practices a "specialty," or "specializes in" particular fields, but such communications are subject to the "false and misleading" standard applied in Rule 7.2(c)(1) to communications concerning a lawyer's services. A lawyer shall not state or imply that the lawyer is "certified," or "board certified" except as follows:</p> <ul style="list-style-type: none">(A) Lawyers Certified by the Louisiana Board of Legal Specialization. A lawyer
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who complies with the Plan of Legal Specialization, as determined by the Louisiana Board of Legal Specialization, may inform the public and other lawyers of the lawyer's certified area(s) of legal practice. Such communications should identify the Louisiana Board of Legal Specialization as the certifying organization and may state that the lawyer is "certified," or "board certified in (area of certification)."

(B) Lawyers Certified by Organizations Other Than the Louisiana Board of Legal Specialization or Another State Bar. A lawyer certified by an organization other than the Louisiana Board of Legal Specialization or another state bar may inform the public and other lawyers of the lawyer's certified area(s) of legal practice by stating that the lawyer is "certified," or "board certified in (area of certification)" if: (i) the lawyer complies with Section 6.2 of the Plan of Legal Specialization for the Louisiana Board of Legal Specialization; and, (ii) the lawyer includes the full name of the organization in all communications pertaining to such certification. A lawyer who has been certified by an organization that is accredited by the American Bar Association is not subject to Section 6.2 of the Plan of Legal Specialization.

(C) Certification by Other State Bars. A lawyer certified by another state bar may inform the public and other lawyers of the lawyer's certified area(s) of legal practice and may state in communications to the public that the lawyer is "certified," or "board certified in (area of certification)" if: (i) the state bar program grants certification on the basis of standards reasonably comparable to the standards of the Plan of Legal Specialization, as determined by the Louisiana Board of Legal Specialization; and, (ii) the lawyer includes the name of the state bar in all communications pertaining to such certification.

(6) Disclosure of Liability For Expenses Other Than Fees. Every advertisement and unsolicited written communication that contains information about the lawyer's fee, including those that indicate no fee will be charged in the absence of a recovery, shall disclose whether the client will be liable for any costs and/or expenses in addition to the fee.

(7) Period for Which Advertised Fee Must be Honored. 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 ninety days from the date last advertised unless the With amendments through June 2, 2016. 42 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.

(8) Firm Name. A lawyer shall not advertise services under a name that violates the provisions of Rule 7.10.

(9) Language of Required Statements. Any words or statements required by these Rules to appear in an advertisement or unsolicited written communication must appear in the same language in which the advertisement or unsolicited written communication appears. If more than one language is used in an advertisement or unsolicited written communication, any words or statements required by these Rules must appear in each language used in the advertisement or unsolicited written communication.

(10) Appearance of Required Statements, Disclosures and Disclaimers. Any

	<p>words or statements required by these Rules to appear in an advertisement or unsolicited written communication must be clearly legible if written or intelligible if spoken aloud. All disclosures and disclaimers required by these Rules shall be clear, conspicuous and clearly associated with the item requiring disclosure or disclaimer. Written disclosures and disclaimers shall be clearly legible and, if televised or displayed electronically, shall be displayed for a sufficient time to enable the viewer to easily see and read the disclosure or disclaimer. Spoken disclosures and disclaimers shall be plainly audible and clearly intelligible.</p> <p>(11) Payment by Non-Advertising Lawyer. No lawyer shall, directly or indirectly, pay all or a part of the cost of an advertisement by a lawyer not in the same firm. (12) Referrals to Another Lawyer. If the case or matter will be, or is likely to be, referred to another lawyer or law firm, the communication shall include a statement so advising the prospective client.</p> <p>(13) Payment for Recommendations; Lawyer Referral Service Fees. A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may pay the reasonable cost of advertising or written or recorded communication permitted by these Rules, and may pay the usual charges of a lawyer referral service or other legal service organization only as follows:</p> <p>(A) A lawyer may pay the usual, reasonable and customary charges of a lawyer referral service operated by the Louisiana State Bar Association, any local bar association, or any other not-for-profit organization, provided the lawyer referral service:</p> <p>(i) refers all persons who request legal services to a participating lawyer; With amendments through June 2, 2016. 43</p> <p>(ii) prohibits lawyers from increasing their fee to a client to compensate for the referral service charges; and</p> <p>(iii) fairly and equitably distributes referral cases among the participating lawyers, within their area of practice, by random allotment or by rotation.</p> <p>* The 5th U.S. Circuit Court of Appeals found the LA Rules 7.2(C)(1)(D), 7.2(C)(1)(J), and 7.2(C)(10) unconstitutional, Public Citizen Inc., et al. v. Louisiana Attorney Disciplinary Board, et al., No. 09-30925, 01-31-2011.</p>
<p>ME Effective 8/1/09</p>	<p>Same as MR</p>
<p>MD Effective 7/1/05</p>	<p>the rule and comment contain a mixture of the old and new MRs</p> <p>(a): similar to old MR; changes reference to "7.3" to "7.3(b)"; changes "or through written or recorded communication" to "or through communication not involving personal contact."</p> <p>retains old MR (b) which was deleted in new MR</p> <p>(c) is MR (b), except:</p> <p>(c)(2): deletes 2nd sentence and part of first sentence so it reads: pay the usual charges of a legal service plan or a not-for-profit lawyer referral service.</p> <p>(c)(4) similar to new MR (b)(4) but applies only to non-lawyer professionals.</p> <p>(d) is same as old MR (d)</p> <p>adds as (e): An advertisement or communication indicating that no fee will be charged in the absence of a recovery shall also disclose whether the client will be</p>

	<p>liable for any expenses.</p> <p>adds as (f): A lawyer, including a participant in an advertising group or lawyer referral service or other program involving communications concerning the lawyer's services, shall be personally responsible for compliance with the provisions of Rules 7.1, 7.2, 7.3, 7.4, and 7.5 and shall be prepared to substantiate such compliance.</p>
<p>MA Amendment Effective 7/1/2015</p>	<p>(b)(2) <i>pay the usual charges of a legal service plan, not-for-profit lawyer referral service or qualified legal assistance organization</i></p> <p>(b)(3) deletes “and” at end</p> <p>Adds: (c)(5) <i>pay fees permitted by Rule 1.5(e) or Rule 5.4(a)(4).</i></p>
<p>MI* Rules effective 10/1/88</p>	<p><i>*Made only partial amendments effective 1/1/2011 since the most recent amendments to the ABA Model Rules (amended Rules 3.1, 3.3, 3.4, 3.5, 3.6, 5.5, and 8.5 and adopted new Rules 2.4, 5.7, and 6.6.</i></p> <p>(a) <i>Subject to the provisions of these rules, a lawyer may advertise;</i></p> <p>(b) A copy or recording of an advertisement or communication shall be kept for two years after its last dissemination along with a record of when and where it was used;</p> <p>(c) is the same as MR (b);</p> <p>(c)(ii) is similar to MR (c)(2) but changes language to: <i>(ii) participate in, and pay the usual charges of, a not-forprofit lawyer referral service or other legal service organization that satisfies the requirements of Rule 6.3(b); and;</i></p> <p>Does not have MR (b)(4); Does not have MR (c).</p>
<p>MN Effective 10/1/05</p>	<p>(b)(2): deletes “or qualified” and deletes definition of qualified lawyer referral service.</p> <p>(c): deletes “and office address”</p>
<p>MS Effective 11/3/05</p>	<p>(a) An advertisement is an active quest for clients involving a public or non-public communication. The term "advertisement" includes, but is not limited to, communication by means of telephone, television, radio, motion picture, computer-accessed communication, newspaper, sign, directory, listing or through written communication.</p> <p>(b) 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 longer 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>(c) All advertisements and written communications provided for under these rules shall disclose the geographic location by city and state of one or more offices of the lawyer or lawyers whose services are advertised or shall state that additional information about the lawyer or firm can be obtained by contacting the Mississippi Bar at a number designated by the Bar and included in the advertisement.</p> <p>(d) All advertisements and written communications pursuant to these Rules shall include the name of at least one lawyer or the lawyer referral service responsible</p>

	<p>for their content. A lawyer shall not advertise services under a name that violates the provisions of Rule 7.7.</p> <p>(e) No lawyer shall directly or indirectly pay all or a 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, the relationship between the advertising lawyer and the nonadvertising lawyer, and whether the advertising lawyer may refer any case received through the advertisement to the nonadvertising lawyer.</p> <p>(f) 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 this Rule and Rule 7.7, 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, and a designation such as "attorney" or "law firm."</p> <p>(2) Date of admission to The Mississippi Bar and any other Bars and a listing of federal courts and jurisdictions other than Mississippi where the lawyer is licensed to practice.</p> <p>(3) Foreign language ability.</p> <p>(4) Prepaid or group legal service plans in which the lawyer participates.</p> <p>(5) Acceptance of credit cards.</p> <p>(6) Fee for initial consultation and fee schedule, subject to the requirements of paragraph (b) of this Rule.</p> <p>(7) A listing of the name and geographic location by city and state of one or more offices of a lawyer or law firm as a sponsor of a public service announcement or charitable, civic or community program or event.</p> <p>(g) Nothing in this Rule prohibits the inclusion of the name of a lawyer or law firm in law lists and law directories intended primarily for the use of the legal profession of such information as has traditionally been included in these publications.</p> <p>(h) A copy or recording of an advertisement or written or recorded communication shall be submitted to the Office of General Counsel of the Mississippi Bar (hereinafter referred to as "OGCMB") in accordance with the provisions of Rule 7.5. The OGCMB shall retain a copy of such advertisement or communication for three (3) years from the date of submission. The lawyer shall retain a copy or recording for five (5) three (3) years after its last dissemination along with a record of when and where it was used.</p> <p>(i) The lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may pay the reasonable cost of advertising or a written or recorded communication permitted by these Rules and may pay the usual charges of a lawyer referral service or to other legal service organization.</p>
<p>MO Rule revised effective 7/1/10</p>	<p>(a) Deletes reference to Rule 7.3 and replaces language after "services through" with: "public media, such as a telephone directory, legal directory, newspaper or other periodical, outdoor advertising, radio, or television, or through direct mail advertising distributed generally to persons not <u>known</u> to need legal services of the kind provided by the lawyer in a particular matter;"</p> <p>Adds:</p> <p><i>(b) A copy or recording of an advertisement or <u>written</u> communication</i></p>

	<p><i>shall be kept for two years after its last dissemination along with a record of when and where it was used. The record shall include the name of at least one lawyer responsible for its content unless the advertisement or written communication itself contains the name of at least one lawyer responsible for its content.</i></p> <p>(c) is similar to MR (b); (c)(1) is similar to MR (b)(1) but changes “costs” to “cost,” adds “written” before “communication;” Replaces (b)(2) through (4) with: <i>(2) a lawyer may pay the reasonable cost of advertising, written communication, or other notification required in connection with the sale of a law practice as permitted by Rule 4-1.17; and</i> <i>(3) a lawyer may pay the usual charges of a qualified lawyer referral service registered under Rule 4-9.1 or other not-for-profit legal services organization.</i></p> <p>Adds: <i>(d) A lawyer may not, directly or indirectly, pay all or a part of the cost of an advertisement in the public media unless such advertisement discloses the name and address of the financing lawyer, the relationship between the advertising lawyer and the financing lawyer, and whether the advertising lawyer is likely to refer cases received through the advertisement to the financing lawyer. Similarly, in any communications such as television, radio, or other electronic programs purporting to give the public legal advice or legal information, for which programs the broadcaster receives any remuneration or other consideration, directly or indirectly, from the lawyer who appears on those programs, the lawyer shall conspicuously disclose to the public the fact that the broadcaster has been paid or receives consideration from the lawyer appearing on the program.</i> <i>(e) A lawyer or law firm shall not advertise the existence of any office other than the principal office unless:</i> <i>(1) that other office is staffed by a lawyer at least three days a week, or</i> <i>(2) the advertisement states:</i> <i>(A) the days and times during which a lawyer will be present at that office, or</i> <i>(B) that meetings with lawyers will be by appointment only.</i> <i>(f) Any advertisement or communication made pursuant to this Rule 4-7.2, other than written solicitations governed by the disclosure rules of Rule 4-7.3(b), shall contain the following conspicuous disclosure: "The choice of a lawyer is an important decision and should not be based solely upon advertisements." "Conspicuous" means that the required disclosure must be of such size, color, contrast, location, duration, cadence, or audibility that an ordinary person can readily notice, read, hear, or understand it.</i> <i>(g) The disclosures required by Rule 4-7.2(e) and (f) need not be made if the information communicated is limited to the following:</i></p>
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	<p>(1) the name of the <u>law firm</u> and the names of lawyers in the firm;</p> <p>(2) one or more fields of law in which the lawyer or law firm practices;</p> <p>(3) the date and place of admission to the bar of state and federal courts; and</p> <p>(4) the address, including e-mail and web site address, telephone number, and office hours.</p> <p>(h) Any words or statements required by Rules 4-7.1, 4-7.2, or 4-7.3 to appear in an advertisement or direct mail communication must appear in the same language in which the advertisement or direct mail solicitation appears. If more than one language is used in an advertisement or direct mail communication, any words or statements required by Rules 4-7.1 to 4-7.6 must appear in each language used in the advertisement or direct mail communication.</p> <p>(i) The provisions of Rule 4-7.2 shall not apply to services provided by a not-for-profit organization funded in whole or in part by the Legal Services Corporation established by 42 U.S.C. section 2996(b) or to pro bono services provided free of charge by a not-for-profit organization, a court-annexed program, a bar association, or an accredited law school.</p> <p>The provisions of Rule 4-7.2 shall not apply to law firms or lawyers who promote, support or publicize through advertising that substantially and predominantly features any of the following: legal services corporation; community or other non-profit organization; recognized community events or celebrations; institutions; entities; or individuals other than themselves.</p> <p>Does not adopt MR (c).</p>
<p>MT Effective 4/1/04</p> <p>Changes effective 7/21/10</p>	<p>(a) Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services through written, recorded, or electronic communication, including public media.</p> <p>(b) A lawyer shall not give anything of value to a person for recommending the lawyer's services except that a lawyer may:</p> <ol style="list-style-type: none"> (1) pay the reasonable costs of advertisements or communications permitted by this Rule; (2) pay the usual charges of a legal service plan or a not-for-profit or qualified lawyer referral service A qualified lawyer referral service is a lawyer referral service that has been approved by an appropriate regulatory authority; and; (3) pay for a law practice in accordance with Rule 1.19. <p>(c) Any communication made pursuant to this rule shall include the name and office address of at least one lawyer or law firm responsible for its content.</p>
<p>NE Effective 9/1/05</p>	<p>Same as MR</p>
<p>NV</p> <p>Amendment effective</p>	<p>Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services through written, recorded, or electronic communication, including public media.</p> <p>(a) Except as allowed under Rule 1.5(e), a lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer</p>

3/8/2018	<p>may pay the reasonable cost of advertising or written or recorded communication permitted by these Rules and may pay the usual charges of a lawyer referral service or other legal service organization.</p> <p>(b) Any communication made pursuant to this Rule shall include the following disclaimers and disclosures:</p> <p>(1) Use of actors. If the advertisement uses any actors to portray a lawyer, members of the law firm, clients, or utilizes depictions of fictionalized events or scenes, the same must be disclosed. In the event actors are used, the disclosure must be sufficiently specific to identify which persons in the advertisement are actors, and the disclosure must appear for the duration in which the actor(s) appear in the advertisement.</p> <p>(2) Lawyer responsible for content. All advertisements and written communications disseminated pursuant to these Rules shall identify the name of at least one lawyer responsible for their content.</p> <p>(3) Area(s) of practice. Every advertisement and written communication that indicates one or more areas of law in which the lawyer or law firm practices shall conform to the requirements of Rule 7.4.</p> <p>(4) Contingency fees. Every advertisement and written communication indicating that the charging of a fee is contingent on outcome or that the fee will be a percentage of the recovery shall contain a disclaimer that the client may be liable for the opposing parties' fees and costs.</p> <p>(5) Range of fees. A lawyer who advertises a specific fee or range of fees shall include the duration said fees are in effect and any other limiting conditions to the availability of the fees.</p> <p>(6) Quality of services. Statements describing or characterizing the quality of the lawyer's services in advertisements and written communications are subject to proof of verification, to be provided at the request of the state bar or a client or prospective client.</p> <p>(7) Statement regarding past results. If the advertisement contains any reference to past successes or results obtained, the communicating lawyer or member of the law firm must have served as lead counsel in the matter giving rise to the recover, or was primarily responsible for the settlement or verdict. The advertisement shall also contain a disclaimer that past results do not guarantee, warrant or predict future cases.</p> <p>If past successes or results obtained include a monetary sum, the amount involved must have been actually received by the client, and the reference must be accompanied by adequate information regarding the nature of the case or matter and damages or injuries sustained by the client, and if the gross amount received is stated, the attorney fees and litigation expenses withheld from the amount must be stated as well.</p> <p>(c) Any statement or disclaimer required by these rules shall be made in each language used in the advertisement or writing with respect to which such required statement or disclaimer relates; provided, however, the mere statement that a particular language is spoken or understood shall not alone result in the need for a statement or disclaimer in that language.</p> <p>(d) Any information required by these rules to appear in an advertisement must be reasonably prominent and clearly legible if written, or intelligible if spoken.</p> <p>(e) Nothing in this Rule prohibits a lawyer or law firm from permitting the</p>
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	inclusion in law lists and law directories intended primarily for the use of the legal profession of such information as has traditionally been included in these publications.
NH Effective 1/1/08	(b) Replaces everything after (b)(1) with: <i>(2) pay a fee charged by an organization that is recognized by the Internal Revenue Service as exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code; and</i> <i>(3) purchase a law practice in accordance with Rule 1.17.”</i>
NJ Effective 1/1/04	(a) Subject to the requirements of RPC 7.1, a lawyer may advertise services through public media, such as a telephone directory, legal directory, newspaper or other periodical, radio or television, internet or other electronic media, or through mailed written communication. All advertisements shall be predominantly informational. No drawings, animations, dramatizations, music, or lyrics shall be used in connection with televised advertising. No advertisement shall rely in any way on techniques to obtain attention that depend upon absurdity and that demonstrate a clear and intentional lack of relevance to the selection of counsel; included in this category are all advertisements that contain any extreme portrayal of counsel exhibiting characteristics clearly unrelated to legal competence. (b) A copy or recording of an advertisement or written communication shall be kept for three years after its dissemination along with a record of when and where it was used. (c) A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that: (1) a lawyer may pay the reasonable cost of advertising or written communication permitted by this Rule; (2) a lawyer may pay the reasonable cost of advertising, written communication or other notification required in connection with the sale of a law practice as permitted by RPC 1.17; and (3) a lawyer may pay the usual charges of a not-for-profit lawyer referral service or other legal service organization.
NM Effective 11/2/09	Changed to Rule 16-702; (a) Renamed Paragraph “ A. Permitted advertising; ” Replaces “Rules 7.1 and 7.3” with “Rules 16-701 and 16-703 of the Rules of Professional Conduct;” (b) Renamed Paragraph “ B. Payments for referrals; ” (b)(3) Replaces “Rule 1.17” with “Rule 16-117 of the Rules of Professional Conduct;” (c) Renamed Paragraph “ C. Required information in communications. ”
NY Effective 4/1/09	<i>RULE 7.1: ADVERTISING</i> <i>(a) A lawyer or law firm shall not use or disseminate or participate in the use or dissemination of any advertisement that:</i> <i>(1) contains statements or claims that are false, deceptive or misleading;</i> <i>or</i> <i>(2) violates a Rule.</i> <i>(b) Subject to the provisions of paragraph (a), an advertisement may include information as to:</i> <i>(1) legal and nonlegal education; degrees and other scholastic distinctions; dates of admission to any bar; areas of the law in which the lawyer or law firm practices, as authorized by these Rules; public offices and teaching positions</i>

held; publications of law-related matters authored by the lawyer; memberships in bar associations or other professional societies or organizations, including offices and committee assignments therein; foreign language fluency; and bona fide professional ratings;

(2) names of clients regularly represented, provided that the client has given prior written consent;

(3) bank references; credit arrangements accepted; prepaid or group legal services programs in which the lawyer or law firm participates; nonlegal services provided by the lawyer or law firm or by an entity owned and controlled by the lawyer or law firm; the existence of contractual relationships between the lawyer or law firm and a nonlegal professional or nonlegal professional service firm, to the extent permitted by Rule 5.8, and the nature and extent of services available through those contractual relationships; and

(4) legal fees for initial consultation; contingent fee rates in civil matters, when accompanied by a statement disclosing the information required by paragraph (p); range of fees for legal and nonlegal services, provided that there be available to the public free of charge a written statement clearly describing the scope of each advertised service, hourly rates, and fixed fees for specified legal and nonlegal services.

(c) An advertisement shall not:

(1) include an endorsement of, or testimonial about, a lawyer or law firm from a client with respect to a matter that is still pending;

(2) include a paid endorsement of, or testimonial about, a lawyer or law firm without disclosing that the person is being compensated therefor;

(3) include the portrayal of a judge, the portrayal of a fictitious law firm, the use of a fictitious name to refer to lawyers not associated together in a law firm, or otherwise imply that lawyers are associated in a law firm if that is not the case;

(4) use actors to portray the lawyer, members of the law firm, or clients, or utilize depictions of fictionalized events or scenes, without disclosure of same;

(5) rely on techniques to obtain attention that demonstrate a clear and intentional lack of relevance to the selection of counsel, including the portrayal of lawyers exhibiting characteristics clearly unrelated to legal competence;

(6) be made to resemble legal documents; or

(7) utilize a nickname, moniker, motto or trade name that implies an ability to obtain results in a matter.

(d) An advertisement that complies with paragraph (e) may contain the following:

(1) statements that are reasonably likely to create an expectation about results the lawyer can achieve;

(2) statements that compare the lawyer's services with the services of other lawyers;

(3) testimonials or endorsements of clients, where not prohibited by paragraph (c)(1), and of former clients; or

	<p>(4) <i>statements describing or characterizing the quality of the lawyer's or law firm's services.</i></p> <p>(e) <i>It is permissible to provide the information set forth in paragraph (d) provided:</i></p> <p>(1) <i>its dissemination does not violate paragraph (a);</i></p> <p>(2) <i>it can be factually supported by the lawyer or law firm as of the date on which the advertisement is published or disseminated; and</i></p> <p>(3) <i>it is accompanied by the following disclaimer: "Prior results do not guarantee a similar outcome."</i></p> <p>(f) <i>Every advertisement other than those appearing in a radio, television or billboard advertisement, in a directory, newspaper, magazine or other periodical (and any web sites related thereto), or made in person pursuant to Rule 7.3(a)(1), shall be labeled "Attorney Advertising" on the first page, or on the home page in the case of a web site. If the communication is in the form of a self-mailing brochure or postcard, the words "Attorney Advertising" shall appear therein. In the case of electronic mail, the subject line shall contain the notation "ATTORNEY ADVERTISING."</i></p> <p>(g) <i>A lawyer or law firm shall not utilize:</i></p> <p>(1) <i>a pop-up or pop-under advertisement in connection with computer-accessed communications, other than on the lawyer's or law firm's own web site or other Internet presence; or</i></p> <p>(2) <i>meta-tags or other hidden computer codes that, if displayed, would violate these Rules.</i></p> <p>(h) <i>All advertisements shall include the name, principal law office address and telephone number of the lawyer or law firm whose services are being offered.</i></p> <p>(i) <i>Any words or statements required by this Rule to appear in an advertisement must be clearly legible and capable of being read by the average person, if written, and intelligible if spoken aloud. In the case of a web site, the required words or statements shall appear on the home page.</i></p> <p>(j) <i>A lawyer or law firm advertising any fixed fee for specified legal services shall, at the time of fee publication, have available to the public a written statement clearly describing the scope of each advertised service, which statement shall be available to the client at the time of retainer for any such service. Such legal services shall include all those services that are recognized as reasonable and necessary under local custom in the area of practice in the community where the services are performed.</i></p> <p>(k) <i>All advertisements shall be pre-approved by the lawyer or law firm, and a copy shall be retained for a period of not less than three years following its initial dissemination. Any advertisement contained in a computer-accessed communication shall be retained by the lawyer for a period of not less than one year. A copy of the contents of any web site covered by this Rule shall be preserved upon the initial publication of the web site, any major web site redesign, or a meaningful and extensive content change, but in no event less frequently than once every 90 days.</i></p>
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	<p><i>(l) If a lawyer or law firm advertises a range of fees or an hourly rate for services, the lawyer or law firm shall not charge more than the fee advertised for such services. If a lawyer or law firm advertises a fixed fee for specified legal services, or performs services described in a fee schedule, the lawyer or law firm shall not charge more than the fixed fee for such stated legal service as set forth in the advertisement or fee schedule, unless the client agrees in writing that the services performed or to be performed were not legal services referred to or implied in the advertisement or in the fee schedule and, further, that a different fee arrangement shall apply to the transaction.</i></p> <p><i>(m) Unless otherwise specified in the advertisement, if a lawyer publishes any fee information authorized under this Rule in a publication that is published more frequently than once per month, the lawyer shall be bound by any representation made therein for a period of not less than 30 days after such publication. If a lawyer publishes any fee information authorized under this Rule in a publication that is published once per month or less frequently, the lawyer shall be bound by any representation made therein until the publication of the succeeding issue. If a lawyer publishes any fee information authorized under this Rule in a publication that has no</i></p> <p><i>fixed date for publication of a succeeding issue, the lawyer shall be bound by any representation made therein for a reasonable period of time after publication, but in no event less than 90 days.</i></p> <p><i>(n) Unless otherwise specified, if a lawyer broadcasts any fee information authorized under this Rule, the lawyer shall be bound by any representation made therein for a period of not less than 30 days after such broadcast.</i></p> <p><i>(o) A lawyer shall not compensate or give anything of value to representatives of the press, radio, television or other communication medium in anticipation of or in return for professional publicity in a news item.</i></p> <p><i>(p) All advertisements that contain information about the fees charged by the lawyer or law firm, including those indicating that in the absence of a recovery no fee will be charged, shall comply with the provisions of Judiciary Law § 488(3).</i></p> <p><i>(q) A lawyer may accept employment that results from participation in activities designed to educate the public to recognize legal problems, to make intelligent selection of counsel or to utilize available legal services.</i></p> <p><i>(r) Without affecting the right to accept employment, a lawyer may speak publicly or write for publication on legal topics so long as the lawyer does not undertake to give individual advice.</i></p>
<p>NC *Amendment effective October 2, 2014</p>	<p>(b)(2) pay the usual charges of a not-for-profit lawyer referral service that complies with Rule 7.2(d), or a prepaid or group legal services plan that complies with Rule 7.3(d); and Did not adopt MR (b)(4) (c): adds “other than that of a lawyer referral service as described in paragraph (d)” after “rule” Adds (d) A lawyer may participate in a lawyer referral service subject to the</p>

	<p>following conditions:</p> <p>(1) the lawyer is professionally responsible for its operation including the use of a false, deceptive, or misleading name by the referral service;</p> <p>(2) the referral service is not operated for a profit;</p> <p>(3) the lawyer may pay to the lawyer referral service only a reasonable sum which represents a proportionate share of the referral service's administrative and advertising costs;</p> <p>(4) the lawyer does not directly or indirectly receive anything of value other than legal fees earned from representation of clients referred by the service;</p> <p>(5) employees of the referral service do not initiate contact with prospective clients and do not engage in live telephone or in-person solicitation of clients;</p> <p>(6) the referral service does not collect any sums from clients or potential clients for use of the service; and</p> <p>(7) all advertisements by the lawyer referral service shall:</p> <p>(A) state that a list of all participating lawyers will be mailed free of charge to members of the public upon request and state where such information may be obtained; and</p> <p>(B) explain the method by which the needs of the prospective client are matched with the qualifications of the recommended lawyer.</p>
<p>ND Effective March 1, 2015</p>	<p>(a) Subject to the requirements of Rule 7.1 and 7.3, a lawyer may market and advertise legal services through media, including published and on-line directories; newspapers, newsletters and other periodicals; outdoor advertising; electronic advertising, including radio, television, video and the Internet; and through text-based communications including written correspondence and e-mail.</p> <p>(b): MR (c) but replaces “shall” with “must”</p> <p>(c)(1) & (2): MR (b)(1)-(3), deletes second sentence of MR (b)(2)</p>
<p>OH Effective 2/1/07</p>	<p>Title: adds “and Recommendation of Professional Employment”</p> <p>(b): adds to end “pay any of the following”</p> <p>(b)(1), (2) and (4): deletes “pay”</p> <p>(b)(2): ends paragraph after “plan”</p> <p>Adds (b)(3) the usual charges for a nonprofit or lawyer referral service that complies with Rule XVI of the Supreme Court Rules for the Government of the Bar of Ohio;</p> <p>(b)(4): same as MR (b)(3). Did not adopt MR (b)(4)</p> <p>Adds (d) A lawyer shall not seek employment in connection with a matter in which the lawyer or law firm does not intend to participate actively in the representation, but that the lawyer or law firm intends to refer to other counsel. This provision shall not apply to organizations listed in Rules 7.2(b)(2) or (3) or if the advertisement is in furtherance of a transaction permitted by Rule 1.17.</p>
<p>OK Effective 1/1/08</p>	<p>(b) Adds “directly or indirectly” after “anything of value;”</p> <p>(b)(4) Adds clause: “without paying anything solely for the referral.”</p>
<p>OR Effective 1/1/14</p>	<p>(a) Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services through written, recorded or electronic communication, including public media.</p> <p>(b) A lawyer shall not give anything of value to a person for recommending the lawyer's services except that a lawyer may</p> <p>(1) pay the reasonable costs of advertisements or communications permitted by</p>

	<p>this Rule; (2) pay the usual charges of a legal service plan or a not-for-profit lawyer referral service; and (3) pay for a law practice in accordance with Rule 1.17. (c) Any communication made pursuant to this rule shall include the name and office address of at least one lawyer or law firm responsible for its content.</p>
<p>PA *Amendments Effective 11/21/2013</p>	<p>(a) Subject to the requirements of Rule 7.1, a lawyer may advertise services through written, recorded or electronic communications, including public media, not within the purview of Rule 7.3. (b) A copy or recording of an advertisement or written communication shall be kept for two years after its last dissemination along with a record of when and where it was used. This record shall include the name of at least one lawyer responsible for its content. (c) A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may pay: (1) the reasonable cost of advertisements or communications permitted by this Rule (2) the usual charges of a lawyer referral service or other legal service organization; and (3) for a law practice in accordance with Rule 1.17. (d) No advertisement or public communication shall contain an endorsement by a celebrity or public figure. (e) An advertisement or public communication that contains a paid endorsement shall disclose that the endorser is being paid or otherwise compensated for his or her appearance or endorsement. (f) A non-lawyer shall not portray a lawyer or imply that he or she is a lawyer in any advertisement or public communication; nor shall an advertisement or public communication portray a fictitious entity as a law firm, use a fictitious name to refer to lawyers not associated together in a law firm, or otherwise imply that lawyers are associated together in a law firm if that is not the case. (g) An advertisement or public communication shall not contain a portrayal of a client by a nonclient; the re-enactment of any events or scenes; or, pictures or persons, which are not actual or authentic, without a disclosure that such depiction is a dramatization. (h) Every advertisement that contains information about the lawyer's fee, shall be subject to the following requirements: (1) Advertisements that state or indicate that no fee shall be charged in the absence of recovery shall disclose that the client will be liable for certain expenses in addition to the fee, if such is the case. (2) A lawyer who advertises a specific fee or hourly rate or range of fees for a particular service shall honor the advertised fee for at least ninety (90) days; provided that for advertisements in media published annually, the advertised fee shall be honored for no less than one (1) year following initial publication unless otherwise stated as part of the advertisement. (i) All advertisements and written communications shall disclose the geographic location, by city or town, of the office in which the lawyer or lawyers who will actually perform the services advertised principally practice law. If the office location is outside the city or town, the county in which the office is located must be disclosed. (j) A lawyer shall not, directly or indirectly (whether through an advertising cooperative or otherwise), pay all or any part of the costs of an advertisement by a</p>

	<p>lawyer not in the same firm or by any for-profit entity other than the lawyer’s firm, unless the advertisement discloses the name and principal office address of each lawyer or law firm involved in paying for the advertisement and, if any lawyer or law firm will receive referrals from the advertisement, the circumstances under which referrals will be made and the basis and criteria on which the referral system operates.</p> <p>(k) A lawyer shall not, directly or indirectly, advertise that the lawyer or his or her law firm will only accept, or has a practice limited to, particular types of cases unless the lawyer or his or her law firm handles, as a principal part of his, her or its practice, all aspects of the cases so advertised from intake through trial. If a lawyer or law firm advertises for a particular type of case that the lawyer or law firm ordinarily does not handle from intake through trial, that fact must be disclosed. A lawyer or law firm shall not advertise as a pretext to refer cases obtained from advertising to other lawyers.</p>
<p>RI Effective 4/15/07</p>	<p>Adds:</p> <p><i>(b) A copy of each print advertisement (other than yellow page advertisements), a recording of each radio advertisement, and a videotape of each television advertisement shall be sent to the Supreme Court Disciplinary Counsel prior to or within 48 hours of the first dissemination of such advertisement and another copy of each print advertisement (including yellow page advertisement), recording of each radio advertisement and videotape of each television advertisement shall be retained by the lawyer for three years after its last dissemination along with a record of when and where it was used.</i></p> <p>(c) is similar to MR (b), but:</p> <p>(c)(2) deletes language after “referral service;”</p> <p>(d) is the same as MR (c);</p> <p>Adds:</p> <p><i>(e) Lawyer advertising or written communications which indicate that no fee will be charged if no recovery, shall also state conspicuously if the client will be responsible for costs or expenses regardless of outcome.</i></p> <p><i>(f) Any lawyer or law firm who advertises that his or her practice includes or concentrates in particular fields of law and then refers the majority of cases in those fields of law or of that type to another lawyer, law firm or group of lawyers shall clearly state the following disclaimer:</i></p> <ol style="list-style-type: none"> <i>1. “Most cases of this type are not handled by this firm, but are referred to other attorneys.”, or if applicable:</i> <i>2. “While this firm maintains joint responsibility, most cases of this type are referred to other attorneys for principal responsibility.”</i>
<p>SC</p> <p>*Amendment Effective August 10, 2016</p>	<p>adds as (b): A lawyer is responsible for the content of any advertisement or solicitation placed or disseminated by the lawyer and has a duty to review the advertisement or solicitation prior to its dissemination to reasonably ensure its compliance with the Rules of Professional Conduct. A copy of every advertisement or communication subject to this Rule, except for those which contain only directory information and are not disseminated through the public media, shall be filed with the Commission on Lawyer Conduct within ten (10) days after the advertisement or communication is first published, broadcast,</p>

	<p>transmitted, or otherwise disseminated to the public, together with a fee of \$50.00. A copy or recording of every advertisement or communication shall be kept for two (2) years after its last dissemination along with a record of when and where it was disseminated.</p> <p>(c) same as MR (b) except does not include definition of qualified lawyer referral service in (2) and does not include MR (b)(4)</p> <p>adds as (d): Any communication made pursuant to this Rule shall include the name and office address of at least one lawyer responsible for its content.</p> <p>adds as (e): No lawyer shall, directly or indirectly, pay all or a 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, the relationship between the advertising lawyer and the nonadvertising lawyer, and whether the advertising lawyer may refer any case received through the advertisement to the nonadvertising lawyer.</p> <p>adds as (f): A lawyer shall not make statements in advertisements or written communications which are merely self laudatory or which describe or characterize the quality of the lawyer’s services; provided that this provision shall not apply to information furnished to a prospective client at that person’s request or to information supplied to existing clients.</p> <p>adds as (g): Every advertisement that contains information about the lawyer's fee shall disclose whether the client will be liable for any expenses in addition to the fee and, if the fee will be a percentage of the recovery, whether the percentage will be computed before deducting the expenses.</p> <p>adds as (h): A lawyer who advertises a specific fee or range of fees for a particular service shall honor the advertised fee or fee range for at least ninety (90) days following dissemination of the advertisement, unless the advertisement specifies a shorter period; provided that a fee advertised in a publication which is issued not more than annually, shall be honored for one (1) year following publication.</p> <p>adds as (i): All advertisements shall disclose the geographic location, by city or town, of the office in which the lawyer or lawyers who will actually perform the services advertised principally practice law. If the office location is outside a city or town, the county in which the office is located must be disclosed. A lawyer referral service shall disclose the geographic area in which the lawyer practices when a referral is made.</p>
<p>SD</p> <p>*Amendment effective 7/1/2018</p>	<p>Rule 7.2. Advertising.</p> <p>(a) Definition. “Lawyer” is defined in Rule 7.1(a)(2).</p> <p>(b) Permitted Advertising. Subject to the requirements of Rules 7.1 and 7.3, 7.4 and 7.5, a lawyer may advertise legal services through written, recorded, internet, computer, e-mail or other electronic communication, including public media, such as a telephone directory, legal directory, newspapers or other periodicals, billboards and other signs, radio, television and other electronic media, and recorded messages the public may access by dialing a telephone</p>

	<p>number, or through other written or recorded communication. This rule shall not apply to any advertisement which is broadcast or disseminated in another jurisdiction in which the advertising lawyer is admitted if such advertisement complies with the rules governing lawyer advertising in that jurisdiction and is reasonably expected by the lawyer not to be received or disseminated in the State of South Dakota.</p> <p>(c) Record of Advertising. A copy or recording of an advertisement shall be kept by the advertising lawyer for two years after its last dissemination along with a record of when and where it was used.</p> <p>(d) Prohibited Payments. Except as provided in Rule 1.17 and except as provided in subparagraph (c)(13) of Rule 7.1, a lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may:</p> <ol style="list-style-type: none">(1) pay the reasonable costs of advertisements or communications permitted by this Rule and may pay the usual charges of a not-for-profit legal service organization;(2) pay the usual charges of a not-for-profit 501(c)(3) or 501(c)(6) qualified lawyer referral service. A qualified lawyer referral service is a lawyer referral service that has been approved by an appropriate regulatory authority;(3) pay for a law practice in accordance with Rule 1.17; and(4) refer clients to another lawyer or nonlawyer professional pursuant to an agreement not otherwise prohibited under these Rules that provides for the other person to refer clients or customers to the lawyer, if<ol style="list-style-type: none">(i) the reciprocal referral agreement is not exclusive, and(ii) the client is informed of the existence and nature of the agreement. <p>(e) Prohibited Cost Sharing. No lawyer shall, directly or indirectly, pay all or part of the cost of an advertisement by another lawyer with whom the nonadvertising lawyer is not associated in a partnership, professional corporation or limited liability company for the practice of law, unless the advertisement conspicuously discloses the name and address of the nonadvertising lawyer, and conspicuously discloses whether the advertising lawyer contemplates referring all or any part of the representation of a client obtained through the advertisement to the nonadvertising lawyer.</p> <p>(f) Permissible Content. The following information in advertisements and written communications shall be presumed not to violate the provisions of this Rule 7.2:</p> <ol style="list-style-type: none">(1) Subject to the requirements of Rule 7.5, the name of the lawyer, a listing of lawyers associated with the lawyer for the practice of law, office addresses and telephone numbers, office and telephone service hours, and a designation such as "lawyer," "attorney," "law firm," "partnership" or "professional corporation," or "limited liability company."(2) Date of admission to the South Dakota bar and any other bar
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	<p>association and a listing of federal courts and jurisdictions where the lawyer is licensed to practice.</p> <ul style="list-style-type: none">(3) Technical and professional licenses granted by the State of South Dakota or other recognized licensing authorities.(4) Foreign language ability.(5) Fields of law in which the lawyer is certified subject to the requirements of Rule 7.4.(6) Prepaid or group legal service plans in which the lawyer participates.(7) Acceptance of credit cards.(8) Information concerning fees and costs, or the availability of such information on request, subject to the requirements of this Rule 7.2 and the other Rules of Professional Conduct.(9) A listing of the name and geographic location of a lawyer as a sponsor of a public service announcement or charitable, civic or community program or event. Such listings shall not exceed the traditional description of sponsors of or contributors to the charitable, civic or community program or event or public service announcement, and such listing must comply with the provisions of this rule and the other Rules of Professional Conduct.(10) Schools attended, with dates of graduation, degree and other scholastic distinctions.(11) Public or quasi-public offices.(12) Military service.(13) Legal authorships.(14) Legal teaching positions.(15) Memberships, offices and committee assignments in bar associations.(16) Memberships and offices in legal fraternities and legal societies.(17) Memberships in scientific, technical and professional associations and societies.(18) Names and addresses of bank references.(19) With their written consent, names of clients regularly represented.(20) Office and telephone answering service hours. <p>(g) Permissible Fee Information.</p> <ul style="list-style-type: none">(1) Advertisements permitted under this Rule 7.2 may contain information about fees for services as follows:<ul style="list-style-type: none">(i) the fee charged for an initial consultation;(ii) availability upon request of a written schedule of fees or an estimate of fees to be charged for specific legal services;(iii) that the charging of a fee is contingent on outcome or that the fee will be a percentage of the recovery, provided that the advertisement conspicuously discloses whether percentages are computed before or after deduction of costs, and only if it specifically and conspicuously states that the client will bear the expenses incurred in the client's representation, regardless of outcome, except as permitted by Rule 1.8(e);(iv) the range of fees for services, provided that the advertisement conspicuously discloses that the specific fee within the range
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	<p>which will be charged will vary depending upon the particular matter to be handled for each client, that the quoted fee will be available only to clients whose legal representation is within the services described in the advertisement, and the client is entitled without obligation to an estimate of the fee within the range likely to be charged;</p> <p>(v) the hourly rate, provided that the advertisement conspicuously discloses that the total fee charge will depend upon the number of hours which must be devoted to the particular matter to be handled for each client, and that the client is entitled without obligation to an estimate of the fee likely to be charged;</p> <p>(vi) fixed fees for specific legal services, provided that the advertisement conspicuously discloses that the quoted fee will be available only to a client seeking the specific services described.</p> <p>(2) A lawyer who advertises a specific fee, range of fees or hourly rate for a particular service shall honor the advertised fee or rate for at least ninety (90) days unless the advertisement conspicuously specifies a shorter period; provided, 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>(h) Electronic Media. Advertisements by electronic media, such as television and radio, may contain the same information as permitted in advertisements by print media, subject to the following requirements:</p> <p>(1) if a lawyer advertises by electronic media and a person appears in the advertisement purporting to be a lawyer, such person shall in fact be the advertising lawyer or a lawyer employed full-time by the advertising lawyer; and</p> <p>(2) if a lawyer advertises a particular legal service by electronic media, and a person appears in the advertisement purporting to be or implying that the person is the lawyer who will render the legal service, the person appearing in the advertisement shall be the lawyer who will actually perform the legal service advertised unless the advertisement conspicuously discloses that the person appearing in the advertisement is not the person who will perform the legal service advertised.</p> <p>(3) Advertisements disseminated by electronic media shall be prerecorded and the prerecorded communication shall be reviewed and approved by the lawyer before it is broadcast.</p> <p>(i) Law Directories. Nothing in this Rule 7.2 prohibits a lawyer from permitting the inclusion in reputable directories intended primarily for the use of the legal profession or institutional consumers of legal services and contains such information as has traditionally been included in such publications.</p> <p>(j) Acceptance of Employment. A lawyer shall not accept employment when he knows or should know</p>
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	<p>that the person who seeks his services does so as a result of conduct prohibited under this Rule 7.2.</p> <p>(k) Lawyers Responsible for Advertising. Every lawyer associated in the practice of law with or employed by the lawyer which causes or makes an advertising in violation of this rule may be subject to discipline for the failure of the advertisement to comply with the requirements of this rule.</p> <p>(l) Mandatory Disclosure. Every lawyer shall, in any written or media advertisements, disclose the absence of professional liability insurance if the lawyer does not have professional liability insurance having limits of at least \$100,000, using the specific language required in Rule 1.4(c)(1) or (2).</p>
<p>TN Amendment effective March 6, 2017</p>	<p>(a) Changes “Rules 7.1 and 7.3” to “paragraphs (b) through (d) below and RPC 7.1, 7.3, 7.4, 7.5, and 7.6;” Adds: <i>(b) A copy or recording of each advertisement shall be retained by the lawyer for two years after its last dissemination along with a record of when and where the advertisement appeared.</i></p> <p>(c) is similar to MR (b) but replaces “except that a lawyer may” with “except that a lawyer may pay for the following:” <i>(1) the reasonable costs of advertisements permitted by this Rule;</i> <i>(2) the usual charges of a registered intermediary organization as permitted by RPC 7.6;</i> <i>(3) a sponsorship fee or a contribution to a charitable or other non-profit organization in return for which the lawyer will be given publicity as a lawyer; or</i> <i>(4) a law practice in accordance with RPC 1.17.</i></p> <p>Adds (d): <i>Except for communications by registered intermediary organizations, any advertisement shall include the name and office address of at least one lawyer or law firm assuming responsibility for the communication.</i></p>
<p>TX</p>	<p>Texas Rule 7.04 Advertisements in the Public Media</p> <p><i>(a) A lawyer shall not advertise in the public media by stating that the lawyer is a specialist, except as permitted under Rule 7.04(b) or as follows:</i> <i>(1) A lawyer admitted to practice before the United States Patent Office may use the designation “Patents,” “Patent Attorney,” or “Patent Lawyer,” or any combination of those terms. A lawyer engaged in the trademark practice may use the designation “Trademark,” “Trademark Attorney,” or “Trademark Lawyer,” or any combination of those terms. A lawyer engaged in patent and trademark practice may hold himself or herself out as specializing in “Intellectual Property Law,” “Patent, Trademark, Copyright Law and Unfair Competition,” or any of those terms.</i> <i>(2) A lawyer may permit his or her name to be listed in lawyer referral service offices that meet the requirements of Occupational Code Title 5, Subtitle B, Chapter 952, according to the areas of law in which the lawyer will accept referrals.</i> <i>(3) A lawyer available to practice in a particular area of law or legal service</i></p>

may distribute to other lawyers and publish in legal directories and legal newspapers (whether written or electronic) a listing or an announcement of such availability. The listing shall not contain a false or misleading representation of special competence or experience, but may contain the kind of information that traditionally has been included in such publications.

(b) A lawyer who advertises in the public media:

(1) shall publish or broadcast the name of at least one lawyer who is responsible for the content of such advertisement; and

(2) shall not include a statement that the lawyer has been certified or designated by an organization as possessing special competence or a statement that the lawyer is a member of an organization the name of which implies that its members possess special competence, except that:

(i) a lawyer who has been awarded a Certificate of Special Competence by the Texas Board of Legal Specialization in the area so advertised, may state with respect to each such area, "Board Certified, area of specialization -- Texas Board of Legal Specialization;" and

(ii) a lawyer who is a member of an organization the name of which implies that its members possess special competence, or who has been certified or designated by an organization as possessing special competence, may include a factually accurate statement of such membership or may include a factually accurate statement, "Certified area of specialization name of certifying organization," but such statements may be made only if that organization has been accredited by the Texas Board of Legal Specialization as a bona fide organization that admits to membership or grants certification only on the basis of objective, exacting, publicly available standards (including high standards of individual character, conduct, and reputation) that are reasonably relevant to the special training or special competence that is implied and that are in excess of the level of training and competence generally required for admission to the Bar; and

(3) shall, in the case of infomercial or comparable presentation, state that the presentation is an advertisement;

(i) both verbally and in writing at its outset, after any commercial interruption, and at its conclusion; and

(ii) in writing during any portion of the presentation that explains how to contact a lawyer or law firm.

(c) Separate and apart from any other statements, the statements referred to in paragraph (b) shall be displayed conspicuously, and in language easily understood by an ordinary consumer.

(d) Subject to the requirements of Rules 7.02 and 7.03 and of paragraphs (a), (b), and (c) of this Rule, a lawyer may, either directly or through a public relations or advertising representative, advertise services in the public media, such as (but not limited to) a telephone directory, legal directory, newspaper or other periodical, outdoor display, radio, television, the Internet, or electronic, or digital media.

(e) All advertisements in the public media for a lawyer or firm must be reviewed and approved in writing by the lawyer or a lawyer in the firm.

(f) A copy or recording of each advertisement in the public media and relevant approval referred to in paragraph (e), and a record of when and where the advertisement was used, shall be kept by the lawyer or firm for four years after

its last dissemination.

(g) In advertisements in the public media, any person who portrays a lawyer whose services or whose firm's services are being advertised, or who narrates an advertisement as if he or she were such a lawyer, shall be one or more of the lawyers whose services are being advertised.

(h) If an advertisement in the public media by a lawyer or firm discloses the willingness or potential willingness of the lawyer or firm to render services on a contingent fee basis, the advertisement must state whether the client will be obligated to pay all or any portion of the court costs and, if a client may be liable for other expenses, this fact must be disclosed. If specific percentage fees or fee ranges of contingent fee work are disclosed in such advertisement, it must also disclose whether the percentage is computed before or after expenses are deducted from the recovery.

(i) A lawyer who advertises in the public media a specific fee or range of fees for a particular service shall conform to the advertised fee or range of fees for the period during which the advertisement is reasonably expected to be in circulation or otherwise expected to be effective in attracting clients, unless the advertisement specifies a shorter period; but in no instance is the lawyer bound to conform to the advertised fee or range of fees for a period of more than one year after the date of publication.

(j) A lawyer or firm who advertises in the public media must disclose the geographic location, by city or town, of the lawyer's or firm's principal office. A lawyer or firm shall not advertise the existence of any office other than the principal office unless:

(1) that other office is staffed by a lawyer at least three days a week; or

(2) the advertisement states:

(i) the days and times during which a lawyer will be present at that office, or

(ii) that meetings with lawyers will be by appointment only.

(k) A lawyer may not, directly or indirectly, pay all or a part of the cost of an advertisement in the public media for a lawyer not in the same firm unless such advertisement discloses the name and address of the financing lawyer, the relationship between the advertising lawyer and the financing lawyer, and whether the advertising lawyer is likely to refer cases received through the advertisement to the financing lawyer.

(l) If an advertising lawyer knows or should know at the time of an advertisement in the public media that a case or matter will likely be referred to another lawyer or firm, a statement of such fact shall be conspicuously included in such advertisement.

(m) No motto, slogan or jingle that is false or misleading may be used in any advertisement in the public media.

(n) A lawyer shall not include in any advertisement in the public media the lawyer's association with a lawyer referral service unless the lawyer knows or reasonably believes that the lawyer referral service meets the requirements of Occupational Code Title 5, Subtitle B, Chapter 952.

(o) A lawyer may not advertise in the public media as part of an advertising cooperative or venture of two or more lawyers not in the same firm unless each such advertisement:

(1) states that the advertisement is paid for by the cooperating lawyers;

	<p>(2) names each of the cooperating lawyers;</p> <p>(3) sets forth conspicuously the special competency requirements required by Rule 7.04(b) of lawyers who advertise in the public media;</p> <p>(4) does not state or imply that the lawyers participating in the advertising cooperative or venture possess professional superiority, are able to perform services in a superior manner, or possess special competence in any area of law advertised, except that the advertisement may contain the information permitted by Rule 7.04(b)(2); and</p> <p>(5) does not otherwise violate the Texas Disciplinary Rules of Professional Conduct.</p> <p>(p) Each lawyer who advertises in the public media as part of an advertising cooperative or venture shall be individually responsible for:</p> <p>(1) ensuring that each advertisement does not violate this Rule; and</p> <p>(2) complying with the filing requirements of Rule 7.07.</p> <p>(q) If these rules require that specific qualifications, disclaimers or disclosures of information accompany communications concerning a lawyer's services, the required qualifications, disclaimers or disclosures must be presented in the same manner as the communication and with equal prominence.</p> <p>(r) A lawyer who advertises on the Internet must display the statements and disclosures required by Rule 7.04.</p>
<p>UT</p> <p>*Amendment Effective May 1, 2015</p>	<p>(a) Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services through written recorded or electronic communication, including public media</p> <p>(b) If the advertisement uses any actors to portray a lawyer, members of the law firm, or clients or utilizes depictions of fictionalized events or scenes, the same must be disclosed.</p> <p>(c) All advertisements disseminated pursuant to these Rules shall include the name and office address of at least one lawyer or law firm responsible for their content.</p> <p>(d) Every advertisement indicating that the charging of a fee is contingent on outcome or that the fee will be a percentage of the recovery shall set forth clearly the client's responsibility for the payment of costs and other expenses.</p> <p>(e) A lawyer who advertises a specific fee or range of fees shall include all relevant charges and fees, and the duration such fees are in effect.</p> <p>(f) A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may pay the reasonable cost of advertising permitted by these Rules and may pay the usual charges of a lawyer referral service or other legal service plan.</p>
<p>VT Effective 9/1/09</p>	<p>(b)(2) Changes "an appropriate regulatory authority" to "any appropriate regulatory authority designated by the Supreme Court."</p>
<p>VA</p> <p>*Amendments effective</p>	<p>Deleted.</p>

As of May 14, 2018

7/1/2017	
WA Effective 9/1/06	(b)(2): deletes “or qualified” and second sentence (b)(4): deletes “or a nonlawyer professional”
WV *Amendment effective 1/1/2015	Same as MR
WI *Amendment effective Jan. 1, 2017	(b)(4)(ii) the client gives informed consent; Adds (b)(4)(iii) there is no interference with the lawyer's independence of professional judgment or with the client-lawyer relationship; and Adds (b)(4)(iv) information relating to representation of a client is protected as required by SCR 20:1.6.
WY *Amendment effective 10/6/14	Same as MR

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