

Proposed Rule Changes Concerning Lawyer Advertising

- http://www.iowacourts.gov/Committee_to_Study_Lawyer_Advertising_Rules/index.asp
 - All committee documents.
- Margaret Raymond Memo (June 27, 2011)
- Advertising Committee Recommendations filed on April 20, 2012

Committee Recommendations

- Close adherence to the ABA's Model Rules of Professional Conduct
- Adopt Rules 7.1-7.6, and 1.18
- Exceptions
 - Rule 7.4(d) re: Communications of Fields of Practice and Specialization
 - Refer back to 7.1 (be truthful)
 - Add Disclaimer (Iowa S. Ct. does not recognize certifications of specialty)

Iowa Exception Continued

- Rule 7.5 re: Firm Names and Letterheads
 - Trade names or URLs are fine, but should be registered with the Iowa Supreme Court
 - Proposed New Court Rule 49.4
- ABA Commission on Ethics 20/20
 - Created to address new technology and evolution of the legal profession
 - On Feb. 21, 2012, 20/20 Commission released proposals regarding Technology and Client Development

Comparing Current and Proposed Rules

- 7.1 Communications re Services
 - 7.1(b) (emotional appeals and quality of work)
 - ISBA Comm. on Ethics concerns
- 7.2 Advertising
 - New rules attempt to stop impediments “to the flow of information about legal services” a/k/a the current Iowa Rules.

Comparison Continued

- 7.3 Solicitation
 - Focus on 7.3(c) – disclaimer “Advertising Material” required
 - No more filing of copies, but Iowa Rules comments are similar
- 7.4 Specializations
 - No more hour requirements or list of compliant specializations.
 - Note 7.4(d)(3) and d(4) modifications

Comparison Continued

- 7.5 Firm Names and Letterheads
 - Big change is use of trade names and URLs in conjunction with Ct. R. 49.4

What can't you do?

- Cases:
 - *Attorney Grievance Comm'n of Maryland v. Ambe*, 425 Md. 98, 38 A.3d 390 (2012).
 - *Informal Opinion 00-6*, 2000 WL 1370783 (Conn. Bar. Assoc. Mar. 3, 2000).
 - *In re Disciplinary Proceedings against Hupy*, 2011 WI 38, 333 Wis. 2d 612, 799 N.W.2d 732 (2011).
