
**4/67 Solicitation of pension or profit sharing
work**

An opinion was requested as to the propriety of an attorney participating in the solicitation and sale of a multibusiness master pension plan through a corporation organized for that purpose. Further, the attorney originated the company and acts as trustee for the master plan.

It was further stated that such plan is designed for small employers who cannot afford the cost of an individually designed plan. Various employers subscribe to the plan and fund their benefits through insurance policies issued by various insurers. There is a joinder fee as well as an annual administration fee. The attorney claims that there is considerably less legal work on such pre-qualified plans than individually tailored plans. A number of employees selected his law firm to qualify their phase of the plan, although they could choose any attorney.

The Unauthorized Practice of Law Committee was of the opinion that there was no illegal law practice here but that the ethics committee should examine the activity.

Upon this committee's consideration, it concludes that the solicitation activities of certain insurance agents in behalf of the lawyer are improper under Canon 27 of the Canons of Professional Ethics, and must be terminated. (Note; Under Canon 2, Code of Professional Responsibility, the opinion would be the same.)