
1/75 Interstate law firms

An inquiry was made whether the State Bar of Wisconsin had adopted ABA Formal Opinion 316 relating to interstate law firms. Although the committee has not taken action with respect to the opinion, the Wisconsin Supreme Court has adopted the ABA Code of Professional Responsibility, and each of the ethical principles set out in Opinion 316 would be supported by provisions in the Code: Compensation of non-lawyer personnel; lawyers in different states who associate for the practice of law may not mislead the public as to the existence of a partnership; a lawyer admitted into practice in one state is deemed a lawyer everywhere for purposes of the Code; an interstate partnership or association must have at least one local member admitted to practice in the jurisdiction who has the ability and authority to make decisions on behalf of the entity.

Also, an interstate firm must indicate clearly on its letterhead and in other permissible listings the jurisdictional limitations of members not licensed to practice in all listed jurisdictions. (DR 2-102(D)). For an interstate firm formed as a service corporation to operate in Wisconsin, it must further comply with Wis. Stats. sec. 180.99.