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**9/63 Partnership or association?**

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The question was raised as to whether Attorneys X, Y and Z, who were contemplating moving into the same office location, sharing stenographic help, and pooling office and library equipment, but who would not actually engage in partnership, could use the law firm title: "X, Y and Z, Attorneys at Law."

This committee has issued no opinions on the subject, but other state bar ethics committees have uniformly held that such arrangement was improper under Canon 33, which says that in selecting and using a firm name no false, misleading or assumed name may be used. Since the proposal name in this instance would undoubtedly mislead the public to believe that a partnership existed, where, in fact it did not, such use would be inherently deceptive. As a practical matter, the question of joint liability of the lawyers might arise in instances of malpractice, or even in the area of office expenses, which would be embarrassing to these "non-partners." Also see ABA Opinion 310.