
E-80-11 Advertising in trade journal

Question

May a lawyer, or law firm, as local counsel for a number of labor unions, advertise in the official union paper and include therein a statement informing the union members that the lawyer, or law firm, is counsel for their local union?

Opinion

The Wisconsin Supreme Court, by order effective Jan. 1, 1980, adopted 19 Supreme Court Rules, which include the Canons of Professional Ethics, Ethical Considerations, and Disciplinary Rules. These are all included in SCR Chapter 20 entitled "Code of Professional Responsibility."

SCR 20.08(7)(a) states:

"A lawyer may advertise the lawyer's availability to provide legal services except the use of any advertisement which is false, misleading, deceptive or unfair is professional misconduct."

Neither this section, nor anything in the Code appears to prohibit the use of any advertising media. The fact that you propose to advertise in a trade newspaper is in no manner prohibited. The committee recently advised an attorney that informing by mail a targeted group of the availability of his firm to serve as counsel in the area of the law which was needed by the targeted group would constitute a prohibited solicitation. Your proposal, however, is different, since you will be using a regular trade journal to inform that your firm is available for providing legal services.

In addition, you inquire as to whether the advertisement may include a statement or information to the effect that you are attorneys for the local unions, and would also notify the union members that you are attorneys for their local unions.

You may properly use the union newspaper in order to advertise your availability to provide legal services provided that the advertisement is not "false, misleading, deceptive or unfair." It should be noted, however, that SCR 20.08(7) is the standard lawyers should use in determining for themselves the

propriety of the content of a specific piece of advertising because it is the continuing policy of the Committee on Professional Ethics not to opine on, or otherwise render advice concerning, the content or format of specific pieces of lawyer advertising.