



WSSFC 2025

Substantive Track – Session 3

Representing Businesses Across State Lines

Presenters:

*Matthew M. Beier, Wisconsin Lawyers Mutual Insurance Company, Madison
Erin E. Rome, Palmersheim Dettman, S.C., Middleton*

About the Presenters...

Matthew (Matt) M. Beier, is the Senior Vice President and Director of Business Development Wisconsin Lawyers Mutual Insurance Company (WILMIC). Prior to joining WILMIC in November 2016, Matt was a civil litigation attorney in Madison with experience before state and federal courts as well as Wisconsin administrative agencies. He has broad experience in diverse areas of the law, including personal injury, employment law, contract law, business law, commercial law, and debtor/creditor law. Matt is a 1996 graduate of South Dakota State University, with a degree in Political Science, and graduated from the University of Wisconsin Law School in 2000. He is a member of the State Bar of Wisconsin, Wisconsin Defense Counsel, Milwaukee County Bar Association and the Dane County Bar Association. He also serves as a board member on the State Bar of Wisconsin's Solo/Small Firm and General Practice Section.

Erin Rome is a partner at Palmersheim Dettmann, concentrating her practice in business litigation, business law, and appellate practice. Erin is an experienced trial attorney, having handled multiple jury trials. Erin has handled cases before the Wisconsin Court of Appeals, the Wisconsin Supreme Court, and the Seventh Circuit Court of Appeals. Erin also represents employers before administrative agencies such as the Equal Rights Division and the Madison Equal Opportunities Division, including multiple hearings on the merits. Prior to joining Palmersheim Dettmann, Erin served as a judicial law clerk to the Honorable JoAnne Kloppenburg at the Wisconsin Court of Appeals.

Representing Businesses Across State Lines

Presenters:

Erin E. Rome, Palmersheim Dettmann, S.C.
and Matthew Beier, Wisconsin Lawyers Mutual Insurance Company

❖ What Rules Apply to Multi-Jurisdictional Practice of Law?

- **Law of the state where you're licensed/admitted to practice and law of the other jurisdiction**
 - Example: Wisconsin-based attorney asked to provide advice on a matter in the State of Illinois. You need to check both Wisconsin's and Illinois' rules on unauthorized practice of law.
- **Wisconsin's rule is SCR 20:5.5**
 - SCR 20:5.5 Unauthorized practice of law; multijurisdictional practice of law
 - (a) A lawyer shall not:
 - ◆ (1) practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction except that a lawyer admitted to practice in Wisconsin does not violate this rule by conduct in another jurisdiction that is permitted in Wisconsin under SCR 20:5.5 (c) and (d) for lawyers not admitted in Wisconsin; or
 - ◆ (2) assist another in practicing law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction.
 - (b) A lawyer who is not admitted to practice in this jurisdiction shall not: (1) except as authorized by this rule or other law, establish an office or maintain a systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to the practice of law in this jurisdiction.
 - (c) Except as authorized by this rule, a lawyer who is not admitted to practice in this jurisdiction but who is admitted to practice in another jurisdiction of the United States and not disbarred or suspended from practice in any jurisdiction for disciplinary reasons or for medical incapacity, may not provide legal services in this jurisdiction except when providing services on an occasional basis in this jurisdiction that:
 - ◆ (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; or

- ◆ (2) are in, or reasonably related to, a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; or
 - ◆ (3) are in, or reasonably related to, a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of, or are reasonably related to, the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or
 - ◆ (4) are not within subsections (c)(2) or (c)(3) and arise out of, or are reasonably related to, the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice.
- (d) A lawyer admitted to practice in another United States jurisdiction or in a foreign jurisdiction, who is not disbarred or suspended from practice in any jurisdiction for disciplinary reasons or medical incapacity, may provide legal services through an office or other systematic and continuous presence in this jurisdiction that:
 - ◆ (1) are provided to the lawyer's employer or its organizational affiliates after compliance with SCR 10.03 (4) (f), and are not services for which the forum requires pro hac vice admission; or
 - ◆ (2) are services that the lawyer is authorized to provide by federal law or other law or other rule of this jurisdiction.
 - (e) A lawyer admitted to practice in another jurisdiction of the United States or a foreign jurisdiction who provides legal services in this jurisdiction pursuant to sub. (c) and (d) above shall consent to the appointment of the Clerk of the Wisconsin Supreme Court as agent upon whom service of process may be made for all actions against the lawyer or the lawyer's firm that may arise out of the lawyer's participation in legal matters in this jurisdiction.

➤ **ABA Model Rule 5.5**

- Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law
 - (a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.
 - (b) A lawyer who is not admitted to practice in this jurisdiction shall not:

- ◆ (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or
 - ◆ (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction.
- (c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:
 - ◆ (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter;
 - ◆ (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized;
 - ◆ (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or
 - ◆ (4) are not within paragraphs (c) (2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice.
- (d) A lawyer admitted in another United States jurisdiction or in a foreign jurisdiction, and not disbarred or suspended from practice in any jurisdiction or the equivalent thereof, or a person otherwise lawfully practicing as an in-house counsel under the laws of a foreign jurisdiction, may provide legal services through an office or other systematic and continuous presence in this jurisdiction that:
 - ◆ (1) are provided to the lawyer's employer or its organizational affiliates, are not services for which the forum requires pro hac vice admission; and when performed by a foreign lawyer and requires advice on the law of this or another U.S. jurisdiction or of the United States, such advice shall be based upon the advice of a lawyer who is duly licensed and authorized by the jurisdiction to provide such advice; or
 - ◆ (2) are services that the lawyer is authorized by federal or other law or rule to provide in this jurisdiction.

- (e) For purposes of paragraph (d):
 - ◆ (1) the foreign lawyer must be a member in good standing of a recognized legal profession in a foreign jurisdiction, the members of which are admitted to practice as lawyers or counselors at law or the equivalent, and subject to effective regulation and discipline by a duly constituted professional body or a public authority; or,
 - ◆ (2) the person otherwise lawfully practicing as an in-house counsel under the laws of a foreign jurisdiction must be authorized to practice under this Rule by, in the exercise of its discretion, [the highest court of this jurisdiction].

➤ **Caution re Model Rule 5.5**

- Has not been uniformly adopted by the states.¹
- According to the ABA Center for Professional Responsibility, 42 states have not adopted Model Rule 5.5 as written.
- Notable deviations: Arizona, Colorado, Nevada, New Jersey, and North Carolina.
 - Some commenters have stated that the rules in these states offer more protection to transactional lawyers than the rules in other states.²

➤ **Wisconsin Formal Ethics Opinion EF-21-02: Working remotely³**

- **WI Origins of debate:** A 1998 California case (Birbrower) found unauthorized practice when an out-of-state firm represented a local client, sparking revisions to Model Rule 5.5 and Wisconsin's SCR 20:5.5.
- **Virtual practice growth:** Advances in technology and remote work raised new questions about unauthorized practice when lawyers work from jurisdictions where they aren't licensed.
- **Key rule limits:** Lawyers may not establish an office, maintain a continuous presence, or hold themselves out as licensed in a jurisdiction where they lack admission.

¹ Jennifer Bovitz and Donald Patrick Eckler, *Confirming Your Multijurisdictional Practice to the Ethics Rules*, THE BRIEF (Winter 2024).

² James Geoffrey Durham & Michael H. Rubin, *Multijurisdictional Practice and Transactional Lawyers: Time for a Rule That is Honored Rather Than Honored in Its Breach*, 81 LA. L. REV. 679 (2021).

³ Wisconsin State Bar Ethics Opinion No. EF-21-02: Working Remotely, January 29, 2021

(<https://www.wisbar.org/formembers/ethics/Ethics%20Opinions/EF-21-02%20Working%20Remotely.pdf>).

- **ABA Formal Opinion 495:** Lawyers can work remotely from another state if they serve clients in their licensed jurisdiction and do not advertise or appear as offering services locally.
- **State ethics opinions:** Utah, Maine, and Wisconsin concluded that remote work for licensed-jurisdiction clients is not unauthorized practice—provided no office is established and no local clients are solicited.

❖ Which State's Ethics Rules Will Apply in a Disciplinary Proceeding?

➤ SCR 20:8.5 Disciplinary authority; choice of law

- (a) Disciplinary authority. A lawyer admitted to the bar of this state is subject to the disciplinary authority of this state regardless of where the lawyer's conduct occurs. A lawyer not admitted to the bar of this state is also subject to the disciplinary authority of this state if the lawyer provides or offers to provide any legal services in this state. A lawyer may be subject to the disciplinary authority of both this state and another jurisdiction for the same conduct.
- (b) Choice of law. In the exercise of the disciplinary authority of this state, the Rules of Professional Conduct to be applied shall be as follows:
 - (1) for conduct in connection with a matter pending before a tribunal, the rules of the jurisdiction in which the tribunal sits, unless the rules of the tribunal provide otherwise; and
 - (2) for any other conduct,
 - ◆ (i) if the lawyer is admitted to the bar of only this state, the rules to be applied shall be the rules of this state.
 - ◆ (ii) if the lawyer is admitted to the bars of this state and another jurisdiction, the rules to be applied shall be the rules of the admitting jurisdiction in which the lawyer principally practices, except that if particular conduct clearly has its predominant effect in another jurisdiction in which the lawyer is admitted to the bar, the rules of that jurisdiction shall be applied to that conduct.
 - ◆ (iii) if the lawyer is admitted to the bar in another jurisdiction and is providing legal services in this state as allowed under these rules, the rules to be applied shall be the rules of this state.
 - (c) A lawyer shall not be subject to discipline if the lawyer's conduct conforms to the rules of a jurisdiction in which the lawyer reasonably believes the predominant effect of the lawyer's conduct will occur.

➤ **ABA Model Rule 8.5: Disciplinary Authority; Choice of Law**

- (a) Disciplinary Authority. A lawyer admitted to practice in this jurisdiction is subject to the disciplinary authority of this jurisdiction, regardless of where the lawyer's conduct occurs. A lawyer not admitted in this jurisdiction is also subject to the disciplinary authority of this jurisdiction if the lawyer provides or offers to provide any legal services in this jurisdiction. A lawyer may be subject to the disciplinary authority of both this jurisdiction and another jurisdiction for the same conduct.
- (b) Choice of Law. In any exercise of the disciplinary authority of this jurisdiction, the rules of professional conduct to be applied shall be as follows:
 - (1) for conduct in connection with a matter pending before a tribunal, the rules of the jurisdiction in which the tribunal sits, unless the rules of the tribunal provide otherwise; and
 - (2) for any other conduct, the rules of the jurisdiction in which the lawyer's conduct occurred, or, if the predominant effect of the conduct is in a different jurisdiction, the rules of that jurisdiction shall be applied to the conduct. A lawyer shall not be subject to discipline if the lawyer's conduct conforms to the rules of a jurisdiction in which the lawyer reasonably believes the predominant effect of the lawyer's conduct will occur.

❖ **Other Wisconsin Rules Implicated**

- **SCR 20:1.1 — Competence.** A lawyer must have the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.
- If you lack competence in another state's law, you must decline, acquire competence, or associate local counsel.
 - [2] A lawyer need not necessarily have special training or prior experience to handle legal problems of a type with which the lawyer is unfamiliar. A newly admitted lawyer can be as competent as a practitioner with long experience. Some important legal skills, such as the analysis of precedent, the evaluation of evidence and legal drafting, are required in all legal problems. Perhaps the most fundamental legal skill consists of determining what kind of legal problems a situation may involve, a skill that necessarily transcends any particular specialized knowledge. A lawyer can provide adequate representation in a wholly novel field through necessary study. Competent representation can also be provided through the association of a lawyer of established competence in the field in question.
 - Dabbling – Extremely Risky
 - Approximately 44% of all claims reported involve areas of practice in which lawyers devote LESS than 10% of their total practice in.

- Less than 3% of all claims involve areas of practice in which lawyers devote 80% to 90% of their total practice in.
- **SCR 20:1.7 / 1.9 / 1.10 — Conflicts of Interest.**
 - Multi-state operations increase conflict vectors (clients with multi-state exposures, subsidiary boards, multi-party deals)
- **CR 20:5.1 & 5.3 — Supervisory responsibilities & nonlawyer assistants.**
 - If you delegate work across state lines, supervisors remain responsible.
- ❖ **Legal Malpractice Insurance – Coverage and Other Issues**
 - **Common policy structure:** lawyers professional liability policies are usually *claims-made-and-reported* policies and contain territory, retroactive date, and exclusion provisions. Read your policy.
 - **Coverage territory and exclusions:** many policies limit coverage to wrongful acts “within the coverage territory” or as defined in the policy; some forms expressly exclude acts outside the territory or require insurer notification/endorsement for out-of-state work. If a claim arises where the alleged wrongful act occurred outside the policy’s territory, coverage could be denied.
 - **Underwriting/renewal implications:** frequent out-of-state practice or adding a new state of practice can trigger underwriting review, higher premium, or endorsements; failure to disclose significant out-of-state practice to the carrier can result in coverage disputes. wisbar.orgClio
 - **Tail/exiting the firm:** because policies are claims-made, leaving a firm or expanding out of state has reporting/tail implications. Counsel should consider extended reporting periods if practice patterns change. wisbar.org
 - **Practical advice to attorneys:** (1) review policy territory and exclusions now; (2) disclose material change in practice to broker/insurer; (3) confirm whether an “outside-state” engagement requires endorsement; (4) obtain written risk allocation/indemnities when possible.
- ❖ **Rules Regarding Multijurisdictional Practice of Law Applied to Real Life**
 - **Scenario One:**
 - You (a lawyer admitted only in Wisconsin) have friends living in Chicago, Illinois. Your Chicago friend contacts you seeking assistance regarding an employment matter. The Chicago friend’s former employer has refused to pay earned wages and is refusing to provide a W-2 form. You are considering sending a demand letter to the former employer in an effort to resolve the matter for your friend. The demand letter

would be signed by you in your capacity as a lawyer. You are willing to provide your services pro bono. If the matter cannot be resolved and litigation is required, you are willing to apply for pro hac vice admission in Illinois, or you would refer the matter to an Illinois attorney.

- **What ethical rules apply in Scenario One?**
- **Where could you be subject to discipline if something goes wrong?**
- **What would you do if you were faced with the issue presented by Scenario One?**
- Actual analysis of this scenario: Ill. State Bar Ass'n [ISBA], Op. 23-01 (2023), <https://www.isba.org/sites/default/files/ethicsopinions/23-01.pdf>

➤ **Scenario Two:**

- You (a lawyer admitted only in Wisconsin) receive a call from your in-laws, who live in Minnesota. Your in-laws have had a \$2,000 judgment entered against them in Minnesota state court in favor of their condo association. Your in-laws tell you that the condo association's Minnesota-based lawyer has been harassing them with phone calls attempting to collect on the judgment. They ask for your help in negotiating with the Minnesota-based lawyer regarding payment of the judgment.
 - You send an email to the Minnesota-based lawyer informing him that you're representing your in-laws and telling the lawyer to direct all future communications to you.
 - Over the course of the next 3 months, you and the Minnesota-based lawyer exchange about 20 emails discussing the judgment and your in-laws' ability to pay. You also make a settlement offer.
- **Questions posed by Scenario Two:**
 - **What ethical rules apply in Scenario Two?**
 - **Have you engaged in the unauthorized practice of law by helping out your in-laws?**
 - **What would you do if you were faced with the issue presented by Scenario Two?**
- Actual analysis of this scenario: *In re Charges of Unprofessional Conduct in Panel File No. 39302*, 884 N.W.2d 661 (Minn. S. Ct. 2016).
- Update to Minnesota Rules of Professional Conduct following this case.

➤ **Scenario Three**

- You are admitted only in Wisconsin. On your website, you advertise a retainer package for small businesses. Under the retainer package, you will provide only transactional services (for example, contract review and drafting, and strategies on protecting copyrightable and trademarkable materials).
 - You receive a call from a business registered in Illinois, but operating 100% virtually with clients all over the U.S. and independent contractors working remotely across the U.S. Based on your discussions with the business, you anticipate providing the following services:
 - ◆ Drafting contract templates to be used across the U.S.;
 - ◆ Providing the business with risk analysis;
 - ◆ Creating strategies and documents to protect copyrightable material generated by the business; and
 - ◆ Creating strategies and documents to protect trademarkable material generated by the business.
- **Questions posed by Scenario Three:**
 - **Do any of these services constitute the unauthorized practice of law in Illinois?**
 - **Would associating with a lawyer admitted to practice in Illinois remedy the unauthorized practice?**
 - **Do you run into any issues if you work remotely from outside of Illinois?**
- Actual analysis of this scenario: Ill. State Bar Ass'n [ISBA], Op. 25-01 (2025), <https://www.isba.org/ethics/opinions/2501>

➤ **Scenario Four**

- You are admitted only in Wisconsin. You have a vacation home in Florida. You want to work remotely from your Florida vacation home from November through March. You'll be working for your Wisconsin-based clients in connection with your Wisconsin-based practice. You want to know if, by working remotely from Florida, you are engaging in the unauthorized practice of law in Florida.

- **Questions posed by Scenario Four:**
 - By practicing remotely from Florida, are you engaging in the unauthorized practice of law?
 - By your conduct, have you set up an office or regular presence in Florida for the practice of law?
 - Can you advertise that you are working from Florida?
- Actual analysis of this scenario: *The Florida Bar Re: Advisory Opinion – Out-of-State Attorney Working Remotely From Florida Home*, No. SC20-1220 (Fla. S. Ct. 2021), <https://www-media.floridabar.org/uploads/2021/06/Order-on-FAO-2019-4-O-O-S-Atty.-Working-Remotely-From-Florida-Home.pdf>

❖ **Proposed Changes to ABA Model Rule 5.5**

- Growing recognition that Model Rule 5.5 (and state rules patterned on Model Rule 5.5) do not accurately reflect the practice of law in the 21st century, particularly given the changes brought about by the Covid-19 pandemic.
- The Association of Professional Responsibility Lawyers (“APRL”) submitted a proposal to replace current ABA Model Rule 5.5 with a new version.
 - APRL’s submission:
 - <https://faughnanonethics.com/wp-content/uploads/2022/04/Letter-regarding-our-proposal-to-ABA-President.pdf>
- The ABA’s Center for Professional Responsibility Working Group on Model Rule of Professional Conduct 5.5 is exploring possible changes to Rule 5.5.
 - Timing of potential changes is unclear.

Representing Businesses Across State Lines

PRESENTERS:

ERIN E. ROME,
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DETTMANN, S.C.

MATTHEW BEIER,
WISCONSIN
LAWYERS MUTUAL
INSURANCE
COMPANY

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What Rules Apply to Multi- Jurisdictional Practice of Law?

LAW OF THE STATE WHERE YOU'RE LICENSED/ADMITTED TO
PRACTICE AND LAW OF THE OTHER JURISDICTION

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SCR 20:5.5

- Wisconsin's rule is SCR 20:5.5
 - SCR 20:5.5 Unauthorized practice of law; multijurisdictional practice of law
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 - ◊ (1) practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction except that a lawyer admitted to practice in Wisconsin does not violate this rule by conduct in another jurisdiction that is permitted in Wisconsin under SCR 20:5.5 (c) and (d) for lawyers not admitted in Wisconsin; or
 - ◊ (2) assist another in practicing law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction.

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Working Remotely

- Wisconsin Formal Ethics Opinion EF-21-02: Working remotely
 - **WI Origins of debate:** A 1998 California case (Birbrower) found unauthorized practice when an out-of-state firm represented a local client, sparking revisions to Model Rule 5.5 and Wisconsin's SCR 20:5.5.
 - **Virtual practice growth:** Advances in technology and remote work raised new questions about unauthorized practice when lawyers work from jurisdictions where they aren't licensed.
 - **Key rule limits:** Lawyers may not establish an office, maintain a continuous presence, or hold themselves out as licensed in a jurisdiction where they lack admission.

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Which State's Ethics Rules Will Apply in a Disciplinary Proceeding?

- SCR 20:8.5 Disciplinary authority; choice of law
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SCR 20:8.5 Continued

- (b) Choice of law. In the exercise of the disciplinary authority of this state, the Rules of Professional Conduct to be applied shall be as follows:
 - (1) for conduct in connection with a matter pending before a tribunal, the rules of the jurisdiction in which the tribunal sits, unless the rules of the tribunal provide otherwise; and
 - (2) for any other conduct,
 - ◊ (i) if the lawyer is admitted to the bar of only this state, the rules to be applied shall be the rules of this state.
 - ◊ (ii) if the lawyer is admitted to the bars of this state and another jurisdiction, the rules to be applied shall be the rules of the admitting jurisdiction in which the lawyer principally practices, except that if particular conduct clearly has its predominant effect in another jurisdiction in which the lawyer is admitted to the bar, the rules of that jurisdiction shall be applied to that conduct.
 - ◊ (iii) if the lawyer is admitted to the bar in another jurisdiction and is providing legal services in this state as allowed under these rules, the rules to be applied shall be the rules of this state.

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Other Wisconsin Rules Implicated

- **SCR 20:1.1 – Competence.** A lawyer must have the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.
 - Dabbling – Extremely Risky
 - Approximately 44% of all claims reported involve areas of practice in which lawyers devote LESS than 10% of their total practice in.
 - Less than 3% of all claims involve areas of practice in which lawyers devote 80% to 90% of their total practice in.
- **SCR 20:1.7 / 1.9 / 1.10 – Conflicts of Interest.**
 - Multi-state operations increase conflict vectors (clients with multi-state exposures, subsidiary boards, multi-party deals)
- **SCR 20:5.1 & 5.3 – Supervisory responsibilities & nonlawyer assistants.**
 - If you delegate work across state lines, supervisors remain responsible.

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Legal Malpractice Insurance – Coverage and Other Issues

Common policy structure

Coverage territory and exclusions

Underwriting/renewal implications

Tail/exiting the firm

Practical advice to attorneys

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Pop Quiz

➤ Scenario One

- You're only admitted in WI.
- Your friend lives in Chicago, IL.
- Friend wants your help. Friend's employer refused to pay wages and is withholding W-2.
- Friend wants you to send a demand letter.
- If litigation is required, you'll seek pro hac vice admission or refer to an IL attorney.

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Pop Quiz

➤ Scenario Two

- You're admitted in WI.
- Your in-laws live in MN.
- In-laws' condo association had \$2,000 judgment entered against them in MN state court.
- Condo association lawyer harassing your in-laws.
- In-laws ask you to help them negotiate the judgment.
- You send email to condo association lawyer saying you're representing your in-laws.
- You then exchange +/- 20 emails with that lawyer discussing the case.
- You make a settlement offer.

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Pop Quiz

➤ Scenario Three

- You're admitted only in WI.
- You advertise a retainer package for small businesses:
 - Flat fee
 - Only transactional services
- Call from business registered in IL with 100% virtual operations across U.S.
- Business wants you to:
 - Draft contract templates
 - Provide risk analysis
 - Advise on copyrights and trademarks

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Proposed Changes to ABA Model Rule 5.5

Growing recognition
that current UPL rules
do not reflect current
practice of law

ABA exploring
possible changes to
Model Rule 5.5

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