

**KENTUCKY BAR ASSOCIATION  
ATTORNEYS' ADVERTISING COMMISSION REGULATIONS**

**AAC Regulation No. 14:  
ADVERTISING OF FEES**

The Supreme Court Rules and the Attorney Advertising Regulations require specific information regarding fees, as well as information about services to be provided, in certain attorney advertisements. Supreme Court Rules 3.130-7.04 and SCR 3.130-7.15 establish what minimum information is required in advertisements which reference attorney fees.

If the advertisement uses any language to imply or state that there will be no fee owed unless there is a recovery, as is typical in contingent fee advertisements, then the advertiser must include language identifying whether the attorney or the client is responsible for court costs and/or case expenses. It may be deceptive, and therefore may be in violation of SCR 3.130-7.15, to employ advertising that refers to contingent fee arrangements without addressing the client's liability for court costs and case expenses. Language similar to that provided in SCR 3.130-7.04 is adequate to explain whether or not the court costs and/or case expenses will be the responsibility of the client. AAC Regulation 1 also addresses other information that must be included in advertisements to avoid a misleading omission under SCR 3.130-7.15.

Further, if the advertisement states a contingent fee percentage or rate then the advertisement must also disclose whether percentages are computed before or after deduction of court costs and case expenses. It may be deceptive, and therefore in violation of SCR 3.130-7.15, to employ advertising that refers to a contingent fee percentage without addressing the manner in which the fee is computed.

Contingent fee percentages are allowed to be stated in advertisements not requiring a submission fee pursuant to SCR 3.130-7.05(1)(a)(22) and SCR 3.130-7.05(b)(1).