

KENTUCKY BAR ASSOCIATION
Ethics Opinion KBA E-11
Issued: May 1963

This opinion was decided under the Canons of Professional Ethics, which were in effect from 1946 to 1971. Lawyers should consult the most recent version of the Rules of Professional Conduct and Comments, SCR 3.130 (available at <http://www.kybar.org>), before relying on this opinion.

Question: May the name of a deceased partner be retained in a firm name where the date of birth and death of deceased partner is shown?

Answer: Yes

References: Canon 33

OPINION

A and B were partners, practicing under the firm name of A and B. For the past several years, C, D, E and F have been associated with the firm as junior partners. A recently died.

The surviving partner and the junior partners desire to change the firm name to A, B, C, and D. They have requested an opinion as to the propriety of it.

Canon 33 provides that the continued use of the name of a deceased partner is not unethical when permitted by local custom, but care should be taken that no deception is practiced thereby. It is a common practice in many areas to continue the use of the name of a deceased partner. In fact, in some cities, firms are known solely by the names of persons who have long been dead. It is our opinion that the proposed conduct is not improper, provided date of birth and death of deceased partner is shown.

Note to Reader

This ethics opinion has been formally adopted by the Board of Governors of the Kentucky Bar Association under the provisions of Kentucky Supreme Court Rule 3.530 (or its predecessor rule). The Rule provides that formal opinions are advisory only.