

KENTUCKY BAR ASSOCIATION
Ethics Opinion KBA E-114
Issued: May 1975

This opinion was decided under the Code of Professional Responsibility, which was in effect from 1971 to 1990. Lawyers should consult the current version of the Rules of Professional Conduct and Comments, SCR 3.130 (available at <http://www.kybar.org>), especially Rules 7.01-7.50 and the Attorneys' Advertising Commission Regulations, before relying on this opinion.

Question: May a firm maintaining a branch office in another city list on its letterhead, in addition to the location of the branch and name of the resident associate, the name of a member designated as “supervising partner” of that office?

Answer: Yes.

References: DR 2-102(4)

OPINION

A Kentucky law firm has a branch office in another city manned by one “resident associate.” Recently, because of increased business in that office the firm has discussed the possibility of naming one of the senior partners as a “supervising partner”, so that one person in the firm would be directly responsible for the operation of the branch office. In addition to supervising the accounting and work flow of the branch, the person so designated would also visit that office on a periodic basis and advise the associate in the conduct of the office. In making this change, the firm wishes to list as “supervising partner” on its letterhead, beneath the address of the branch, the partner so designated. Before taking that step, the firm has requested approval of this Committee.

DR 2-102(4) specifies information that may be included on a letterhead, including among other things the name of an attorney, his addresses and telephone numbers, the name of his firm and any associates. From this, clearly a letterhead may make reference to a branch office of a firm and list thereunder the names of all members practicing from that office. Where the office is under the direction of a particular partner, we see no reason why that fact may not also be indicated on the letterhead. It is not calculated to accomplish any end prohibited by the Canons. The only purpose is to assist those dealing with the firm in knowing the identity of the individual within the firm responsible for supervision of the activities of the branch. It also distinguishes him from other partners not active in daily operation of the branch. We therefore hold that such designation is ethically permissible.

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.