

KENTUCKY BAR ASSOCIATION
Ethics Opinion KBA E-158
Issued: November 1976

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 law firm identify on its letterhead, its investigator, office manager, and medical assistant by name and position, or otherwise indicate it employs persons in one or more of these capacities?

Answer: No.

References: DR 2-102(A)

OPINION

DR 2-102(A) begins with a general prohibition of the use of letterheads and similar “notices or devices” by lawyers. This general prohibition is followed by six numbered exceptions, each of which specifies the information which may appear on some particular kind of “notice” or “device.” DR 2-102(A)(4) specifies the information which a law firm may show on its letterhead. The identity of investigators, office managers, and medical assistants employed or used by the firm, or the fact that the firm employs or uses persons in such capacities, is not among the information specified as permissible by DR 2-102(A)(4). Therefore the information may not appear on the letterhead, by reason of the general prohibition at the beginning of DR 2-102(A).

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.