

KENTUCKY BAR ASSOCIATION
Ethics Opinion KBA E-388
Issued: March 1996

The Rules of Professional Conduct are amended periodically. Lawyers should consult the current version of the rules and comments, SCR 3.130 (available at <http://www.kybar.org>) and the Attorneys' Advertising Commission Regulations, before relying on this opinion.

Question: May a lawyer advertise or otherwise promote the fact that he or she will donate a percentage of his or her fees to charities designated by the lawyer's clients?

Answer: No.

References: Illinois Op. 92-94 (1993)

OPINION

This practice would result in a violation of Rule 5.4(a). It would also result in violations of Rule 7.20(2), as it would encourage and condone referrals from charities in return for contributions. Lawyers are encouraged to make charitable contributions. But a majority of the Committee believes that making contributions part and parcel of advertising and business-getting is a negative development.

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.