

NEW YORK STATE BAR ASSOCIATION
Committee on Professional Ethics

Opinion #236 - 3/17/72 (10-72)

Topic: Letterhead

Digest: Inactive New York lawyer may not use personal stationery with a New Jersey address and the notation "Counsellor at Law"

Code: EC 2-13

QUESTION

May a person who is admitted to the New York Bar but does not practice law, and is not available to practice law, use personal stationery carrying his New Jersey residence address and the notation "Counsellor at Law"?

OPINION

It would be improper for an inactive lawyer to use a letterhead identifying him as a lawyer and carrying a New Jersey address as it would mislead the public both as to his present status and as to the state within which he has been admitted to practice. EC 2-13; ABA 81 (1932); ABA Inf. 777 (1965). In the analogous situation of the use of a lawyer's shingle at a location where the lawyer does not practice law it has been held that a "lawyer may not display a sign with his name on it in a place where he does not practice". Drinker, Legal Ethics, 231 (1953); N.Y. City 87 (1929).