

NEW YORK STATE BAR ASSOCIATION  
Professional Ethics Committee Opinion

OPINION

It is the opinion of the Committee that the proposed publication and distribution would be proper only if it omitted reference to the specialties of the members.

Canons 27, 43 and 46 are involved. Canon 27 relating to advertising and solicitation permits inclusion of a lawyer's name, address, biography and "branches of his profession practiced" in "reputable law lists." The American Bar Association certifies associations which its Special Committee on Law Lists believes to be "reputable." The membership directory of the association in question is not a law list. Canon 46 provides that where a lawyer is engaged in rendering a specialized legal service directly and only to other lawyers, "a brief, dignified notice of that fact, couched in language indicating that it is addressed to lawyers, inserted in legal periodicals and like publications, when it will afford convenient and beneficial information to lawyers desiring to obtain such service, is not improper." The membership directory in this case is not a legal periodical or like publication.

Opinion #63 - 10/16/67 (24-67) Topic: Mailing Legal Bulletins to Clients.

Digest: Lawyer may send form letter to foreign corporation retainer clients describing changes in U.S. and local laws.

Canon: None

QUESTION

A member of the New York Bar practising in a foreign country desires to send to retainer clients doing business in such country a monthly form letter describing current changes in U.S. and local laws of interest to foreign corporations doing business in that country. He asks whether there would be any ethical objection.

OPINION

Subject to such professional and legal restrictions as may apply in the country involved, it is the Committee's opinion that the proposed practice would not be improper as applied to a member of the New York Bar, provided it is sent only to clients.