



Committee on Professional Ethics

Opinion #268 - 10/20/72 (53-72)

Topic: Professional Cards;
Indication of Foreign
Language Ability

Digest: Professional card may not
indicate foreign language
ability but may be printed
in English and one other
language.

Code: DR 2-102(A)(1); 2-102(A)(6);
2-103(A); Canon 2

QUESTION

May a lawyer, in order to meet the need for legal services of non-English-speaking persons, either print his calling cards in English, French and Spanish, or note on his English language cards "Se habla espagnol" and "On parle francais"?

OPINION

The information which may be included on a professional card is limited by DR 2-102(A)(1), which provides:

"A lawyer or law firm shall not use professional cards, professional announcement cards, office signs, letter-heads, telephone directory listings, law lists, legal directory listings, or similar professional notices or devices, except that the following may be used if they are in dignified form:

"(1) A professional card of a lawyer identifying him by name and as a lawyer, and giving his addresses, telephone numbers, the name of his law firm, and any information permitted under DR 2-105. A professional card of a law firm may also give the names of members and associates. Such cards may be used for identification but may not be published in periodicals, magazines, newspapers, or other media." (Emphasis added)

Only the information specifically excepted from the general prohibition against the use of professional cards is permissible. Accordingly, it would be improper to use the phrases "Se habla espagnol" and "On parle francais." Cf. DR 2-102(A)(6).

It is recognized that many non-English-speaking persons now reside in the State of New York. In order for a lawyer to assist the legal profession in fulfilling its duty to make legal counsel available to such persons, Canon 2, it may be necessary for him

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to identify himself as a lawyer in a foreign language. Accordingly, a lawyer may have his professional card printed in English and one other language. Cf. N.Y. City 74 (1927).

Nevertheless, a professional card should serve only to identify the lawyer and to enable a client to find, write, telephone or otherwise communicate with him. Wise, Legal Ethics 147 (2d ed. 1970). A professional card may not be published in periodicals, magazines, newspapers or other media, DR 2-102(A)(1); ABA 276 (1947); N.Y. County 366 (1941); N.Y. City 661 (1944), nor may it be used as a means of solicitation. DR 2-103(A).
