



Committee on Professional Ethics

Opinion #286 - 3/16/73 (1-73)

Topic: Firm Names

Digest: An attorney who employs other attorneys as associates may use firm name "John Smith & Associates"

Code: EC 2-10; 2-11; 2-13
DR 2-102(A)(4); 2-102(B)

QUESTION

May an attorney who employs two or more "associates" use firm name "John Smith and Associates"?

OPINION

While not the usual form, there is nothing improper in the use of the firm name "John Smith and Associates", provided that the lawyer or the firm has in fact two or more lawyer employees so that the name is not misleading. EC 2-10; EC 2-13; ABA 318 (1967); cf. EC 2-11; N.Y. State 45 (1967). However, where there are other partners in addition to those indicated in the firm name, it could be considered misleading to add, after the firm name the words "and Associates", unless on the letterhead the names of all the partners and, separately, the names of the associates are shown. (ABA 310 (1963))
