

## How the New York Bar Rules Affect You (IMHO)

\*No matter what you do, your materials must not be false or misleading, violate a disciplinary rule and must have, when necessary, notices visible to the average person.

### It's okay to...

### if...

(1) promote legal/non-legal education, degrees, etc. public offices, teaching positions, memberships and, guess what, bona fide professional ratings!	you feel like it
(2) create <i>recruiting</i> materials that follow * above	they are (a) meant for other lawyers and (b) not designed for the retention of your law firm or a lawyer within the firm
(3) use client names and testimonials	you have prior written consent and the matter is closed
(4) use stock photography of non-lawyers	it is disclosed (but not specified. Perhaps, the notice "Actors" somewhere.)
(5) promise results	it can be proven and you provide a disclaimer
(6) use a paid endorsement	it is disclosed
NOW SERIOUSLY, IS THIS THAT BAD? NO!	
(7) compare the services of one lawyer to another	you include the appropriate disclaimers
(8) use statements characterizing or describing the quality of the firm's services	you include the appropriate disclaimers
(9) send email promotions	the subject line reads only "ATTORNEY ADVERTISING." Okay, this sucks!

### It's not okay to...

(1) portray judges	
(2) use a fictitious law firm or lawyers	
(3) use techniques to gain attention clearly irrelevant to the selection of counsel	This gets our "What Were They Thinking?" Award. On a bad day, this could include logos, metaphors, even gavels and columns and globes, Oh my! Not to mention dogs.
(4) use pop-ups or pop-unders via email	
(5) create metatags violating * above	
(6) give goodies to the press	
(7) solicit folks who are not close friends(!), relatives, former/existing clients.	If my business card said "close friend," would it pass?