

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 377

Amending the Code of Professional Responsibility  
Relating to Advertising  
over Television: DR 2-101 (B),  
DR 2-101 (D); EC 2-8.

IT IS ORDERED:

1. The introductory paragraph of DR 2-101 (B) is amended to read:

(B) In order to facilitate the process of informed selection of a lawyer by potential consumers of legal services, a lawyer may publish or broadcast, subject to DR 2-103, the following information in print media distributed or over television or radio broadcasted in the geographic area or areas in which the lawyer resides or maintains offices or in which a significant part of the lawyer's clientele resides, provided that the information disclosed by the lawyer in such publication or broadcast complies with DR 2-101 (A), and is presented in a dignified manner:

2. DR 2-101 (D) is amended to read:

(D) If the advertisement is communicated to the public over television or radio it shall be pre-recorded, approved for broadcast by the lawyer, and a recording of the actual transmission shall be retained by the lawyer.

3. EC 2-8 is amended to read:

EC 2-8. Selection of a lawyer by a layperson should be made on an informed basis. Advice and recommendation of third parties --- relatives, friends, acquaintances, business associates, or other lawyers

--- and disclosure of relevant information about the lawyer and his practice may be helpful. A layperson is best served if the recommendation is disinterested and informed. In order that the recommendation be disinterested, a lawyer should not seek to influence another to recommend his employment. A lawyer should not compensate another person for recommending him, for influencing a prospective client to employ him, or to encourage future recommendations. Advertisements and public communications, whether in law lists, telephone directories, newspapers, other forms of print media, television or radio, should be formulated to convey only information that is necessary to make an appropriate selection. Such information includes:

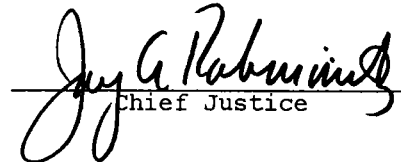
- 1) office information, such as, name, including name of law firm and names of professional associates, addresses, telephone numbers, credit card acceptability, fluency in foreign languages, and office hours;
- 2) relevant biographical information;
- 3) description of the practice, but only by using designations and definitions authorized by the Board of Governors; for example, one or more fields of law in which the lawyer or law firm practices, and/or a statement that practice is limited to one or more fields of law;
- 4) permitted fee information.

Laudation of the lawyer, or law firm, by himself or by others, testimonials, statements of the quality of service to be rendered, comparative statements about the lawyer's or law firm's services in relation to those of others, and statements of performance records are considered undignified, are primarily solicitative rather than

informative, and are apt to be misleading to the public. They should be avoided.

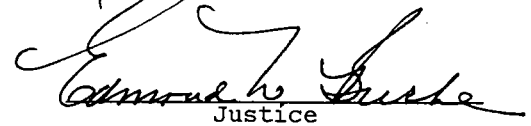
DATED: June 29, 1979

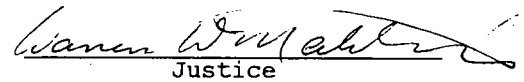
EFFECTIVE DATE: July 1, 1979

  
Chief Justice

  
Justice

  
Justice

  
Justice

  
Justice

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