

Modules

One

Topics and Cases Covered:

In re Glass, 58 Cal. 4th 500 (Cal. 2014); *In re Mustafa*, 631 A.2d 45 (D.C. 1993); *In re Prager*, 422 Mass. 86 (Mass. 1996); *In re Zbigien*, 433 N.W.2d 871 (Minn. 1988); *In re Taylor*, 1996 Cal. LEXIS 4452; *In re Griffiths*, 413 U.S. 717 (U.S. 1973); *Supreme Court of New Hampshire v. Piper*, 470 U.S. 274 (U.S. 1985); *In re Garcia*, 58 Cal. 4th 440 (Cal. 2014)

- Bar Application Process/Academic Misconduct
 - o *In re Glass*, 58 Cal. 4th 500 (Cal. 2014)
 - o *In re Mustafa*, 631 A.2d 45 (D.C. 1993)
 - o *In re Prager*, 422 Mass. 86 (Mass. 1996)
 - o *In re Zbigien*, 433 N.W.2d 871 (Minn. 1988)
 - o *In re Taylor*, 1996 Cal. LEXIS 4452
- Disability Accommodations
- Citizenship
 - o *In re Griffiths*, 413 U.S. 717 (U.S. 1973)
- Residency
 - o *Supreme Court of New Hampshire v. Piper*, 470 U.S. 274 (U.S. 1985)
 - o *In re Garcia*, 58 Cal. 4th 440 (Cal. 2014)

Two

Topics and Cases Covered:

KRPC 8.1, 8.2, 8.3, and 8.4; NY Comm. Prof. Ethics Op. 854; DC Ethics Opinion 316;); *In re Robinson*, 74 A.3d 688 (D.C. 2013); *State ex rel. Okla. Bar Ass'n*, 1989 OK 75 (Okla. 1989); *In re Diaz*, 295 Kan. 1071 (Kan. 2012); *In re Boudreaux*, 596 So. 2d 194 (La. 1992); *In re Himmel*, 533 N.E.2d 790 (Ill. 1988)

- Disciplinary Process
 - o *In re Diaz*, 295 Kan. 1071 (Kan. 2012)
 - o *In re Boudreaux*, 596 So. 2d 194 (La. 1992)
- Substance Abuse and Depression
 - o *In re Himmel*, 533 N.E.2d 790 (Ill. 1988)
 - o NY Comm. Prof. Ethics Op. 854 (Associate reporting Partner)

Three

Topics and Cases Covered:

KRPC 1.1, 1.2, 1.3, 1.4, 1.18; D.C. Ethics Opinion 316

- Lawyer- Client Relationship
 - o When a client-attorney relationship is formed
 - o Engagement letter
 - o Duties to prospective client (Rule 1.18)
 - o Declination Letter
 - o Online Interactions
 - o DC Ethics Opinion 316
 - o Obligation to Clients
 - o Competence (Rule 1.1)
 - o ABA Op. 18-482 [competency in a disaster]
- Dangers of Being an Online Lawyer
 - o D.C. Ethics Opinion 316
- Lawyer Obligations
 - o Rule 1.1
 - o Rule 1.2
 - o Rule 1.3
 - o Rule 1.4
 - o Rule 1.18

Four

Topics and Cases Covered:

KRPC 1.2, 1.4, 1.14; ABA Form. Op. 96-403

- Rule 1.2
 - o 1.2 (a) Means and Ends Provision
 - o 1.2 (b) Protecting lawyers representing unpopular defendants
 - o 1.2 (c) Unbundling Provision
 - o 1.2 (d) Tax Lawyer Dilemma, Cannot Assist Criminal/Fraudulent Activity
 - Links to 1.16(a) mandatory withdrawal
 - o 1.2 (e) “No, I can’t do ___ and this is why: ___”
 - o ABA Form. Op. 96-403
- Rule 1.4: Communication
 - o Promptness

- Extent necessary for client to make informed decision
- Must communicate what client requests if client has the right to know
- ABA Op. 18-481 [communicating about material errors to clients]
- Rule 1.14
 - Must attempt to maintain normal client-lawyer relationship with client under diminished capacity

Five

Topics and Cases Covered:

KRPC 1.5; ABA Form. Op. 11-458 ; ABA Form. Op. 93-379; ABA Form. Op. 00-420; *In re Cooperman*, 633 N.E.2d 1069 (N.Y. 1994); *Starkey v. Estate of Nicolaysen*, 172 N.J. 60 (N.J. 2002); *Raymark Industries, Inc. v. Stemple*, 1990 U.S. Dist. LEXIS 6710 (D. Kan. May 30, 1990); *In re Fordham*, 668 N.E.2d 816 (Mass. 1996); *In re Hanna*, 362 S.E.2d 632 (S.C.1987); *In re Green*, 11 P.3d 1078 (Colo.2000); *In re Myers*, 127 P.3d 325 (Kan. 2006); *Columbus Bar Assoc. v. Brooks*, 721 N.E.2d 23 (Ohio 1999)

- Types of Billing
 - Hourly Billing
 - Transactional Billing
 - Contingency Billing
 - Hybrid Billing
- Rule 1.5 Fees
 - 1.5 (a) Reasonableness, difficulty, fee customarily charged, results obtained, time limitation, nature of the relationship, experience of lawyer, and type of billing.
 - Minimum Fee Abolished by Bar Association
 - Retainer
 - Cannot Increase Fee During Representation
- Fees
 - *In re Cooperman*, 633 N.E.2d 1069 (N.Y. 1994) (retainer)
 - *Starkey v. Estate of Nicolaysen*, 172 N.J. 60 (N.J. 2002) (Details regarding billing must be in writing)
 - *Raymark Industries, Inc. v. Stemple*, 1990 U.S. Dist. LEXIS 6710 (D. Kan. May 30, 1990) (Asbestos Cases – Lawyer retained with \$1 million fixed fee and additional hourly fee. Not allowed under *In re Cooperman*).
 - ABA Form. Op. 11-458 (Increasing Fees during Representation)
 - *In re Fordham*, 668 N.E.2d 816 (Mass. 1996) (Reasonableness test)
 - *In re Hanna*, 362 S.E.2d 632 (S.C.1987) (Contingency billing)
 - *In re Green*, 11 P.3d 1078 (Colo.2000) (Hourly billing)
 - *In re Myers*, 127 P.3d 325 (Kan. 2006) (Charging for uncompleted work)

- *Columbus Bar Assoc. v. Brooks*, 721 N.E.2d 23 (Ohio 1999) (Collecting excessive fee)
- ABA Form. Op. 93-379 (Skaddenomics)
- ABA Form. Op. 00-420

Six

Topics and Cases Covered:

KRPC 1.6; ABA Form. Op. 98-411; ABA Form. Op. 99-413; NY Bar Opinion 782; ABA Form. Op. 477R; ABA Form. Op. 483; *In re Gogel*, 263 A.D.2d 222 (N.Y. App. Div. 1st Dep't 1999); *La. Crisis Assistance Ctr. v. Marzano-Lesnevich*, 827 F. Supp. 2d 668 (E.D. La. 2011); *D'Alessio v. Gilberg*, 617 N.Y.S.2d 484 (N.Y. App. Div. 1994); *Al Odah v. U.S.*, 346 F.Supp.2d 1 (D.D.C. 2004); *Upjohn Co. v. U.S.*, 449 U.S. 383 (1981);

- Rule 1.6: Confidentiality
 - Two Regimes
 - Confidentiality
 - Privilege/ Work Product
 - Exceptions to Confidentiality: Lawyer Asserting the Privilege
 - Crime
 - KS: Future Crime
 - Other States: Prevent client from committing crime or fraud
 - Model Rule: May use/disclose when reasonably believe preventing death or bodily harm
 - Legal Advise about Compliance with Rules
 - ABA 98-411 (Can speak with another lawyer and discuss problem)
 - Malpractice
 - Court Order/Law
 - Lawyer's Change in Employment
 - Technology
 - Cell phones, metadata, virtual law practice, cloud storage
 - ABA Op. 18-480 [confidentiality and lawyer blogging]
 - ABA 477R (rules on confidentiality re digital devices)
 - ABA18- 483 (lawyer's obligations after a cyber breach)
 - Hoeflich, "when Disaster Strikes," KS BAR JL. (May 2019), 29.
 - Cases/ Opinions
 - *In re Gogel*, 263 A.D.2d 222 (N.Y. App. Div. 1st Dep't 1999) (Separate lawyers handling guardianship and criminal case)
 - *La. Crisis Assistance Ctr. v. Marzano-Lesnevich*, 827 F. Supp. 2d 668 (E.D. La. 2011) (Law student used clients stories to write novel)
 - ABA Form. Op. 99-413 (Email/Privacy)

- NY Bar Opinion 782 (Metadata)
- *D'Alessio v. Gilberg*, 617 N.Y.S.2d 484 (N.Y. App. Div. 1994) (Disclosing client's name and privilege)
- *Al Odah v. United States*, 346 F.Supp.2d 1 (D.D.C. 2004) (Work Product Immunity and privilege)
- *Upjohn Co. v. United States*, 449 U.S. 383 (U.S. 1981) (Attorney-Client and Work Product Privileges extending to employees in corporation)

Seven

Topics and Cases Covered:

KRPC 1.7, 1.8, 1.9, 1.10; ABA Form. Op. 92-367; ABA Form. Op. 00-418; ABA Form. Op. 88-356; ABA Form. Op. 99-415; *Cuyler v. Sullivan*, 446 U.S. 335 (1980); *Picker International v. Varian Associates*, 670 F.Supp. 1363 (N.D. Ohio 1987); *Damron v. Herzog*, 67 F.3d 211 (9th Cir. 1995)

- Rule 1.7: Conflicts of Interest
 - 1.7 (a)(1) Direct Concurrent Conflicts of Interest
 - 1.7 (a)(2) Indirect Concurrent Conflict of Interest
 - When Clients are Directly Adverse
 - Personal Interest Conflicts
 - Interest of Person Paying for a Lawyer's Services
 - Consent and Consentability (Make sure what is being consented to is allowable)
 - Non-litigation and Litigation Conflicts
 - ABA 92-367
 - ABA 00-418
 - ABA 88-356
 - *Cuyler v. Sullivan*, 446 U.S. 335 (1980) (Joint Representation)
 - *Picker International v. Varian Associations*, 670 F.Supp. 1363 (N.D. Ohio 1987) (Hot Potato Rule)
- Rule 1.8: Special Prohibited Concurrent Conflicts
 - Business Transactions with Client/ or Obtain Interest Adverse to Client
 - Using Information from Representation
 - Gifts
 - Negotiating Media Rights
 - No Financial Assistance
 - No Compensation from Someone Other than Client
 - Aggregate Settlement
 - Limiting Malpractice Liability/Settlement
 - No Representing Party Directly Adverse
 - Proprietary Interest

- Sexual Relations
- Rule 1.9: Former Conflict
 - Focus is on confidential information from former relationship that would prejudice the former client and help the current client
 - ABA Form. Op. 99-415 (General knowledge of policy/strategy of former client is not enough to disqualify lawyer)
 - *Damron v. Herzog*, 67 F.3d 211 (9th Cir. 1995)

Eight

Topics and Cases Covered:

KRPC 1.7, 1.9, 1.10, 1.11, 1.12; ABA Inform. Op. 87-1523; ABA Form. Op. 97-407; ABA Form. Op. 97-406; ABA Form. Op. 93-367; ABA Form. Op. 05-435; ABA Form. Op. 95-390; ABA Form. Op. 97-405; ABA Form. Op. 99-415; *In re Cohen*, 8 P.3d 429 (Colo. 1999); *In re Houston*, 127 N.M. 582 (N.M. 1999); *T. C. Theatre Corp. v. Warner Bros. Pictures, Inc.*, 113 F. Supp. 265 (D.N.Y. 1953); *Matter of Michelman* 202 A.D.2d 87 (1994); *Fiandaca v. Cunningham*, 827 F.2d 825 (1st Cir. N.H. 1987); *Baldassarre v. Butler*, 132 N.J. 278 (N.J. 1993); *Hill v. Wallack* 158 N.J. 51 (N.J. 1999); *Burrow v. Arce*, 997 S.W.2d 229 (Tex. 1999); *Cinema 5, Ltd. v. Cinerama, Inc.*, 528 F.2d 1384 (2d Cir. N.Y. 1976); *IBM v. Levin*, 579 F.2d 271 (1978); *State ex rel. Wal-Mart Stores v. Kortum*, 251 Neb. 805 (Neb. 1997); *Mitchell v. Metro. Life Ins. Co.*, 2002 U.S. Dist. LEXIS 4675 (S.D.N.Y. Mar. 20, 2002)

- Further Review of Rule 1.7
 - *In re Cohen*, 8 P.3d 429 (Colo. 1999) (Child abuse- lawyer represented both parties)
 - *In re Houston*, 127 N.M. 582 (N.M. 1999) (Spousal abuse and child molestation)
 - *T. C. Theatre Corp. v. Warner Bros. Pictures, Inc.*, 113 F. Supp. 265 (D.N.Y. 1953) (Focus on confidentiality—loyalty “goes away” when client is not represented anymore)
 - *Matter of Michelman*, 202 A.D.2d 87 (1994) (Lawyer represented adoptive parents and biological mother)
 - ABA Inform. Op. 87-1523
 - *Fiandaca v. Cunningham*, 827 F.2d 825 (1st Cir. N.H. 1987) (Legal aid group representing mentally disabled in substandard facility and representing inmates trying to move them into the facility)
 - *Baldassarre v. Butler*, 132 N.J. 278 (N.J. 1993) (Lawyer representing buyer and seller of property, no way for lawyer to be loyal to both clients)
 - *Hill v. Wallack, A. v. B.*, 158 N.J. 51 (N.J. 1999) (Estate planning and third party paternity action against husband)
 - *Burrow v. Arce*, 997 S.W.2d 229 (Tex. 1999) (No need for monetary loss to sue in malpractice and ask for fee disgorgement)

- *Cinema 5, Ltd. v. Cinerama, Inc.*, 528 F.2d 1384 (2d Cir. N.Y. 1976) (Partner in Buffalo firm and NYC firm)
- ABA Form. Op. 97-407 (Lawyer serving as expert witness)
- ABA Form. Op. 97-406 (Indirect conflict)
- ABA Form. Op. 93-367 (Cross-examining expert witness when representing an expert witness in unrelated case)
- ABA Form. Op. 05-435 (Estate planning)
- *IBM v. Levin*, 579 F.2d 271 (1978) (Firm represents corporation and another client wants to sue corporation)
- ABA Form. Op. 95-390 (Conflicts within corporate structure)
- ABA Form. Op. 97-405 (Representing governmental entity and private client against government)
- Further Review of 1.9
 - *State ex rel. Wal-Mart Stores v. Kortum*, 251 Neb. 805 (Neb. 1997) (Lawyer hired to sue Wal-Mart had previously defended Wal-Mart for a fall inside the store)
 - *Mitchell v. Metro. Life Ins. Co.*, 2002 U.S. Dist. LEXIS 4675 (S.D.N.Y. Mar. 20, 2002) (Employment discrimination)
 - ABA Form. Op. 99-415 (General knowledge of strategy or policy is not specific enough to disqualify lawyer)
 - 1.9: In-Depth
 - 1.9 (a): If formally representing client, the lawyer cannot represent another client in the same or substantially related matter unless former client gives informed consent in writing. (Directly Adverse)
 - 1.9 (b): Lawyer cannot represent client in same or substantially related matter where a firm which the lawyer had previously been associated with presented a client and (1) interest are materially adverse; and (2) lawyer acquired protected information.
 - Informed consent in writing
- Rule 1.10: Imputation of Conflicts of Interest
 - 1.10 (a) "One for all, All for one."
 - 1.10 (b) Lawyer leaving firm and taking clients with him. Focus on who has the information.
- Rule 1.11: Successive Government and Private Employment
- Rule 1.12: Former Judge, Arbitrator, Mediator or Other Third-Party Neutral

Nine

Topics and Cases Covered:

KRPC 1.13, 1.14, 1.15, 1.16, 1.17, 2.1, 2.2, 2.3; ABA Form. Op. 95-314; ABA Form. Op. 85-352; ABA Form. Op. 482; *Maples v. Thomas*, 132 S. Ct. 912 (U.S. 2012)

- Rule 1.13: Organization as Client
 - o Lawyer must proceed as reasonably necessary in the best interest of the organization. Primary loyalty is to the organization.
 - Agent or Employee acting illegally or putting organization in poor light
 - The entity is the lawyer's client, not the employees.
- Rule 1.15: Safekeeping Property
 - o Must have two banking accounts at minimum. One operating account and one trust account.
 - o Conversion is a criminal act.
 - o Disputes
 - o Preserving Identity of the Funds
 - o Holding Client's Property Other than Money
 - Losing files
 - Destroying paper files
 - Natural Disasters
 - ABA 482 (lawyer's obligations in natural disaster)
- Rule 1.16: Declining or Terminating Representation
 - o 1.16 (a) Mandatory Withdrawal
 - o 1.16 (b) Permissive Withdrawal
 - Links to 1.2(d)
 - o 1.16 (c) Occurring Litigation
 - o 1.16 (d) Returning Client's Property
 - Plaza Shoe Doctrine
 - o *Maples v. Thomas*, 132 S. Ct. 912 (U.S. 2012)
- Rule 1.17: Sale of Law Practice
- Rule 2.1: Counselor Advisor
 - o "Independent and Candid"
 - Tax Opinions
 - ABA Form. Op. 95-314 (IRS is not a court)
 - ABA Form. Op. 85-352 (Lawyer must have reasonable position when they write an opinion).
 - o "Moral, Economic, Social and Political Factors"
- Rule 2.2: Evaluation for Use by Third Parties
 - o Applicable to "title examination" on real-estate.
 - o Links to Rule 2.1
- Rule 2.3: Lawyer Serving as a Third Party Neutral
 - o Lawyer is acting as a quasi-judicial function. Lawyer should not assume the parties understand that they are not clients.
 - ADR situations
 - o Lawyer's typical confidentiality, privileges, immunities, etc., do not apply.

Ten

Topics and Cases Covered:

KRPC 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 4.1, 4.2, 4.3, 4.4; ABA Form. Op. 11-461; ABA Form. Op. 92-362; *Nix v. Whiteside*, 475 U.S. 157 (U.S. 1986); *Parker v. Pepsi-Cola Bottlers*, 249 F.Supp.2d 1006 (N.D.Ill. 2005)

- Rule 3.1: Meritorious Claims and Contentions
 - o Lawyers should not bring frivolous lawsuits. “Sanctions” rule.
- Rule 3.2: Expediting Litigation
 - o Lawyer should make reasonable efforts to expedite litigation
 - Discovery requests
- Rule 3.3: Candor Towards the Tribunal
 - o (1)
 - Do not make false statements of fact to the court.
 - If false statement is made regarding law and the court relies on it then lawyer must tell the Judge.
 - o (2)
 - Legal authority in controlling jurisdiction
 - Directly adverse
 - Any party must disclose
 - o (3) Lawyer should take reasonable remedial measures if evidence has been offered that the lawyer knows to be false
 - o *Nix v. Whiteside*, 475 U.S. 157 (U.S. 1986) (Clients do not have the constitutional right to make lawyers violate the professional responsibility rules or the right to lie in court)
- Rule 3.4: Fairness to Opposing Party & Counsel
- Rule 3.5: Impartiality and Decorum of the Tribunal
- Rule 3.6: Trial Publicity
 - o “Don’t try the case outside of the court.”
- Rule 3.7: Advocate: Lawyer as a Witness
 - o Cannot be a principle and an advocate with three exceptions
- Rule 3.8: Advocate: Special Responsibilities of a Prosecutor
- Rule 3.9: Advocate: Advocating in Nonadjudicative Proceedings
- Rule 4.1: Transactions with Persons other than Clients: Truthfulness in Statements to Others
 - o Obligations to clients are strongest then court and then the rest of the world.
 - o Lawyer must not make false statements.
 - o Negotiation tactics are okay.
- Rule 4.2: Communication with Person Represented by Counsel

- Lawyer cannot communicate about the subject of the representation with a person the lawyer knows has another lawyer in the matter, unless the lawyer has the consent of the other lawyer or is authorized to do so by law or a court order.
- Applies even if consent is given.
- *Parker v. Pepsi-Cola Bottlers*, 249 F.Supp.2d 1006 (N.D.Ill. 2005) (Lawyer subpoenaed employee to give deposition but the lawyer did not send a copy of the subpoena to the employee's lawyer).
- ABA 11-461
- ABA 92-362
- Rule 4.3: Dealing with Unrepresented People
 - When dealing with an unrepresented individual and the lawyer reasonably or should know that the unrepresented individual misunderstands the lawyer's role then the lawyer must make reasonable efforts to correct the misunderstanding.
 - Lawyer shouldn't give advice to unrepresented individuals other than to obtain their own counsel.
- Rule 4.4: Respect for Rights of Third Parties
 - Lawyer may not pretend to be someone they are not.
 - Covert agents are allowable.
 - Inadvertently Received Documents: Lawyer should notify the sending (opposing party) that they received documentation that they should not have. Receiver is allowed to use this information.

Eleven & Twelve

Topics and Cases Covered:

KRPC 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 6.1, 6.2, 6.3, 6.4, 7.1, 7.2, 7.3, 7.4, 7.5, 8.1, 8.2, 8.3, 8.4, 8.5; ABA Form. Op. 08-451; **Thicker**; *In Re Wilkinson*, 251 Kan. 546 (Kan. 1992); *In re Fonte*, 236 A.D.2d 67 (N.Y. App. Div. 2d Dep't 1997); *Bates v. State Bar of Arizona*, 433 U.S. 350 (1977); *Zauderer v. Office of Disciplinary Counsel*, 471 U.S. 626 (1985); *Shapiro v. Kentucky Bar Association*, 486 U.S. 466 (1988)

- Rule 5.1: Law Firms and Associations: Responsibilities of Partners, Managers, and Supervisory Lawyers
 - **Thicker**: (DUI Assembly line-like cases)
 - *In re Wilkinson*, 251 Kan. 546 (Kan. 1992) (Attorney hired recent law graduated who had not passed the bar).
 - *In re Fonte*, 236 A.D.2d 67 (N.Y. App. Div. 2d Dep't 1997) (Partner suspended for three years for not reporting his partner for embezzlement).

- Rule 5.2: Law Firms and Associations: Responsibilities of a Subordinate Lawyer
 - o Lawyer is bound by their conduct even if it was at the direction of another.
 - o A subordinate lawyer does not violate the rules of professional conduct if that lawyer acts in accordance with a supervisory lawyer's reasonable resolution of an arguable question of professional duty.
- Rule 5.3: Law Firms and Associations: Responsibilities regarding Non-Lawyer Assistance
 - o Lawyer is responsible for establishing policies for the entire firm staff to behave according to the professional responsibility rules.
 - o Anyone can violate the professional responsibility rules.
 - o Outsourcing
 - o ABA Form. Op. 08-451 (Upon outsourcing, lawyer must make sure individuals are competent and oversee the work).
 - o NY Bar Association 2006-3
- Rule 5.4: Professional Independence of a Lawyer
 - o Law firms are for lawyers only.
- Rule 5.5: Unauthorized Practice of Law: Multijurisdictional Practice of Law
 - o Lawyer cannot practice in jurisdiction they are not admitted into
 - o If lawyer is admitted into another jurisdiction then lawyer can work with someone in that jurisdiction on a temporary basis as long as there is active participation.
- Rule 5.6: Law Firms and Associations: Restrictions on Right to Practice
 - o Non-compete clauses are not allowed because clients need to have freedom to hire lawyers.
- Rule 5.7: Responsibilities Regarding Law-Related Services
 - o Rules also relate to law related services
- Rule 6.1: Public Service: Pro Bono Public Service
 - o Lawyer “should” do public service work but they do not have to.
- Rule 6.2: Public Service: Accepting Appointments:
 - o Lawyers should not seek to avoid appointments
- Rule 6.3: Public Service: Membership in Legal Services Organization
- Rule 6.4: Public Service: Law Reform Activities Affecting Client Interests
- Rule 7.1
 - o No false or misleading communication
 - Material misrepresentation
 - Unjustified expectations
 - States or implies activities that violate the rules
 - Compares the lawyer’s services to other lawyers
 - o Cases
 - *Bates v. State Bar of Arizona*, 433 U.S. 350 (1977) (Legal clinic for low-income individuals)
 - *Zauderer v. Office of Disciplinary Counsel*, 471 U.S. 626 (1985) (Drunk driving legal services advertisement)

- *Shapiro v. Kentucky*, 486 U.S. 466 (1988) (Mail solicitation)
- Rule 7.2: Information about Legal Services: Advertising
 - Lawyers may advertise through written, recorded, electronic, and public media. Lawyer must keep communication for two years. Lawyer cannot give anything of value for recommendation of their services. Lawyer must include their name.
 - If lawyer is promoting themselves then they are subjected to the advertising/communication rules.
- Rule 7.3: Information about Legal Services: Solicitation of Clients
 - No “live” solicitation. If not live, it is passive.
- Rule 7.4: Information about Legal Services: Communication of Fields of Practice
 - Lawyer cannot state or imply they are a specialist unless they are certified.
 - Lawyer can say “practice in the area of____,” but cannot say “specializing in the area of____.”
- Rule 7.5: Information about Legal Services: Firm Names and Letterheads
- Rule 8.1: Maintaining the Integrity of the Profession: Bar Admission and Disciplinary Matters
- Rule 8.2: Maintaining the Integrity of the Profession: Judicial and Legal Officials
- Rule 8.3: Maintaining the Integrity of the Profession: Reporting Professional Misconduct
 - Lawyers must self-report. If they do not they are guilty of a rule 8.3 violation.
- Rule 8.4: Maintaining the Integrity of the Profession: Misconduct
 - This rule refers to “non-lawyer” conduct.
- Rule 8.5: Maintaining the Integrity of the Profession: Jurisdiction
 - The professional ethics rules follow the lawyer. If lawyer is licensed in two locations then the Judge decides which rules apply.