

## STATEWIDE GRIEVANCE COMMITTEE



### **Advisory Opinion #12-03901-A Radio Advertisement Concerning Child Custody Issues in Divorce Cases**

Pursuant to Practice Book §2-28B, the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee<sup>1</sup>, reviewed a request for an advisory opinion filed on June 11, 2012. The proposed advertisement is a radio commercial. The reviewing committee concluded that the advertisement complies with the Rules of Professional Conduct.

The radio advertisement advertises the services of the requesting law firm in the area of divorce and child custody. A script of the proposed content of the commercial was provided for the advisory opinion request. The advertisement is purportedly spoken by the requesting attorney, who states his name and discusses the damage to children involved in custody disputes between divorcing parents. The proposed advertisement asserts that it is the function of attorneys to remind parents to put their children first and avoid the common pitfalls of contested divorces.

The proposed advertisement offers to obtain more information about the firm's services to visit the firm's website and sign up for a free, no-obligation divorce consultation or to call the toll free number provided. The URL address recited encompasses the word "divorce" and a four digit number and is not the name of the law firm. The toll free number incorporates the name of the firm. The name of the law firm is a trade name apparently used by the firm's attorneys who are

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<sup>1</sup> Mr. Vincent Mauro, the lay person member originally assigned to this Reviewing Committee, became unavailable and this decision was rendered by Attorney Evelyn Gryk Frolich and Attorney Noble Allen.

admitted in Connecticut and is part of a law group based in Massachusetts. The requesting law firm has a Connecticut firm juris number.

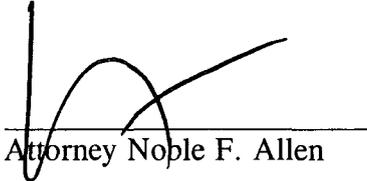
The proposed advertisement complies with Rule 7.2(d) of the Rules of Professional Conduct which requires the name of a Connecticut admitted attorney responsible for the advertisement be provided, since the name of the attorney is spoken in the radio advertisement. Pursuant to Rule 7.2(i) of the Rules of Professional Conduct, the above referenced information which references the firm's name, website information and toll free number is presumed not to violate the provisions of Rule 7.1 of the Rules of Professional Conduct, and therefore is not false or misleading.

The name of the firm is a trade name and does not violate the provisions of Rule 7.5 of the Rules of Professional Conduct, which regulates attorney trade names. The website address is composed of four numbers and a practice area, and the toll free number incorporates the firm's trade name. The website address and the toll free number also comply with Rule 7.5. None of the information in the proposed advertisement is misleading pursuant to Rule 7.1 and the content discussing divorce and custody issues does not contain language implying specialization which would violate Rules 7.4 and 7.4A.

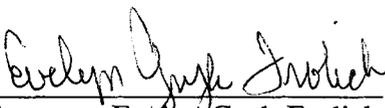
Accordingly, this reviewing committee opines that the proposed advertisement complies with the Rules of Professional Conduct.

(E)

ISSUE DATE: July 10, 2012



Attorney Noble F. Allen

  
Attorney Evelyn Gryk Frolich