

Alabama Rules of Professional Conduct

Information About Legal Services

Rule 7.1.

Communications Concerning a Lawyer's Services.

A lawyer shall not make or cause to be made a false or misleading communication about the lawyer or the lawyer's services. A communication is false or misleading if it:

(a) Contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading;

(b) Is likely to create an unjustified expectation about results the lawyer can achieve, or states or implies that the lawyer can achieve results by means that violate the Rules of Professional Conduct or other law;

(c) Compares the quality of the lawyer's services with the quality of other lawyers' services, except as provided in Rule 7.4; or

(d) communicated the certification of the lawyer by a certifying organization, except as provided in Rule 7.4.

[Amended eff. 8-23-2000.]

Comment

This Rule governs all communications about a lawyer's services, including advertising permitted by Rule 7.2. Whatever means are used to make known a lawyer's services, statements about them should be truthful. The prohibition in paragraph (b) of statements that may create "unjustified expectations" would ordinarily preclude advertisements about results obtained on behalf of a client, such as the amount of a damage award or the lawyer's record in obtaining favorable verdicts, and advertisements containing client endorsements. Such information may create the unjustified expectation that similar results can be obtained for others without reference to the specific factual and legal circumstances.

Comparison with Former Alabama Code of Professional Responsibility

Rule 7.1 is a direct counterpart to Temporary DR 2-101, which was substantially adopted from Model Rule 7.1.

Note from the reporter of decisions: The order amending Rule 7.1, effective immediately, is published in that volume of *Alabama Reporter* that contains Alabama cases from 763 So.2d.