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N. H. ETHICS OPINIONS ANNOTATED

FO 1988-89/21

NEW HAMPSHIRE BAR ASSOCIATION  
Ethics Committee Formal Opinion #1988-89/21  
Advertising: Acceptance of Credit Cards  
April 6, 1989

RULE REFERENCES:

- \*Rule 7.1
- \*Rule 7.2

CODE REFERENCES:

- \*DR2-101(D)

SUBJECTS:

- \*Advertising and Solicitation
- \*Fees

ANNOTATIONS:

An attorney who is willing to accept credit card payments may advertise that fact. It makes no difference whether the advertising is by print, television or radio so long as it complies with Rule 7.1 and 7.2. (Rule 7.1; Rule 7.2).

QUESTION:

May a law firm which accepts credit cards to pay legal fees advertise that fact?

ANSWER: Yes

The same question was presented to the Ethics Committee in 1984. In NH Op 1984 - 5/1 the Committee held:

"An attorney who is willing to accept credit card payments may advertise that fact. DR-2101 (D) specifically permits advertising concerning "the availability of credit arrangements." The advertising must, of course, comply in all respects with the rules governing attorney advertising." (citations omitted).

This Committee would reach the same conclusion under the Rules of Professional Conduct adopted in 1986. It should be noted that the ABA Comments to Rule 7.2

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specifically include "payment and credit arrangements" as information which may be advertised.

It makes no difference whether the advertising of credit card acceptance is by print, television, or radio so long as the advertising complies with Rules 7.1 and 7.2

(The Bar should be aware that NH Op 1984-5/1 is incorrectly cited in the committee notes to decisions following Rule 7.1 and 7.2 in the Rules of Professional Conduct as prohibiting advertising of credit card use.)