

Advertising

Ethics Committee Advisory Opinion
January 12, 1982

The following is an Advisory Opinion addressed solely to the inquiring attorney.

The Ethics Committee has been asked to review seven sample advertisements (see attached). The question is whether or not these advertisements in any way violate DR2-101.

It is the view of the Committee that the advertisements in question do not violate DR2-101 except as set forth below.

DR2-101 (8) states as follows:

"Contains a statement of opinion as to the quality of the services or contains a representation or implication regarding the quality of legal services which is not susceptible of reasonable verification by the public."

Language such as "experienced full-service law firm," "we know the legal terms that make your agreement binding and legal," and "the staff of THE LAW CENTER OF GLEN J. HELFER has the experience and qualifications to discuss and analyze your problems ..." appears to this Committee to be a statement of opinion as to the quality of services. As such, it is not allowed by the pertinent section.

DR2-101 (D) sets forth a bar to advertisement regarding legal fees except as provided in six enumerated sections. Language in advertisements such as "affordable and realistic fees," "we offer fees that make sense," "we offer fees that make sense providing professional legal service" do not appear to come within any of the six exceptions. Therefore, such language appears to be barred by the DR.

In rendering this opinion the Committee has applied DR 2-101 to the advertisements in question. You may wish to direct your attention to the case of Bates and O'Steen for its views.



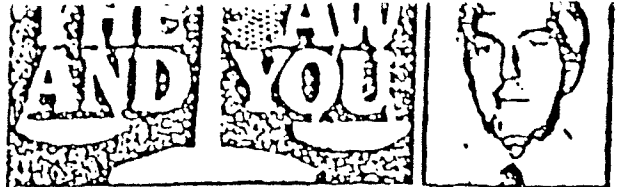
by Robert T. Karns & George A. Fairbanks, III

KARNS & FAIRBANKS

A contract is an agreement between two parties to do, or not do, something. It is legally enforceable. An "express contract", whether written or oral, involves agreed upon terms. For example, a verbal agreement to hire a contractor to perform work at a stated price is a binding express contract. The courts in most states generally enforce your obligation to pay for the work whether or not there was a written contract. An "implied contract" is the contractual obligation one undertakes without uttering the words "contract" or "agreement". Consultation with an attorney and preparation of a written agreement spelling out obligations of both parties is generally recommended in substantial contractual agreements.

In any written agreement, make sure that both parties are legally protected by having your contract drawn up by an attorney. At the office of KARNS and FAIRBANKS Counsellors at Law, 63 Main St., Bridgewater, 697-8288 we know the legal terms that make your agreement binding, and legal. If the occasion is serious enough to warrant a written agreement, it is important enough to have legal advice. Proper wording and form can determine such an agreement will stand up in court. Don't wait until then to hire a lawyer. Do it now.

LAW TIP: Your obligation to pay for food ordered in a restaurant, is an example.



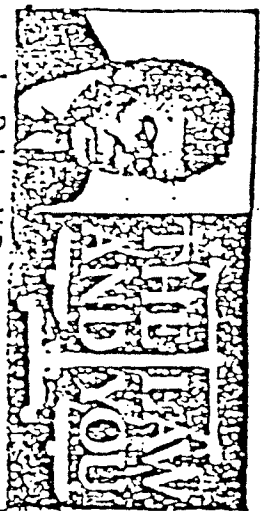
Presented by: The Pawtucket Legal Clinic of
Claude Lefebvre, Attorney At Law

In the case of a misdemeanor such as petty theft, a citizen has the right to arrest the person he sees committing the crime. However, the suspect must be turned over to the police as soon as possible. For felonies, such as arson, robbery or murder, you do not have to be an eyewitness if you are certain that the person arrested did actually commit the crime. However, there is a significant difference between a citizen's and a policeman's act. A police officer can arrest a suspect with only "reasonable cause to believe" a crime has been committed. If the suspect proves to be innocent, he has a legal recourse.

To determine your recourse in any legal situation seek the advice of a lawyer. When you need legal assistance in regard to criminal law, don't give up your rights. You are entitled to legal representation and the concern of a lawyer is to take legal action only in your best interests. When you need legal advice, when there is a problem, call an attorney. Often a lawyer can prevent a problem and take action that will keep you out of court. This is a valuable legal service. Select a legal firm with affordable and realistic fees. These fees should be provided on request. A full service legal firm can meet all your needs. PAWTUCKET LEGAL CLINIC, 2 Dexter Street, Pawtucket, 728-6660. Open Mon.-Fri. 8.30-5, Fri. until 9.

LAW TIP:

In a citizens arrest, the innocent party has an excellent case for damages against the citizen who turned him in.



by Robert V. Provost, President

Law Center International

Much of today's current law comes from the development of Old English Common Law which evolved from the customs and traditions of the people. Certain courts and judges developed precedents and general rules that were applied to subsequent cases. In fact, common law is sometimes known as case law. There is also statutory law, which consists of rules of conduct developed by representatives of the people. These rules are reduced to writing for ease of understanding and for general application to members of society. Another source of law is derived from the provisions of Federal and State constitutions and the interpretations given them by the courts.

A matter of interpretation is often the final determination of a legal matter. The staff of THE LAW CENTER OF GLENN J. HELPER has the experience and qualifications to discuss and analyze your problems and advise you as to the complexity as well as precedential courses to follow. When you are faced with an imminent legal problem, let our professional staff assist you in deciding the best approach to meet and successfully handle the situation. Call for an appointment, evening and Saturday appointments available, fixed fee basis, contingency basis. VISA and Master Charge accepted.

LAW FACT:

Applications of law require analysis of the individual facts of each situation to determine their legal relevance.

LAW CENTER
of Glenn J. Heller



DENVER 861-3000
ARVADA 424-1033
AURORA 751-8000
LAKEWOOD 836-7125
LITTLETON 794-1027
NORTHGLENN 451-0126



by Robert V. Provost, President
Law Center Management Corp

When the specter of separation ultimately divorce is being faced, turn to us for assistance. A potentially trying experience can be handled with a high of professionalism. In matrimonial the information necessary would include maiden name of the spouse, date and marriage and the names and birth date of children. Also, of importance is how it have lived at your present residence.

Finally, the dates and places of birth involved parties is necessary information. Many of us avoid seeking needed assistance for many reasons often times sidestep of convenience and cost. THE LAW CENTER of Timm, Hill, Millon, Farrell and Hook, with six convenient locations, to you, provides a new concept in the practice of law. We offer fees that make sense, providing professional legal service, a venient, accessible locations. Time and no longer a major consideration in those important lifetime transactions. Let us see you today. Fixed fee, contingency VISA, Master Charge accepted. Call for pointment evening and Sat. appointments available.

LAW FACT #6:

Be absolutely factual with your attorney. Without the facts in the case, he or she cannot do the best job.

LAW CENTER
Timm, Hill, Millon, Farrell and Hook



DENVER 861-3000
ARVADA 424-1033
AURORA 751-8000
LAKEWOOD 836-7125
LITTLETON 794-1027
NORTHGLENN 451-0126



by Robert T. Karns &
George A. Fairbanks, III

It is said that the United States is a litigious society; that is, we tend to bring our disputes to court often. We also perhaps have more laws and regulations than any other country in the world. Some people think these laws protect our rights while others think we have too.

In either case, most people agree that our laws are complex and difficult to interpret and understand. Join us over the following weeks and months while we discuss your rights and the United States legal system.

At KARNs AND FAIRBANKS, Counsellors At Law, we welcome you to our column and hope you will learn more about our legal system, its laws and your rights. We're located at 72 North Water St. and we're an experienced full service law firm licensed to practice in Federal and Massachusetts courts. If you have a problem you feel may benefit from our legal counsel call 999-6969 for an appointment. There is never a charge for an initial interview. We provide routine legal services at affordable and realistic fees to individuals and businesses.

HELPFUL HINT:

When confronted with a legal problem always consult a practicing attorney.

THE LAW AND YOU



Presented By
Robert V. Provost, President
Law Centers Management Corp.

There are situations in which legal consultation would be desirable but is frequently overlooked by laymen. An example would be when signing an agreement to make a substantial purchase over a period of time. You can be committing yourself for more money than is realized and missing a payment may permit the seller to reclaim the item. Another situation would be involved in the purchase of real estate. The real estate broker, anxious to close a sale, will sometimes belittle the need for legal counsel and tend to overlook technical problems which might include the right to use adjacent property for sewer lines or a driveway, or making a proper check of the title.

Many of us avoid seeking needed legal assistance for many reasons often times in consideration of convenience and cost. Now THE LAW CENTER OF TOWN, HILL, MILLION, FARRELL & HOOK, with six convenient locations to serve you, provides a new concept in the practice of law. We offer fees that make sense while providing professional legal service at convenient, accessible locations. Time and cost is no longer a major consideration in those important lifetime transactions. Let us assist you today. Fixed fee, contingency basis, VISA, Master Charge accepted. Call for an appointment Mon.-Sat., evening appointments available.

LAW FACT

In cases of questionable coverage, small claims to be collected from an insurance company may be ignored or delayed without legal representation.

THE LAW CENTER

of Town, Hill, Million,
Farrell & Hook

Littleton	794-1027
Lakewood	936-7125
Aurora	751-8000
Denver	861-3000
Arvada	474-1033
Northglenn	451-0126



by Herbert V. Laibach, Jr.
Debra Grossman &
Jon H. Kurland

It is always the responsibility of the plaintiff, the party who brings the action, to persuade the court of the merits of the case. It is therefore the plaintiff who bears the "burden of proof." In criminal cases, it is the state which must establish the guilt of the accused beyond a reasonable doubt. If the lawyer for the accused can raise even a doubt in the jury's mind, the jury must return a "not guilty" verdict. A civil case, however, requires only that the plaintiff establish the truth of his claim in a more convincing manner than the defendant's.

To prepare a legal case that will hold up in court, seek the advice of an attorney. If you've been injured the LEGAL CENTER OF LAIBACH, KURLAND AND GROSSMAN, 54 Church St., Lowell across from Central Plaza can help you sort out the legal issues relating to your injury. We'll help you analyze and understand your particular situation. When you've had an accident, personal, automotive or industrial, we can advise you whether you have a legal right to be compensated for your injury and the steps necessary to recover your loss. Call us at 454-8884. Open Mon.-Fri. 9-6, Sat. and evenings by appointment.

LEGAL NOTES:

Interestingly enough, in an audit or action brought by the Internal Revenue Service, the individual, not the IRS, bears the "burden of proof" as to the accuracy of his return.

Legal Center
of Laibach, Kurland & Grossman