

Nebraska Ethics Advisory Opinion for Lawyers
No. 83-1

A LAWYER OR LAW FIRM CANNOT ETHICALLY
SUBSCRIBE TO THE SERVICE OF A WELCOME WAGON
TYPE ORGANIZATION TO DISTRIBUTE THE LAWYER'S
OR LAW FIRM'S BUSINESS CARD, SINCE A PERSONAL
CONTACT WOULD BE INVOLVED.

QUESTION PRESENTED

Would it be proper for a lawyer or law firm to use the
promotional activities of Welcome Wagon?

If the lawyer or law firm subscribed to the service,
Welcome Wagon would charge \$2.50 for each contact
made. In return Welcome Wagon would pass out a card
in words substantially as follows:

Your Firm Name
Business Office Address
City, State, Zip
Telephone No.

We wish you health, joy and prosperity on
this special occasion. If now, or at any time
in the future, you have need for our
professional services, please call.

(Professional Specialities and Office Hours
may be listed)

Distributed by

Hostess/Host

Date

WELCOME WAGON

Please see reverse side.

On the reverse side of the card would be the following:

Dear Call Recipient:

The selection of a lawyer is a very personal decision. Welcome Wagon International, Inc., and its representatives do not presume to judge the professional capabilities of the sponsors represented.

Welcome Wagon International, Inc.

DISCUSSION

Recently, the Supreme Court of Nebraska adopted a number of amendments to the Code of Professional Responsibility (Code) in the area of advertising by lawyers. Among the Disciplinary Rules amended was DR 2-101. DR 2-101 (B), as amended, now provides:

(B) Subject to the requirements of DR 2-101 (A) and DR 9-104 (B), a lawyer may advertise services through public media, such as a telephone directory, legal directory, newspaper or other periodical, radio or television, or through written communication not involving personal contact . . . (Emphasis supplied).

The contact made by Welcome Wagon would be a personal one. It would involve a host or hostess of Welcome Wagon personally calling on a newcomer or new family and extending a welcome and greeting. At that time the person contacted would also be provided a packet of materials, which would include names of merchants who subscribe to Welcome Wagon, premiums, discounts, other information concerning the city, and, of course, the card of the lawyer or law firm.

It would involve a personal contact. This now is prohibited by DR 2-101(B), and therefore the

distribution of the card of a lawyer or law firm in this manner would be a violation of the Code.

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