



# NYSBA News Release

**For Release: Immediate**

**Date: August 9, 2017**

**Contact: Lise Bang-Jensen**

Director, Media Services

[lbang-jensen@nysba.org](mailto:lbang-jensen@nysba.org)

518-487-5530

## **ETHICS OF ELECTRONIC MARKETING SERVICES ADDRESSED BY NY STATE BAR'S COMMITTEE ON PROFESSIONAL ETHICS**

The New York State Bar Association today released two opinions by its Committee on Professional Ethics concerning whether lawyers may ethically participate in electronic marketing services.

### **Opinion 1131**

The Committee's first opinion, intended to guide lawyers who wish to use such services, notes the variation in the structure of web-based services. The opinion does not address every factual permutation that may exist, but attempts to explain how such services can operate within the Rules of Professional Conduct. It examines the issues that a lawyer using an electronic marketing service needs to consider. Opinion 1131 can be accessed at [NYSBA.org/EthicsOpinion1131](http://NYSBA.org/EthicsOpinion1131).

### **Opinion 1132**

The Committee's second opinion is in response to an inquiry about a lawyer participating in Avvo Legal Services, an electronic service that requires the payment of a "marketing fee" by a lawyer. The Committee finds that a lawyer who pays Avvo its marketing fee is making an improper payment for a recommendation in violation of Rule 7.2(a) of the Rules of Professional Conduct.

The Committee concludes that, under Avvo's current structure, lawyers may not use its services. It did not address other ethical issues that may be presented by Avvo's arrangements with lawyers. Opinion 1132 can be accessed at [NYSBA.org/EthicsOpinion1132](http://NYSBA.org/EthicsOpinion1132).

The 72,000-member New York State Bar Association is the largest voluntary state bar association in the nation. It was founded in 1876.