

OPINION 509

October 1994

Questions Presented

Three attorneys decide to share office space and decide to put on the door graphics of their suite:

SMITH, JONES AND WASHINGTON

Law Offices of Independent Practitioners

No other materials, such as letterhead, business cards, brochures or the like bear this statement or graphic. Contracts of Representation expressly denounce any association between the three attorneys, other than office sharing arrangements.

Questions

1. Is such a violation of State Bar Rule 7.04(a)?
2. Is such a violation of State Bar Rule 7.04(d)?

Discussion

Comment 3 to [Rule 7.04](#) states that "Lawyers who share office facilities but who are not in fact partners or employees of a single law firm may not denominate themselves *in any manner* suggesting such an ongoing professional relationship. (emphasis added)

This committee has studied and considered Ethics [Opinion 478](#) (TBJ, March 1993 page 292) which states that an advertisement such as this may not violate the Disciplinary Rules if "appropriate language of disclaimer" is included in such advertising.

Conclusion

The use of individuals' names separated only by commas suggests to the general public a professional relationship. The suggestion of a professional relationship when in fact there is no professional relationship is misleading to the public and is in violation of Rule 7.04(a) and (d).

According to Opinion 478 "appropriate language of disclaimer" may prevent a violation of these rules. These particular words described above do not sufficiently disclaim to the public at-large that there exists no professional relationship of any kind between the attorneys. However, this committee does not feel that its duties include making a decision on each proposed disclaimer.