

What Could the ABA's Clarification on Lawyer Advertising Rules Mean for You?

The ABA has voted in favor of adjusting legal advertising rules to ease confusion.

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Last week, the American Bar Association, or ABA, voted in favor of modernizing its rules on lawyer advertising. Part of this modification to regulations includes clarifying the rules as well. [Legal advertising](#) has been a confusing area regarding legal ethics for lawyers for many years now.



The proposed changes were only a piece of a larger proposal made during the ABA's annual meeting in Chicago. These changes focused on model Rules 7.1 through 7.5. These parts have now been compressed and simplified, according to the ABA.



The rule change from the ABA will help ease confusion in regards to the right and wrong way to do legal advertising."

*Mary Ann Fasanella, CEO of
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According to Lucian Pera, a partner at Adams & Reese in Memphis, the proposed changes will have a focus on false and misleading ads. The changes will allow for lawyers to better communicate their services to potential clients, offering better insight into how they can solve potential clients' legal issues.

From the perspective of the younger generation of

attorneys, the old ABA rules have made it nearly impossible to utilize creativity in [law firm marketing](#) and legal advertising. Many have claimed it has also hindered business and potential business from booming.

Much of this hindered creativity stems from lawyers being unsure of what is appropriate and ethical and what is not okay to say in advertisements. The area of legal advertisement has been murky and questionable for years, which prompted the proposal for change.

According to the ABA, the changes will act as guidance and make it clearer for lawyers to know what they can say in advertisements and what is restricted. For example, the rules would clarify how lawyers approach advertising about fees, restricting any misleading fee information.

The Association of Professional Responsibility Lawyers (APRL) who attended the annual meeting completely agreed to the necessity of the proposed changes. Allison Martin Rhodes, president of the APRL, went as far as to call the old rules "chaotic." She argued that nobody in the legal field ever truly understood the rules, which has caused mass confusion.

While representatives of the APRL believe the change in rules will help ease confusion and give

clarity on legal advertising, the rules do not truly address advertising on social media networks. If a lawyer has his or her own personal LinkedIn page and self-promotes, is that considered advertising?

There are questions like the above that are still not addressed under the proposed new rules in regards to social media networks, which could still lead to confusion amongst lawyers. However, the ABA hopes the majority of uncertainty will be resolved under the new rule model.

The ABA model rule changes are not bound to be enforced by individual states. They instead act as guidelines for individual states to follow and potentially craft their own regulations based off of. The ABA hopes within the next few years, the majority of states will adopt these changes.

Many lawyers are hoping this change will make it easier to understand the ethical side of advertising their firms. Supporters believe the changes will lead to a complex entirely new set of regulations regarding lawyer advertisements.

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This release was drafted by [Results Driven Marketing, LLC](#): a full-service digital marketing, public relations, advertising and content marketing firm located in Philadelphia, PA

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