

**ETHICS OPINION NUMBER 191  
OF THE MISSISSIPPI BAR  
RENDERED SEPTEMBER 20, 1991  
AMENDED APRIL 6, 2013**

**ADVERTISING; FIRM NAMES AND LETTERHEADS:** A law firm may not operate or advertise a branch office under a name that is misleading as to the identities of the lawyers practicing under the name.

The Ethics Committee of The Mississippi Bar has been asked to render an informal advisory opinion on the following facts:

A law firm desires to open a branch office in a city outside its home county. The branch office would concentrate on bankruptcy practice and would use the name "Bankruptcy Law Center of Attorney A" in place of the firm name.

Rule 7.7 of the Mississippi Rules of Professional Conduct provides that a lawyer shall not use a firm name, letterhead or other professional designation which contains a false, deceptive or misleading communication about the lawyer or lawyer's services. Specifically, a lawyer in private practice shall not practice under a trade name or a name that is misleading as to the identity of that lawyer or lawyers practicing under such name. Rule 7.7(b), MRPC. Here, the Committee is of the opinion that the proposed name is potentially misleading as there is no reference to firm name or the other lawyers practicing under the proposed name. Although Rule 7.2(d) requires that an advertisement include the name of at least one lawyer responsible for its content, this does not override the strong policy of the Bar that lawyer advertising should not contain statements that possibly could deceive or mislead the public. A communication may be misleading if it omits a fact necessary to make the statement not materially misleading. Under the facts presented, the Committee is of the opinion that the public would be potentially misled as to the correct identity of the lawyers practicing under the proposed name.