

**ETHICS OPINION NUMBER 97  
OF THE MISSISSIPPI BAR  
RENDERED JUNE 7, 1984  
AMENDED APRIL 6, 2013**

**ADVERTISING** - listings in legal directories

The Ethics Committee of The Mississippi Bar has been asked to render an opinion on the propriety of an attorney indicating in a legal directory, in addition to biographical information, limited areas of practice to which a significant portion of time is devoted by the attorney. The legal directory involved is Martindale-Hubbell Legal Directory. The requester asks whether such listings would violate the Rules of Professional Conduct (MRPC) which limit an attorney's ability to specialize in a particular area.

Rule 7.6(a), MRPC, provides that a lawyer may communicate the fact that he or she has been certified or designated in a field of law by a named organization or authority, but only if that certification or designation is granted by an organization or authority whose specialty certification or designation program is accredited by the American Bar Association. However, a lawyer may communicate that fact that he is certified or designated in a particular field of law by a named, non-American Bar Association organization or authority, but must disclose such fact and further disclose that there is no procedure in Mississippi for approving certifying or designating organization and authorities.

Rule 7.1, MRPC, provides that a lawyer shall not make or permit to be made a false, misleading, deceptive or unfair communication about the lawyer or the lawyer's services. Rule 7.2(f), MRPC, lists the information that is presumed not to violate the provision of Rule 7.1. Rule 7.2(g), MRPC, specifically allows the inclusion of the name of a lawyer or law firm in law lists and law directories intended primarily for the use of the legal profession of such information as has traditionally be included in these publications.

The committee is of the opinion that so long as the listings of areas or fields of law in which the lawyer or firm concentrates are not materially false, deceptive or misleading and so long as the attorney or firm does not claim to be a specialist, except as permitted under Rule 7.6, MRPC, then no ethical impropriety would result.