

**ETHICS OPINION NUMBER 175
OF THE MISSISSIPPI BAR
RENDERED SEPTEMBER 7, 1990
AMENDED APRIL 6, 2013**

ADVERTISING/COMMUNICATION OF FIELDS OF PRACTICE: A lawyer may distribute a card giving general advice and featuring prominently the name, address and telephone number of the lawyer.

An opinion was requested on the following hypothetical:

A lawyer or law firm requests or enters into an agreement with a union or other organization to distribute to union members or other workers at a plant site, through the union's officers or representatives, a card or other materials containing information like the following together with the lawyer's or law firm's name, address and phone number in prominent letterings:

TO PROTECT YOUR RIGHTS IF YOU ARE
INJURED ON THE JOB.

1. Notify your employer and union representative immediately.
2. Request medical treatment if needed, but reserve your right to choose your own physician.
3. Write down the names and addresses of all witnesses.
4. Ask your union representative or local bar association to recommend a lawyer who is experienced in handling Worker's Compensation claims if your employer fails to provide medical treatment or compensation benefits required under the Mississippi Worker's Compensation Law
5. Obtain union or legal advice before giving a statement to anyone.

Contained on the other side of the literature or card would be the lawyer's or law firm's name in large letters, together with a calendar.

The proposed conduct is not materially different from advertising or direct mail solicitation, both of which are permissible under the Mississippi Rules of Professional Conduct. Therefore, the proposed conduct is permissible.

Rule 7.2(i) would prohibit payment of a fee to the union for disbursement of the card, but would not prohibit reimbursement of any expenses incurred by the union in making the distribution. Of course, any written materials distributed must not include false or misleading statements and must comply with any other applicable requirements of Rules 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.7 of the Mississippi Rules of Professional Conduct.