

KENTUCKY BAR ASSOCIATION
Ethics Opinion KBA E-388
Issued: March 1996

Question: May a lawyer advertise or otherwise promote the fact that he or she will donate a percentage of his or her fees to charities designated by the lawyer's clients?

Answer: No.

References: Illinois Op. 92-94 (1993)

OPINION

This practice would result in a violation of Rule 5.4(a). It would also result in violations of Rule 7.20(2), as it would encourage and condone referrals from charities in return for contributions. Lawyers are encouraged to make charitable contributions. But a majority of the Committee believes that making contributions part and parcel of advertising and business-getting is a negative development.

Note to Reader

This ethics opinion has been formally adopted by the Board of Governors of the Kentucky Bar Association under the provisions of Kentucky Supreme Court Rule 3.530 (or its predecessor rule). Note that the Rule provides: "Both informal and formal opinions shall be advisory only; however, no attorney shall be disciplined for any professional act on his part performed in compliance with an opinion furnished to him on his petition, provided his petition clearly, fairly, accurately and completely states his contemplated professional act."