

FORMAL OPINION NO. 3*

Problem:

There are two buildings close by each other, one which has a number of lawyers located in it. A short way down the street is the building containing the offices of one attorney. People desiring to retain the latter attorney continually enter the other building, having to call the attorney on the phone to determine the location of his office. In order to solve the problem it is proposed to hang a small shingle by the street door of the building in which this attorney is located. The shingle would be professional in appearance, approximately 18 inches long and 12 inches wide and would merely have the attorney's name plus "Attorney at Law" appearing thereon. It is also proposed to hang a similar shingle of smaller size in the hallway in front of the office door to designate the door to the office.

Question:

Would shingles such as those described above be in violation of professional ethics?

Opinion:

The opinion of the committee is that a shingle containing the name of the attorney and the words "attorney at law" thereon would be proper at the street door of the building in which the lawyer is located and also would be proper in the hallway in front of the door to his office in the building. The test is whether the sign is intended and calculated to enable persons looking for a lawyer, already selected, to find him, or to attract the attention of persons who might be looking for a lawyer, although not for him. The words "attorney at law" on a letterhead or a shingle imply the right to practice at the address given. Drinker, Legal Ethics, 228 and 231.

DATED this 6th day of November, 1956.

*See, DR 2-102(A), Idaho Code of Professional Responsibility; I.S.B. Opinion No. 26 (June 27, 1960).