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Jerry L. Wattier

Ernest W. Stephens, Retired

March 25, 1987

Re: Ethics Opinion 87-2

Dear

You have propounded the following question to this Committee:

You have been contacted by a local newspaper requesting that you write a column for it concerning various aspects of the law, which may be of interest to the general public. This will be a "Legal Notes" type column which would not deal with any particular case but rather with various aspects of general areas of law and legal principle or procedure which may be of sufficient public interest. There will be no compensation paid to you for writing the column and there are specific conditions which would have to be met, including the following:

1. You would not have the column bear your name in the title of the column. The only indication would be for authorship credit. An example of how it might be structured would be: "**LEGAL NOTES**" (large boldface print) by "your name" (small type and offset from title.)
2. This would not be a question and answer type format from any particular person or person. You would select topics on your own or possibly from suggested topics.
3. If any reader should have a particular question about a topic discussed, you would not have any direct contact from them but rather would have any inquiries directed to the newspaper. The paper will be instructed that particular legal questions a person may have should be directed to the attorney of their choice.

4. No columns would be written pursuant to any specific request of a reader but rather the column topics would be limited to public interest, generalized information.

5. You would want a note at the end of each column stating to the readers that individual facts of any given case can alter the necessary information they would need and therefore they should seek competent legal counsel to deal with any particularized questions or guidance.

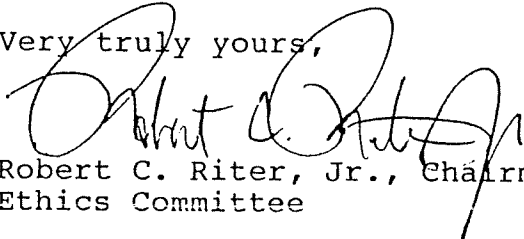
You inquire as to whether such a column would be violative of any ethical provisions, particularly in light of the conditions established.

DR 2-104 (A)(4) and EC 2-2 and 2-5 appear to authorize columns such as this under certain conditions.

The carrying out of public information activities by members of the profession is encouraged. Articles intended for the public in general, and not constituting specific advice for precise factual circumstances are appropriate. We caution you that the public informational activities should not tout one's own professional reputation, emphasize one's own experiences, or as a part thereof, undertake to give individual advice. Your column has ample safeguards against overreaching and appears not to violate any of the conditions above mentioned.

The Committee felt that not only would your column be within the ethical standards, but efforts such as yours, or others where an attorney gives lectures or participates in other forms of educational activities before organizations or civic groups, should be encouraged.

Very truly yours,


Robert C. Riter, Jr., Chairman
Ethics Committee