

## STATEWIDE GRIEVANCE COMMITTEE



### **Advisory Opinion #09-03322-A Attorney Website Advertising DUI Services**

Pursuant to Practice Book §2-28B, the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, reviewed a request for an advisory opinion filed on June 22, 2009. On June 24, 2009 pursuant to Practice Book §2-28B(d), this reviewing committee requested further information from the requesting attorney. The requesting attorney complied with that request on July 2, 2009. The proposed advertisement reviewed by this reviewing committee consists of modifications to an internet website that currently advertises the services of the requesting attorney's associate in defense of persons arrested for driving under the influence (DUI). The website is available on the internet at the domain name: LadyDUI.com. For purposes of this advisory opinion, the website was submitted in hard copy form and referenced the proposed language changes to the website.

Practice Book §2-28B provides that advisory opinions may only be obtained for a "contemplated advertisement." Accordingly, only the modifications contemplated to be made to the current version of the website maintained by the attorney were considered and reviewed in this advisory opinion request. This reviewing committee did not consider or review the materials currently on display on the attorney's website, some of which are the subject matter of a pending grievance. (Grievance Complaint #09-0147) This reviewing committee concluded that the proposed language changes comply with the Rules of Professional Conduct.

The advertisement provides the following information: a section of the website entitled "Frequently Asked Questions," which consists of posed questions and accompanying answers. The proposed change to the website is located in this section of the website. The question posed is "Can I get just any attorney?" and provides the following answer:

...Many criminal defense lawyers believe DUI cases are the most complicated of criminal cases.... The American Bar Association approved DUI Defense Law as a specialization in 2003, however, the State of Connecticut does not recognize this specialization. Therefore, no attorney in Connecticut can claim to be a specialist in the area of DUI defense.

The language proposed to be added to the current website, in and of itself, does not violate any Rules of Professional Conduct. Accordingly, this reviewing committee opines that the proposed language complies with the Rules of Professional Conduct.<sup>1</sup>

ISSUE DATE: July 23, 2009

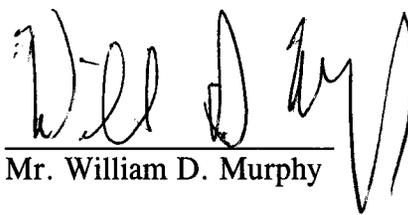
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<sup>1</sup> This reviewing committee has no opinion whether the proposed language constitutes an appropriate disclaimer or qualifying language since the balance of the website was not reviewed and is outside the scope of this opinion. This opinion should not be considered a finding of compliance for purposes of the above mentioned grievance complaint.

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