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September 17, 1987

ZUGER-BUCKLIN PJW

Patrick J. Ward
Zuger & Bucklin
316 N 5th St.
Bismarck, ND 58501

Re: Ethics Committee opinion - Firm Names.

Dear Pat:

I am working on the final copy of my yellow pages advertising, which must be submitted before October 1st, and desire an opinion on the permissibility of using a firm name such as [REDACTED] or [REDACTED]. Under the new Rules of Professional Conduct, Rule 7 the comment states that trade names such as "ABC Legal Clinic" may be used. I see no difference between that and what I am proposing and don't believe either would be misleading or could be confused with a government agency, charitable organization or Legal Assistance.

I also wonder if my proposal is even a trade name since it contains my name. If it is not then even the Rules of Professional Conduct now in effect should be satisfied.

My questions are summarized as follows:

1. Are the names [REDACTED] and [REDACTED] Legal Services" trade names?
2. Do these names satisfy the new rules that take effect January 1, 1988?
3. Do these names satisfy the old rules which will still be in effect in December when the new telephone directory comes out, and in October when I will be moving my office and ordering new stationery, checks and signs?
4. If the new rules are satisfied but the old ones are not, whether I could nevertheless use the name either during that part of December when the new directory will be in use or the remainder of the year after I move my office in October?

I realize that this request is submitted on fairly short notice but appreciate whatever efforts you can make to give me some guidance within the framework mentioned above.

Sincerely,
[REDACTED]
[REDACTED]

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ZUGER & BUCKLIN

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September 28, 1987

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Re: Ethics Committee Opinion

Dear [REDACTED]

The Ethics Committee of the State Bar Association of North Dakota met on September 28th to discuss your requested opinion regarding firm names.

We do not see any problem with the names [REDACTED] or [REDACTED], which you have indicated, especially under the new rules. Even under the old rules, as long as you intend to include your own name in the firm name we would have no objection to your doing so. You should be advised that at the present time opinions of the Ethics Committee are not binding on any of the inquiry committees or the Disciplinary Board of the Supreme Court.

Sincerely,

Pat Ward

Patrick J. Ward, Chairman
ETHICS COMMITTEE
State Bar Association of
North Dakota

PJW:gb