

SUPREME COURT OF LOUISIANA

ORDER

Acting in accordance with Article V, Sections 1 and 5 of the Louisiana Constitution of 1974, and the inherent power of this Court, and considering the need to amend the Order of this Court dated June 26, 2008;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. Rule 7.2(a) of the Article XVI, Rule 7 series of the Articles of Incorporation of the Louisiana State Bar Association be and is hereby amended to read as follows:

RULE 7.2. COMMUNICATIONS CONCERNING A LAWYER’S SERVICES

(a) Required Content of Advertisements and Unsolicited Written Communications

(3) The following items may be used without including the content required by subdivisions (a)(1) and (a)(2) of this Rule 7.2:

(A) Sponsorships. A brief announcement in any public media that identifies a lawyer or law firm as a contributor to a specified charity or as a sponsor of a public service announcement or a specified charitable, community, or public interest program, activity, or event, provided that the announcement contains no information about the lawyer or the law firm other than permissible content of

advertisements listed in Rule 7.2(b) and the fact of the sponsorship or contribution, in keeping with Rule 7.8(b);

(B) Gift/Promotional Items. Items, such as coffee mugs, pens, pencils, apparel, and the like, that identify a lawyer or law firm and are used/disseminated by a lawyer or law firm not in violation of these Rules, including but not limited to Rule 7.2(c)(13) and Rule 7.4; and

(C) Office Sign(s) for Bona Fide Office Location(s). A sign, placard, lettering, mural, engraving, carving or other alphanumeric display conveying information about a lawyer, a lawyer's services or a law firm's services that is permanently affixed, hanging, erected or otherwise attached to the physical structure of the building containing a bona fide office location for a lawyer or law firm, or to the property on which that bona fide office location sits.

2. Rule 7.2(c)(1)(I) of the Article XVI, Rule 7 series of the Articles of Incorporation of the Louisiana State Bar Association be and is hereby amended to read as follows:

(I) includes (i) a portrayal of a client by a non-client without disclaimer of such, as required by Rule 7.2(c)(10); (ii) the depiction of any events or scenes, other than still pictures, photographs or other static images, that are not actual or authentic without disclaimer of such, as required by Rule 7.2(c)(10); or (iii) a still picture,

photograph or other static image that, due to alteration or the context of its use, is false, misleading or deceptive;

3. Rule 7.4(b)(2)(B)(ii) of the Article XVI, Rule 7 series of the Articles of Incorporation of the Louisiana State Bar Association be and is hereby amended to read as follows:

- (ii) The top of each page of such written communication and the lower left corner of the face of the envelope in which the written communication is enclosed shall be plainly marked “ADVERTISEMENT” in print size at least as large as the largest print used in the written communication. If the written communication is in the form of a self-mailing brochure or pamphlet, the “ADVERTISEMENT” mark shall appear above the address panel of the brochure or pamphlet and on the inside of the brochure or pamphlet. Written communications solicited by clients or prospective clients, or written communications sent only to other lawyers need not contain the “ADVERTISEMENT” mark.

4. Rule 7.6(c)(3) of the Article XVI, Rule 7 series of the Articles of Incorporation of the Louisiana State Bar Association be and is hereby amended to read as follows:

- (3) the subject line of the communication states “LEGAL ADVERTISEMENT”. This is not required for electronic mail communications sent only to other lawyers.

5. Rule 7.8 of the Article XVI, Rule 7 series of the Articles of Incorporation of the Louisiana State Bar Association be and is hereby amended to read as follows:

RULE 7.8. EXEMPTIONS FROM THE FILING AND REVIEW REQUIREMENT

The following are exempt from the filing and review requirements of Rule 7.7:

- (h) **Gift/Promotional Items.** Items, such as coffee mugs, pens, pencils, apparel, and the like, that identify a lawyer or law firm and are used/disseminated by a lawyer or law firm not in violation of these Rules, including but not limited to Rule 7.2(c)(13) and Rule 7.4; and
- (i) **Office Sign(s) for Bona Fide Office Location(s).** A sign, placard, lettering, mural, engraving, carving or other alphanumeric display conveying information about a lawyer, a lawyer's services or a law firm's services that is permanently affixed, hanging, erected or otherwise attached to the physical structure of the building containing a bona fide office location for a lawyer or law firm, or to the property on which that bona fide office location sits.

These rule changes shall become effective upon signing, and shall remain in full force and effect thereafter, until amended or changed through future Orders of this Court.

New Orleans, Louisiana, this _____ day of June, 2011.

FOR THE COURT:

Catherine D. Kimball, Chief Justice