

FORMAL OPINION NO 2005-58

[REVISED 2014]

**Information about Legal Services:
Publicizing Lawyer's Relationship to Independent Business**

Facts:

Lawyer is a member of Bank's board of directors. Bank's public relations firm wishes to publicize Bank by including photographs of board members in Bank's newspaper advertisements.

Question:

May Lawyer permit the use of Lawyer's photograph for this purpose?

Conclusion:

Yes.

Discussion:

Absent some reason to believe that the photographs would be used in a misleading or improper manner,¹ there is no reason Lawyer cannot permit his or her photograph to be used in Bank's advertisements. *Cf.* OSB Formal Ethics Op No 2005-3 (rev 2014).

¹ Oregon RPC 7.1(a) provides:

A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. A communication is false or misleading if it contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading.

Approved by Board of Governors, June 2014.

COMMENT: For additional information on this general topic and related subjects, see *The Ethical Oregon Lawyer* § 2.4-4 (marketing, public relations, and public educational programs) (OSB Legal Pubs 2015); Geoffrey C. Hazard, Jr., W. William Hodes, & Peter R. Jarvis, 2 *The Law of Lawyering* chs 59–60 (4th ed 2015) (supplemented periodically); and ABA Model RPC 7.1–7.2.