

State Rules Regarding Disclosure of NBTA Certification (revised 12/8/15)

Peel v. Attorney Registration and Disciplinary Commission of Illinois, 110 S.Ct. 2281 (1990), disallows any state from prohibiting disclosure of NBTA certification. However, each state can establish its own rules for the regulation of disclosure. The regulations are listed below along with a contact for further information.

State & Contact	Address & Phone	Current Regulations
<p>Alabama Angela Parks angela.parks@alabar.org</p>	<p>Alabama State Bar 415 Dexter Avenue PO Box 671 Montgomery, AL 36104 P: 334-269-1515 F: 334- 261 6310</p>	<p>Alabama Rule 7.4 Communication of Fields of Practice</p> <p>A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. A lawyer shall not state or imply that the lawyer is a specialist except as follows:</p> <p>(a) a lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation;</p> <p>(b) a lawyer engaged in admiralty practice may use the designation "Admiralty," "Proctor in Admiralty," or a substantially similar designation; or</p> <p>(c) a lawyer may communicate the fact that the lawyer has been certified as a specialist in a field of law by a named organization or authority, but only if such certification is granted by an organization previously approved by the Alabama State Bar Board of Legal Certification to grant such certifications.</p> <p>COMMENT</p> <p>This rule permits a lawyer to indicate areas of practice in communications about the lawyer's services, for example, in a telephone directory or other advertising. If a lawyer practices only in certain fields, or will not accept matters except in such fields, the lawyer is permitted so to indicate. However, stating that the lawyer is a "specialist," practices a "specialty," or "specializes in" a particular field is not permitted unless in accordance with rule 7.4(c). These terms have acquired a secondary meaning implying formal recognition as a specialist. Hence, use of these terms may be misleading.</p> <p>Recognition of specialization in patent matters is a matter of long-established policy of the Patent and Trademark Office. Designation of admiralty practice has a long historical tradition associated with maritime commerce and the federal courts.</p> <p>Paragraph (c) provides for certification as a specialist in a field of law where the Alabama State Bar Board of Legal Specialization has granted an organization the right to grant certification. Certification procedures imply that an objective entity has recognized a lawyer's higher degree of specialized ability than is suggested by general licensure to practice law. Those objective entities may be expected to apply standards of competence, experience, and knowledge to insure that a lawyer's recognition as a specialist is meaningful and reliable. In order to insure that consumers can obtain access to useful information about an organization granting certification, the name of the certifying organization or agency must be included in any communication regarding certification.</p> <p>COMPARISON WITH FORMER ALABAMA CODE OF PROFESSIONAL RESPONSIBILITY</p> <p>Original Rule 7.4 is a direct counterpart to Temporary DR 2-104, which was substantially adopted from original Model Rule 7.4. On August 31, 1993, § (c) of Rule 7.4 was amended in conformity with the August 12, 1992, amendments of Model Rule 7.4 to allow the advertisement of specialists, with the exception that Model Rule 7.4(c)(2) was not adopted. Model Rule 7.4(c)(2) would have allowed the advertisement of a specialty designated by a nonapproved organization if the appropriate disclaimer was included. To allow this type of advertisement would cause confusion and would be misleading to the public.</p> <p>Deletion of "limited to" or "concentrated in" particular fields conforms to the 1989 amendment of Model Rule 7.4 deleting the same language.</p> <p>Our Civil, Criminal and Family applications were approved in 1999. Our Social Security Disability application was approved in 2006. Our Civil Pretrial Practice application was approved in July 2012.</p>
<p>Alaska Stephen Van Goor vangoor@Alaskabar.org</p>	<p>Alaska Bar Association 840 K St., Ste 100 Anchorage, AK 99501 P: 907-272-7469 F: 907-272-2932</p>	<p>Rule 7.4(b) "a lawyer may communicate the fact that the lawyer has been certified as a specialist in a field of law by a named organization or authority, but only if that certification is granted by an organization or authority whose specialty certification program is accredited by the American Bar Association" (Rules of Professional Conduct, amended effective April 15, 2000, rescinded and repromulgated effective April 15, 2009).</p>

<p>Arizona Penny Lewis Penny.Lewis@staff.azbar.org</p>	<p>Board of Legal Specialization State Bar of Arizona 4201 North 24th Street Suite 100 Phoenix, AZ 85016-6266 P: 602-340-7326 F: 602-416-7526</p>	<p>Rule 42, ER 7.4, Ariz.R.S.Ct.: (3) a lawyer certified by the Arizona Board of Legal Specialization or by a national entity that has standards for certification substantially the same as those established by the board may state the area or areas of specialization in which the lawyers is certified. Prior to stating that the lawyer is a specialist certified by a national entity, the entity must be recognized by the board as having standards for certification substantially the same as those established by the board. If the national entity has not been recognized by the board, it may make application for recognition by completing an application form provided by the board.</p> <p>NBTA (National Board of Trial Advocacy), ABC (American Board of Certification), & NELF (National Elder Law Foundation) are currently recognized providers. Civil, Criminal and Family were reaccredited 4/15/15-4/15/20. SSD application was accredited 4/29/13-4/29/18. Civil Pretrial Practice was denied March 15, 2013.</p>
<p>Arkansas Stark Ligon stark.ligon@arattorneyconduct.org</p>	<p>Office of Professional Conduct 2100 Riverfront Drive, Suite 200, Little Rock, AR 72202-1747 Little Rock, AR 72201-1054 P: 501-376-0313 F: 501-376-3438</p>	<p>Rule 7.4 (a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. (b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "patent attorney" or a substantially similar designation; (c) a lawyer engaged in admiralty practice may use the designation "admiralty," "proctor in admiralty" or a substantially similar designation; (d) a lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless: (1) the lawyer has been certified as a specialist by an organization that has been approved by an appropriate state authority or that has been accredited by the American Bar Association and (2) the name of the certifying organization is clearly identified in the communication.</p>
<p>California Natalie Leonard natalie.leonard@calbar.ca.gov</p>	<p>The Office of Special Admissions and Specialization 180 Howard Street San Francisco, CA 94105 P: 415-538-2118 F: 415-538-2180</p>	<p>December 22, 1997: NBTA received official approval of civil and criminal applications for accreditation. June 29, 1999, NBTA's family law program accredited. May 11, 2007: NBTA's Social Security Disability program accredited. Rule of Professional Conduct 1-400 (D)(6) (effective June 1, 1997) Advertising and Solicitation (D) A communication or a solicitation (as defined herein) shall not: (6) State that a member is a "certified specialist" unless the member holds a current certificate as a specialist issued by the Board of Legal Specialization, or any other entity accredited by the State Bar to designate specialists pursuant to standards adopted by the Board of Governors, and states the complete name of the entity which granted certification. No changes/amendments are currently under consideration.</p>

<p>Colorado John S. Gleason</p>	<p>Colorado Supreme Court Office of Attorney Regulation 1560 Broadway, Suite 1800 Denver, CO 80202 P: 303-866-6400 F: 303-571-0826</p>	<p>RULE 7.4. COMMUNICATION OF FIELDS OF PRACTICE</p> <p>(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law or that the lawyer is a specialist in particular fields of law. Such communication shall be in accordance with Rule 7.1.</p> <p>(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.</p> <p>(c) A lawyer engaged in admiralty practice may use the designation "admiralty," "proctor in admiralty" or a substantially similar designation.</p> <p>(d) A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless:</p> <p>(1) the lawyer has been certified as a specialist by an organization that has been approved by an appropriate state authority or that has been accredited by the American Bar Association; and</p> <p>(2) the name of the certifying organization is clearly identified in the communication.</p> <p>(e) In any advertisement in which a lawyer affirmatively claims to be certified in any area of the law, such advertisement shall contain the following disclosure: "Colorado does not certify lawyers as specialists in any field." This disclaimer is not required where the information concerning the lawyer's services is contained in a law list, law directory or a publication intended primarily for use of the legal profession.</p> <p>COMMENT</p> <p>[1] Paragraph (a) of this Rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate. A lawyer is generally permitted to state that the lawyer is a "specialist," practices a "specialty" or "specializes in" particular fields, but such communications are subject to the "false and misleading" standard applied in Rule 7.1 to communications concerning a lawyer's services.</p> <p>[2] Paragraph (b) recognizes the long-established policy of the Patent and Trademark Office for the designation of lawyers practicing before the Office. Paragraph (c) recognizes that designation of Admiralty practice has a long historical tradition associated with maritime commerce and the federal courts.</p> <p>[3] Paragraph (d) permits a lawyer to state that the lawyer is certified as a specialist in a field of law if such certification is granted by an organization approved by an appropriate state authority or accredited by the American Bar Association or another organization, such as a state bar association, that has been approved by the state authority to accredit organizations that certify lawyers as specialists. Certification signifies that an objective entity has recognized an advanced degree of knowledge and experience in the specialty area greater than is suggested by general licensure to practice law. Certifying organizations may be expected to apply standards of experience, knowledge and proficiency to insure that a lawyer's recognition as a specialist is meaningful and reliable. In order to insure that consumers can obtain access to useful information about an organization granting certification, the name of the certifying organization must be included in any communication regarding the certification.</p> <p>[4] A claim of certification contained in a lawyer's letterhead does not require the disclaimer in Rule 7.4(e) unless the letterhead is used in an advertisement.</p>
<p>Connecticut Salvatore DePiano Or Joe DelCiampo Joseph.DelCiampo@jud.ct.gov</p>	<p>Connecticut Legal Specialization Screening Committee Salvatore C. DePiano, Chair Law Office of Salvatore C. DePiano, PC 56 Lyon Terrace Bridgeport, CT 06604-4022 P: 203-335-3187 (Salvatore) P: 860-706-5120 (Joseph)</p>	<p>Rule 7.4. Communication of Fields of Practice</p> <p>(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. (b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation. (c) A lawyer engaged in admiralty practice may use the designation "Admiralty," "Proctor in Admiralty" or a substantially similar designation. (d) A lawyer shall not state or imply that the lawyer is a specialist in a particular field of law except as provided herein and in Rule 7.4A. (P.B. 1978-1997, Rule 7.4.) (Amended June 30, 2008, to take effect Jan. 1, 2009.)</p> <p>Recognized by the Rules Committee of the Connecticut Superior Court as a certifier in the specialties of civil trial practice and criminal law fields of law. NBTA must petition the Rules Committee of the Connecticut Superior Court for recognition of the family law trial specialty prior to consideration of our application. (petition in the works as of late 1999...)</p> <p>January 2, 2014 we were reaccredited in Civil and Criminal until February 22, 2019. Our notice of intent to apply in SSD and Civil Pretrial Practice was denied November 18, 2013.</p>

<p>Delaware Jennifer-Kate Aaronson</p>	<p>Chief Counsel Office of Disciplinary Counsel Delaware Supreme Court Carvel State Office Building 820 North French Street 11th Floor Wilmington, DE 19801 P: 302-577-7042 / F: 302-577-7048 E: kate.aaronson@state.de.us</p>	<p>Recognized by virtue of ABA accreditation under DLRPC 7.4 (d).</p>
<p>District of Columbia Hope C. Todd htodd@dcbar.org</p>	<p>Assistant Director for Legal Ethics, Regulation Counsel District of Columbia Bar 1101 K Street NW, Second Floor Washington DC 20005 (202) 737-4700 ext. 3231</p>	<p>Rule 7.1(a) "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: (1) contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading; or (2) contains an assertion about the lawyer or the lawyer's services that cannot be substantiated." An advisory Legal Ethics Committee Opinion 249 (1994) allows disclosure of certifications.</p>
<p>Florida Laurinda T. Babers lbabers@flabar.org Certification Specialist & National Accreditation Coordinator</p> <p>Copy on emails: Diana Polston dpolston@flabar.org</p>	<p>The Florida Bar 651 East Jefferson St. Tallahassee, FL 32399 P: 850-561-5697 F: 850-561-5660</p> <p>http://www.floridabar.org/certification</p>	<p>Rule 4-7.14 Potentially Misleading Advertisements 4 Rules of Professional Conduct A lawyer may not engage in potentially misleading advertising. (a) Potentially misleading advertisements. Include, but are not limited to: (1) advertisements that are subject to varying reasonable interpretations, 1 or more of which would be materially misleading when considered in the relevant context; (2) advertisements that are literally accurate, but could reasonably mislead a prospective client regarding a material fact; (3) references to a lawyer's membership in, or recognition by, an entity that purports to base such membership or recognition on a lawyer's ability or skill, unless the entity conferring such membership or recognition is generally recognized within the legal profession as being a bona fide organization that makes its selections based upon objective and uniformly applied criteria, and that includes among its members or those recognized a reasonable cross-section of the legal community the entity purports to cover; (4) a statement that a lawyer is board certified, a specialist, an expert, or other variations of those terms unless: (A) the lawyer has been certified under the Florida Certification Plan as set forth in chapter 6, Rules Regulating the Florida Bar and the advertisement includes the area of certification and that The Florida Bar is the certifying organization; (B) the lawyer has been certified by an organization whose specialty certification program has been accredited by the American Bar Association or The Florida Bar as provided elsewhere in these rules. A lawyer certified by a specialty certification program accredited by the American Bar Association but not The Florida Bar must include the statement "Not Certified as a Specialist by The Florida Bar" in reference to the specialization or certification. All such advertisements must include the area of certification and the name of the certifying organization; or (C) the lawyer has been certified by another state bar if the state bar program grants certification on the basis of standards reasonably comparable to the standards of the Florida Certification Plan set forth in chapter 6 of these rules and the advertisement includes the area of certification and the name of the certifying organization. In the absence of such certification, a lawyer may communicate the fact that the lawyer limits his or her practice to 1 or more fields of law; or (5) information about the lawyer's fee, including those that indicate no fee will be charged in the absence of a recovery, unless the advertisement discloses all fees and expenses for which the client might be liable and any other material information relating to the fee. A lawyer who advertises a specific fee or range of fees for a particular service must honor the advertised fee or range of fees for at least 90 days unless the advertisement specifies a shorter period; provided that, for advertisements in the yellow pages of telephone directories or other media not published more frequently than annually, the advertised fee or range of fees must be honored for no less than 1 year following publication. (b) Clarifying Information. A lawyer may use an advertisement that would otherwise be potentially misleading if the advertisement contains information or statements that adequately clarify the potentially misleading issue.</p> <p>www.floridabar.org/divexe/rtrfb.nsf/FV/1E600391B961413D85257B48005BDC9C</p> <p>Accredited in Civil and Family Law since 7/1/11. Accredited in Criminal Law since 11/1/11. Accredited in Social Security Disability Advocacy since 6/27/14. Civil Pretrial Practice was denied July 31, 2013.</p>

<p>Georgia John J Shiptenko Or Deloise Mathews deloisem@gabar.org</p>	<p>Office of General Counsel State Bar of Georgia 104 Marietta Street, NW Suite 100 Atlanta, GA 30303 P: 404-527-8720 or 404-526-8627 F: 404-527-8744</p>	<p>Rule 7.4 "A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. A lawyer who is a specialist in a particular field of law by experience, specialized training or education, or is certified by a recognized and bona fide professional entity, may communicate such specialty or certification so long as the statement is not false or misleading" (Georgia Rules of Professional Conduct). A rule change is not anticipated in the near future.</p>
<p>Hawaii Charles H. Hito</p>	<p>Office of Disciplinary Counsel 1132 Bishop Street Suite 300 Honolulu, HI 96813 P: 808-521-4591 F: 808-545-2719</p>	<p>HRPC 7.4 COMMUNICATION OF FIELDS OF PRACTICE AND CERTIFICATION.</p> <p>(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. (b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation. (c) A lawyer engaged in Admiralty practice may use the designation "Admiralty," "Proctor in Admiralty," or a substantially similar designation. (d) A lawyer may communicate the fact that the lawyer is certified as a specialist in a field of law by a named organization, provided that the communication (1) is not false or misleading within the meaning of Rule 7.1 of these Rules, (2) clearly states the name of the certifying organization, and; (3) is accompanied by a statement that "The Supreme Court of Hawai'i grants Hawai'i certification only to lawyers in good standing who have successfully completed a specialty program accredited by the American Bar Association.</p> <p>http://www.courts.state.hi.us/docs/court_rules/rules/hrpcond.pdf</p>
<p>Idaho Bradley G. Andrews bandrews@isb.idaho.gov http://isb.idaho.gov/licensing/specialization.html</p>	<p>State Bar PO Box 895 Boise, ID 83701-0895 P: 208-334-4500 F: 208-334-2764</p>	<p>Recognized by the Idaho State Bar by virtue of NBTA application to the Bar and by virtue of ABA accreditation (Family Law approved 8/99). Civil and Criminal Trial Advocacy approved. Civil Pretrial Practice and SSD were approved in July 2012.</p> <p>RULE 1005. Privileges Conferred and Limitations Imposed</p> <p>(a) A lawyer certified as a specialist as provided by these Rules may communicate that fact, but must clearly identify the particular certifying entity that recognizes the lawyer as a specialist. The lawyer shall not represent, either expressly or implied, that his or her specialty status is recognized by any entity other than the certifying entity. Specifically, certification shall not entitle the lawyer to suggest that he or she is certified by the Idaho State Bar.</p> <p>(b) Nothing in this plan shall in any way limit the right of a certified specialist to practice in other law fields, even if the lawyer is not recognized as a specialist in those other fields.</p> <p>(c) No lawyer shall be required to be recognized as a specialist in order to practice in the field of law covered by that specialty. Any lawyer shall have the right to practice in any field of law, even though he or she is not recognized as a specialist in that field. Participation in this plan shall be on a voluntary basis.</p> <p>(d) A lawyer may be recognized as a specialist in more than one field of law.</p>

<p>Illinois Jerome Larkin</p>	<p>Attorney Registration and Disciplinary Commission 130 East Randolph Drive Suite 1500 Chicago, IL 60601-6219 P: 312-565-2600 F: 312-565-2320</p>	<p>Rule 7.4 (c) "Except when identifying certificates, awards or recognitions issued to him or her by an agency or organization, a lawyer may not use the terms "certified," "specialist," "expert," or any other, similar terms to describe his qualifications as a lawyer or his qualifications in any subspecialty of the law. If such terms are used to identify any certificates awards or recognitions issued by any agency, governmental or private, or by any group, organization or association, the reference must meet the following requirements: (1) the reference must be truthful and verifiable and may not be misleading in violation of Rule 7.1; (2) the reference must state that the Supreme Court of Illinois does not recognize certifications of specialties in the practice of law and that the certificate, award or recognition is not a requirement to practice law in Illinois." (Illinois Rules of Professional Conduct)</p> <p>RULE 7.4: COMMUNICATION OF FIELDS OF PRACTICE AND SPECIALIZATION Adopted July 1, 2009, effective January 1, 2010. Below</p> <p>(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law.</p> <p>(b) The Supreme Court of Illinois does not recognize certifications of specialties in the practice of law, nor does it recognize certifications of expertise in any phase of the practice of law by any agency, governmental or private, or by any group, organization or association. A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.</p> <p>(c) Except when identifying certificates, awards or recognitions issued to him or her by an agency or organization, a lawyer may not use the terms "certified," "specialist," "expert," or any other, similar terms to describe his qualifications as a lawyer or his qualifications in any subspecialty of the law. If such terms are used to identify any certificates, awards or recognitions issued by any agency, governmental or private, or by any group, organization or association, the reference must meet the following requirements:</p> <p>(1) the reference must be truthful and verifiable and may not be misleading in violation of Rule 7.1;</p> <p>(2) the reference must state that the Supreme Court of Illinois does not recognize certifications of specialties in the practice of law and that the certificate, award or recognition is not a requirement to practice law in Illinois.</p> <p>Comment</p> <p>[1] Paragraph (a) of this Rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate.</p> <p>[2] Paragraph (b) states the general policy of the Supreme Court of Illinois not to recognize certifications of specialties or expertise, except that it recognizes that admission to patent practice before the Patent and Trademark Office confers a long-established and well-recognized status. The omission of reference to lawyers engaged in trademark or admiralty practice that were contained in the prior rule is not intended to suggest that such lawyers may not use terms such as "Trademark Lawyer" or "Admiralty" to indicate areas of practice as permitted by paragraph (a).</p> <p>[3] Paragraph (c) permits a lawyer to state that the lawyer is certified, is a specialist in a field of law, or is an "expert" or any other similar term, only if certain requirements are met.</p>
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<p>Indiana Julia Orzeske</p>	<p>Indiana Commission for CLE 30 South Meridian Street Suite 950 Indianapolis, IN 46204 P: 317-232-1943 F: 317-233-1442</p>	<p>Rule 7.4. Communication of Fields of Practice and Specialization</p> <p>(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law.</p> <p>(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation “Patent Attorney” or a substantially similar designation.</p> <p>(c) A lawyer engaged in Admiralty practice may use the designation “Admiralty,” “Proctor in Admiralty” or a substantially similar designation.</p> <p>(d) A lawyer shall not state or imply that the lawyer is a specialist in a particular field of law, unless:</p> <ol style="list-style-type: none"> (1) The lawyer has been certified as a specialist by an Independent Certifying Organization accredited by the Indiana Commission for Continuing Legal Education pursuant to Admission and Discipline Rule 30; and, (2) The certifying organization is identified in the communication. <p>(e) Pursuant to rule-making powers inherent in its ability and authority to police and regulate the practice of law by attorneys admitted to practice law in the State of Indiana, the Indiana Supreme Court hereby vests exclusive authority for accreditation of Independent Certifying Organizations that certify specialists in legal practice areas and fields in the Indiana Commission for Continuing Legal Education. The Commission shall be the exclusive accrediting body in Indiana, for purposes of Rule 7.4(d)(1), above; and shall promulgate rules and guidelines for accrediting Independent Certifying Organizations that certify specialists in legal practice areas and fields. The rules and guidelines shall include requirements of practice experience, continuing legal education, objective examination; and, peer review and evaluation, with the purpose of providing assurance to the consumers of legal services that the attorneys attaining certification within areas of specialization have demonstrated extraordinary proficiency within those areas of specialization. The Supreme Court shall retain review oversight with respect to the Commission, its requirements, and its rules and guidelines. The Supreme Court retains the power to alter or amend such requirements, rules and guidelines; and, to review the actions of the Commission in respect to this Rule 7.4.</p> <p>Commentary</p> <p>[1] Paragraph (a) of this Rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate. [2] Paragraph (b) recognizes the long-established policy of the Patent and Trademark Office for the designation of lawyers practicing before the Office. Paragraph (c) recognizes that designation of Admiralty practice has a long historical tradition associated with maritime commerce and the federal courts.</p> <p>August 24, 1998: NBTA received official approval of civil and criminal applications for accreditation. In December 2012, we re-accredited in Civil and Criminal until December 2017. Family Law & Social Security Disability applications were denied.</p> <p>Civil Pretrial Practice application was approved 4/25/13-12/31/17.</p>
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<p>Iowa</p>	<p>Iowa Supreme Court Attorney Disciplinary Board Judicial Branch Building 1111 East Court Avenue Des Moines, IA 50319 P: 515-725-8017 F: 515-725-8013</p>	<p>Rule 32:7.4: COMMUNICATION OF FIELDS OF PRACTICE AND SPECIALIZATION</p> <p>(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law.</p> <p>(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.</p> <p>(c) A lawyer engaged in Admiralty practice may use the designation "Admiralty," "Proctor in Admiralty," or a substantially similar designation.</p> <p>(d) A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless:</p> <p>(1) the lawyer has been certified as a specialist by an organization or state authority that the attorney can demonstrate is qualified to grant such certification to attorneys who meet objective and consistently applied standards relevant to practice in a particular area of law;</p> <p>(2) the name of the certifying organization is clearly identified in the communication;</p> <p>(3) the reference to the certification must be truthful and verifiable and may not be misleading in violation of rule 32:7.1; and</p> <p>(4) the representation by the lawyer that he or she is certified as a specialist states that the Supreme Court of Iowa does not certify lawyers as specialists in the practice of law and that certification is not a requirement to practice law in the State of Iowa.</p> <p>[Court Order April 20, 2005, effective July 1, 2005; March 12, 2007; November 19, 2007; March 12, 2012; August 29, 2012, effective January 1, 2013]</p>
<p>Kansas Stan Hazlett shazlett@kscourts.org</p>	<p>Supreme Court 701 South West Jackson Street Topeka, KS 66603 P: 913-296-2486 F: 785-296-6049</p>	<p>Rule 7.4. (a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law.(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.(c) A lawyer engaged in Admiralty practice may use the designation "Admiralty," "Proctor in Admiralty" or a substantially similar designation.(d) A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless:(1) the lawyer has been certified as a specialist by an organization that has been approved by an appropriate state authority or that has been accredited by the American Bar Association; and (2) the name of the certifying organization is clearly identified in the communication.http://www.kscourts.org/rules-procedures-forms/attorney-discipline/KRPCnew.pdf</p>
<p>Kentucky Mary Ellen Hardy Attorneys' Advertising Commission Paralegal mhardy@kybar.org</p>	<p>Kentucky Bar Association 514 West Main Street Frankfort, KY 40601-1883 P: 502-564-3795 ext: 241 F: 502-564-3225 (Fax) www.kybar.org</p>	<p>Kentucky does not formally recognize any organizations. The disclaimer language is required in order for an attorney to advertise their certification by any given organization. The Advertising Commission may request further information to substantiate a claim that the organization would fall under the rule.</p> <p>SCR 3.130-(7.40) was revised effective July 15, 2009. Section 3 now states:</p> <p>"...A lawyer may state or imply that he or she is 'certified,' a 'specialist,' an 'expert' or 'authority' in a particular field of law only if: (a) the lawyer has been certified as a specialist by an organization that has been approved by an appropriate state authority or by a national organization that the attorney demonstrates is qualified to grant such certification to attorneys who meet objective and consistently applied standards relevant to practice in a particular area of the law; and (b) the name of the certifying organization is clearly identified in the communication; and (c) if the lawyer is licensed to practice law in Kentucky, the communication must state that Kentucky does not certify specialties in legal fields. The communication may occur only for as long as the lawyer remains so certified and in good standing."</p>

<p>Louisiana Barbara M. Shafranski Barbara.M.Shafranski@lsba.org</p>	<p>Barbara M. Shafranski Executive Director Louisiana Board of Legal Specialization 601 St. Charles Avenue New Orleans, LA 70130 (504) 619-0128 - Direct</p>	<p>The moratorium has been lifted and the Louisiana Board of Legal Specialization has adopted a written policy concerning how submissions must be made to the LBLS for consideration of new legal specialty areas. Any interest shown will be fully evaluated prior to submitting a Resolution for approval before the LSBA House of Delegates.</p> <p>On December 1, 2008, current Rule 7.4 (dealing with communication of fields of practice, including specialization) becomes repealed and reenacted as new Rule 7.2(c)(5). New Rule 7.2(c)(5)(A) states:</p> <p>1....A lawyer shall not state or imply that the lawyer is "certified," "board certified," an "expert" or a "specialist" except as follows:...(A) Lawyers Certified by the Louisiana Board of Legal Specialization. A lawyer who complies with the Plan of Legal Specialization, as determined by the Louisiana Board of Legal Specialization, may inform the public and other lawyers of the lawyer's certified area(s) of legal practice. Such communications should identify the Louisiana Board of Legal Specialization as the certifying organization and may state that the lawyer is "certified," "board certified," an "expert in (area of certification)" or a "specialist in (area of certification). This is effective April 1, 2009.</p>
<p>Maine J. Scott Davis jscottdavis@mebaroverseers.org</p>	<p>Board of Overseers of the Bar 97 Winthrop Street PO Box 527 Augusta, ME 04332-0527 P: 207-623-1121 F: 207-623-4175</p>	<p>Recognized by virtue of ABA accreditation. Effective August 1, 2009 Maine Bar Rule 3.8(b) was abrogated and replaced by Maine Rule of Professional Conduct</p> <p>7.4 Communication of Field of Practice and Specialization</p> <p>(a) A lawyer may communicate the fact that the lawyer does or does not practice, concentrate or specialize in particular fields of law.</p> <p>(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.</p> <p>(c) A lawyer engaged in Admiralty practice may use the designation "Admiralty Attorney," "Proctor in Admiralty," or a substantially similar designation.</p> <p>(d) A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless:</p> <p>(1) the lawyer has been certified as a specialist by an organization that has been approved by an appropriate state authority or that has been accredited by the Maine Board of Overseers of the Bar; and</p> <p>(2) the name of the certifying organization is clearly identified in the communication.</p> <p>http://www.maine.gov/tools/whatsnew/index.php?topic=mebar_overseers_bar_rules&id=88276&v=article</p>
<p>Maryland Glenn M. Grossman, Bar Counsel</p>	<p>Maryland Bar Counsel 100 Community Place Suite 3301 Crownsville, MD 21032-2027 P: 410-514-7051 F: 410-987-4690 E: glenn.grossman@agc.maryland.gov</p>	<p>A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. Use of the word 'specialist' is not permitted. There is no indication of a rule change in the near future.</p>
<p>Massachusetts Constance Vecchione</p>	<p>Board of Bar Overseers of the Supreme Judicial Court 99 High Street 2nd Floor Boston, MA 02110 P: 617-728-8750</p>	<p>Rule 7.4(b) "Lawyers who hold themselves out as 'certified' in a particular service, field, or area of law must name the certifying organization and must state that the certifying organization is 'a private organization, whose standards for certification are not regulated by the Commonwealth of Massachusetts,' if that is the case, or, if the certifying organization is a governmental body, must name the governmental body," (MA Rules of Professional Conduct). A rule change is not anticipated in the near future.</p>

<p>Michigan Dawn Evans Division Director, Professional Standards devans@mail.michbar.org</p>	<p>State Bar of Michigan 306 Townsend Street Lansing, MI 48933 P: 517-346-6300 F: 517 482-6248</p>	<p>Rule 7.1 Communications Concerning a Lawyer’s Services. A lawyer may, on the lawyer’s own behalf, on behalf of a partner or associate, or on behalf of any other lawyer affiliated with the lawyer or the lawyer’s law firm, use or participate in the use of any form of public communication that is not false, fraudulent, misleading, or deceptive. A communication shall not: (a) contain a material misrepresentation of fact or law, or omit a fact necessary to make the statement considered as a whole not materially misleading; (b) be likely to create an unjustified expectation about results the lawyer can achieve, or state or imply that the lawyer can achieve results by means that violate the Rules of Professional Conduct or other law; or (c) compare the lawyers’ services with other lawyers’ services, unless the comparison can be factually substantiated. COMMENT: This rule governs all communications about a lawyer’s services, including advertising permitted by Rule 7.2. Whatever means are used to make known a lawyer’s services, statements about them should be truthful. The prohibition in paragraph (b) of statements that may create “an unjustified expectation” would ordinarily preclude advertisements about results obtained on behalf of a client, such as the amount of a damage award or the lawyer’s record in obtaining favorable verdicts, and would ordinarily preclude advertisements containing client endorsements. Such information may create the unjustified expectation that similar results can be obtained for others without reference to the specific factual and legal circumstances.</p> <p>Rule 7.4 Communication of Fields of Practice. A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. COMMENT: This rule permits a lawyer to indicate areas of practice in communications about the lawyer’s services, for example, in a telephone directory or other advertising. If a lawyer practices only in certain fields, or will not accept matters except in such fields, the lawyer is permitted to indicate that fact.</p>
<p>Minnesota Margaret Fuller Corneille, Director Emily Eschweiler, Assistant Director and Counsel eeschweiler@mbcle.state.mn.us Sarah Kassera, Staff Attorney Skassera@mbcle.state.mn.us Kirsten Hedin, Executive Assistant khedin@mbcle.state.mn.us</p>	<p>Minnesota Board of Legal Certification 180 E. 5th Street Suite 950 St. Paul, MN 55101 P: (651) 297-1857 F: (651) 296-5866</p>	<p>Recognized by Minnesota Supreme Court. Rule 119 states: "The certified lawyer may announce that he/she is a certified specialist in a field of law and that the agency granting the certification is an agency accredited by the Minnesota State Board of Legal Certification to certify lawyers as specialists in a designated field of law. The lawyer shall not represent, either expressly or implicitly, that the specialist status is conferred by the Minnesota Supreme Court." See also Minnesota Rules of Professional Conduct Rule 7.4(d) which states that “a lawyer shall not state or imply that a lawyer is a specialist or certified as a specialist in a particular field of law except as follows: (1) the communication shall clearly identify the name of the certifying organization, if any, in the communication; and (2) if the attorney is not certified as a specialist or if the certifying organization is not accredited by the Minnesota Board of Legal Certification, the communication shall clearly state that the attorney is not certified by any organization accredited by the Board, and in any advertising subject to Rule 7.2, this statement shall appear in the same sentence that communicates the certification.”</p> <p>We were reaccredited to certify lawyers as Civil Trial Practice Specialists and as Criminal Trial Practice Specialists until May 2018.</p> <p>NBTA's Family Law program has been approved subject to an additional ADR component for Minnesota attorneys. We are due to apply for reaccreditation to certify lawyers as Family Law Trial Advocacy Specialists in December 2016.</p> <p>January 12, 2009 we asked that our SSD application be withdrawn until we have all the necessary information, at which time we will need to reapply.</p> <p>Civil Pretrial Practice was denied February 27, 2014.</p>

<p>Mississippi Adam Kilgore ogc@msbar.org</p>	<p>The Mississippi Bar 643 N. State Street Jackson, MS 39202 F: 601-355-8635</p>	<p>RULE 7.6 COMMUNICATION OF CERTIFICATION OR DESIGNATION (a) A lawyer may communicate the fact that he or she has been certified or designated in a field of law by a named organization or authority, but only if that certification or designation is granted by an organization or authority whose specialty certification or designation program is accredited by the American Bar Association. Notwithstanding the provisions of this Rule, a lawyer may communicate the fact that he is certified or designated in a particular field of law by a named, non-American Bar Association organization or authority, but must disclose such fact and further disclose that there is no procedure in Mississippi for approving certifying or designating organizations and authorities. (b) Notwithstanding the provisions of Rule 7.6(a), a lawyer may state or imply as follows: 1. A lawyer who is admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "patent attorney" or a substantially similar designation; or 2. A lawyer engaged in admiralty practice may use the designation "admiralty," "proctor in admiralty" or a substantially similar designation. [Former Rule 7.4 amended and renumbered effective June 22, 1994; amended February 11, 1999.] Comment 126 Rule 7.6(a) permits a lawyer to communicate that a lawyer has been certified or designated as a specialist in a field of law when the American Bar Association has accredited the organization's or authority's specialty program to grant such certification or designation. Certification or designation procedures imply that an objective entity has recognized a lawyer's higher degree of specialized ability than is suggested by general licensure to practice law. Those objective entities may be expected to apply standards of competence, experience and knowledge to ensure that the lawyer's recognition as a specialist is meaningful and reliable. In order to ensure that the consumers can obtain access to useful certification or designation information, the name of the certifying or designating organization or other agency must be included in any communication regarding the certification or designation. See Peel v. Attorney Registration & Disciplinary Com., 496 U.S. 91 110 S. Ct. 2281, 210 L. Ed. 2d 83 (1990). However, even though this Rule permits a lawyer to communicate that a lawyer has been certified or designated as a specialist in the field of law when the American Bar Association has accredited the organization's or authority's specialty program, a lawyer may communicate the fact that he is certified or designated in a field of law by a named, non-American Bar Association accredited organization or authority, provided such fact is disclosed and further disclosure is made that there is no procedure in Mississippi for approving certifying or designating organizations and authorities. Recognition of specialization in patent matters is a matter of law and established policy of the Patent and Trademark Office, as reflected in Rule 7.6(b)(1). Rule 7.6(b)(2) recognizes that the designation of admiralty practice has a long historical tradition associated with maritime commerce and the federal courts. [Amended effective June 22, 1994; amended February 11, 1999.]</p>
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<p>Missouri Sam Phillips Interim Chief Disciplinary Counsel Sam.Phillips@courts.mo.gov</p>	<p>Chief Disciplinary Counsel 3335 American Avenue Jefferson City, MO 65109-1079 P: 573-635-7400 F: 573-635-2240</p>	<p>RULE 4-7.4: COMMUNICATION OF FIELDS OF PRACTICE AND SPECIALIZATION</p> <p>A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. Any such communication shall conform to the requirements of Rule 4-7.1. Except as provided in Rule 4-7.4(a) and (b), a lawyer shall not state or imply that the lawyer is a specialist unless the communication contains a disclaimer that neither the Supreme Court of Missouri nor The Missouri Bar reviews or approves certifying organizations or specialist designations.</p> <p>(a) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "patent attorney" or a substantially similar designation; (b) A lawyer engaged in admiralty practice may use the designation "admiralty," "proctor in admiralty" or a substantially similar designation.</p> <p>COMMENT</p> <p>[1] Rule 4-7.4 permits a lawyer to indicate areas of practice in communications about the lawyer's services; for example, in a telephone directory or other advertising. If a lawyer practices only in certain fields, or will not accept matters except in such fields, the lawyer is permitted so to indicate.</p> <p>[2] Recognition of specialization in patent matters is a matter of long-established policy of the Patent and Trademark Office. Designation of admiralty practice has a long historical tradition associated with maritime commerce and the federal courts.</p> <p>[3] The second sentence of this Rule 4-7.4 has been added to the ABA Model Rule in order to ensure that any field-of-practice advertising complies with the general rule concerning communications about lawyers' services.</p> <p>(Amended Oct. 16, 1991, eff July 1, 1995, Rev. July 1, 2007)Advertising and Certification for lawyers in Missouri is governed by Missouri Supreme Court Rule 4. Look specifically to Rule 4-7.1-4-7.6. Note amendments in those rules, effective July 1, 2010.</p> <p>http://www.courts.mo.gov/page.jsp?id=707</p>
<p>Montana Betsy Brandborg betsyb@montanabar.org</p>	<p>State Bar of Montana PO Box 577 Helena, MT 59620 P: 406-444-2634 (406-444-2621 general ext.) F: 406-442-7763</p>	<p>Rule 7.1 Communications Concerning a Lawyer's Services. "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: (a) contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading; (b) is likely to create an unjustified expectation about results the lawyer can achieve, or states or implies that the lawyer can achieve results by means that violate the rules of professional conduct or other law; or (c) compares the lawyers services with other lawyers services, unless the comparison can be factually substantiated."</p> <p>Rule 7.4 (c) "a lawyer who is a specialist in a certain field of law by experience in the field, by specialized training or education in the field, or by certification by an authoritative professional entity in the field may communicate the fact of his or her specialty where such communication is not false or misleading under Rule 7.1. A lawyer may communicate that his or her practice is limited to or concentrated in a particular field of law, if such communication does not imply an unwarranted expertise in the field so as to be false or misleading under Rule 7.1."</p>

<p>Nebraska Janet Malone</p>	<p>Counsel for Discipline Nebraska Supreme Court 3808 Normal Blvd. Lincoln, NE 68506 P: 402-471-1040 F: 402-471-2197 E: janet.malone@nebraska.gov</p>	<p>Rule 7.4 of the Rules of Professional Conduct became effective on September 1, 2005. RULE 7.4 COMMUNICATION OF FIELDS OF PRACTICE (a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. (b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation. (c) A lawyer engaged in Admiralty practice may use the designation "Admiralty," "Proctor in Admiralty" or a substantially similar designation. (d) A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless: (1) the lawyer has been certified as a specialist by an organization that has been approved by an appropriate state authority or that has been accredited by the American Bar Association; and (2) the name of the certifying organization is clearly identified in the communication.</p>
<p>Nevada Ann McCarthy</p>	<p>Committee on Specialization 777 E. William Street #201 Carson City, NV 89701 P: 775-885-7333</p>	<p>Go to www.nvbar.org click on "attorney specialization" see SCR's 196, 198, 198.5. See also Board of Governor's "Governing Rules". Effective 01/18/04. For many years, Nevada did not recognize specialists in areas of law. In December, 2003, however, the Nevada Supreme Court authorized the Nevada State Bar to certify legal specialists. In February, 2005, the Board of Governors of the Bar approved Standards for Certification of Family Law Specialists, and recognized the existing Nevada Fellows of the American Academy of Matrimonial Lawyers as certified specialists.</p>
<p>New Hampshire Eileen Fox</p>	<p>Supreme Court New Hampshire Supreme Court One Charles Doe Drive Concord, NH 03301 P: 603-271-2646</p>	<p>Rule 7.4 © Communications of Fields of Practice (c) a lawyer who is certified as a specialist in a particular field of law by an organization that has been accredited by the American Bar Association may hold himself or herself out as a specialist certified by such organization.</p>
<p>New Jersey Wendy Weiss Wendy.Weiss@JUDICIARY.S TATE.NJ.US</p>	<p>Supreme Court PO Box 970 25 West Market Street Trenton, NJ 08625 P: 609-984-3077</p>	<p>Approved by virtue of ABA accreditation.</p>
<p>New Mexico Anita Otero mcle@nmmcle.org</p>	<p>Director, CRP NM Legal Specialization PO Box 93070 Albuquerque, NM 87199 505-821-1890 505-821-0220</p>	<p>16-704. Communication of fields of practice and specialization. D. Certification by organization. A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless: (1) the lawyer has been certified as a specialist by the New Mexico Board of Legal Specialization, an organization that has been approved by an appropriate authority of another state, or by an organization that has been accredited by the American Bar Association; and (2) the name of the certifying organization is clearly identified in the communication.</p>

<p>New York Kathleen Mulligan Baxter</p>	<p>New York State Bar Association One Elk Street Albany, NY 12207 P: 518-463-3200</p>	<p>RULE 7.4: IDENTIFICATION OF PRACTICE AND SPECIALTY</p> <p>(a) A lawyer or law firm may publicly identify one or more areas of law in which the lawyer or the law firm practices, or may state that the practice of the lawyer or law firm is limited to one or more areas of law, provided that the lawyer or law firm shall not state that the lawyer or law firm is a specialist or specializes in a particular field of law, except as provided in Rule 7.4(c).</p> <p>(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.</p> <p>(c) A lawyer may state that the lawyer has been recognized or certified as a specialist only as follows:</p> <p>(1) A lawyer who is certified as a specialist in a particular area of law or law practice by a private organization approved for that purpose by the American Bar Association may state the fact of certification if, in conjunction therewith, the certifying organization is identified and the following statement is prominently made: "The [name of the private certifying organization] is not affiliated with any governmental authority. Certification is not a requirement for the practice of law in the State of New York and does not necessarily indicate greater competence than other attorneys experienced in this field of law;"</p> <p>(2) A lawyer who is certified as a specialist in a particular area of law or law practice by the authority having jurisdiction over specialization under the laws of another state or territory may state the fact of certification if, in conjunction therewith, the certifying state or territory is identified and the following statement is prominently made: "Certification granted by the [identify state or territory] is not recognized by any governmental authority within the State of New York. Certification is not a requirement for the practice of law in the State of New York and does not necessarily indicate greater competence than other attorneys experienced in this field of law."</p> <p style="text-align: center;">Comment</p> <p>[1] Paragraph (a) permits a lawyer to indicate areas of practice in which the lawyer practices, or that his or her practice is limited to those areas.</p> <p>[2] Paragraph (b) recognizes the long-established policy of the Patent and Trademark Office for the designation of lawyers practicing before the Office.</p> <p>[3] Paragraph (c) permits a lawyer to state that the lawyer specializes or is certified as a specialist in a field of law if such certification is granted by an organization approved or accredited by the American Bar Association or by the authority having jurisdiction over specialization under the laws of another jurisdiction provided that the name of the certifying organization or authority must be included in any communication regarding the certification together with the disclaimer required by paragraph (c).</p>
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<p>North Carolina</p> <p>Administrative assistant to the NC State Bar Board of Legal Specialization.</p> <p>Ms. Alice Neece Mine amine@ncbar.gov</p>	<p>Assistant Executive Director NC State Bar PO Box 25908 Raleigh, NC 27611 Phone 919.828.4620 Fax 919.821.9168</p>	<p>Approved by virtue of ABA accreditation. Note that specialist must identify certifying organization (that is ABA accredited).</p> <p>Information About Legal Services</p> <p>Rule 7.4 Communication of Fields of Practice and Specialization</p> <p>(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. (b) A lawyer shall not state or imply that the lawyer is certified as a specialist in a field of practice unless: (1) the certification was granted by the North Carolina State Bar; (2) the certification was granted by an organization that is accredited by the North Carolina State Bar; or (3) the certification was granted by an organization that is accredited by the American Bar Association under procedures and criteria endorsed by the North Carolina State Bar; and (4) the name of the certifying organization is clearly identified in the communication.</p> <p>Comment</p> <p>1] The use of the word "specialize" in any of its variant forms connotes to the public a particular expertise often subject to recognition by the state. Indeed, the North Carolina State Bar has instituted programs providing for official certification of specialists in certain areas of practice. Certification signifies that an objective entity has recognized an advanced degree of knowledge and experience in the specialty area greater than is suggested by general licensure to practice law. Certifying organizations are expected to apply standards of experience, knowledge and proficiency to insure that a lawyer's recognition as a specialist is meaningful and reliable. To avoid misrepresentation and deception, a lawyer may not communicate that the lawyer has been recognized or certified as a specialist in a particular field of law, except as provided by this rule. The rule requires that a representation of specialty may be made only if the certifying organization is the North Carolina State Bar, an organization accredited by the North Carolina State Bar, or an organization accredited by the American Bar Association under procedures approved by the North Carolina State Bar. To insure that consumers can obtain access to useful information about an organization granting certification, the name of the certifying organization or agency must be included in any communication regarding the certification.</p> <p>[2] A lawyer may, however, describe his or her practice without using the term "specialize" in any manner which is truthful and not misleading. This rule specifically permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate. The lawyer may, for instance, indicate a "concentration" or an "interest" or a "limitation."</p> <p>[3] Recognition of expertise in patent matters is a matter of long-established policy of the Patent and Trademark Office. A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.</p> <p>History Note: Statutory Authority G. 84-23</p> <p>Adopted July 24, 1997; Amended March 1, 2003.</p> <p>ETHICS OPINION NOTES RPC 43. An attorney who is certified as a specialist by the Board of Legal Specialization may so indicate in an advertisement in any way that is not false, deceptive or misleading.</p> <p>CASE NOTES U.S. Const., Amend. I prohibits states from categorically prohibiting lawyers from advertising their certification as specialists by bona fide private organizations. Lesser restrictions are available to eliminate any potential confusion caused by such advertisements. Peel v. Attorney Registration & Disciplinary Comm'n, 496 U.S. 91, 110 S. Ct. 2281, 110 L. Ed. 2d 83 (1990).</p>
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<p>North Dakota Penny Miller pmiller@ndcourts.gov</p>	<p>Supreme Court Judicial Wing/1st Floor 600 East Boulevard Avenue Bismarck, ND 58505-0530 P: 701-328-2221 F: 701-328-4480</p>	<p>RULE 7.1 COMMUNICATIONS CONCERNING THE SERVICES OF A LAWYER OR PERSONS PROFESSIONALLY ASSOCIATED WITH THE LAWYER</p> <p>A lawyer shall not make a false or misleading communication about the lawyer, a person professionally associated with the lawyer, or their services. A communication is false or misleading if it:</p> <p>(a) contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading;</p> <p>(b) is likely to create an unjustified expectation about results the lawyer can achieve, or states or implies that the lawyer can achieve results by means that violate the Rules of Professional Conduct or other law;</p> <p>(c) compares the lawyer with other lawyers, unless the comparison can be factually substantiated; or</p> <p>(d) compares the lawyer's services with other lawyers' services based on the lawyer having received an honor or accolade, unless:</p> <p>(1) the name of the comparing organization is stated, and</p> <p>(2) the basis for the comparison can be substantiated.</p> <p>Comment</p> <p>[1] This Rule governs communications about a lawyer, a person professionally associated with a lawyer, or their services. The Rule applies to communications about nonlawyers professionally associated with lawyers and their services. See Rule 5.4. The communications covered by this Rule include advertising permitted by Rule 7.2. Whatever means are used to make known a lawyer's services, statements about them must be truthful.</p> <p>[2] An advertisement that truthfully reports a lawyer's achievements on behalf of clients or former clients may be misleading if presented so as to lead a reasonable person to form an unjustified expectation that the same results could be obtained for other clients in similar matters without reference to the specific factual and legal circumstances of each client's case. Similarly, an unsubstantiated comparison of the lawyer's services or fees with the services or fees of other lawyers may be misleading, if presented with such specificity as would lead a reasonable person to conclude that the comparison can be substantiated. A truthful communication that the lawyer has received an honor or accolade is not misleading or impermissibly comparative for purposes of this Rule if: (1) the comparing organization has made inquiry into the lawyer's fitness, (2) the comparing organization does not issue the honor or accolade for a price, and (3) a truthful, plain language description of the standard or methodology upon which the honor or accolade is based is available for inspection either as part of the communication itself or by reference to a convenient, publicly available source.</p> <p>[3] When a communication becomes inaccurate because of a change of circumstances, a lawyer has the responsibility to make every reasonable effort to make the information accurate as quickly as feasible under the circumstances. Subsequently occurring misrepresentations in a published annual directory may continue for a year without the lawyer having the ability to amend the material. In such cases, lawyers should take steps to otherwise communicate the changes to potential clients. However, information conveyed via other media, such as an Internet web site, can be changed quickly and it is the lawyer's responsibility to do so.</p> <p>[4] Technology may allow use of information that is not readily apparent within a commercial communication. For example, Internet sites may include devices to facilitate an Internet search for a site or topic, such as legal services. A lawyer must avoid the use of any information that is not seen, for example meta-tags or similar devices, if that information would be inappropriate under these rules if it were seen.</p> <p>[5] See also Rule 8.4(c) for the prohibition against stating or implying an ability to influence improperly a government agency or official.</p> <p>Reference: Minutes of the Professional Conduct Subcommittee of the Attorney Standards Committee on 11/08/85, 12/13/85 and 01/10/86 and Pursuant to Resolution of the State Bar Association of North Dakota on 06/13/86; Minutes of Joint Committee on Attorney Standards on 06/08/99, 09/16/99, 11/19/99, 03/23/00, 06/13/00, 09/15/00, 11/17/00, 06/11/02, 09/12/02, 11/15/02, 06/24/03, 12/11/09, and 03/19/10.</p> <p>Continued on next page</p>
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<p>North Dakota Continued</p>		<p>RULE 7.4 COMMUNICATION OF FIELDS OF PRACTICE</p> <p>A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. A lawyer shall not state or imply that the lawyer is a specialist in a particular field of law except as follows:</p> <p>(a) a lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "patent attorney" or a substantially similar designation;</p> <p>(b) a lawyer engaged in admiralty practice may use the designation "admiralty," "proctor in admiralty," or a substantially similar designation; or</p> <p>(c) a lawyer may communicate the fact that the lawyer has been certified as a specialist in a field of law by a named organization, provided that the communication clearly states the name of the certifying organization and that there is no procedure in this jurisdiction for approving certifying organizations. The communication need not contain such a statement if the named organization has been accredited by the American Bar Association or the lawyer has successfully completed a certification program sponsored by a state bar association.</p> <p>Comment</p> <p>[1] This Rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in such fields, the lawyer is permitted to so indicate. The lawyer is generally permitted to state that the lawyer is a "specialist," practices a "specialty," or "specializes in" particular fields, but such communications are subject to the "false and misleading" standard applied in Rule 7.1 to communications concerning a lawyer's services.</p> <p>[2] However, a lawyer may not communicate that the lawyer has been recognized or certified as a specialist in a particular field of law, except as provided by this Rule. Recognition of specialization in patent matters is a matter of long-established policy of the Patent and Trademark Office, as reflected in paragraph (a). Paragraph (b) recognizes that designation of admiralty practice has a long historical tradition associated with maritime commerce and the federal courts.</p> <p>[3] Certification signifies that an objective entity has recognized an advanced degree of knowledge and experience in the specialty area greater than is suggested by general licensure to practice law. Certifying organizations may be expected to apply standards of experience, knowledge, and proficiency to ensure that a lawyer's recognition as a specialist is meaningful and reliable. In order to ensure that consumers can obtain access to useful information about an organization granting certification, the name of the certifying organization must be included in any communication regarding certification.</p> <p>Reference: Minutes of Joint Committee on Attorney Standards on 06/08/99, 09/16/99, 11/19/99, 03/23/00, 06/13/00, 09/15/00, 11/17/00, 06/11/02, 09/12/02, 11/15/02, and 06/24/03.</p>
<p>Ohio Susan Christoff susan.christoff@sc.ohio.gov</p>	<p>The Supreme Court of Ohio Commission on Certification of Attorneys as Specialists 65 S. Front Street Columbus, Ohio 43215-3431 Phone: 614/387-9529 Fax: 614/387-9330</p>	<p>The Supreme Court of Ohio has approved the areas of Civil Law Trial Advocacy, Criminal Law Advocacy, Family Relations Law and Social Security Disability Law as certification specialty areas in Ohio. The Commission on Certification of Attorneys as Specialists has approved the National Board of Legal Specialty Certification to certify attorneys as specialists in the areas of Civil Law Trial Advocacy, Criminal Law Trial Advocacy, Family Law Trial Advocacy and Social Security Disability Law. Pursuant to Gov. Bar R. XIV, attorneys who are certified by agencies such as the National Board of Legal Specialty Certification may communicate they are certified as a specialist in accordance with Gov. Bar R. XIV, the accompanying standards, and Prof. Cond. R. 7.4.</p> <p>Civil, Criminal, and Family reaccreditation were reaccredited for 5 years: 4/24/14-04/24/19. Social Security Disability Law was approved for 5 years: 4/27/12-4/27/17. Our notice of intent to apply in Civil Pretrial Practice was denied July 19, 2013.</p>

<p>Oklahoma Travis Pickens Ethics Counsel travisp@okbar.org</p>	<p>Oklahoma Bar Association 1901 North Lincoln Boulevard PO Box 53036 Oklahoma City, OK 73152 P: 405-524-2365 F: 405 416-7001</p>	<p>Rule 7.4. Communication of Fields of Practice and Certification</p> <p>(a) A lawyer may, by advertisement or otherwise, communicate the fact that the lawyer does or does not practice in particular fields of law or limits his practice to or concentrates in particular fields of law.</p> <p>(b) A lawyer shall not state or imply that the lawyer is certified as a specialist in a particular field of law except as follows:</p> <p>(1) a lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation;</p> <p>(2) a lawyer engaged in admiralty practice may use the designation "Admiralty," "Proctor in Admiralty" or a substantially similar designation; and</p> <p>(3) a lawyer who is certified as a specialist in a particular field of law or law practice by the Supreme Court of the State of Oklahoma may communicate that fact, but only in accordance with the rules prescribed by that Court; and</p> <p>(4) a lawyer who is certified as a specialist in a particular field of law or law practice by the official licensing authority of another state in which the lawyer is licensed may communicate that fact, but only in accordance with all rules and requirements of such state's licensing authority, and provided that the lawyer also communicates that such certification is not recognized by the Supreme Court of the State of Oklahoma.</p>
<p>Oregon Amber Bevaqua-Lynott at</p>	<p>Oregon State Bar 16037 SW Upper Boones Ferry Road P.O. Box 231935 Tigard, OR 97281-1935 P: 503-620-0222 F: 503-968-4457 E: alynott@osbar.org</p>	<p>Disclosure is allowed if not false or misleading. There are no prohibitions to stating NBTA certification. See Rule 7.1 and 7.2.</p>
<p>Pennsylvania Janet F. Evans</p>	<p>Chief Disciplinary Counsel Disciplinary Board PA Supreme Court PA Judicial Center, Suite 2700 601 Commonwealth Ave, PO Box 62485 Harrisburg, PA 17106-2485 P: 717-783-0990 F: 717-783-4963</p>	<p>NBTA is an approved agency by the Pennsylvania Supreme Court. Civil Trial and Criminal Trial approved December 1998, last re-accredited for 5 years June 1, 2014- June 1, 2019 (Civil and Criminal).</p> <p>Need signed request; \$25 fee payable PA Disciplinary Board. SASE Required.</p> <p>Our Social Security Disability application was procedurally denied because we put the application on hold. Family Law was denied in 2012.</p> <p>The PA Bar Association's Review & Certifying Board did NOT recommend approval of our Civil Pretrial Practice application (4/9/13).</p>

<p>Rhode Island David D. Curtin Chief Disciplinary Counsel DCurtin@courts.ri.gov</p>	<p>Supreme Court John E. Fogarty Judicial Annex 24 Weybosset Street 2nd Floor Providence, RI 02903 P: 401-222-3270 F: 401-222-1191</p>	<p>RULE 7.4 COMMUNICATION OF FIELDS OF PRACTICE AND SPECIALIZATION</p> <p>(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law.</p> <p>(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.</p> <p>(c) A lawyer engaged in Admiralty practice may use the designation "Admiralty," "Proctor in Admiralty" or a substantially similar designation.</p> <p>(d) A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless:</p> <p>(1) the lawyer has been certified as a specialist by an organization that has been approved by an appropriate state authority or that has been accredited by the American Bar Association;</p> <p>(2) the name of the certifying organization is clearly identified in the communication; and</p> <p>(3) the lawyer also includes, as part of the same communication, the disclaimer that: "The Rhode Island Supreme Court licenses all lawyers in the general practice of law. The court does not license or certify any lawyer as an expert or specialist in any particular field of practice."</p> <p>Comment</p> <p>[1] Paragraph (a) of this Rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate. In furtherance thereof the lawyer may state that the lawyer's practice is limited to or concentrated in particular fields without compliance with the requirements in Paragraph (d). A lawyer is generally permitted, subject to the requirements in</p> <p>Paragraph (d), to state that the lawyer is a "specialist," practices a "specialty," or "specializes in" particular fields, but such communications are subject to the "false and misleading" standard applied in Rule 7.1 to communications concerning a lawyer's services.</p> <p>[2] Paragraph (b) recognizes the long-established policy of the Patent and Trademark Office for the designation of lawyers practicing before the Office. Paragraph (c) recognizes that designation of Admiralty practice has a long historical tradition associated with maritime commerce and the federal courts.</p> <p>[3] Paragraph (d) permits a lawyer to state that the lawyer is certified as a specialist in a field of law if such certification is granted by an organization approved by an appropriate state authority or accredited by the American Bar Association or another organization, such as a state bar association, that has been approved by the state authority to accredit organizations that certify lawyers as specialists. Certification signifies that an objective entity has recognized an advanced degree of knowledge and experience in the specialty area greater than is suggested by general licensure to practice law. Certifying organizations may be expected to apply standards of experience, knowledge and proficiency to insure that a lawyer's recognition as a specialist is meaningful and reliable.</p> <p>In order to insure that consumers can obtain access to useful information about an organization granting certification, the name of the certifying organization must be included in any communication regarding the certification.</p>
<p>South Carolina Mary A. Germack</p>	<p>Supreme Court Commission on Specialization PO Box 2138 Columbia, SC 29202 P: 803-799-5578 F: 803-799-5671</p>	<p>Civil, Criminal, Family Law Trial Advocacy and SSD are approved by virtue of ABA accreditation and corresponding filing in South Carolina.</p> <p>We received a letter approving Civil, Criminal and Family for 3 years (1/1/13-12/31/15). We received a letter approving SSD for 3 years (6/17/12-6/17/15).</p> <p>Civil Pretrial Practice application was approved 6/30/12-6/30/15.</p> <p>We submitted our reaccreditations in all areas 8/6/15.</p>

<p>South Dakota Thomas Barnett, Jr. Thomas.Barnett@sdbar.net</p>	<p>State Bar of South Dakota 222 East Capitol Avenue Pierre, SD 57501-2596 P: 605-224-7554 F: 605.224.0282</p>	<p>Rule 7.4 (c), "...If a lawyer or firm practices in only certain fields and desires to advertise such limitations... any such advertising must be accompanied by the following disclaimer..., (1)'Such certification is granted by an organization which has been approved by the appropriate regulatory authority to grant such certification,'... (d) Pursuant to subsection (c)(1), the South Dakota Supreme Court hereby designates the American Bar Association as the appropriate regulatory authority to accredit specialty certification programs according to such standards and criteria as the American Bar Association may from time to time establish for accreditation of specialty programs.</p>
<p>Tennessee Judy McKissack Judy.McKissack@cletn.com</p>	<p>Judy Bond-McKissack, JD Executive Director Tennessee Commission on Continuing Legal Education 221 Fourth Avenue North #300 Nashville, TN 37219 (615)-741-3096 phone (615) 532-2477 Fax www.cletn.com</p>	<p>As of January 1, 2015 Tennessee no longer certifies specialists. Tennessee has moved to a system of enrolling specialists only so that their information is available to citizens of the state. This is an updated link to our information on our website: http://www.cletn.com/index.php/for-attorneys/specialization.</p> <p>This is the revised language for Rule 8, Section 7.4.:</p> <p>RULE 7.4: COMMUNICATION OF FIELDS OF PRACTICE AND SPECIALIZATION</p> <p>Subject to the requirements of RPCs 7.1, 7.2, and 7.3,</p> <p>(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law.</p> <p>(b) Except as permitted by paragraphs (c) and (d), a lawyer shall not state that the lawyer is a specialist, specializes, or is certified or recognized as a specialist in a particular field of law.</p> <p>(c) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.</p> <p>(d) A lawyer who has been certified as a specialist in a field of law by an organization accredited by the American Bar Association's House of Delegates, and who has registered such certification with the Tennessee Commission on Continuing Legal Education, may state that the lawyer "is certified as a specialist in [field of law] by [accredited organization]."</p> <p>Comment</p> <p>[1] This Rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate.</p> <p>[2] However, a lawyer may not communicate that the lawyer is a "specialist," practices a "specialty," "specializes in" a particular field, or that the lawyer has been recognized or certified as a specialist in a particular field of law, except as provided by this Rule. Recognition of specialization in patent matters is a matter of long-established policy of the Patent and Trademark Office, as reflected in paragraph (c).</p> <p>[3] Paragraph (d) permits a lawyer to communicate that the lawyer is a specialist or has been certified or recognized as a specialist when the lawyer has been so certified or recognized by an organization accredited by the American Bar Association's House of Delegates. However, before a lawyer may communicate that the lawyer is a specialist, the lawyer must first register the specialty certification with the Tennessee Commission on Continuing Legal Education in accordance with Tennessee Supreme Court Rule 21. A lawyer shall not state or imply that the lawyer has received any certification of specialty from the Tennessee Commission on Continuing Legal Education.</p> <p>DEFINITIONAL CROSS-REFERENCES</p> <p>"Substantially" See RPC 1.0(l)</p>
<p>Texas Gary McNeil gmneil@texasbar.com</p>	<p>Texas Board of Legal Specialization 505 East Huntland Drive Suite 400 Austin, TX 78752 P: 855-277-8257 Ext: 101 or 512-453-7266 Fax: 512-453-7220</p>	<p>Accredited by the Texas Board of Legal Specialization to certify in Civil, Criminal, Family Trial Law and SSD. Our Social Security Disability Application was approved in 2006. Our Civil Pretrial Certification was approved in Dec 2012.</p>

<p>Utah Billy Walker</p>	<p>Office of Professional Conduct Utah State Bar Association 645 South 200 East Suite 205 Salt Lake City, UT 84111-3834 P: 801-534-9110 F: 801-531-9912</p>	<p>Rule 7.4 Communication of Fields of Practice. (a) A Lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. (d) A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless: (d)(1) the lawyer has been certified as a specialist by an organization that has been approved by an appropriate state authority or that has been accredited by the American Bar Association; and (d)(2) the name of the certifying organization is clearly identified in the communication.</p>
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<p>Vermont Michael Kennedy</p>	<p>Professional Responsibility Program 32 Cherry Street, Ste 213 Burlington, VT 05401 P: 802-859-3000 F: 802-859-3003</p>	<p>There continues to be no process in Vermont for approving certified organizations. Vermont recognizes ABA accredited agencies.</p> <p>RULE 7.4. COMMUNICATION OF FIELDS OF PRACTICE AND SPECIALIZATION (a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. A lawyer shall not state or imply that the lawyer has been recognized or certified as a specialist in a particular field of law except as follows: (a) (b) a A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.; (b) (c) a A lawyer engaged in admiralty practice may use the designation "Admiralty," "Proctor in Admiralty" or a substantially similar designation; and (d) A lawyer may communicate the fact that the lawyer has been shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless: (1) the lawyer has been certified as a specialist by a named organization, provided that the communication clearly states that there is no procedure in Vermont for approving certifying organizations. If, however, unless the named organization has been accredited by the American Bar Association to certify lawyers as specialists in a particular field of law, the communication need not contain such a statement.; and (2) the name of the certifying organization is clearly identified in the communication. 284</p> <p>Comment [1] This Paragraph (a) of this rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate. A lawyer is generally permitted to state that the lawyer is a "specialist," practices a "specialty," or "specializes in" particular fields, but such communications are subject to the "false and misleading" standard applied in Rule 7.1 to communications concerning a lawyer's services. [2] However, a lawyer may not communicate that the lawyer has been recognized or certified as a specialist in a particular field of law, except as provided by this Rule. Recognition of specialization in patent matters is a matter of Paragraph (b) recognizes the long-established policy of the Patent and Trademark Office, as reflected in paragraph (a) for the designation of lawyers practicing before the Office. Paragraph (b) (c) recognizes that designation of admiralty practice has a long historical tradition associated with maritime commerce and the federal courts. [3] Paragraph (c) provides for certification (d) permits a lawyer to state that the lawyer is certified as a specialist in a field of law. In Vermont, because there is no appropriate regulatory authority that has a procedure for approving organizations granting certification, the rule requires that the lawyer clearly state such lack of procedure. If, however, the named organization has been accredited by the American Bar Association to certify lawyers as specialists in a particular field of law, the communication need not contain such a statement. In order to insure that consumers can obtain access to useful information about an organization granting certification, the name of the certifying organization, if any, must be included in any communication regarding the certification.</p> <p>Reporter's Notes—2009 Amendment V.R.P.C. 7.4 is amended to conform to the changes in the Model Rule, except for Rule 7.4(d)(1), which retains the original provision of V.R.P.C. 7.4(c), adapted from the original Model Rule, that allows a lawyer to claim specialty certification by a named organization that has not been approved by the American Bar Association, provided that the claim clearly states that there is no procedure in Vermont for approval of such organizations. The amended Model Rule requires that the certifying organization be approved either by an appropriate state authority or by the American Bar Association. In <i>In re PRB Docket No. 2002-093</i>, 2005 VT 2, 177 Vt. 629, 868 A.2d 709 (mem.), after a through review of the basis and scope of V.R.P.C. 7.1-7.4, the Court held that the PRB could have reasonably found that the phrase "INJURY EXPERTS" in an advertisement violated former V.R.P.C. 7.1(b) as creating an unjustified expectation of results that the lawyer could achieve and was not acceptable as a 285 description of a specialty under V.R.P.C. 7.4 because that rule only allowed the use of the descriptive term "specialty"; further, any use of "specialist" or "specialty" must include a disclaimer of organizational certification to avoid violation of the "false and misleading" standard of V.R.P.C. 7.1. The ABA Reporter's Explanation is as follows: 1. Caption: Add reference to "Specialization" As Rule 7.4 deals with communication of both fields of law in which the lawyer practices and fields of law in which the lawyer claims to be a specialist, the current caption is underinclusive. 2. Paragraph (a): Move first sentence to new paragraph (a) This change serves to separate the two basic subjects addressed by this Rule: communication of fields of law in which the lawyer practices, as permitted by paragraph (a), and communication of fields of law in which the lawyer claims to be certified as a specialist, as governed by paragraph (d). No change in substance is intended. 3. Paragraph (b): Move [former] paragraph (a) to new paragraph (b) As revised, the grant of permission to lawyers who are admitted before the United States Patent and Trademark Office to use the designation "Patent Attorney" is no longer presented as an exception to the prohibition against claiming to be certified or recognized as a specialist, but rather is treated as a separate subject. This is because a claim to be a patent attorney is premised on admission to practice rather than on certification as a specialist and also entails more than a simple designation of an area in which the lawyer practices. No change in substance is intended. 4. Paragraph (c): Move [former] paragraph (b) to new paragraph (c) 286 As revised, the grant of permission to lawyers who engage in Admiralty practice to use the designation "Proctor in Admiralty" is no longer presented as an exception to the prohibition against claiming to be certified or recognized as a specialist, but rather is treated as a separate subject. This is because a claim to be a Proctor in Admiralty is not premised on certification but does seem to denote more than a simple designation of an area in which the lawyer practices. No change in substance is intended. [Note: Admission to the bar of a United States District Court still includes admission as "proctor in admiralty.;"] 5. Paragraph (d): Replace [former] paragraphs (c) and alternate (c) with new paragraph (d) [As noted above, V.R.P.C. 7.4(d) (1) differs from Model Rule 7.4(d)(1).] Paragraph (d) also contains a new requirement that the name of the certifying organization be clearly identified. This will enable prospective clients to make further inquiry about the certification program. COMMENT: [1] A minor change has been made to indicate that this Comment refers to paragraph (a) of the restructured Rule. [2] The first sentence has been deleted because paragraphs (b) and (c) are no longer presented as exceptions to the prohibition against claiming to be certified as a specialist. Other minor changes conform the Comment to the changes in the Rule text. [3] The Comment has been modified to conform with paragraph (d) . . .</p>
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<p>Virginia Jim McCauley, Ethics Counsel</p>	<p>Virginia State Bar 707 East Main Street Suite 1500 Richmond, VA 23219-2800 P: 804-775-0566 F: 804-775-0597 McCauley@vsb.org</p>	<p><u>RULE 7.4 Communication of Fields of Practice and Certification</u></p> <p>Lawyers may hold themselves out as limiting their practice in a particular area or field of law so long as the communication of such limitation of practice is in accordance with the standards of this Rule, Rule 7.1, and Rule 7.3, as appropriate. A lawyer shall not state or imply that the lawyer has been recognized or certified as a specialist in a particular field of law except as follows:</p> <p>(a) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation;</p> <p>(b) A lawyer engaged in Admiralty practice may use as a designation "Admiralty," "Proctor in Admiralty" or a substantially similar designation;</p> <p>(c) A lawyer who has been certified by the Supreme Court of Virginia as a specialist in some capacity may use the designation of being so certified, e.g., "certified mediator" or a substantially similar designation.</p> <p><u>Comment</u></p> <p>[1] This Rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters in a specified field or fields, the lawyer is permitted to so indicate. For example, a statement by a lawyer that the lawyer "concentrates in" or that the lawyer's "practice is limited to" a particular field or area of the law is permitted provided that the statement is truthful and not false or misleading.</p> <p>[2] Recognition of specialization in patent matters is a matter of long established policy of the Patent and Trademark Office as reflected in paragraph (a). Paragraph (b) recognizes that designation of admiralty practice has a long historical tradition associated with maritime commerce and the federal courts.</p>
<p>Washington Jeanne Marie Clavere jeannec@wsba.org</p>	<p>Professional Responsibility Counsel Washington State Bar Association 1325 Fourth Avenue, Suite 600 Seattle, WA 98101-2539 Phone: 206-727-8219 Fax: 206-727-8317</p>	<p>Washington requires the attachment of specific disclaimer language stating, "the Supreme Court of Washington does not recognize certification of specialties in the practice of law and certification award or recognition is not a requirement to practice law in the state of Washington." A rule change is not anticipated in the near future.</p>
<p>West Virginia Rachael L. Fletcher Cipoletti</p>	<p>West Virginia State Bar Office of Disciplinary Counsel City Center East, Suite 1200C 4700 MacCorkle Avenue, S.E. Charleston, WV 25304 P: 304-558-7999 F: 304-558-4015 E: rfcipoletti@wvdc.org</p>	<p>No current regulation other than to prohibit use of the word 'specialist.'</p>

<p>Wisconsin Keith L. Sellen</p>	<p>Office of Lawyer Regulation Suite 315 110 East Main Street Madison, WI 53703-3383 P: 608-267-7274 F: 608-267-1959</p>	<p>SCR 20:7.4 Communication of fields of practice</p> <p>(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law.</p> <p>(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "patent attorney" or a substantially similar designation.</p> <p>(c) A lawyer engaged in admiralty practice may use the designation "admiralty," "proctor in admiralty" or a substantially similar designation. (d) A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless:</p> <p>(1) the lawyer has been certified as a specialist by an organization that has been approved by an appropriate state authority or that has been accredited by the American Bar Association; and</p> <p>(2) the name of the certifying organization is clearly identified in the communication.</p> <p style="text-align: center;">ABA COMMENT</p> <p>[1] Paragraph (a) of this Rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate. A lawyer is generally permitted to state that the lawyer is a "specialist," practices a "specialty," or "specializes in" particular fields, but such communications are subject to the "false and misleading" standard applied in Rule 7.1 to communications concerning a lawyer's services.</p> <p>[2] Paragraph (b) recognizes the long-established policy of the Patent and Trademark Office for the designation of lawyers practicing before the Office. Paragraph (c) recognizes that designation of Admiralty practice has a long historical tradition associated with maritime commerce and the federal courts.</p> <p>[3] Paragraph (d) permits a lawyer to state that the lawyer is certified as a specialist in a field of law if such certification is granted by an organization approved by an appropriate state authority or accredited by the American Bar Association or another organization, such as a state bar association, that has been approved by the state authority to accredit organizations that certify lawyers as specialists. Certification signifies that an objective entity has recognized an advanced degree of knowledge and experience in the specialty area greater than is suggested by general licensure to practice law. Certifying organizations may be expected to apply standards of experience, knowledge and proficiency to insure that a lawyer's recognition as a specialist is meaningful and reliable. In order to insure that consumers can obtain access to useful information about an organization granting certification, the name of the certifying organization must be included in any communication regarding the certification.</p>
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<p>Wyoming Sleeter C. Dover sdover@wyomingbar.org</p>	<p>Wyoming State Bar Executive Director 4124 Laramie Street PO Box 109 Cheyenne, WY 82003 P: 307-632-9061 F: 307-632-3737</p>	<p>Due to a rules change, each certified Wyoming attorney who wishes to communicate their certification, must submit a copy of the certificate of accreditation from the ABA. The ABA will create an electronic certificate for NBLSC to send to the attorneys.</p> <p>Advertisements are now allowed... Pursuant to Rule 7.4 (revised effective 9/1/09)</p> <p>Rule 7.4. Communication of fields of practice.</p> <p>(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law.</p> <p>(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.</p> <p>(c) A lawyer engaged in Admiralty practice may use the designation "Admiralty," "Proctor in Admiralty" or a substantially similar designation.</p> <p>(d) A lawyer shall not state or imply that the lawyer is certified as a specialist in a particular field of law, unless: (1) the lawyer is certified as a specialist by an organization that has been approved by the American Bar Association;</p> <p>(2) the name of the certifying organization is clearly identified in the communication; and</p> <p>(3) the attorney has provided copies of the current certification along with a \$150.00 annual certification fee to the Wyoming State Bar prior to advertising such certification.</p> <p>(4) The attorney shall cease to state or imply that the lawyer is certified as a specialist in a particular field of law, at such time as the certifying entity or attorney no longer has current certification or accreditation by the American Bar Association, or if the attorney has not paid the annual certification fee to the Wyoming State Bar when the same is due.</p> <p>Comment. - [1] Paragraph (a) of this Rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate. A lawyer is not permitted to state that the lawyer is a "specialist," practices a "specialty," or "specializes in" particular fields, unless that lawyer meets the requirements of paragraph (d) of this Rule.</p> <p>[2] Paragraph (b) recognizes the long-established policy of the Patent and Trademark Office for the designation of lawyers practicing before the Office. Paragraph (c) recognizes that designation of Admiralty practice has a long historical tradition associated with maritime commerce and the federal courts.</p> <p>[3] Paragraph (d) permits a lawyer to state that the lawyer is certified as a specialist in a field of law if such certification is granted by an organization approved by the American Bar Association. Certification signifies that an objective entity has recognized that a lawyer has advanced knowledge and/or experience in the specialty area greater than is suggested by general licensure to practice law. Certifying organizations may be expected to apply standards of experience, knowledge and proficiency to insure that a lawyer's recognition as a specialist is meaningful and reliable. In order to insure that consumers can obtain access to useful information about an organization granting certification, the name of the certifying organization must be included in any communication regarding the certification.</p>
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