

**COMMITTEE:** Ethics Committee

**DATE:** June 2014

**RULE 2.1-3: PROPRIETY OF A LAWYER GIVING ANONYMOUS ADVICE**

The Committee reviewed materials from JustAnswer, an internet service based in San Francisco that links potential customers who seek expert advice with experts who may be qualified to give that advice and who are prepared to do so for a fee. The advice may be legal advice and may be given to a customer with a British Columbia legal problem. The identity of a lawyer giving legal advice to such a customer is not disclosed by JustAnswer, although JustAnswer maintains all lawyers who give such advice to people in British Columbia are qualified to practise law here.

Although there is no specific rule in the BC Code that says lawyers giving advice in British Columbia must identify themselves, in the Committee's view it is implicit in all the Law Society's rules of conduct that they must do so. Clients cannot know whether a lawyer is conflict free and otherwise suitable for them to retain without knowing the lawyer's identity.

It was the Committee's view that it is improper for a lawyer to give anonymous advice for a fee. Although the Committee did not consider additional issues, such advice may also violate rule 3.6-7, the fee sharing rule, and Law Society Rule 3-63 (3) which requires a lawyer to deliver a bill or receipt to the client.

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