

MINUTES

COMMITTEE: Ethics Committee

DATE: December 9, 2004

**5. CHAPTER 14, RULE 6(b): WHETHER LAWYER MAY SELL BOOKS AS
ADJUNCT TO PRACTICE**

A lawyer asked whether it is proper for him to sell books to clients or potential clients. He advised:

Can I sell products as part of my practice ? Many clients, especially the poor middle class who cannot afford a lawyer but do not qualify for legal aid, would appreciate the convenience of being able to purchase (eg Self Counsel Press books eg do-it-yourself divorce or small claims or incorporation) from us rather than elsewhere. We then can increase our service to the community and gain at least a few hours of business we would not otherwise have eg advice for the forms or process the client is doing themselves.

The Committee was of the view that the selling of books as part of a lawyer's practice amounts to "endorsing" them within the meaning of Chapter 14, Rule 6(b) and is therefore prohibited by the rule, since the sale of books falls outside the exceptions set out in provisions i, ii, or iii of the rule. However, the Committee noted there is no prohibition against the lawyer recommending particular books to his clients and giving the clients advice and other assistance where necessary.

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JO/

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