

MINUTES

COMMITTEE: Ethics Committee

DATE: February 23, 1995

7. MARKETING RULES RELATING TO FIRM NAMES AND NUMBER OF LAWYERS; CHAPTER 14

The Committee considered a memorandum from Jack Olsen raising two questions:

1. Should there be restrictions on the way in which the firms of Judges or Masters can use the firm's former association with the Judge or Master?

The Committee was of the view that the current restriction set out in Chapter 14, Rule 7(c) was adequate and there is no need to prevent a firm from using the name of a Judge who is a former member of the firm in the firm name.

2. Should there be restrictions placed on lawyers' marketing activities to ensure that the public is not misled about the number of lawyers in the firm?

The Committee noted that the issue here is whether a sole practitioner can refer to the firm as A and Company. The rule was changed in 1987 to permit this practice. The Committee concluded that there is no serious chance of clients being seriously misled by the rule as it currently stands and was of the view that there is no compelling reason to change it.