

## Utah Ethics Opinions

1979.

57. USB EAOE Opinion No. 57

Utah State Bar

Ethics Advisory Opinion No. 57

Approved April 12, 1979

**Summary:** An attorney may indicate on his/her letterhead the possession of a J.D. and/or L.L.M. degree.

**Facts:** The Ethics Committee has been presented with the question of whether or not is proper for an attorney to indicate on his letterhead degrees earned, including J.D. and L.L.M.

**Opinion:** Under the former Canons of Ethics, such inclusions of degrees was prohibited. Formal Opinion 321, interpreting those Canons, stated clearly that such conduct was prohibited. However, since the adoption of the Code of Professional Responsibility, Canon 2, now provides in DR 2-102(F) as follows:

"Nothing contained herein shall prohibit a lawyer from using or permitting the use, in connection with his name an earned degree or title derived there from indicating his training in the law."

The American Bar Association Committee on Ethics was asked to interpret this rule in 1970, in Informal Opinions 1151 and 1152. In the former opinion, the Committee was asked whether the designation of J.D. or Juris Doctor could be used on an attorney's professional stationary and professional cards. The Committee held that this was permissible under the above cited disciplinary rule of Canon 2. The Committee noted that such conduct was prohibited under the Canons of Ethics as interpreted in Formal Opinion 321. The Committee stated:

"The actual practice which you may ethically follow will, therefore, be determined by whether or not the Code of Professional Responsibility has been adopted in the jurisdiction in which you practice."

Since the Code of Professional Responsibility, including the applicable section of Canon 2 has been adopted in Utah, it is permissible for an attorney to include the reference to the J.D. degree in his letterhead or professional card. Informal Opinion 1152 was specifically addressed to the question of inclusion of the L.L.M. degree. That opinion

indicated that such inclusion was proper.

Therefore, both degree designations may be utilized by an attorney practicing in Utah in his professional letterhead and business card.

Rule Cited:

Canon 2