

## QUICK REFERENCE CHECKLIST - WEBSITES

The following quick reference checklist is intended to assist advertising attorneys develop websites that comply with the Rules of Professional Conduct. Websites must comply with all substantive lawyer advertising regulations set forth in Rule 4-7.2, effective July 1, 2010. Although websites must comply with these requirements, they are not required to be filed with The Florida Bar for review. Rule 4-7.8(f), Rules Regulating The Florida Bar. The Florida Bar Board of Governors has adopted a policy that The Florida Bar will not accept voluntary filings of the entire contents of a lawyer or law firm website, although staff of the Ethics and Advertising Department will respond to specific questions involving a specific phrase or image to be included on a website. To make such an inquiry, please call the Ethics and Advertising Department at (800) 235-8619.

A NO answer to all the questions does not guarantee that the website complies with the rules regulating lawyer advertising.

If the answer to any of the following questions is YES, the website fails to comply with the Rules of Professional Conduct of The Florida Bar.

1. Does the website contain any misrepresentations of fact or law? Rules 4-7.2(c)(1)(A), 4-7.2(b)(2).
2. Does the advertisement contain any information that promises results? Rule 4-7.2(c)(1)(G).
3. Does the advertisement contain any references to past results? Rule 4-7.2(c)(1)(F).
4. Does the website contain any statements that describe or characterize the quality of the lawyer's services? Rule 4-7.2(c)(2).
5. Does the website fail to disclose the city of at least one bona fide office location of the advertising attorney? Rule 4-7.2(a)(2). Is the geographic disclosure illegible? Rule 4-7.2(c)(11).
6. Does the website fail to contain the name of at least one lawyer responsible for the website? Rule 4-7.2(a)(1). Is the name illegible? Rule 4-7.2(c)(11).
7. If the advertising law firm employs a fictitious or trade name, does the fictitious or trade name fail to appear on all the firm's advertising, letterhead, business cards, office sign, pleadings, and other firm documents? Rule 4-7.9(c).
8. Only attorneys who are board certified in a particular area of the law may claim to be certified, board certified or claim a specialization or expertise and only in the area of law in which they are certified. A firm cannot claim a specialization.
  - (a) Does the advertising attorney, who is not board certified, claim a specialization or expertise? Rule 4-7.2(c)(6).
  - (b) Does the advertising attorney, who is board certified, claim a specialization or expertise in an area of law other than that in which he or she is board certified? Rule 4-7.2(c)(6).

- (c) Does the advertising firm claim a specialization? Rule 6-3.4(c) and Rule 4-7.2(c)(6).
9. If the website quotes a fee, does it fail to disclose whether the client will be responsible for any costs or expenses in addition to the advertised fee? Rule 4-7.2(c)(7). Is the cost disclosure illegible? Rule 4-7.2(c)(11). If the website appears in a language other than English, does the cost disclosure fail to appear in that language? Rule 4-7.2(c)(10).
  10. If the website states that the attorney will not receive a fee unless an award is obtained, does the website fail to disclose whether or not the client will be responsible for costs or expenses in the absence of a recovery? Rule 4-7.2(c)(7). Is the cost disclosure illegible? Rule 4-7.2(c)(11). If the website appears in a language other than English, does the cost disclosure fail to appear in that language? Rule 4-7.2(c)(10).
  11. Does the lawyer advertise for legal employment in an area of practice in which the lawyer does not currently practice? Rule 4-7.2(c)(4).
  12. Does the website contain any illustrations or photographs that are likely to deceive, mislead, manipulate or confuse the viewer? Rule 4-7.2(c)(3).
  13. Does the website contain a visual or verbal description, depiction, or portrayal of persons, things, or events that is deceptive, misleading, or manipulative? Rule 4-7.2(c)(3).
  14. Does the website contain any testimonials or endorsements? Rule 4-7.2(b)(1)(J).
  15. Does the website fail to disclose that the case or matter will be referred to another lawyer or law firm? Rule 4-7.2(c)(13). Is this disclosure illegible? Rule 4-7.2(c)(11). If the website appears in a language other than English, does the disclosure fail to appear in that language? Rule 4-7.2(c)(10).
  16. Does the advertisement contain the voice or image of a celebrity? Rule 4-7.2(c)(15)
  17. Does the advertisement include any sound that is deceptive, misleading, manipulative, or likely to confuse the listener? Rule 4-7.2(c)(16)
  18. Does the website fail to disclose all jurisdictions in which the lawyer or members of the law firm are licensed to practice law? Rule 4-7.6(b)(1).

**FOR ADDITIONAL INFORMATION, PLEASE SEE THE  
GUIDELINES FOR LAWYER AND LAW FIRM WEBSITES**