

Rule 7.1. Communications Concerning a Licensed Paralegal Practitioner's Services.

A licensed paralegal practitioner shall not make a false or misleading communication about the licensed paralegal practitioner or the licensed paralegal practitioner's services. A communication is false or misleading if it:

(a) contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading;

(b) is likely to create an unjustified or unreasonable expectation about results the licensed paralegal practitioner can achieve or has achieved; or

(c) contains a testimonial or endorsement that violates any portion of this rule.

Comment

[1] This Rule governs all communications about a licensed paralegal practitioner's services, including advertising permitted by Rule 7.2 of the Licensed Paralegal Practitioner Rules of Professional Conduct. Whatever means are used to make known a licensed paralegal practitioner's services, statements about them must be truthful.

[2] Truthful statements that are misleading are also prohibited by this Rule. A truthful statement is misleading if it omits a fact necessary to make the licensed paralegal practitioner's communication considered as a whole not materially misleading. A truthful statement is also misleading if there is a substantial likelihood that it will lead a reasonable person to formulate a specific conclusion about the licensed paralegal practitioner or the licensed paralegal practitioner's services for which there is no reasonable factual foundation.

[3] An advertisement that truthfully reports a licensed paralegal practitioner's achievements on behalf of clients or former clients may be misleading if presented so as to lead a reasonable person to form an unjustified expectation that the same results could be obtained for other clients in similar matters without reference to the specific factual and legal circumstances of each client's case. Similarly, an unsubstantiated comparison of the licensed paralegal practitioner's services or fees with the services or fees of other licensed paralegal practitioners may be misleading if presented with such specificity as would lead a reasonable person to conclude that the comparison can be substantiated. The inclusion of an appropriate disclaimer or qualifying language may preclude a finding that a statement is likely to create unjustified expectations or otherwise mislead the public.

32 [4] See also Rule 8.4(e) of the Licensed Paralegal Practitioner Rules of Professional Conduct
33 for the prohibition against stating or implying an ability to influence improperly a government
34 agency or official or to achieve results by means that violate the Rules of Professional Conduct
35 or other law.

36 [4a] Reserved.

Effective November 1, 2018