



OFFICE SHARING — “ASSOCIATES”

Adopted June 26, 1959.

Addendum issued 1995.

Syllabus

Where the role or main relationship among a group of lawyers is merely the sharing of office space and expenses, they may not list each other’s names on their respective letterheads as “associates.”

Facts

Five lawyers occupy the same suite of offices. Each conducts his own law practice independently of the others, except on rare occasions when one or more of them may collaborate on a case. One of the lawyers pays the overhead expenses, for which he charges the other lawyers on the basis of the space each occupies or on some other appropriate basis. Each lawyer keeps his own books and records, maintains his own files, and has his own clients. On the stationery of each lawyer is the following letterhead:

A. B.
Attorney at Law
_____ Building
_____, Colorado

Associates:

C. D.

E. F.

G. H.

J. K.

Opinion

In the opinion of the Committee, this letterhead violates the Canons of Ethics.

The letterhead is misleading in that it implies that the lawyers are either partners or that they practice together as an association with common clients, records, and files. It may be an attempt to lend weight and prestige to the particular lawyer’s name. Where the sole or main relationship among lawyers is merely the sharing of office space and expenses, they should not imply that there is some deeper relationship by the use of each others’ names on their letterheads in addition to their own. To do so constitutes a violation of Canon 27, which prohibits indirect advertising. See, also, Canons 32 and 33 and Opinion 106 of the Committee on Professional Ethics of the American Bar Association.

1995 Addendum

This Opinion was based upon the Canons of Professional Ethics, the predecessor to the Code of Professional Responsibility. The Colorado Rules of Professional Conduct became effective on January 1, 1993, replacing the Code of Professional Responsibility. While the language of the Rules is somewhat different from the Code and the Canons, the Ethics Committee considers this Opinion to continue to provide guidance to attorneys in this area. Attorneys are cautioned to review The Colorado Code of Professional Responsibility (found in the *Colorado Ethics Handbook*), to update the research contained in this Opinion and to conduct any independent research necessary.

Relevant provisions of the Colorado Rules of Professional Conduct, which should be examined together with this Opinion, are Rule 7.1 (requiring that communications concerning a lawyer’s services not be false or misleading); and Rule 7.5 (regarding firm names and letterheads). The Ethics Committee directs attorneys to Opinion 89 and the relevant provisions of the Colorado Rules of Professional Conduct contained in that opinion. This opinion is supplemented by Opinion 89 which should be reviewed in conjunction with the Rules.