

## **Partnership Which Includes Professional Corporation**

**(Amended February 2025)**

### ***Syllabus***

It is ethically proper for a professional corporation, consisting of one or more lawyers, to practice law in partnership with one or more individual lawyers or professional corporations. A partnership which has a professional corporation as a partner must clearly designate the corporate status of the partner when such a partner is listed on its letterheads, announcements, cards, signs, and other written notices.

### ***Facts***

1. An existing partnership of lawyers desires to merge its practice with a professional corporation, consisting of one or more lawyers, the result of which will be a new partnership which includes a professional corporation as a partner.

2. A lawyer in an existing partnership desires to form a professional corporation and have that professional corporation substituted for him as a general partner in the partnership.

### ***Opinion***

This opinion updates an undated opinion, released circa 1977, which was further updated by an addendum in 1995. The Committee continues to opine that the transactions described above are ethically proper if the partnership complies with the requirements of

Rule 265, C.R.C.P. (regarding rendering legal service through a professional company).

The original opinion 55 also discussed issues with respect to the name of the partnership, encouraging lawyers to consult Rule 7.5 of the Colorado Rule of Professional Conduct (Colo. RPC or Rules). The Committee notes that the Rules with respect to permissible firm names have been changed to be more permissive and encourages lawyers to examine Rule 7.1 comments [5] through [8] and Rule 7.2 comment [1] discussing firm names.