

NOTICE TO THE BAR

Subject: Continued Application of the "Appearance of Impropriety" Rule

The Advisory Committee on Professional Conduct receives many inquiries, both in requests for opinions and on the Ethics Hotline, in which the conduct in question involves whether a given situation implicates an appearance of impropriety, in contravention of RPC 1.7 (c)(2). The Advisory Committee is aware that one of the areas that the Commission on the Rules of Professional Conduct has been examining is the "appearance of impropriety" rule, and that the Commission likely will be making recommendations in that regard. Until such time as the rule may be revised, however, the Advisory Committee is required to continue to interpret and apply the present rule in responding to inquiries from the bar.

By: The Advisory Committee on Professional Conduct

By: Melville D. Miller, Jr., Chair