

NOTICE TO THE BAR

SUPREME COURT APPOINTMENT OF AD HOC COMMITTEE ON LAW FIRM TRADE NAMES

The New Jersey Supreme Court has created an Ad Hoc Committee on Law Firm Trade Names to review matters pertaining to the implementation of new Rule of Professional Conduct ("RPC") 7.5, permitting limited use of law firm trade names.

RPC 7.5 currently requires law firm names to include the full name or last name of one or more lawyers either practicing with the firm or no longer associated with the firm through death or retirement. Law firm names may include only limited additional information pertaining to the firm, such as "& Associates." Earlier this year, the Supreme Court, in In re Letter Decision of the Committee on Attorney Advertising, Docket No. 47-2007, 213 N.J. 171 (2013), decided to revise RPC 7.5 so as to permit the use of trade names within certain limits. Law firms will be permitted to use a trade name, accompanied by a lawyer's name, that describes the lawyer's practice. Law firm trade names, however, may not be misleading, deceptive, comparative, or otherwise violative of the Rules of Professional Conduct.

The Court in its decision specifically provided that revised RPC 7.5 is not effective until the Ad Hoc Committee reviews matters pertaining to the implementation of the new Rule and the Court acts on those recommendations. The Ad Hoc Committee will consider whether registration must be or is advised to be required for use of a trade name, thereby providing a mechanism for acquiring prior approval that a name is not misleading, deceptive, or too similar to another firm's trade name; whether such a registration system feasibly can be established and, related thereto, whether a registration fee should be required to cover the administrative expenses of the registration requirement; whether a law firm that uses only the name or names of deceased and retired members of the firm should be required to register such trade names if a registration system is being used; and whether a name can be registered if it is not to be used in an active practice (essentially preserving it from use by other attorneys).

Retired Assignment Judge Linda R. Feinberg will chair the Ad Hoc Committee, with staff assistance provided by Carol Johnston, Esq., Secretary to the Committee on Attorney Advertising. Ms. Johnston can be reached at Carol.Johnston@judiciary.state.nj.us. The Court has asked the Ad Hoc Committee to complete its work and submit its recommendations as expeditiously as possible.



Hon. Glenn A. Grant, J.A.D.

Acting Administrative Director of the Courts

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