



The State Bar of California

Task Force on Access Through Innovation of Legal Services – Subcommittee on Rules and Ethics Opinions

To: Rules and Ethics Opinions Subcommittee
From: Kevin Mohr
Date: April 18, 2018
Re: C.5. Consideration of Report and Recommendation: Adoption of amendments to California Rules 7.1-7.5 that conform to ABA Model Rule counterparts 7.1-7.3

During the plenary session of our April 8, 2019 meeting, Mark Tuft recommended that our subcommittee consider the recent changes to the ABA Model Rules on Lawyer Marketing that were adopted on August 6, 2018. Mark noted that the revisions had been made in part to address technology changes in the last couple of decades, in particular the use by lawyers of social media to market their services. I'm am circulating the attached for our consideration at the May 13, 2019 ATILS meeting in Los Angeles.

Attached:

- ABA Model Rules 7.1 to 7.3, CLEAN version, as adopted by the ABA on 8/6/2018.
- ABA Resolution 101 (7/30/18), submitted for consideration by the ABA House of Delegates. This document includes the proposed changes to the rules in legislative redline, with the Report of the ABA Standing Committee on Professional Responsibility and Ethics in support of the proposal.
- ABA Model Rules 7.1 to 7.3, REDLINE version, comparing ABA Model Rules to California Rules 7.1 to 7.5, TEXT ONLY.
- Excerpt from Richard Zitrin & Kevin E. Mohr, *LEGAL ETHICS: RULES, STATUTES AND COMPARISONS* (Carolina Acad. Press 2019), describing the differences between the ABA Model Rules 7.1 to 7.3 and the California Rules 7.1 to 7.5.