


1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 IN THE MATTER OF)
3 AMENDMENTS TO NEVADA)
4 RULES OF PROFESSIONAL)
5 CONDUCT 7.1 AND 7.2)
6 REGARDING LAWYER)
7 ADVERTISING)

ADKT NO.: 0527

FILED

MAR 16 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

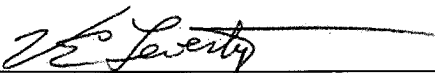
8 **REQUEST FOR AMENDMENT**

9 The State Bar of Nevada Board of Governors petitioned this Court for
10 amendments to the Rules of Professional Conduct 7.1 and 7.2 regarding lawyer
11 advertising. After this Court issued an Order, dated March 9, 2018, the State Bar
12 recognized a typographical error relating to Rule 7.2(a). The State Bar requests an
13 amendment referencing Nevada Rule of Professional Conduct 1.5(e) instead of
14 Rule 7.1(e).

15 Nevada Rule of Professional Conduct 7.2, as amended, is attached as Exhibit A.

16 Respectfully submitted this 13th day of March 2018.

17 STATE BAR OF NEVADA
18 BOARD OF GOVERNORS

19 
20 VERNON "GENE" LEVERTY, President
21 Nevada Bar No. 1266
22 State Bar of Nevada
23 3100 W. Charleston Boulevard
24 Las Vegas, NV 89102
25 (702) 382-2200

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18-10471

EXHIBIT A

NRPC 7.2 Advertising

Subject to the requirements of Rule 7.1 and 7.3, a lawyer may advertise services through written, recorded or electronic communication, including public media.

(a) Except as allowed under Rule [7.4]1.5(e), a lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may pay the reasonable cost of advertising or written or recorded communication permitted by these Rules and may pay the usual charges of a lawyer referral service or other legal service organization.

(b) Any communication made pursuant to this Rule shall include the following disclaimers and disclosures:

(1) **Use of actors.** If the advertisement uses any actors to portray a lawyer, members of the law firm, clients, or utilizes depictions of fictionalized events or scenes, the same must be disclosed. In the event actors are used, the disclosure must be sufficiently specific to identify which persons in the advertisement are actors, and the disclosure must appear for the duration in which the actor(s) appear in the advertisement.

(2) **Lawyer responsible for content.** All advertisements and written communications disseminated pursuant to these Rules shall identify the name of at least one lawyer responsible for their content.

(3) **Area(s) of practice.** Every advertisement and written communication that indicates one or more areas of law in which the lawyer or law firm practices shall conform to the requirements of Rule 7.4.

(4) **Contingency fees.** Every advertisement and written communication indicating that the charging of a fee is contingent on outcome or that the fee will be a percentage of the recovery shall contain a disclaimer that the client may be liable for the opposing parties' fees and costs.

(5) **Range of fees.** A lawyer who advertises a specific fee or range of fees shall include the duration said fees are in effect and any other limiting conditions to the availability of the fees

(6) **Quality of services.** Statements describing or characterizing the quality of the lawyer's services in advertisements and written communications are subject to proof of verification, to be provided at the request of the state bar or a client or prospective client.

1 (7) **Statement regarding past results.** If the advertisement contains any
2 reference to past successes or results obtained, the communicating lawyer or
3 member of the law firm must have served as lead counsel in the matter giving rise
4 to the recovery, or was primarily responsible for the settlement or verdict. The
5 advertisement shall also contain a disclaimer that past results do not guarantee,
6 warrant, or predict future cases.

7 If the past successes or results obtained include a monetary sum, the amount
8 involved must have been actually received by the client, and the reference must be
9 accompanied by adequate information regarding the nature of the case or matter
10 and the damages or injuries sustained by the client, and if the gross amount
11 received is stated, the attorney fees and litigation expenses withheld from the
12 amount must be stated as well.

13 (c) Any statement or disclaimer required by these rules shall be made in each
14 language used in the advertisement or writing with respect to which such required
15 statement or disclaimer relates; provided, however, the mere statement that a
16 particular language is spoken or understood shall not alone result in the need for a
17 statement or disclaimer in that language.

18 (d) Any information required by these rules to appear in an advertisement must
19 be reasonably prominent and clearly legible if written, or intelligible if spoken.

20 (e) Nothing in this Rule prohibits a lawyer or law firm from permitting the
21 inclusion in law lists and law directories intended primarily for the use of the legal
22 profession of such information as has traditionally been included in these
23 publications.
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