



Topic for the Month:

**Legal Advertising**

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**WISCONSIN  
LAWYERS**  
EXPERT ADVISERS.  
SERVING YOU.

**Legal Advertising:** We are living in an age where most professionals are advertising their services. It is common to see or hear advertisements from medical doctors, hospitals, banks, accountants, stock brokers, insurance agents and chiropractors. Traditionally, legal marketing was simple. It involved handling cases professionally, treating people with respect and being involved in the community. More recently, legal advertising includes any combination of print media (newsletters; newspapers; yellow pages or brochures), radio, television and the internet, to name a few. What is the appropriate mix of advertising which should be used by lawyers? This is a tough question to answer. It is a question our firm is constantly reviewing and analyzing. It is also an issue which is governed by ethical rules.

**Ethical Rules for Legal Advertising:** The ethical rules recognize that while reputation is the most important form of advertising, lawyers need the opportunity to make their services known through organized informational campaigns. All states have distinct ethical rules for lawyer advertising. The Wisconsin Supreme Court has issued ethical rules which govern how lawyers can advertise in this state. These rules are found at SCR 20:7.2 through 20:7.4. In general, Wisconsin lawyers are permitted to advertise their services through public media, such as phone directories, legal directories, newspaper or other periodicals, billboards, radio and television.

With any form of advertising, there is a risk of practices that are misleading or overreaching. This same risk exists in the area of legal advertising. While legal advertising is not a "traditional" form of marketing, it is necessary to expand public information about available services.

Lawyers are allowed to pay for advertising but are not permitted to pay another person for channeling professional work. There is no prohibition against an organization or individual recommending the services of a lawyer to other individuals. There are also fee based lawyer referral programs which attorneys can become involved with.

Direct mail solicitation to persons known to need legal services is a difficult area to deal with. Direct mail advertising is permitted, but only if the advertising is distributed generally to people not known to need legal services of the kind provided by the lawyer in a particular matter. Unsolicited personal or telephone contact is prohibited. Any written communication must be conspicuously labeled with

the word "Advertisement." There are lawyers that will mail accident reports to people involved in accidents. Some lawyers even mail out letters to victims of accidents along with brochures. While we are not comfortable with this technique, the Supreme Court has concluded that direct mailings do not unduly invade the privacy of the individuals who are solicited. Recipients of direct mail may avoid offensive solicitation by throwing the mail away.

**Our Firm's Approach to Advertising:** Our firm does not engage in direct solicitation of individuals who may need legal services. We take a personal approach to marketing. We have 16 highly qualified and reputable attorneys. We also have a knowledgeable and conscientious support staff. Most of our clients are referred to our office by satisfied clients or other attorneys. We take pride in educating and advising all who contact our firm. Our attorneys provide many hours of time answering phone calls from prospective clients. We publish and mail out this **LawClips** newsletter. Our firm is also frequently asked to put on seminars on various legal matters (e.g. estate planning; worker's compensation and real estate). Many of our attorneys are asked to speak at seminars presented to other attorneys. Periodically we utilize radio, television and billboards in our marketing. Ultimately there is no better advertising than the recommendation of a satisfied client.

**Our Newest Addition:** We are pleased to announce that Katie Reinhard has joined our firm as an associate attorney. She graduated from St. Norbert College in 2001 and Hamline University School of Law in 2005. Attorney Reinhard concentrates her practice in the areas of immigration law, real estate and general litigation. Attorney Reinhard is a member of the Wisconsin State Bar, Young Lawyers Division, Current Young Professionals Network, the Association for Women Lawyers of Brown County and the American Immigration Lawyers Association. Katie is also a volunteer for the Minority and Immigrant Community Legal Clinic outreach program. Attorney Reinhard also serves as a Big Sister for Big Brothers and Big Sisters of Northeastern Wisconsin.

