



ISBA Professional Conduct Advisory Opinion

Opinion No. 15-05
September 2015

Subject: Advertising and Solicitation

Digest: A law firm's website may contain links to other websites of other businesses and/or organizations.

References: Illinois Rules of Professional Conduct, Rules 7.1, 7.2, 8.4(c)

ABA Formal Op. 10-457

ISBA Opinion 96-10

Washington State Bar Ass'n Advisory Opinion 2070 (2004)

FACTS

A business which specializes in the review of entities to determine more cost effective ways of doing business has asked a law firm to post a link to the business on the law firm's website. The law firm will not receive any compensation from the business.

QUESTION

May the law firm ethically link to this business on the law firm website?

ANALYSIS

The inquiring lawyer has asked if his or her law firm can ethically provide a link on the law firm's website to another business. This link will lead readers of the law firm website to another site presumably managed by the outside company.

The Illinois Rules of Professional Conduct do not bar the use of links by lawyers or law firms on their websites. However, lawyers' communications, including communications on their websites, must not be false or misleading pursuant to Rules 7.1 and 8.4(c). ISBA Op. 96-10. *See also*, ABA Formal Op. 10-457.

Accordingly, if the information on the linked site contains false or misleading information about the lawyer or the lawyer's services, we believe the lawyer must refrain from linking to the site. *See, e.g.*, Washington State Bar Ass'n Advisory Opinion 2070 (2004)(lawyer may link to an attorney rating company website provided the lawyer is responsible for ensuring the truthfulness of the communications regarding the lawyer on the linked website).

Given that the lawyer or the law firm may not control, or be aware of, the completeness or accuracy of the content and information contained on the linked site that is unrelated to the lawyer or the lawyer's services, the lawyer or the law firm may wish to include a disclaimer informing readers that the law firm does not maintain the linked site and does not necessarily sponsor or approve of the materials and information contained in the linked site.

Finally, although not indicated by the inquiry, if the lawyer or law firm refers clients to the business in question pursuant to an agreement that provides for the business to refer customers to the lawyer, the lawyer must abide by the requirements of Rule 7.2(b)(4).

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