

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 630

4 By: Senators Dowd, Gordon, Beebe, Harriman, Bell, Everett and Hardin

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6
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE TITLE 16, CHAPTER 22 TO ADD
10 A NEW SUBCHAPTER REGULATING ADVERTISING BY ATTORNEYS; TO
11 REPEAL ARKANSAS CODE 16-22-213; AND FOR OTHER PURPOSES."

12
13

Subtitle

14 "AN ACT REGULATING ADVERTISING BY
15 ATTORNEYS."
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17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19

20 SECTION 1. Arkansas Code 16-22-213 is repealed.

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22 SECTION 2. Arkansas Code Title 16, Chapter 22 is amended to add the
23 following new subchapter:

24 "SUBCHAPTER 5 - ADVERTISING

25 16-22-501. Penalties. A person who makes a communication in violation
26 of this subchapter shall be guilty of a Class C misdemeanor.

27

28 16-22-502. Advertising in General.

29 An attorney shall not, on the attorney_s own behalf, or that of a
30 partner, associate, or any other attorney affiliated with the attorney or the
31 attorney_s firm, use, or participate in the use of, any form of public
32 communication which contains any false, fraudulent, misleading, deceptive,
33 self-laudatory, or unfair statement, which contains any statement or claim
34 relating to the quality of the attorney_s legal services, which appeals to
35 the emotions, prejudices, likes, or dislikes of a person, or which contains

1 any claim that is not verifiable. In all communications under §§ 16-22-502
2 through 16-22-509 the attorney may use restrained subjective
3 characterizations of rates or fees such as reasonable, moderate, and
4 very reasonable, but shall avoid all unrestrained subjective
5 characterizations of rates or fees, such as, but not limited to, cut-rate,
6 lowest, give-away, below-cost, discount, and special. All the
7 communications shall contain the following disclosure:

8 The determination of the need for legal services and the choice of an
9 attorney are extremely important decisions and should not be based solely
10 upon advertisements or self-proclaimed expertise. This disclosure is
11 required by law.

12

13 16-22-503. Method of Dissemination.

14 (a) General Print Media. Attorney advertising may be communicated to
15 the public in newspapers, periodicals, trade journals, shoppers, and other
16 similar advertising media, published and disseminated in the geographic area
17 in which the attorney maintains offices or in which a significant part of the
18 attorney's clientele resides, if the publisher agrees in writing to print all
19 the disclaimers required by this section in type size not smaller than 9-
20 point on each page bearing the ad.

21 (b) Attorney Telephone and City Directory Listings. An attorney
22 licensed to practice law in Arkansas may permit the inclusion of the
23 attorney's name, address, telephone number, and designation as an attorney,
24 in a telephone or city directory, subject to the following requirements:

25 (1) Alphabetical Listings. The firm name, a list of its
26 members, address, and telephone number, may be listed alphabetically in the
27 residential, business, and classified sections of the telephone or city
28 directory.

29 (2) Classified Listings. Listings in the classified section
30 shall be under the general heading Lawyers or Attorneys, except that an
31 attorney who has complied with § 16-22-510 (a)(4) may be listed in no more
32 than three classifications or headings identifying those fields or areas of
33 practice as listed in § 16-22-510 (a)(2). By further exception, an attorney
34 qualified under § 16-22-510 to practice in the field of taxation law also may
35 be listed under the general heading Tax Preparation or Tax Return

1 Preparation_, either in lieu of or in addition to, the general heading
2 Lawyers or Attorneys. The disclaimers required by this section must also
3 appear under any heading in which the attorney is listed.

4 (3) Display and Box Advertisements. All other telephone or city
5 directory advertising permitted by this section, including display or box
6 advertisements, shall include the disclosures required by §§ 16-22-502 and
7 16-22-504 (b) and (d), unless the disclosures are published as provided in
8 subsection (a) of this section.

9 (c) Law Firm Telephone and City Directory Listings. A law firm, all
10 of whose attorneys are licensed to practice law in Arkansas, may permit the
11 inclusion of the firm name, address, and telephone number in a telephone or
12 city directory, subject to the following requirements:

13 (1) Alphabetical Listings. The firm name, a list of its
14 members, address, and telephone number, may be listed alphabetically in the
15 residential, business, and classified sections of the telephone or city
16 directory.

17 (2) Classified Listings. Listings in the classified section
18 shall be under the general heading Lawyers or Attorneys, except that a
19 law firm may be listed in each of the classifications or headings identifying
20 those fields or areas of practice as listed in § 16-22-510 (a)(2) in which
21 one or more members of the firm are qualified.

22 (3) Display and Box Advertisements. All other telephone or city
23 directory advertising permitted by this section, including display or box
24 advertising, may contain the firm name, address, and telephone number, and
25 the names of the individual attorney members of the firm. All display or box
26 advertisements shall include with the ad the disclosures required by §§ 16-
27 22-502 and 16-22-504 (b) and (d), unless the disclosures are published as
28 provided in subsection (a) of this section.

29 (d) Solicitation.

30 (1) In-Person Solicitation. An attorney may not engage in the
31 in-person or telephone solicitation of legal business under any circumstance.

32 (2) Written Solicitation. An attorney who wishes to engage in
33 written solicitation by direct mail to persons or groups of persons who may
34 be in need of specific or particular legal services because of a condition or
35 occurrence which is known or could upon reasonable inquiry be known to the

1 soliciting attorney shall, prior to the dissemination of the solicitation,
2 file all such proposed written documents or solicitations with the Secretary
3 of State. The soliciting attorney shall, in addition thereto, bear the burden
4 of proof regarding:

5 (A) the truthfulness of all facts contained in the proposed
6 communication;

7 (B) how the identity and specific legal need of the
8 potential recipient were discovered; and

9 (C) how the identity and knowledge of the specific need of
10 the potential recipient were verified by the soliciting attorney.

11 All such written solicitations shall contain the
12 disclosures required by §§ 16-22-502 and 16-22-504 (b) and (d). No
13 information disseminated by the soliciting attorney shall make any reference
14 to such filing. Each separate written solicitation intended for
15 dissemination must be filed in accordance herewith.

16 (3) Direct Mail. Information permitted by this section may be
17 communicated by direct mail to the general public other than persons or
18 groups of persons who may be in need of specific or particular legal services
19 because of a condition or occurrence which is known or could with reasonable
20 inquiry be known to the advertising attorney. All such communications shall
21 contain the disclosures required by §§ 16-22-502 and 16-22-504 (b) and (d).

22 (4) All communications authorized by subdivisions (2) and (3)
23 hereof and the envelope containing the same shall, in addition to other
24 disclosures that may be required hereunder, carry the following disclosure in
25 red ink in 9-point or larger type: ADVERTISEMENT ONLY. A copy of all
26 direct mail communications shall be filed with the Secretary of State,
27 contemporaneously with the mailing of the communications to the general
28 public and shall contain the disclosures required by §§ 16-22-502 and 16-22-
29 504 (b) and (d).

30 (e) Electronic Media. Information permitted by this section,
31 articulated only by a single nondramatic voice, not that of the attorney, and
32 with no other background sound, may be communicated by radio or television,
33 or other electronic or telephonic media. In the case of television, no
34 visual display shall be allowed except that allowed in print as articulated
35 by the announcer. All such communications, to the extent possible, shall be

1 made only in the geographic area in which the attorney maintains offices or
2 in which a significant part of the attorney_s clientele resides, and shall
3 contain the disclosures required by §§ 16-22-502, 16-22-504 (b) and (d), and
4 16-22-510(a)(3).

5 (f) Biographical and Information Brochures. Brochures or pamphlets
6 containing biographical and informational data as permitted by this section,
7 shall only be disseminated directly to clients, members of the Bar, or in
8 response to direct request, and shall include the disclosures required by §§
9 16-22-502, 16-22-504 (b) and (d), and 16-22-510(a)(3).

10 (g) Record Retention. Whether or not it contains fee information, an
11 attorney shall preserve a copy of each advertisement placed in a newspaper,
12 the classified section of the telephone or city directory, or periodical, and
13 a tape of the radio, television, or other electronic or telephonic media
14 commercial, or recording, for at least three years and a record of the date
15 or dates and name of the publication in which it appeared or the name of the
16 medium through which it was aired.

17

18 16-22-504. Content.

19 (a)(1) Informational. The following information shall be presumed to
20 be informational and not solely promotional:

21 (A) Name, including name of law firm, names of
22 professional associates, addresses, telephone numbers, and the designation
23 lawyer, attorney, law firm, or the like;

24 (B) Fields of practice, limitation of practice or
25 specialization, but only to the extent permitted by § 16-22-510;

26 (C) Date and place of birth;

27 (D) Date and place of admission to the bar of state and
28 federal courts;

29 (E) Schools attended, with dates of graduation, degrees,
30 and other scholastic distinctions;

31 (F) Public or quasi-public offices;

32 (G) Military service;

33 (H) Legal authorships;

34 (I) Legal teaching positions;

35 (J) Memberships, offices, and committee assignments in bar

1 associations;

2 (K) Memberships and offices in legal fraternities and
3 legal societies;

4 (L) Technical and professional licenses; and

5 (M) Memberships in scientific, technical, and professional
6 associations and societies.

7 (2) Nothing contained herein shall prohibit an attorney from
8 permitting the inclusion in reputable law lists and law directories intended
9 primarily for the use of the legal profession of such information as
10 traditionally has been included in these publications.

11 (3) All such information shall be presented in a dignified
12 manner.

13 (4) If the publication of any of the items listed in
14 subdivisions (a)(1) would indicate an area or field of practice such as, but
15 not limited to, those set out in § 16-22-510 (a)(2), there shall be contained
16 within the communication and contained in any electronic media communication
17 the disclosure required by § 16-22-502 and also a notice to the public in
18 the following form:

19 Memberships and offices in legal fraternities and legal
20 societies, technical and professional licenses, and memberships in
21 scientific, technical and professional associations and societies of law or
22 field of practice does not mean that an attorney is a specialist or expert in
23 a field of law, nor does it mean that the attorney is necessarily any more
24 expert or competent than any other attorney.

25 All potential clients are urged to make their own independent
26 investigation and evaluation of any attorney being considered. This notice
27 is required by law.

28 (b)(1) Fee Information. The following fee information may be
29 communicated to the public in the manner permitted by § 16-22-503:

30 (A) Fee for an initial consultation;

31 (B) Availability upon request of either a written schedule
32 of fees, or an estimate of the fee to be charged for specific services, or
33 both;

34 (C) Contingent fee rates, provided that the statement
35 discloses whether percentages are computed before or after deduction of costs

1 and advises the public that in the event of an adverse verdict or decision,
2 the contingent fee litigant could be liable for court costs, expenses of
3 investigation, expenses of medical examinations, and costs of obtaining and
4 presenting evidence; and

5 (D) Fixed fees or range of fees for specific legal
6 services or hourly fee rates provided that, in print size at least equivalent
7 to the largest print used in setting forth the fee information, the statement
8 discloses:

9 (i) That the stated fixed fees or range of fees will
10 be available only to clients whose matters are encompassed within the
11 described services; and

12 (ii) If the client_s matters are not encompassed
13 within the described services, or if an hourly fee rate is stated, the client
14 is entitled, without obligation, to a specific written estimate of the fees
15 likely to be charged.

16 (2) All such information shall be presented in a dignified
17 manner.

18 (3) Unless otherwise specified in the public communication
19 concerning fees, the attorney shall be bound, in the case of fee advertising
20 in the classified section of the telephone directory, for a period of at
21 least the time between printings of the directory in which the fee
22 advertisement appears and in the case of all other fee advertising for a
23 period of at least ninety days thereafter, to render the stated legal service
24 for the fee stated in the communication unless the client_s matters do not
25 fall within the described services. In that event or if a range of fees is
26 stated, the attorney shall render the service for the estimated fee given the
27 client in advance of rendering the service.

28 (4) An attorney shall not, individually or on behalf of a law
29 firm or association, use the public communication of fee information
30 concerning specific legal services as an indirect means of attracting clients
31 for whom the attorney performs other legal services not related to the
32 specific legal services publicized.

33 (c) Specific Legal Services. For purposes of this section, the term
34 specific legal services shall be limited to the following services:

35 (1) Abstract examinations and title opinions not including

1 services in clearing title;

2 (2) Uncontested dissolutions of marriage involving no
3 disagreement concerning custody of children, alimony, child support or
4 property settlement;

5 (3) Wills leaving all property outright to one beneficiary and
6 contingently to one beneficiary or one class of beneficiaries;

7 (4) Income tax returns for wage earners;

8 (5) Uncontested personal bankruptcies;

9 (6) Changes of name;

10 (7) Simple residential deeds;

11 (8) Residential purchase and sale agreements;

12 (9) Residential leases;

13 (10) Residential mortgages and notes;

14 (11) Powers of attorney; and

15 (12) Bills of sale.

16 (d) Institution of Litigation. In the event that the communication
17 seeks to advise the institution of litigation, the communication must also
18 disclose that the filing of a claim or suit solely to coerce a settlement or
19 to harass another could be illegal and could render the person so filing
20 liable for malicious prosecution or abuse of process.

21 (e) Designation as Legal Clinic or Center. The term _clinic_,
22 _center_, or any other similar term shall not be used in any communication to
23 the public unless the practice of the attorney or the attorney_s firm is
24 limited to specific matters as described in subsection (c) of this section
25 for which costs of rendering the service can be substantially reduced because
26 of the repetitive nature of the services performed and the use of
27 standardized forms and office procedures.

28

29 16-22-505. Legal Assistance Organization.

30 An attorney recommended by, paid by, or whose legal services are
31 furnished by, a qualified legal assistance organization may authorize,
32 permit, or assist such organization to use means of dignified commercial
33 publicity, which does not identify any attorney by name, to describe the
34 availability or nature of its legal services or legal service benefits.

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1 16-22-506. Exemptions.

2 This section does not prohibit limited and dignified identification of
3 an attorney as an attorney as well as by name:

4 (1) In political advertisements when the professional status is
5 germane to the political campaign or to a political issue;

6 (2) In public notices when the name and profession of an
7 attorney are required or authorized by law or are reasonably pertinent for a
8 purpose other than the attraction of potential clients;

9 (3) In routine reports and announcements of a bona fide
10 business, civic, professional, or political organization in which the
11 attorney serves as a director or officer;

12 (4) In and on legal documents prepared by the attorney;

13 (5) In and on legal textbooks, treatises, and other legal
14 publications, and in dignified advertisements thereof; and

15 (6) In communications by a qualified legal assistance
16 organization, along with the biographical information permitted under § 16-
17 22-503, directed to a member or beneficiary of such organization.

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19 16-22-507. An attorney shall not compensate or give anything of value
20 to representatives of the press, radio, television, or other communication
21 medium in anticipation of or in return for professional publicity in a news
22 item nor voluntarily give any information to the representatives which, if
23 published in a news item, would be in violation of § 16-22-502.

24

25 16-22-508. Disclosure print.

26 All disclosures required to be published by this section shall be in 9-
27 point type or larger.

28

29 16-22-509. Professional notices, letterheads, offices, and signs.

30 (a) An attorney or law firm shall not use professional cards, signs,
31 letterheads, or similar professional notices or devices, except that the
32 following may be used if they are in dignified form:

33 (1) A professional card of an attorney identifying the attorney
34 by name and as an attorney, and giving addresses, telephone numbers, the name
35 of the attorney_s law firm, and any information permitted under § 16-22-510.

1 A professional card of a law firm may also give the names of members and
2 associates. The cards may be used for identification.

3 (2) A brief professional announcement card stating new or
4 changed associations or addresses, change of firm name, or similar matters
5 pertaining to the professional office of an attorney or law firm, which may
6 be mailed to attorneys, clients, former clients, personal friends, and
7 relatives. It shall not state biographical data except to the extent
8 reasonably necessary to identify the attorney or to explain the change in the
9 attorney_s association, but it may state the immediate past position of the
10 attorney. It may give the names and dates of predecessor firms in a
11 continuing line of succession. It shall not state the nature of the practice
12 except as permitted under § 16-22-510. A dignified announcement of a change
13 in location of office, the addition of a new partner, equity holder or
14 associate, or a change in the name of a law firm may be published in one or
15 more newspapers of general circulation over a period of no more than four
16 weeks.

17 (3) A sign on or near the door of the office and in the building
18 directory identifying the law office. The sign shall not state the nature of
19 the practice, except as permitted under § 16-22-510.

20 (4) A letterhead of an attorney identifying the attorney by name
21 and as an attorney and giving the attorney_s addresses, telephone numbers,
22 the name of the attorney_s law firm, associates, and any information
23 permitted under § 16-22-510. A letterhead of a law firm may also give the
24 names of members and associates, and names and dates related to deceased and
25 retired members. An attorney may be designated _Of Counsel_ on a letterhead
26 if the attorney has a continuing relationship with an attorney or law firm,
27 other than as a partner or associate. An attorney or law firm may be
28 designated as _General Counsel_ or by similar professional reference on
29 stationery of a client if the attorney or the firm devotes a substantial
30 amount of professional time in the representation of that client. The
31 letterhead of a law firm may give the names and dates of predecessor firms in
32 a continuing line of succession.

33 (b) An attorney in private practice shall not practice under a trade
34 name, a name that is misleading as to the identity of the attorney or
35 attorneys practicing under such name, or a firm name containing names other

1 than those of one or more of the attorneys in the firm, except that the name
2 of a professional association or limited liability company contain P.A.,
3 L.L.C. or similar symbols indicating the nature of the organization, and if
4 otherwise lawful a firm may use as, or continue to include in, its name, the
5 name or names of one or more deceased or retired members of the firm or of a
6 predecessor firm in a continuing line of succession. An attorney who assumes
7 a judicial, legislative, public, executive, or administrative post or office
8 shall not permit the attorney_s name to remain in the name of a law firm or
9 to be used in professional notices of the firm during any significant period
10 in which the attorney is not actively and regularly practicing law as a
11 member of the firm, and during the period other members of the firm shall not
12 use the attorney_s name in the firm name or in professional notices of the
13 firm.

14 (c) An attorney, professional association, or limited liability
15 company shall not be held out as having a partnership with one or more other
16 attorneys, professional associations, or limited liability companies unless
17 they are in fact partners.

18 (d) A partnership shall not be formed or continued between or among
19 attorneys licensed in different jurisdictions unless all enumerations of the
20 members and associates of the firm on its letterhead and in other permissible
21 public communications and listings make clear the jurisdictional limitations
22 on those members and associates of the firm not licensed to practice in all
23 listed jurisdictions; however, the same firm name may be used in each
24 jurisdiction.

25 (e) An attorney who is engaged both in the practice of law and another
26 profession or business shall not so indicate on the attorney_s letterhead,
27 office sign, or professional card, nor shall the attorney be identified as an
28 attorney in any publication in connection with the attorney_s other
29 profession or business.

30 (f) The text of an attorney_s letterhead, office sign, professional
31 card, or other authorized notice or listing shall not violate the provisions
32 of § 16-22-502.

33

34 16-22-510. Description and Limitation of Practice.

35 (a) An attorney may be identified as practicing in or limiting

1 practice to certain fields of law as follows:

2 (1)(A) An attorney admitted to practice before the United States
3 Patent and Trademark Office may use the designation _Patents_, _Patent
4 Attorney_, _Patent Lawyer_, or _Registered Patent Attorney_ or any
5 combination of those terms, on the attorney_s professional card, letterhead,
6 office sign, professional notice or announcement, all as otherwise allowed by
7 § 16-22-509 (a), and in newspapers, periodicals, telephone directory
8 listings, and legal directories, as otherwise allowed by § 16-22-503.

9 (B) In addition to use of the designation _Patents_,
10 _Patent Attorney_, _Patent Lawyer_, and _Registered Patent Attorney_, an
11 attorney admitted to practice before the United States Patent and Trademark
12 Office may use the designation _Trademarks_, _Trademarks and Copyright Law_,
13 _Trademark Attorney_, _Trademark Lawyer_, or any combination of those terms
14 on the attorney_s professional card, letterhead, office sign, and
15 professional notice or announcement, all as otherwise allowed by § 16-22-509
16 (a), and in newspapers, periodicals, telephone directory listings, and legal
17 directories as otherwise allowed by § 16-22-503, provided the attorney
18 satisfies the eligibility requirements of subdivision (a)(4) of this section
19 in any one of the fields of practice of _Patents_, _Trademarks_, or
20 _Copyright Law_ or combination thereof.

21 (2) An individual attorney who, in fact, limits practice to
22 certain fields of law or who is limiting practice primarily to certain fields
23 of law, and who satisfies the eligibility requirements of subdivision (a)(4)
24 of this section, may indicate such limitation or description of practice by
25 listing, in the manner provided by subdivision (a)(3) of this section, not
26 more than three of the following fields of law practice in any communication
27 otherwise allowed by §§ 16-22-509 (a) and 16-22-503:

- 28 (A) Administrative Law;
- 29 (B) Admiralty Law;
- 30 (C) Antitrust and Trade Regulation;
- 31 (D) Appeals;
- 32 (E) Banking;
- 33 (F) Commercial and Retail Collections;
- 34 (G) Constitutional Law;
- 35 (H) Corporation and Business Law;

- 1 (I) Criminal Law;
- 2 (J) Debt and Bankruptcy Law;
- 3 (K) Domestic Relations and Family Law;
- 4 (L) Environmental Law;
- 5 (M) Health Law;
- 6 (N) Immigration Law;
- 7 (O) Insurance Law;
- 8 (P) International and Foreign Law;
- 9 (Q) International Trade and Investment;
- 10 (R) Discrimination and Civil Rights Law;
- 11 (S) Labor Law;
- 12 (T) Malpractice or Professional Negligence;
- 13 (U) Military Law;
- 14 (V) Municipal Law;
- 15 (W) Pension and Profit Sharing Law;
- 16 (X) Personal Injury Law;
- 17 (Y) Product Liability Law;
- 18 (Z) Public Utility Law;
- 19 (AA) Real Estate Law;
- 20 (BB) Securities Law;
- 21 (CC) Social Security Disability;
- 22 (DD) Taxation Law;
- 23 (EE) Trademarks and Copyright Law;
- 24 (FF) Trial Law;
- 25 (GG) Wills, Estate, and Probate Law; and
- 26 (HH) Workers_ Compensation Law.

27 (3) Description or indication of limitation of practice
28 permitted by § 16-22-510(a)(2) shall only be in the following manner:

29 (A) If the attorney accepts only legal matters in that
30 attorney_s listed fields of law practice, such listing of fields of law
31 practice shall be preceded by the words _practice limited to_.

32 (B) If the attorney is practicing primarily in that
33 attorney_s listed fields of law practice, but also accepts other types of
34 legal matters, such listing of fields of law practice shall be preceded by
35 the words _practicing primarily in_.

1 (C) In the case of a description or indication of
2 limitation of practice communicated to the public in the classified section
3 of telephone directories; newspapers, periodicals, or legal directories,
4 there shall be contained within such communication, or prominently displayed
5 on the same page of such communication, and contained in any electronic media
6 communication the disclosure required under § 16-22-502 and also a Notice to
7 the Public in the following form:

8 A description or indication of limitation of practice does not
9 mean that any agency or board has certified such attorney as a
10 specialist or expert in an indicated field of law practice, nor
11 does it mean that such attorney is necessarily any more expert or
12 competent than any other attorney.

13 All potential clients are urged to make their own independent
14 investigation and evaluation of any attorney being considered.

15 This notice is required by law.

16 (D) In the case of a description or indication of
17 limitation of practice communicated to the public in the classified section
18 of telephone directories, an attorney shall not permit that attorney's name
19 to be listed under a heading or classification other than Attorneys or
20 Lawyers, except as provided in § 16-22-503 (a)(2).

21 (4) Prior to communication of a description or indication of
22 practice permitted by § 16-22-510 (a)(2), an attorney shall report the
23 attorney's compliance with the following eligibility requirements each year
24 in the written report required to be filed with the Secretary of State.

25 (A) The attorney must have devoted the greater of 200
26 hours or twenty percent of the attorney's time spent in actual law practice
27 to each separate indicated field of practice for each of the last two
28 calendar years; and

29 (B) The attorney must have completed at least ten hours of
30 accredited Continuing Legal Education courses of study in each separate
31 indicated field of practice during the preceding calendar year.

32 (5) The first report of compliance with subdivision (a)(4) may
33 be made in 1995. In reporting compliance with subdivision (a)(4)(A), a
34 statement of compliance is sufficient. In reporting compliance with
35 subdivision(a)(4)(B), the attorney shall identify the specific courses and

1 hours which apply to each indicated field of practice. Contents of the
2 portion of the report required by this section shall be public information.

3 (b) If advertising uses the term _general practice_, no reference to
4 limited or restricted areas of practice is permitted. If areas of practice
5 under this section are advertised, the term _general practice_ may not be
6 used.

7 (c) The nature of one_s professional practice, or the types of cases
8 or matters handled, may not be described other than as permitted by this
9 section and § 16-22-504 (c).

10 (d) If, due to hardship or extenuating circumstances, an attorney is
11 unable to complete the hours of accredited continuing legal education during
12 the preceding calendar year as required by subdivision (a)(4)(B) of this
13 section, the attorney may apply to the Commission on Continuing Legal
14 Education for an extension of time in which to complete the hours. No
15 extension of time shall be granted unless written application therefor shall
16 be made on forms prescribed by the commission. Extensions of time within
17 which to fulfill the minimum educational requirements may, in individual
18 cases involving hardship or extenuating circumstances, be granted by the
19 commission for a period not to exceed six months immediately following
20 expiration of the year in which the requirements were not met.

21

22 16-22-511. Filings made with the Secretary of State.

23 Upon request of the Supreme Court Committee on Professional Conduct the
24 Secretary of State shall forward reports and other filings made under this
25 subchapter to the committee."

26

27 SECTION 3. All provisions of this act of a general and permanent
28 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
29 Code Revision Commission shall incorporate the same in the Code.

30

31 SECTION 4. If any provision of this act or the application thereof to
32 any person or circumstance is held invalid, such invalidity shall not affect
33 other provisions or applications of the act which can be given effect without
34 the invalid provision or application, and to this end the provisions of this
35 act are declared to be severable.

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SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.