

NEW HAMPSHIRE BAR ASSOCIATION  
Ethics Committee Advisory Opinion #1992-93/8  
Letterhead Listing/Dual Practice  
April 15, 1993

RULE REFERENCES:

\*Rule 7.1  
\*Rule 7.4  
\*Rule 7.5

SUBJECTS:

\*Advertising & Solicitation  
\*Dual Practice  
\*Letterhead

CODE REFERENCES:

\*DR 2-102(E)

ANNOTATION:

Unlike restrictions under the prior Code of Professional Conduct, under the current Rules an attorney may include on a letterhead an indication that the attorney is a licensed engineer as well as an attorney, when such information is accurate. (Rule 7.1; 7.5)

OPINION:

The N.H. Rules of Professional Conduct do not prohibit an attorney from indicating on his/her letterhead that he/she is both an attorney and an engineer so long as this information is accurate.<sup>1</sup> Such statements do not indicate special competence as a lawyer, but competence as defined and evaluated by the other profession involved. ABA/BNA Lawyer's Manual on Professional Conduct §81:3013 citing Rules 7.1, 7.5 and 7.4. The ABA/BNA Lawyer's Manual on Professional Conduct, id., indicates that most states now allow listing of dual professions and, of relevance to the subject inquiry, cites Alabama Ethics Opinion 87-80 (6/16/87) which held that a licensed engineer may include the designation "P.E." after his name on his business card, letterhead, or other forms of communication, if he is in fact a licensed engineer.

Lawyers were originally restricted regarding inclusion of information about their other professional occupations on their letterhead and business cards at a time when advertising was much more restricted. The old ABA Code of Professional Conduct provision DR 2-102(E) prevented such an indication on letterhead, business cards, etc. but this provision was dropped from the Code of Professional Conduct in 1980 and was not included in the Model Rules of Professional Conduct. See ABA Informal Opinion 83-1497; March 1, 1983 and see ABA/BNA Lawyer's Manual on Professional Conduct §81:3012. To the extent that it is inconsistent with this opinion, we hereby overrule NH Op 80-10/14A.

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<sup>1</sup> This inquiry does not present the issue of whether attorneys may practice other professions out of the same office. See N.H. Op. 87/88-2.