

Roger Plawker Quoted in New Jersey Law Journal Regarding Recent Guidance on Compliance with Attorney Advertising Rules

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Roger Plawker, Partner and Chair of the Attorney Ethics & Professional Misconduct practice group at Pashman Stein Walder Hayden, was quoted in the *New Jersey Law Journal* article, “Amid Surfeit of Lawyer Awards, Honorees Urged to Use Care in Touting Accolades.” The article discusses the recent opinion issued by the New Jersey Supreme Court Committee on Advertising regarding rules for announcing accolades by attorneys. Opinion 48, made public on October 6, 2022, supplements Opinion 42 of 2010.

The fact that the committee chose to reiterate and expand on a prior rule change suggests that the attorney disciplinary system may become more aggressive about enforcement of the rules for announcing attorney awards from third parties, said Roger Plawker, an attorney at Pashman Stein Walder Hayden who represents lawyers in disciplinary cases.

“The ethics system, typically, will only impose discipline prospectively, and this now has been around long enough that they want to make sure that people get it, because there have been enough complaints and enough violations arising from those complaints that they want to make sure that lawyers are on notice before they start imposing discipline routinely on this issue,” Plawker said.

Plawker said the latest opinion by the committee was seemingly prompted by “two reasons, more and more people are touting these things because there are more and more of these things to tout, and more of these regional publications have come up with these awards

and they're trying to avoid a free-for-all on these awards that may not have any rigorous methodology."

Plawker said he gets calls from lawyers seeking guidance on how they can promote awards and honors without incurring an ethics violation.

"Lawyers are looking for the right thing to do, but there are probably a lot who are not aware of the rule or have not been able to sort out these inherent ambiguities. Anytime you get into what's subjective versus what's objective, what's comparative versus what's an achievement recognition, it gets a little ambiguous," Plawker said.

To view the full article, [click here](#).