



# COMMITTEE ON DISCIPLINARY RULES AND REFERENDA

## CDRR – TRADE NAME POLL

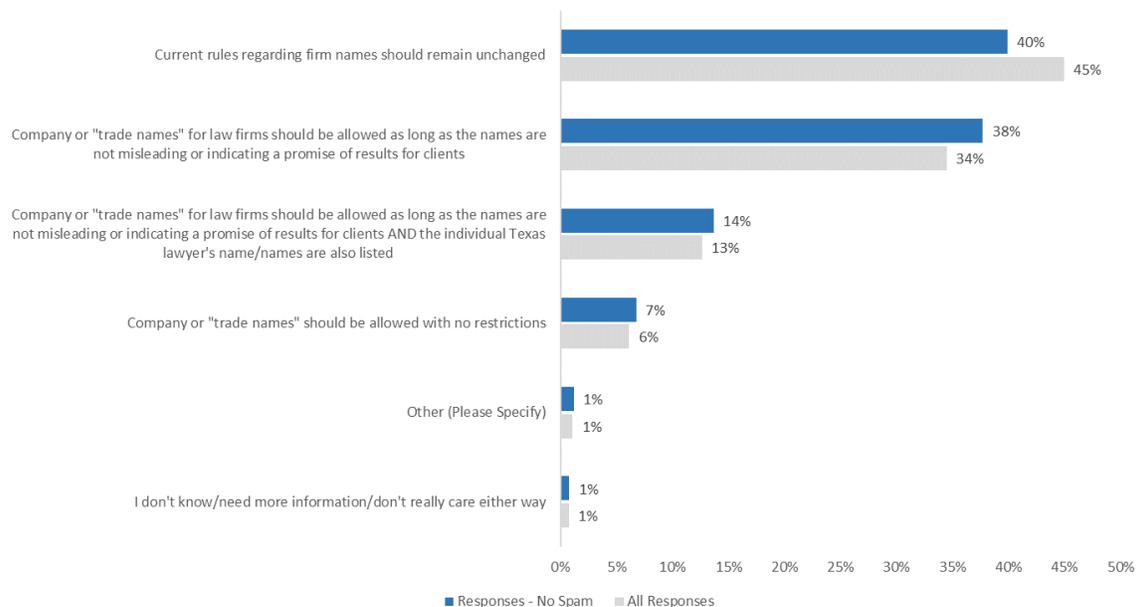
In conjunction with proposed advertising rules changes, the Committee conducted a poll about trade names for Texas law firms. The purpose of the poll was to encourage participation in the rule process. The poll was non-scientific and should not be considered as an accurate measure of public or member sentiment.

Under current Rule 7.01, a lawyer in private practice shall not practice under a trade name.

There were 504 responses to the poll. Of those, 290 (58%) were in favor of allowing “trade names” and 201 (40%) were in favor of leaving the rule unchanged. Please note that responses were flagged as spam if multiple identical responses were received from the same IP address within a 12-hour period.

### TRADE NAME POLL – RESPONSES

*Question: Which of the following most closely describes your level of agreement with the use of company or “trade names” in the naming of law practices?*



## OTHER RESPONSES

Allow trade names, so long as they're not misleading or making unrealistic claims and/or promises, for those attorneys who are board certified in their field and the trade name is related to the field of board certification.

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Company or trade names should not be allowed.

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No remain the same as under the old rule

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No trade names

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The best trade names can be monopolized by a few, to the detriment of many. Perhaps existing rules should therefore be maintained.

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This "poll" seems to be an attempt to justify nixing the new rule allowing trade names by those who do not want to have to run a "business" with all that entails--and to keep us from joining the many other states who have embraced the ABA Model Rules that allow trade names (in place since 1983!). Texas Lawyers are better than that--we deserve the opportunity to develop a brand rather than promote a last name--to stop focusing on our lawyers (many of whom are dead) and instead focus on our clients and our mission to help them.

## RESPONDENTS – GEOGRAPHIC DISTRIBUTION

