

Vermont
Formal and Informal Opinions

Opinion No. 87-12

Synopsis: Pursuant to Disciplinary Rule 2-103(C), a lawyer may pay the usual charges of a not-for-profit lawyer referral service.

Facts: Attorney A has requested this Committee's opinion on whether it is ethically permissible for a lawyer to accept a referral from the Lawyer Referral Service of the Vermont Bar Association knowing that he or she is expected to pay 10% of any fee received to the Service; Attorney A further inquires whether a lawyer may ethically pay the Service's fee.

Opinion: DR 3-102 specifically provides that a lawyer and/or law firm shall not share legal fees with a non-lawyer, except under certain limited conditions. However, DR 2-103, as amended January 31, 1986, specifically permits a lawyer to "pay the usual charges of a not-for-profit lawyer referral service." Consequently, a lawyer may ethically accept a referral from the Lawyer Referral Service of the Vermont Bar Association and may ethically pay the required percentage of any fee received to the Service.