

Lawyers hope to take to the air with ads

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WILMINGTON — Eric M. Doroshov's legal clinic in Elsmere is announced by a modest roadside sign.

But he would like more than passers-by to know he is there, ready to handle divorces for \$195, wills for \$35, bankruptcies that are not too rickety for \$275. So he runs advertisements in the local newspaper.

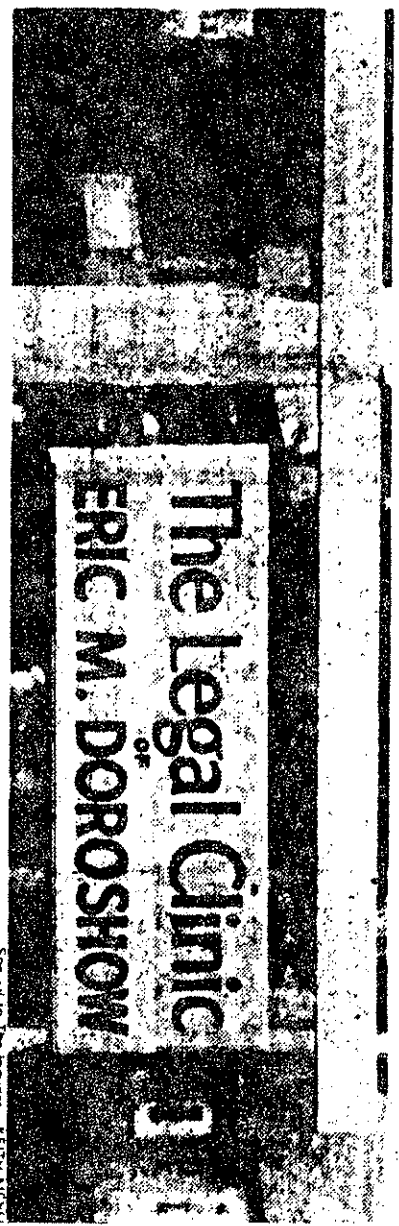
But, unlike his fellow lawyers in Pennsylvania and Maryland, Doroshov cannot take the next advertising step. He cannot broadcast his fees — or even the fact of that his clinic

exists — over the airwaves. The Delaware State Bar's canons of ethics limit advertising to the print media.

Doroshov recently petitioned the Delaware Supreme Court to lift the ban. Among lawyers here who bother to ponder such matters, there is sentiment that if push comes to shove, the court may find it hard to turn him down.

"I'm optimistic," said Doroshov, 30, a graduate of John Marshall Law School in Chicago.

He thinks the prohibition is somewhat obsolete now that commercials (See LAWYERS on 5-B)



Doroshov is allowed to advertise his legal clinic in Elsmere only on this sign and in print

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Del. lawyers seeking to expand ads

LAWYERS, From 1-B

for lawyers from neighboring states are routinely shown on television.

And he thinks consumers — especially illiterates — are prevented from intelligently shopping for legal aid because they are unaware of the services available or comparative prices.

Doroshow's clinic employs a high-volume and low-overhead approach to legal services. Simple wills, for instance, are filled out on forms. More than 1,700 clients have walked through his doors in the last year and a half.

That sort of practice, like the advertising it thrives on, is viewed with a certain disdain by many established lawyers. Their feeling is that advertising — beyond tasteful announcements of new partners or short notices in the Yellow Pages — cheapens professional dignity.

Lawyer John Bader, for one, thinks expanded advertising will lead to unhealthy competition.

"It puts a premium on the shortcut," he said. "I'm particularly opposed to the laundry-list type of ads ... that give the misleading impression that legal counseling can be dispensed like some commodity off the shelf."

The past president of the State Bar Association, Andrew B. Kirkpatrick, a partner in the Wilmington firm of Morris, Nichols, Arsht & Tunnell, said he, too, harbors the anti-advertising bias of older attorneys who grew up in an era when self-promotion was frowned upon.

"But, on the other hand, as a lawyer," he said, "I don't know that I see a great deal of justification to drawing a distinction between print media advertising and any other form."

The U.S. Supreme Court ruled in 1977 that lawyers cannot be prohibited from publishing print advertisements, but has left unanswered whether they may use other media or direct mail promotion.

Robert Schlusser, an attorney with Murdoch & Walsh, thinks the handwriting is clearly on the wall.

"If it were to be litigated," he said, "I think it would be difficult to prevent anyone from advertising on any medium."

A spokesman for the bar association said fewer than a dozen of the state's 860 lawyers have advertised in local newspapers since the court's ruling.