

Legal woes? Check your mailbox

Ruling lets law firms woo prospective clients by direct mail

BY MAUREEN MILFORD
Staff reporter

A Delaware law firm is taking advantage of a recent U.S. Supreme Court ruling to drum up new business through direct-mail advertising.

Homeowners facing August foreclosure proceedings have been receiving letters from the firm, outlining legal options and offering a free consultation.

Doroshow, Pasquale & Linar-

ducci, which has six offices in New Jersey and Delaware, sent the letters July 21, following a Supreme Court ruling in June that allows targeted direct-mail advertising of legal services.

One of the firm's partners, Eric M. Doroshow, was the first Delaware attorney to advertise in 1978 after the Delaware Supreme Court spelled out rules for lawyer advertising. The recent Supreme Court ruling permits lawyers to

send advertising materials to potential clients they know have particular legal problems.

Doroshow views the decision as significant to legal advertising.

"It changes the whole landscape for lawyers because it makes advertising more effective, informational and helpful," he said.

A few of the homeowners have

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scheduled a consultation with the law firm. Letters touching on bankruptcy options also have been sent to people involved in sheriff's sales, Doroshow said.

Delaware law prohibits direct mail advertising by law firms, but L. Susan Faw, disciplinary counsel to the Board on Professional Responsibility of the Delaware Supreme Court, said no action will be brought in light of the higher court's ruling. She said she had about four calls from attorneys after the ruling.

Former Superior Court Judge John C. O'Hara said he is not aware that the matter has been brought up for discussion at the ethics committee of the Delaware

State Bar Association.

Lawyers still can't solicit business in person, using such methods as telephone calls or meetings. And any material sent by mail must not be misleading.

Doroshow said he is reviewing ways to advertise under the new ruling, but said he is reluctant to send letters to accident victims about personal injury litigation because it could be viewed as "ambulance chasing."

"It's kind of touchy from the moral standpoint," he said.

The majority of the firm's cases assist middle-income families in such areas as real estate, traffic problems, divorce and wills.

"A recent American Bar Association study showed that 70 percent of middle-income Americans do not know about their legal rights. Direct-mail advertising

will permit lawyers to provide important legal information directly to those consumers who need it," Doroshow said.

But other Delaware lawyers said the state's attorneys have historically been low-key and polite about promoting services. One attorney called it a "silk glove" approach. The most many firms will do is send information about recent cases and court decisions to clients.

Firms that use advertising tend to be offices with a high volume of legal cases for families and individuals, not corporations, a lawyer said.

"I don't think Exxon is going to select a Delaware attorney from an advertisement," said one attorney who asked not be named because he represents corporate clients.