

IN THE SUPREME COURT, STATE OF WYOMING

October Term, A.D. 2008

In the Matter of the Amendments to the)
Comment to Rule 7.4 of the)
Wyoming Rules of Professional Conduct for)
Attorneys at Law)

**ORDER AMENDING COMMENT TO RULE 7.4 OF THE RULES OF
PROFESSIONAL CONDUCT FOR ATTORNEYS AT LAW**

This matter came before the Court upon a letter from Professor John M. Burman of the University of Wyoming College of Law. In his letter, Professor Burman suggests that, with the recent amendments to Rule 7.4(d) of the Rules of Professional Conduct for Attorneys at Law, portions of the Comment to that rule are no longer necessary or proper. This Court agrees with Professor Burman that portions of the Comment should be eliminated. It is, therefore,

ORDERED that the amendments to the Comment to Rule 7.4 of the Rules of Professional Conduct for Attorneys at Law, attached hereto, be, and hereby are, adopted by the Court to be effective immediately; and it is further

ORDERED that the amendments to the Comment to Rule 7.4 of the Rules of Professional Conduct for Attorneys at Law, attached hereto, shall be published in the advance sheets of the Pacific Reporter, the Wyoming Reporter, and in the Wyoming Court Rules; and that the amendments to the Comment to Rule 7.4 of the Rules of Professional Conduct for Attorneys at Law shall thereupon be spread at length upon the journal of this Court.

DATED this 21st day of January, 2009.

BY THE COURT:

/s/

BARTON R. VOIGT
Chief Justice

RULES OF PROFESSIONAL CONDUCT FOR ATTORNEYS AT LAW

Rule 7.4. Communication of fields of practice.

(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law.

(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.

(c) A lawyer engaged in Admiralty practice may use the designation "Admiralty," "Proctor in Admiralty" or a substantially similar designation.

(d) A lawyer shall not state or imply that the lawyer is certified as a specialist.

Comment. -- [1] Paragraph (a) of this Rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate. A lawyer is not permitted to state that the lawyer is a 'specialist,' practices a 'specialty,' or 'specializes in' particular fields, ~~unless that lawyer meets the requirements of paragraph (d) of this Rule.~~

[2] Paragraph (b) recognizes the long-established policy of the Patent and Trademark Office for the designation of lawyers practicing before the Office. Paragraph (c) recognizes that designation of Admiralty practice has a long historical tradition associated with maritime commerce and the federal courts.

~~[3] Paragraph (d) permits a lawyer to state that the lawyer is certified as a specialist in a field of law if such certification is granted by an organization approved by the Wyoming State Bar. Certification signifies that an objective entity has recognized that a lawyer has advanced knowledge and/or experience in the specialty area greater than is suggested by general licensure to practice law. Certifying organizations may be expected to apply standards of experience, knowledge and proficiency to insure that a lawyer's recognition as a specialist is meaningful and reliable. In order to insure that consumers can obtain access to useful information about an organization granting certification, the name of the certifying organization must be included in any communication regarding the certification.~~