



**ILLINOIS STATE  
BAR ASSOCIATION**

# **ISBA Advisory Opinion on Professional Conduct**

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**ISBA Advisory Opinions on Professional Conduct are prepared as an educational service to members of the ISBA. While the Opinions express the ISBA interpretation of the Illinois Rules of Professional Conduct and other relevant materials in response to a specific hypothesized fact situation, they do not have the weight of law and should not be relied upon as a substitute for individual legal advice.**

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**This Opinion was AFFIRMED by the Board of Governors in May 2010. Please see the 2010 Illinois Rules of Professional Conduct 1.6, 1.7, 1.8, 1.9, 5.4, 7.1, 7.2, 7.3, and 7.4. This opinion was affirmed based on its general consistency with the 2010 Rules, although the specific standards referenced in it may be different from the 2010 Rules. Readers are encouraged to review and consider other applicable Rules and Comments, as well as any applicable case law or disciplinary decisions.**

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**Opinion No. 90-16  
January 29, 1991**

Topic: Dual Profession

Digest: Lawyer may operate business of providing economic analyses in conjunction with law practice from existing law office.

Ref.: ISBA Opinion No. 85-3  
Illinois Rules of Professional Conduct: 1.6, 1.7, 1.8, 1.9, 5.4, 7.1, 7.2, 7.3, 7.4

## **FACTS**

The inquiring lawyer is considering the establishment of a business, separate from the lawyer's legal practice, which would involve providing to other lawyers analysis, by means of a computer program, of the present cash values of structured settlement offers. If the lawyer starts such a business, the business would operate from the lawyer's existing office. The lawyer plans to advertise the address and telephone number of the law office as the address and telephone number of the business providing the analysis of structured settlement offers.

## **QUESTION**

The inquiring lawyer asks whether it would be proper to operate the business of providing analyses of structured settlement offers from the lawyer's existing law office.

## **OPINION**

Prior to July 1984, the Illinois Code of Professional Responsibility prohibited a lawyer from practicing law and conducting another business or profession from the same office under Rule 2-102(c). Nor could a lawyer utilize stationery, office signs or professional cards indicating a dual profession. As noted in the Committee's Opinion No. 85-3, however, the repeal of Rule 2-102(c) in July 1984 in effect sanctions the practice of dual professions from the same office.

The Committee believes that the same result applies under the 1990 Rules of Professional Conduct. As before, the Committee cautions lawyers involved in dual professions from the same office that the Rules of Professional Conduct governs the lawyer's legal practice. Among the relevant rules are Rule 1.6 concerning confidentiality of client information; Rules 1.7, 1.8 and 1.9 concerning conflicts of interest; Rule 5.4 concerning the professional independence of a lawyer; and Rules 7.1, 7.2, 7.3 and 7.4 governing advertising and communications with respect to a lawyer's services.