

FILED

October 21, 2021

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

ADM10-8005

**ORDER ESTABLISHING PUBLIC COMMENT PERIOD AND
HEARING ON PROPOSED AMENDMENTS TO
THE MINNESOTA RULES OF PROFESSIONAL CONDUCT
AND THE MINNESOTA RULES ON LAWYERS
PROFESSIONAL RESPONSIBILITY**

The Minnesota State Bar Association and the Lawyers Professional Responsibility Board with the Director of the Office of Lawyers Professional Responsibility have each filed petitions that propose amendments to Rule 7 of the Minnesota Rules of Professional Conduct, which governs lawyer advertising and communications with potential clients. The petitioners support amendments to Rule 7 to provide uniformity and clarity in the regulation of lawyer advertising and client communications, but they differ on the need for language in the rule that addresses advertising claims that asserts “specialist” or “specialty” status.

The Lawyers Professional Responsibility Board and the Director of the Office of Lawyers Professional Responsibility have filed a second, separate, petition that proposes amendments to Rule 20 of the Rules on Lawyers Professional Responsibility, which governs public access to documents and information maintained by the Office. The proposed amendments would reorganize provisions of the rule and classify the public or non-public status of documents and information held by the Director.

The petitions to amend Rule 7, Minnesota Rules of Professional Conduct, and the petition to amend Rule 20, Rules on Lawyers Professional Responsibility, are available on the public access site for the Minnesota Appellate Courts, P-MACS, under case number

ADM10-8005. The court will consider the proposed amendments to Rule 7 of the Minnesota Rules of Professional Conduct and Rule 20 of the Rules on Lawyers Professional Responsibility after providing a period for public comment on those proposed amendments. Given the different positions taken by the petitioners regarding language in Rule 7 of the Rules of Professional Conduct to address advertising claims regarding specialist or specialty status, the court invites comments on these proposed amendments from the Minnesota State Board of Legal Certification.

IT IS HEREBY ORDERED THAT:

1. Any person or organization wishing to provide written comments in support of or in opposition to the amendments proposed to Rule 7 of the Minnesota Rules of Professional Conduct, or to the amendments proposed to Rule 20 of the Rules on Lawyers Professional Responsibility, shall file those comments with the Clerk of the Appellate Courts, using the appellate courts' e-filing application, E-MACS, if required to do so. *See* Minn. R. Civ. App. P. 125.01(a)(1). All comments shall be filed so as to be received by the Clerk's office no later than December 20, 2021.

2. A hearing will be held before this court to consider the proposed amendments to Rule 7 of the Minnesota Rules of Professional Conduct and Rule 20 of the Rules on Lawyers Professional Responsibility. The hearing will take place in the Supreme Court Courtroom, State Capitol, Saint Paul, Minnesota, on January 26, 2022, at 10 a.m. Any person or organization who wishes to make a presentation at the hearing in support of or in opposition to the proposed amendments to these rules shall file a request to so appear along with one copy of the material to be presented with the Clerk of the Appellate Courts,

using the appellate courts' e-filing application, E-MACS, if required to do so. *See* Minn. R. Civ. App. P. 125.01(a)(1). All requests and accompanying materials shall be filed so as to be received by the Clerk's office no later than December 20, 2021.

Dated: October 21, 2021

BY THE COURT:

A handwritten signature in black ink, appearing to read "Lorie S. Gildea". The signature is written in a cursive style with some flourishes.

Lorie S. Gildea
Chief Justice