

Ethical Legal Marketing in Pennsylvania

Compliant advertising, testimonials, social media, video, and digital outreach — a practical guide for Pennsylvania law firms and attorneys navigating professional responsibility in the digital age.

PENNSYLVANIA RULES OF PROFESSIONAL CONDUCT

ETHICS-COMPLIANT MARKETING



Workshop Overview

Format

60-minute virtual session delivered via Google Meet – accessible from your office or home.

Materials

Slides, annotated examples, and a pre-publication checklist provided to all participants.

Audience

Designed for Pennsylvania law firm marketing teams, managing partners, and attorneys responsible for outreach and advertising.

Structure

Rules overview → platform-specific guidance → testimonials → compliance systems → live Q&A.

Learning Objectives

By the end of this workshop, participants will be equipped to apply Pennsylvania's ethics rules to real marketing decisions. You will be able to:

- 1 Identify misleading or prohibited marketing claims**
Recognize language patterns that create false impressions or unverifiable comparisons.
- 2 Structure compliant advertising copy**
Draft messaging that is accurate, clear, and aligned with professional obligations.
- 3 Use testimonials and reviews ethically**
Obtain consent, preserve context, and avoid implying guaranteed results.
- 4 Protect confidentiality in digital content**
Prevent inadvertent disclosure across websites, video, and social media.
- 5 Build repeatable internal review systems**
Establish workflows that keep your entire team consistently compliant.

Pennsylvania Ethics Framework

Legal advertising in Pennsylvania is governed primarily by the Rules of Professional Conduct. Understanding this framework is the foundation for every marketing decision your firm makes.

Rule 7.1 — Truthful Communications

Prohibits false or misleading communications about the lawyer or the lawyer's services — the baseline for all outreach.

Rule 7.2 — Advertising

Permits advertising through digital, print, broadcast, and other media while establishing accuracy and attribution standards.

Rule 7.3 — Solicitation

Regulates direct outreach to prospective clients, with heightened scrutiny for vulnerable individuals and real-time contact.

Related Obligations

Confidentiality, supervision of non-lawyer staff, and recordkeeping rules apply across all marketing activities. Rules 7.4 and 7.5 are currently reserved.

Rule 7.1 in Plain Language

A lawyer may not make false or misleading communications about the lawyer or the lawyer's services. This rule applies to every channel — websites, ads, social posts, video, and direct mail — without exception.

The test is not whether a claim is technically true. It is whether a reasonable person could be misled by it.

What to Watch For

→ **Material misstatements**

Any factual claim that is inaccurate or exaggerated.

→ **Unsupported comparisons**

Claiming superiority over other firms without substantiation.

→ **Omitted context**

Leaving out facts that would materially change a reader's impression.

→ **Unjustified expectations**

Implying results that cannot be reliably predicted.

Rule 7.2: Advertising

Pennsylvania law firms may advertise their services through digital platforms, print, broadcast, directories, and other media. The rule does not restrict the channel — it governs the content. Every advertisement, regardless of format, must meet the same professional standard.

Accurate

Every factual claim must be true and verifiable.



Clear

Messaging must be unambiguous to a general audience.

Verifiable

Claims should be supportable if scrutinized.



Attributed

The firm or responsible attorney must be clearly identified.

Rule 7.3: Solicitation and Direct Outreach

Direct outreach — phone calls, texts, emails, and in-person contact initiated by the firm — carries heightened ethical risk. The closer the communication is to a vulnerable individual in a moment of distress, the more scrutiny it invites.

Method of Communication

Real-time or live contact with a prospective client requires particular care.

Recipient's Circumstances

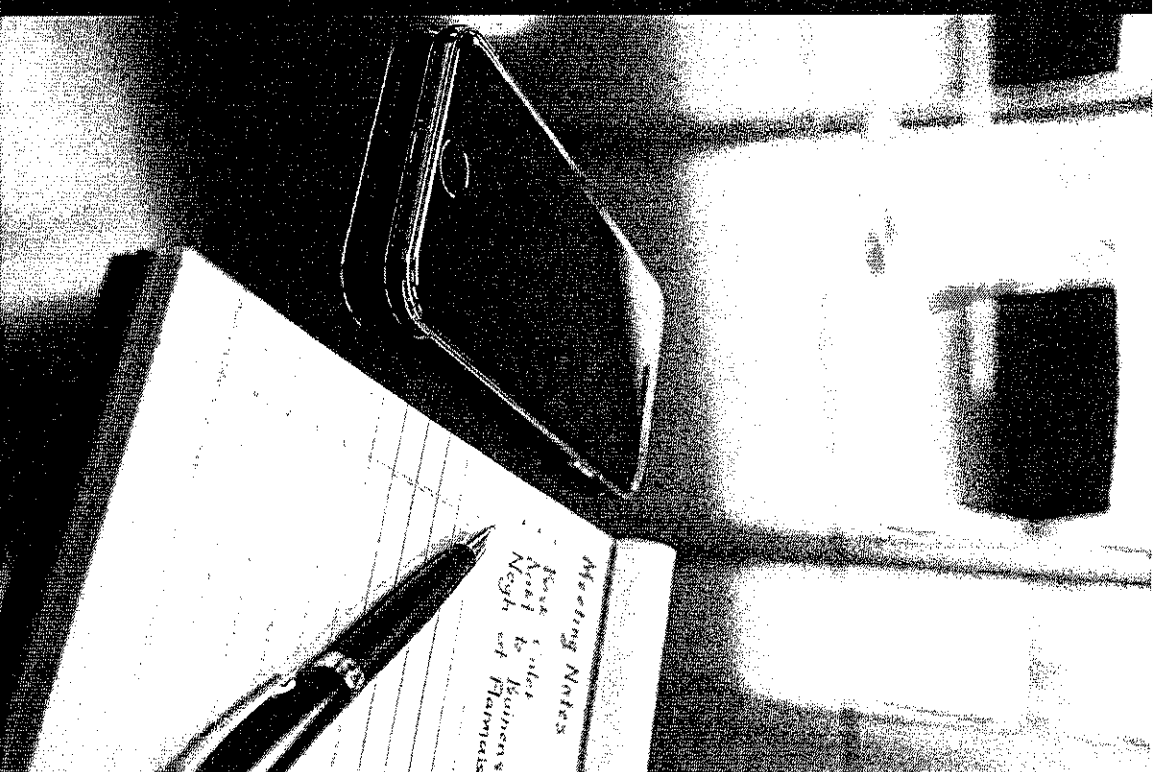
Vulnerability, distress, or recent trauma elevates the risk of coercive influence.

Prior Relationship

Existing attorney-client or family relationships affect what outreach is permissible.

Disclaimers and Records

Required disclosures must be present, and records of solicitations must be maintained.



Websites and Landing Pages

GENERALLY PERMISSIBLE

- **Practice-area descriptions**
Clear, factual explanations of the legal services offered.
- **Attorney biographies**
Credentials, experience, bar admissions, and background.
- **Educational resources**
Articles, FAQs, and guides that inform without creating a client relationship.
- **Consultation invitations**
Clear, non-coercive calls to action inviting prospective clients to reach out.

POTENTIALLY PROBLEMATIC

- **Guaranteed outcomes**
"We will win your case" or similar result-specific promises.
- **Misleading urgency**
Manufactured time pressure designed to coerce immediate contact.
- **Unsupported superlatives**
"Best," "top-rated," or "most successful" without substantiation.
- **Deceptive case-result claims**
Results presented without required context or disclaimers.

Social Media Marketing

Every caption, post, reel, story, comment, and direct message may be treated as a professional communication — subject to the same ethics rules as any other form of advertising.

Social media's informal tone does not lower the professional standard. Firms must apply the same rigor to an Instagram caption as to a billboard.



Accuracy

All claims about the firm, results, or legal topics must be truthful and verifiable.



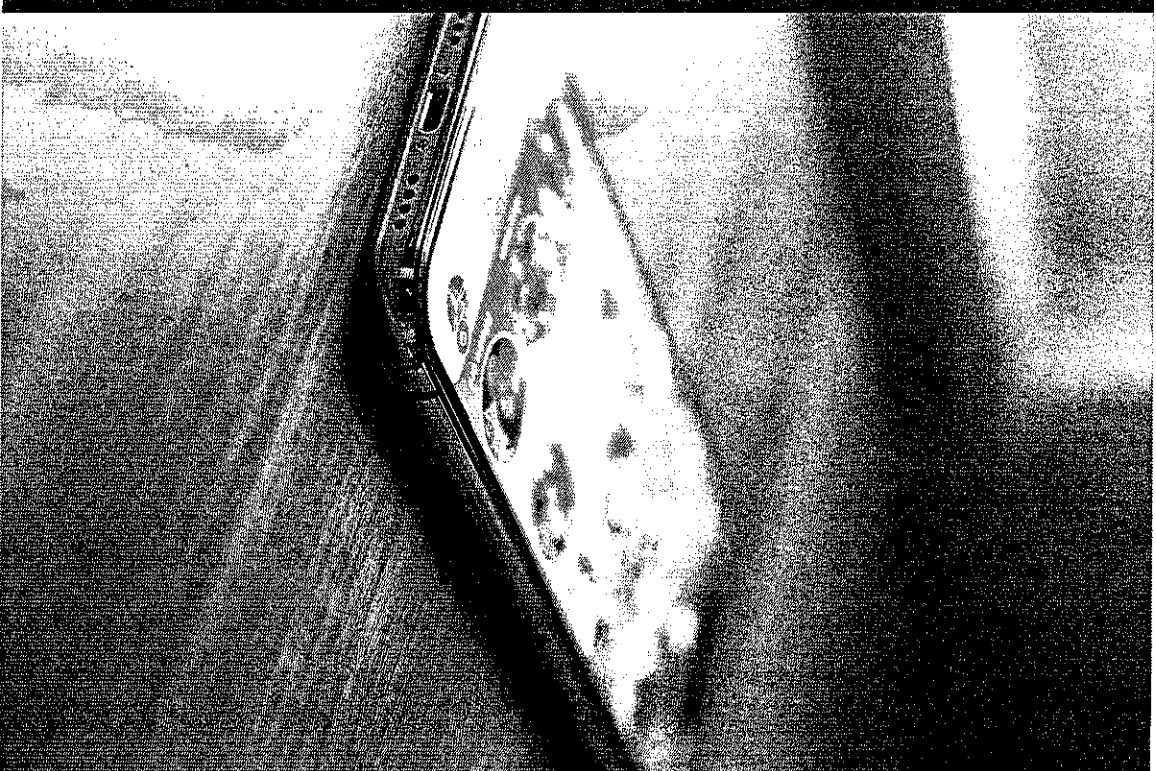
Confidentiality

Client information must never appear — even in anonymized or 'disguised' form — without proper consent.



Staff and Contractors

Employees and outside agencies posting on behalf of the firm are subject to the same obligations as attorneys.



Video and Recorded Content

Video is one of the most powerful tools for building trust with prospective clients — and one of the easiest formats in which to cross ethical lines. Used correctly, video can educate, humanize the firm, and communicate genuine value without promising outcomes.

What Video Can Do Well

- Explain the legal process in plain language
- Introduce attorneys and their approach
- Address frequently asked client questions
- Demonstrate the firm's values and culture

What to Avoid

- Dramatized guarantees or outcome promises
- Misleading reenactments of case facts
- Any confidential client information
- Editing that alters the meaning of recorded testimony
- Statements implying certain or predictable results

Testimonials and Reviews

Client testimonials are among the most persuasive elements of legal marketing — and among the most closely scrutinized. A testimonial that is truthful, voluntary, and properly authorized can be a powerful asset. One that overstates results or lacks consent creates serious ethical exposure.

01

Obtain Written Consent

Informed, documented authorization from the client before any publication or recording.

03

Add Necessary Context

Where a result is described, add clear language noting that outcomes depend on specific facts.

02

Preserve the Client's Meaning

Do not edit, rephrase, or selectively excerpt in ways that distort what the client actually said.

04

No Implied Guarantees

Testimonials must never suggest that similar results are available to all prospective clients.

Recording Client Testimony Ethically

A structured pre-recording process protects both the client and the firm. Before any camera rolls, the following steps should be completed and documented.



Confirm the Matter May Be Discussed

Verify that the subject matter does not involve ongoing litigation, sealed proceedings, or other restrictions.



Review Confidentiality

Identify any information in the planned conversation that could constitute protected client data.



Obtain Written Release

A signed release specifying how the footage will be used, where it will appear, and for how long.



Client Review Opportunity

Give the client a reasonable opportunity to review the final edit before it is published.



Case Results and Success Stories

A favorable outcome is worth sharing. The way you share it determines whether it is compliant.

Case results can build credibility without crossing ethical lines — provided every description includes the context a reasonable reader would need to evaluate the claim fairly.

Results Are Fact-Specific

Every compliant case description should make clear that outcomes depend on the particular facts and circumstances of each matter.

No Guarantee of Future Results

Past success does not predict future outcomes. This disclaimer must be present wherever case results appear.

Confidentiality Verified

Confirm that all identifying or protected information has been removed or that written authorization has been obtained.

Accurate Representation

The description must faithfully reflect the nature and scope of the matter — no embellishment or selective framing.

Google and Paid Digital Advertising

Paid search ads, display campaigns, and social media advertising reach prospective clients at the moment they are actively seeking legal help. That makes them highly effective — and ethically consequential. The speed of digital advertising does not reduce the firm's professional obligations.

A Compliant Ad Should Include

- The legal service offered, clearly named
- A geographic or practice-area focus
- A factual benefit or honest differentiator
- A clear, non-coercive call to action

Always Avoid

- Clickbait headlines and fear-based pressure
- Guaranteed-result language of any kind
- Deceptive urgency or manufactured scarcity
- Superlatives that cannot be substantiated

Traditional Media Advertising The platform changes. The professional standard does not.

Billboards, radio spots, television commercials, direct mail, and print advertising are all subject to the same Pennsylvania Rules of Professional Conduct that govern your firm's website and social media. The format and audience may differ — but the obligations around accuracy, context, and non-deception are identical across every channel.

- ❑ When your agency or media buyer drafts traditional ad copy, they are working under your professional license. Review and approve every version before placement.



Branding Without Overstatement

Strong legal branding builds lasting trust. The most durable brands in the legal market earn credibility through clarity and consistency — not through claims they cannot support. The distinction between compelling and compliant positioning is smaller than most firms think.

Safer Positioning

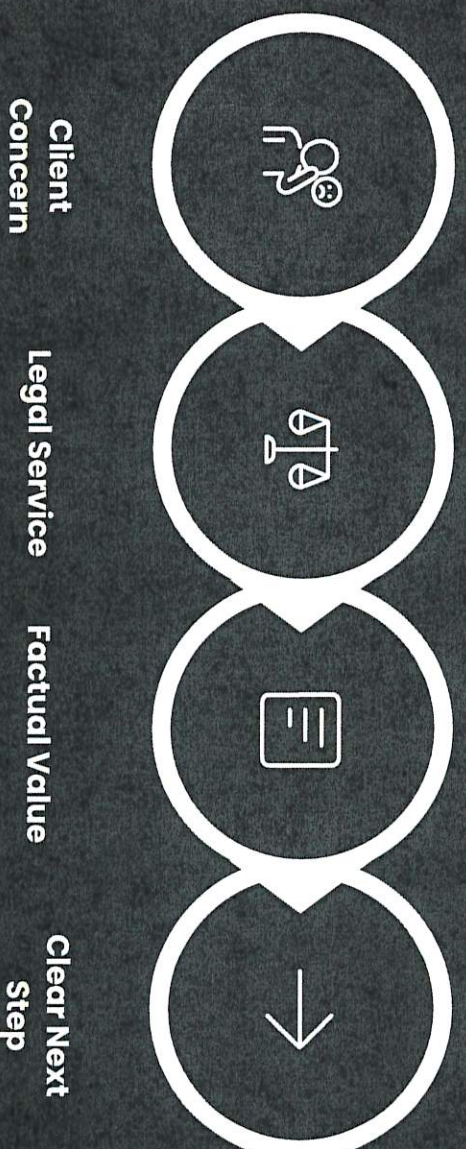
- Experienced representation in complex matters
- Client-centered counsel focused on clear communication
- Straightforward guidance through difficult legal processes
- Decades of Pennsylvania courtroom experience

Higher-Risk Positioning

- "The best lawyer in Pennsylvania"
- "Guaranteed victory" or "we always win"
- "The toughest firm in the state"
- Any superlative that cannot be objectively verified

Compliant Copywriting Framework

Every piece of marketing copy — regardless of length or platform — can be built on a simple, ethics-sound structure that moves prospective clients toward action without overpromising.



"Facing a custody dispute? Our firm helps Pennsylvania parents understand their options and prepare for the legal process. Schedule a consultation to discuss your situation."

This example identifies a real concern, names a concrete service, states an honest benefit, and ends with a non-coercive invitation. No guarantees. No pressure. Fully compliant.



Internal Marketing Compliance System

Ethics compliance is not a one-time review — it is an ongoing operational system. Firms that build structured internal processes are far better positioned to prevent violations before they occur.



Designated Content Reviewer

One attorney or compliance officer holds final approval authority for all published content.



Written Approval Workflows

Documented review steps for websites, social posts, ads, video, and direct mail — before publication.



Records and Archives

Testimonial releases, advertising copies, and approval logs retained in accordance with recordkeeping obligations.



Staff and Agency Training

Regular instruction for all employees, outside agencies, and contractors who create or publish content on the firm's behalf.

Pre-Publication Checklist

Apply this checklist to every piece of content before it is published — regardless of platform, format, or audience size. A single review cycle can prevent disciplinary exposure.

1

Accuracy

Is every factual claim accurate, current, and verifiable?

2

Expectations

Could the content create unjustified expectations about outcomes or the attorney-client relationship?

3

Confidentiality

Is all client information protected? Has any identifying detail been removed or properly authorized?

4

Consent

Has written consent been documented for testimonials, case results, and any client references?

5

Disclaimers

Are all required disclaimers and contextual notes present and prominently placed?

6

Final Review

Has the designated reviewer approved the final version in its published form?

Practical Review and Q&A

We will now apply everything covered in this workshop to real-world examples — including website copy, social media posts, client testimonials, and paid advertisements. For each sample, we will work through the same four questions:



What Is Permissible?

Identify the elements of the content that comply with Pennsylvania's Rules of Professional Conduct.



What Should Be Revised?

Draft compliant alternatives that preserve the marketing intent while eliminating the ethical problem.



What Creates Risk?

Flag specific language, claims, or omissions that expose the firm to disciplinary scrutiny.



What Internal Control Prevents It?

Identify the workflow, approval step, or training that would have caught the issue before publication.

- ❑ Questions are welcome throughout. Submit them in the Virtual Call chat and we will address them during the open Q&A segment at the close of the session.