

ADMINISTRATIVE GOVERNING BOARD

Directive No. 1 of 2007

In Re: Solicitation for Legal Services on Premises Occupied by the First Judicial District of Pennsylvania

The Administrative Governing Board at its regularly scheduled meeting held on December 6, 2007, adopted a policy prohibiting solicitation for legal services on premises occupied by the First Judicial District of Pennsylvania, as attached.

This directive is issued consistent with the Order of the Supreme Court dated March 26, 1996, at No. 164 Judicial Administration Docket No. 1, and shall become effective immediately. The original Directive shall be filed with the Prothonotary in a docket maintained for Directives issued by the Administrative Governing Board of the First Judicial District of Pennsylvania, and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Criminal Procedure Rules Committee. Copies of the Directive shall also be submitted to Legal Communications, Ltd., *The Legal Intelligencer*, Jenkins Memorial Library, and the Law Library for the First Judicial District.

ADMINISTRATIVE GOVERNING BOARD,

/s/ Honorable C. Darnell Jones, II

Date: December 11, 2007

HONORABLE C. DARNELL JONES, II,
Chair, Administrative Governing Board
President Judge, Court of Common Pleas of
Philadelphia County

POLICY

SOLICITATION ON PREMISES OCCUPIED BY THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

POLICY STATEMENT

Solicitation for legal services on District premises may lead the public to assume that an attorney who solicits, or on whose behalf a third party solicits, may have court approval or may receive preferential treatment in connection with cases which are tried or heard on District premises.

In order to avoid any appearance of impropriety, no solicitation of any type, including solicitation for legal services, may be conducted on District premises by anyone.

This Policy sets forth the prohibition against solicitation on District premises, the District's response upon being advised that solicitation is or was conducted, as well as provide the individual who has been determined to have engaged in unauthorized solicitation with an opportunity to present any reason or evidence or testimony to establish that legal solicitation did not occur.

GENERAL PROVISIONS

Rule of Professional Conduct 7.3 (a), which controls an attorney's direct contact with prospective clients, provides that "A lawyer shall not solicit in-person or by intermediary professional employment from a prospective client with whom the lawyer has no family or prior professional relationship" Rule 7.3 (a) defines the term "solicit" to include in-person contact as well as contact by telephone.

Moreover, a person who is not an attorney and solicits legal services on behalf of an attorney commits a misdemeanor of the third degree.

Upon receipt of credible information which establishes that an attorney or a non-attorney is soliciting, or has solicited, any other person on District premises for legal services, regardless of whether such person is or was a party to a legal proceeding, shall be subjected to appropriate sanctions, including but not limited to, being prohibited from further access or entry to District premises.

Any person who is prohibited from further entry onto District premises pursuant to this Directive will be given an opportunity to present reasons, evidence, or testimony in support of modifying or setting aside such prohibition.