

## **RULE 7.2: ADVERTISING**

(a) Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services through written, recorded, or electronic communication, including public media. Any communication made pursuant to this paragraph shall include the name and office address of at least one lawyer or law firm responsible for its content.

(b) A lawyer shall not give anything of value to a person for recommending the lawyer's services except that a lawyer may

(1) pay the reasonable costs of advertisements or communications permitted by this Rule;

(2) pay for a law practice in accordance with Rule 1.17; and

(3) refer clients to another lawyer or a nonlawyer professional pursuant to an agreement not otherwise prohibited under these Rules that provides for the other person to refer clients or customers to the lawyer, if

(i) the reciprocal referral agreement is not exclusive, and

(ii) the client is informed of the existence and nature of the agreement.

(c) A lawyer may accept a connection of a potential client through, and/or pay the usual charges of, an intermediary connecting service (ICS) provided that, at the time of the connection or at the outset of the representation, the lawyer discloses to the client the relationship between the lawyer and the ICS and, if applicable, whether the lawyer pays to the ICS a connecting fee and whether the lawyer pays a fee in connection with comparative advertising, ratings, reviews, or rankings in the ICS; and before and while participating in the ICS, the lawyer takes reasonable steps, such as obtaining written verification from the ICS, to ensure that:

(1) the ICS does not request or require the lawyer to act in violation of the Illinois Rules of Professional Conduct;

(2) the ICS does not interfere with the attorney-client relationship between the lawyer and the lawyer's client, including by unilaterally setting the fee the lawyer may charge the client, or with the independent professional judgment of the lawyer in rendering legal services;

(3) the ICS does not provide legal advice or legal services to a potential client or otherwise engage in the practice of law in a jurisdiction in violation of that jurisdiction's regulation of the legal profession;

(4) the ICS does not make any false or misleading statement about the ICS, its services, the lawyer, or the lawyer's fees or services provided;

(5) the ICS, including its agents and employees, does not engage in improper solicitation pursuant to Rule 7.3;

(6) Neither the lawyer nor any other individual with whom the lawyer is associated in a firm owns, controls, or manages the ICS;

(7) if the ICS uses rating criteria of the lawyer, the ICS makes the criteria publicly available and readily accessible and discloses whether the lawyer has the opportunity to dispute the ratings; and

(8) except for a bar association or legal aid organization ICS,

(i) the charges or fees of the ICS are not contingent on the outcome of the matter;

(ii) the usual charges that the ICS charges or collects are not calculated as a percentage of the lawyer's anticipated or actual legal fees;

(iii) the ICS does not refer or recommend, or state, imply, or create a reasonable impression that the ICS refers or recommends a lawyer, except that the ICS may permit reviews and ratings of lawyers and the ICS may offer a list of lawyers based upon a user-defined search from which the potential client can select a lawyer; and

(iv) the ICS does not receive any funds a potential client pays for the lawyer's services or advances for the lawyer to pay costs or expenses except if the ICS uses a payment processing system that remits those funds to the lawyer at the time payment is collected, and the ICS does not otherwise place any restriction or condition on the lawyer's receipt or retention of such funds.

(d) If the ICS provides to the lawyer written confirmation, whether in paper or electronic form, certifying that the ICS satisfies the requirements listed in paragraphs (c)(3), (c)(4), (c)(5), (c)(6), (c)(7), and (c)(8), the lawyer can rely on that written confirmation for purposes of engaging in the due diligence required by these paragraphs.

(e) Notwithstanding paragraph (d), if a lawyer knows that the ICS is not complying with any of the requirements in paragraph (c), the lawyer shall either withdraw from participation with the ICS or request the ICS to correct the noncompliance. If the ICS fails to correct the noncompliance within a reasonable time thereafter, the lawyer must withdraw. The lawyer is not required to withdraw from matters that were previously referred to him or her by the ICS.

(f) Subject to the safe harbor provision set forth above, a lawyer shall not direct, order, or, with knowledge of the specific conduct, ratify any act of the ICS that would violate the Illinois Rules of Professional Conduct.

[Adopted July 1, 2009, effective January 1, 2010; amended Apr. 1, 2025, eff. July 1, 2025.](#)

## **Comment**

[1] To assist the public in learning about and obtaining legal services, lawyers should be allowed to make known their services not only through reputation but also through organized information campaigns in the form of advertising. Advertising involves an active quest for clients, contrary to the tradition that a lawyer should not seek clientele. However, the public's need to know about legal services can be fulfilled in part through advertising. This need is particularly acute in the case of persons of moderate means who have not made extensive use of legal services. The interest in expanding public information about legal services ought to prevail over considerations of tradition. Nevertheless, advertising by lawyers entails the risk of practices that are misleading or overreaching.

[2] This Rule permits public dissemination of information concerning a lawyer's name or firm name, address, email address, website, and telephone number; the kinds of services the lawyer will undertake; the basis on which the lawyer's fees are determined, including prices for specific services and payment and credit arrangements; a lawyer's foreign language ability; names of

references and, with their consent, names of clients regularly represented; and other information that might invite the attention of those seeking legal assistance.

[3] Questions of effectiveness and taste in advertising are matters of speculation and subjective judgment. Some jurisdictions have had extensive prohibitions against television and other forms of advertising, against advertising going beyond specified facts about a lawyer, or against “undignified” advertising. Television, the Internet, and other forms of electronic communication are now among the most powerful media for getting information to the public, particularly persons of low and moderate income; prohibiting television, Internet, and other forms of electronic advertising, therefore, would impede the flow of information about legal services to many sectors of the public. Limiting the information that may be advertised has a similar effect and assumes that the bar can accurately forecast the kind of information that the public would regard as relevant. But see Rule 7.3(a) for the prohibition against a solicitation through a real-time electronic exchange initiated by the lawyer.

[4] Neither this Rule nor Rule 7.3 prohibits communications authorized by law, such as notice to members of a class in class action litigation.

### **Paying Others to Recommend a Lawyer**

[5] Except as permitted under paragraphs (b)(1)-(b)(3), and except as it pertains to bar association and legal aid organization intermediary connecting services, lawyers are not permitted to pay others for recommending the lawyer’s services or for channeling professional work in a manner that violates Rule 7.3. A communication contains a recommendation if it endorses or vouches for a lawyer’s credentials, abilities, competence, character, or other professional qualities. Paragraph (b)(1), however, allows a lawyer to pay for advertising and communications permitted by this Rule, including the costs of print directory listings, on-line directory listings, newspaper ads, television and radio airtime, domain-name registrations, sponsorship fees, Internet-based advertisements, and group advertising. A lawyer may compensate employees, agents and vendors who are engaged to provide marketing or client development services, such as publicists, public-relations personnel, business-development staff and website designers.

### **Participating in an Intermediary Connecting Service (ICS)**

[6] Rule 7.2(c) permits lawyers to participate in intermediary connecting services, provided that the lawyer’s participation in the ICS is in compliance with the Rules. An “intermediary connecting service” means:

(1) A lawyer directory, referral service, matching service, bidding site, question-and-answer site, lead generator, or similar marketplace, by which an association, organization, entity, or group of persons provides a potential client a listing of lawyers for the rendition of legal services in Illinois or, for the purposes of a lawyer responding to the potential client’s request for the performance of legal services in Illinois, directs the potential client or the potential client’s information to lawyers willing to provide assistance;

(2) A prepaid or group legal service plan or similar legal delivery service that offers to

provide to, or arranges for, a potential client to receive legal services in Illinois that are paid for before the lawyer renders the legal services; or

(3) A bar association or legal aid organization lawyer referral service.

[6A] The definition of “intermediary connecting service” does not include:

(1) individual lawyer-to-lawyer referrals;

(2) reciprocal lawyer-to-lawyer or lawyer-to-nonlawyer professional referrals; or

(3) a tribunal appointing or assigning lawyers to represent parties before the tribunal or a government agency performing such functions on behalf of a tribunal.

[7] A lawyer may pay the usual charges of an ICS. The usual charges of an ICS may include paying the ICS for generating client leads or paying the ICS a reasonable connecting fee for every connection that results in a potential client hiring the lawyer, provided that, in addition to the requirements of Rule 7.2(c), the payment is consistent with Rules 1.5(e) (division of fees) and 5.4 (professional independence of the lawyer); the ICS’s communications are consistent with Rule 7.1 (communications concerning a lawyer’s services); and, except for bar association and legal aid organization ICSes, the ICS does not recommend the lawyer. To comply with Rule 7.1, a lawyer must not pay an ICS for a connection when the ICS states, implies, or creates a reasonable impression that the ICS is making the connection without payment from the lawyer or, except for a bar association or legal aid organization ICS, the ICS is recommending the lawyer or has analyzed a person’s legal problems when determining which lawyer should receive the connection. See Rule 5.3 for the duties of lawyers and law firms with respect to the conduct of nonlawyers and Rule 8.4(a) for the duty to avoid violating the Rules through the acts of another. A bar association or legal aid organization ICS may engage in the activities of a lawyer referral service, whether or not the bar association or legal aid organization ICS holds itself out to the public as a lawyer referral service. A bar association or legal aid organization ICS is a consumer-oriented organization that provides unbiased referrals to lawyers with appropriate experience in the subject matter of the representation and affords other client protections, such as complaint procedures or malpractice insurance requirements. The usual charges of a bar association or legal aid organization ICS may include any fees or charges that are calculated, charged, or collected based upon the lawyer’s anticipated or actual attorney’s fees. Payment of the usual charges pursuant to Rule 7.2(c) does not constitute fee-splitting under 5.4(a).

[8] Paragraph (c) requires a lawyer to engage in due diligence before and while participating in an ICS to ensure that the ICS is complying with certain requirements. The lawyer may accomplish his or her initial and annual due diligence via the sample ICS certification letter included in the Article VIII Forms Appendix or through other means. If the lawyer knows prior to participating with an ICS that the ICS is not complying with any of the requirements listed in paragraph (c), the lawyer is prohibited from participating with the ICS. If the lawyer learns while participating in the ICS that the ICS is not complying with any of the requirements listed in paragraph (c), the lawyer may request the ICS to correct the noncompliance. If the ICS fails to correct the noncompliance in a reasonable amount of time after the lawyer’s notice to the ICS, the lawyer must withdraw from participating with the ICS.

[8A] Pursuant to paragraph (c)(2), a lawyer must take reasonable steps to ensure that the ICS is not interfering with the lawyer's independent professional judgment. An ICS may not prohibit or limit the advice provided to a client by a participating lawyer even where such advice is or may be inconsistent with the scope of services advertised by the ICS or paid for by the client. While an ICS may collect information about a lawyer's fees and match a client with a lawyer based on the client's financial criteria, an ICS cannot unilaterally set the fee the lawyer may charge a client. An ICS restricting the right of the lawyer to practice, such as by requiring the lawyer to participate exclusively with the ICS, prohibiting the lawyer from accepting clients outside of the ICS, or requesting the lawyer to enter into an agreement that restricts the public's access to the lawyer after the lawyer's participation with the ICS ends, constitutes influencing the lawyer's independent professional judgment, in violation of paragraph (c)(2). See Rule 5.6, which prohibits a lawyer from participating in offering or making an employment agreement that restricts the right of a lawyer to practice after termination of the relationship. However, paragraph (c) would not be violated if the ICS discontinues its association with lawyers who are not authorized to practice law or are not in good standing in Illinois, or if the ICS establishes objective criteria for the participation of lawyers as the Illinois Rules of Professional Conduct or other law would permit. For example, an ICS may require a lawyer to maintain malpractice insurance as a condition for participating in the ICS without violating paragraph (c)(2).

[9] ICSes may communicate with the public, but such communication must be in conformity with these Rules. Thus, advertising must not be false or misleading, as would be the case if the communications of a group advertising program or a group legal services plan would mislead the public to think that it was an ICS or lawyer referral service sponsored by a state agency or bar association. Nor could the lawyer allow in-person, telephonic, or real-time contacts that would violate Rule 7.3.

[10] A lawyer also may agree to refer clients to another lawyer or a nonlawyer professional, in return for the undertaking of that person to refer clients or customers to the lawyer. Such reciprocal referral arrangements must not interfere with the lawyer's professional judgment as to making referrals or as to providing substantive legal services. See Rules 2.1 and 5.4(c). Except as provided in Rule 1.5(f), a lawyer who receives referrals from a lawyer or nonlawyer professional must not pay anything solely for the referral, but the lawyer does not violate paragraph (b) of this Rule by agreeing to refer clients to the other lawyer or nonlawyer professional, so long as the reciprocal referral agreement is not exclusive and the client is informed of the referral agreement. Conflicts of interest created by such arrangements are governed by Rule 1.7. Reciprocal referral agreements should not be of indefinite duration and should be reviewed periodically to determine whether they comply with these Rules. This Rule does not restrict referrals or divisions of revenues or net income among lawyers within firms comprised of multiple entities.

Adopted July 1, 2009, effective January 1, 2010; amended Oct. 15, 2015, eff. Jan. 1, 2016; amended July 6, 2023, eff. immediately; amended Apr. 1, 2025, eff. July 1, 2025.