

**KENTUCKY BAR ASSOCIATION  
ATTORNEYS' ADVERTISING COMMISSION REGULATIONS**

**AAC Regulation No. 13:**

**DEFINITION OF AN ADVERTISEMENT  
NOT TO INCLUDE CO-COUNSEL OFFERS**

SCR 3.130-7.01 states, "Rule 7 shall apply to advertisements of legal services directed to residents of the Commonwealth of Kentucky or which originate in the Commonwealth of Kentucky."

SCR 3.130-7.02(1) defines the word "advertise" or "advertisement," as "to furnish any information or communication concerning a lawyer's name or other identifying information." SCR 3.130-7.02(2) states: "legal services' means the practice of law as defined in SCR 3.020."

SCR 3.020 provides: "The practice of law is any service rendered involving legal knowledge or legal advice, whether of representation, counsel or advocacy in or out of court, rendered in respect to the rights, duties, obligations, liabilities, or business relations of one requiring the services. ..."

The definition of "advertise" or "advertisement" does not include a communication if the communication meets the following criteria:

- a) It is a lawyer-to-lawyer contact communicated solely to other lawyers or law firms, and
- b) It is in the nature of providing information concerning fields of practice, or availability to be employed as co-counsel, or to receive referrals not prohibited by the Rules of Professional Conduct (See SCR 3.130(1.5)(e)), and
- c) It is **not** a solicitation prohibited by SCR 3.130-7.09(1) to a potential client, even if the potential client is a lawyer, nor is it a communication that requires compliance with SCR 3.130-7.09(3).