



# LAW ASSOCIATION OF TRINIDAD AND TOBAGO

---

## MEDIA RELEASE

The Law Association of Trinidad and Tobago (the LATT) has been observing with great concern the growing trend of Attorneys-at-Law engaging, whether by themselves or through partnerships with others, in conduct and/or actions which is tantamount to advertising and or touting.

The restrictions on advertising and touting are quite clear and are set out in the Legal Profession Act Chapter 90:03 ("the LPA"). Section 35(2) of the LPA provides that Attorneys-at-Law shall be liable for professional misconduct if found to be in breach of any of the Rules set out in Part B of the Code of Ethics which is found in the third schedule of the LPA.

Rules 5 and 6 of Part B of the Code of Ethics provide as follows:

*"5. An Attorney-at-law shall not in the carrying on of his practice or otherwise permit any act or thing which is likely or is intended to attract business unfairly or can reasonably be regarded as touting or advertising."*

*"6. (1) An Attorney-at-law shall not in any way make use of any form of advertisement calculated to attract clients to himself or any firm with which he is associated and he shall not permit, authorise or encourage anyone to do so or reward anyone for doing so on his behalf."*

*(2) An Attorney-at-Law shall not permit his professional standing to be used for the purpose of advertising any particular product, service or commercial organization.*

*(3) An Attorney-at-law shall not advertise for business indirectly by furnishing or inspiring newspaper comment concerning cases or causes in which an Attorney-at-law has been or is connected or concerning the manner of their conduct, the magnitude of the interests involved, the importance of the Attorney-at-law's position and any similar self-laudations. "*

The LATT has observed, however, many instances of Attorneys-at-Law -

- (1) Appearing in Facebook and Tik-Tok videos for the purposes of giving unsolicited advice on certain legal topics and thereby holding out themselves to be an authority in that area of law;
- (2) Posting on social media content which is intended to attract business unfairly and which can be regarded as touting or advertising;
- (3) Engaging in partnerships (whether directly or indirectly) with real estate companies, banks and other institutions for the purposes of providing unsolicited advice on certain legal topics and thereby attempting to enhance the services of both entities; and
- (4) Using their position as an Attorney-at-Law to advertise products and services of third parties and, in some instances, to advertise other products, services, and interests of the Attorney-at-Law themselves.

The LATT has recommended to the Honourable Chief Justice significant revisions to the LPA, which include provisions for controlled advertising and contingency fees. In the absence of a revision of the existing law, the LATT remains under a statutory duty to ensure that members adhere to the existing Code of Ethics. Accordingly, offending Attorneys-at-Law can expect to be contacted by the LATT within the coming weeks.

**LAW ASSOCIATION OF TRINIDAD AND TOBAGO**

**11<sup>th</sup> December 2022**