



HOYES &
MUELLENBERG

LEGAL ADVERTISING POLICY

Effective Date:: September 2, 2026



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1. Purpose

This Legal Advertising Policy is intended to guide the Hoyes and Muellenberg, LLP's ("Firm") advertising and marketing practices to ensure compliance with applicable legal ethics rules, including the American Bar Association (ABA) Model Rules of Professional Conduct, the California Rules of Professional Conduct, the California State Bar Act (Bus. & Prof. Code § 6000 et seq.) , and any other applicable laws governing attorney advertising. This policy applies to all Firm employees, contractors, or agents (collectively, "personnel") involved in the creation, review, or dissemination of marketing or promotional content.

2. Scope

This policy applies to all forms of advertising and communications concerning the Firm's services, including but not limited to:

- Website content
- Social media posts
- Email marketing
- Online profiles and directories
- Print advertisements
- Television, radio, or podcast appearances
- Public speaking and promotional events
- Client testimonials and endorsement

3. General Principles

All legal advertising must:

- Be truthful, accurate, and not misleading in any way (Model Rule 7.1; Cal. Rules of Prof. Conduct, Rule 7.1; Business & Professions Code § 6157.1).
- Not create unjustified expectations or imply results that cannot be guaranteed.
- Clearly identify any past case results as not indicative of future outcomes
- Clearly disclose if any actors or paid spokespeople are used in advertisements
- Identify the name and contact information of at least one attorney or law firm responsible for the content (Model Rule 7.2(c); Cal. Rules of Prof. Conduct, Rule 7.3(c)).



4. Specific Requirements

Firm personnel must not make false or misleading statements, such as:

- Stating or implying that the firm or personnel at the firm can achieve results by unlawful means;
- Using comparisons with other lawyers unless they can be factually substantiated; or
- Using titles like “expert” or “specialist” unless officially certified and permitted under applicable state bar rules. (Cal. Rules of Prof. Conduct, Rule 7.4).

Client testimonials and endorsements must:

- Reflect the actual experience of the client;
- Include disclosures where results are not typical or are contingent on the facts of a particular case; and
- Avoid implying that the Firm can obtain similar results for other clients.

Any mention of third-party awards or rankings must:

- Be truthful and verifiable; and
- Include appropriate disclaimers, such as the methodology used for the award or that no comparison to other lawyers is implied unless such comparison is supported.

All email and digital advertisements must:

- Comply with applicable laws, including (but not limited to) CAN-SPAM (if commercial);
- Include a valid physical business address; and
- Provide a clear opt-out mechanism.

5. Social Media Guidelines

Firm-affiliated social media accounts must:

- Avoid providing legal advice or forming attorney-client relationships via posts or messages;



- Maintain confidentiality and avoid any reference to active or past client matters unless the client has provided informed, written consent; and
- Identify the attorney or firm responsible for the content where required by applicable rules.

6. Approval and Review Process

All advertising content must be reviewed and approved by the Managing Partner of the Firm before dissemination. Certain advertisements may require prior submission to a state bar, depending on the applicable jurisdiction.

7. Retention of Advertising Materials

The Firm shall retain a copy of all advertising content and associated approvals for at least one year. (Business & Professions Code § 6159.1)

8. Reporting and Violations

Any Firm personnel who become aware of a potential violation of this policy must promptly report it to the Managing Partner of the Firm. The Firm will investigate and take appropriate remedial action.