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Popular Threads on Solosez

ADVERTISING IN THE OBITUARY SECTION

This may be in poor taste, but do any of you advertise in the obits section of the newspaper? I've noticed that my local paper doesn't have attorney ads in that section. Is it prohibited?

Just curious.

Long H. Duong

Might work. Seems tacky, but maybe you could make it kind of fun:

"Looking for me? I am still here and practicing probate law. Please give me a call at XXX-XXXX. If my name appears in the columns above, please disregard this ad."

Duke Drouillard

It is in poor taste, IMHO, even if not prohibited.

My initial reaction was, "Ewwwwwwwwwwwwwwww!!!"

Scott I. Barer

I think an ad that is funny would be in poor taste, but if florists, funeral homes, stone engravers and direct casket suppliers can advertise, we can, too.

I haven't done it simply because of time, but I have thought that I would like to offer a free pamphlet ... e.g., "What Do I Do Now" that covers probate, need to have a team in place to provide advice - attorney, financial planner, etc.

Peter Clark

My first reaction: It sounds like "hearse chasing". If the paper had a "services" section--I could see that.

Robert Strupp

Poor taste? Perish the thought [pun intended].



Subscribe to Solosez

First Name

Last Name

E-mail Address

Submit (input element)



Unsubscribe from Solosez

E-mail Address

Submit (input element)



Books

Click on the book for more info



Run the ad under "Bottom Feeders."

Sample text :

"How desperate are we for your money? So desperate that we'll run this ad, trying to take advantage of you, in this hour of your deepest tragedy. That should give you some idea of how we interpret 'Zealous Advocacy.'" Call now : 1-800-GHOULISH : our heartless operators are standing by!"

More marketing strategies :

A. Attend the wake. Place your business card [discretely, of course] between the cold, stiff fingers of the deceased. Walk among the mourners, murmuring condolences, while liberally handing out more cards, along with your Bubba Leroy Esq. pens [\$1.19 when purchased in bulk].

B. Have a corsage delivered, with your ad logo spelled out in multi-colored flowers : FROM THE CRADLE TO THE GRAVE : FULL SERVICE LAW FIRM : CALL BUBBA LEROY ESQ. FOR FREE CONSULTATION.

Tastefully, of course.

<g>

Charlie Abut

Remember Paul Newman in "The Verdict?" -- just go to the funerals.

John D. Kitch

Actually, it **is** their hour of deepest tragedy (maybe), and let me tell you who will be taking advantage of them.

The funeral homes.

Guess who, bar none, does the most advertising in the obits? You got it, the funeral homes. In fact, it used to be that they, and they alone, had a **lock** on the obits in most newspapers.

Open it up and look for yourself. Every. Single. Obituary. Has an advertisement for the funeral home appended to the bottom of it, AND that ad is paid for by the bereaved, by the extremely expensive inch.

There is a REASON there is now a federal law that states that a person does not have to buy their casket through the funeral home. And that they MUST sign a contract with lots of disclaimers. Its sure not because the mortuary association was pushing it (until, of course, it became obvious that the result was inevitable).

Guess who else takes advantage? Hm, could it be the hospitals and the hospices? Charities? The actual newspaper, which charges more per inch for the obits than you can believe?

A grieving family arguably needs an attorney more than anyone else in the known universe. I have had people calling me asking me how to find an inexpensive burial (fortunately, I might know the answer to that). I have had people calling me to ask how they might be able to make payments, when the funeral home has sold them a package they clearly cannot ever afford to pay off. I have had counselors at the better funeral homes tell me that they regularly have to call vendors as long as six months after the fact, and tell them to stop harrasing the bereaved.

As a recently bereaved, I can tell you that a non-interested observer might have been the best thing I could have invested in. As an estate planner, I'm familiar with the death industry, but had no idea until I went through it myself (and I was treated with kid gloves, I'm absolutely certain).

That said. I do not advertise in the obits. Not because I think it is distasteful, but because while the newspaper will allow hospices and funeral homes and psychiatrists to advertise there, they will not allow attorneys to advertise on those pages. I have run an ad in the funeral section of the yellow pages. It is always an offer for free information, not an offer for a consult.

Becki Fahle

Becki (as usual) is absolutely right. But to extend her thoughts a bit, the family and whoever is executor of the estate (if there is a valid will) or if the decedant died intestate need to realize that the matter of decedant's transfer of property may end up in the hands of the court. A lawyer, competant and practiced in such matters should be consulted at the earliest possible moment--and that meansd whether the decedant had property or assets or not.

I'll illustrate what I mean by an example (this happened after I had been out of law school a year or two). I am an aviation attorney and not experienced in wills and estates or probate. Neither was the senior partner attorney who came to me one Monday morning and told me that the family of a member of his church had come to him and asked him to help them with arranging the affairs of their father who had died intestate and without any assets or property. The attorney, of course, told them he would take care of it (without charge, of course). He told me that there was nothing to it, the decedent had nothing of value when he died--"just run it through the court, do what is necessary to get it done--he didn't have any property so it shouldn't take long." Well, about a year later (maybe longer), the matter was finally concluded--at a cost to the law firm of something over ten or fifteen thousand dollars.

If you don't know anything about brain surgery, don't volunteer to do it as a favor to a friend.

Dick O'Connor

Not a bad idea at all. Be sure to spell it right, though.

CJ Stevens

Didn't think I'd get such a response from this.

As I was telling Ron offlist, I have never even considered this until I saw the obits section yesterday for the first time in quite a while. I think the absence of attorneys' ads on the obits section made me curious.

What other "tacky" ad methods are highly prevalent? I don't do PI but I'm told that the following is common practice: Attorney gives business cards to tow truck driver who in turn hands them out to auto accident victim and gets a \$100.

Long Duong

Isn't that what Paul Newman did in a movie? Brain freeze, can't think of the name of the movie - The Verdict?

Sharon Campbell

I've seen matchbooks for someone's DUI practice being handed out in bars and a workman's comp atty used to have a stack of brochures on the counter at one of the local beer stores.

Steve O'Donnell

A probate attorney here gave out shovels (with her office's name/address on the handle) right before winter to clients. She was talking about it at a CLE and said she supposedly didn't connect the dots that so many people have heart attacks and die while shoveling snow; and she's a probate attorney. But, why else would she give a *shovel*? I think she was more into attention, and she got it.

Julie Mills

This is not intended as criticism of those attorneys who engage in "marketing" practices that others consider tacky or sleazy. But the fact is that we all do those things that we consider to be justified in order in order to damp the fears of diminished life style, or to facilitate our hopes of a better kind of life. To a greater or lesser degree, the foundation element of each is money.

There are marginal (gray area) practices, there are base (perhaps immoral or unethical) practices and those that are violations of law or regulations. Somewhere, recently, I have read of scientific studies of whether or not (there being a hypothesis that it is) a moral genetic pathway (similar to that which guides children to the acquisition of language) which makes it probable that each child will develop a moral sense which guides, if not necessarily his ("his" includes "hers") behavior, his consideration of what is right and what is wrong. Without a doubt, there are some children in whom this pathway either does not exist or which has been perverted by

external factors during early months or years of life. And maybe some of them go on to become lawyers. In some areas of, say a lawyer's marketing of his services, certain methods are obviously illegal, contrary to regulations and therefore also immoral or unethical. In the gray areas, opinions and practice may differ. For one lawyer, certain marketing practices may be, even at the ethical fringes, acceptable and defensible. Others may disagree on the grounds that such fringe practices are sleazy or unethical--a belief emanating from their inborn and developed sense of what is moral and ethical and what is not., However, except for those practices obviously beyond the fringes of ethics and morality, decisions as to whether to engage in a certain marketing practice (say one which, to others is "ambulance chasing") is personal, not categorical.

Some things I can do, others I cannot. But one thing I have a great deal of trouble with is the making of moral judgments of others. So if anyone wants to have a scanner in his car, and race to the scene of an accident and surreptitiously distribute his business card stating that he represents people injured in accidents, it's all right with me, whether or not I myself would do it.

Dick O'Connor

I think the issue is one of aesthetics, as well as or instead of ethics. If something strikes us as ugly or tacky, we often confuse it with being morally wrong. If I were ever to pursue a PhD. it would be in this area of ethics vis a vis aesthetics. Regards, Lynn F. Miller

It's also one of perspective. I remember at my law school graduation, the speaker was one Bill Nelson, who had been a US Congressman, and at the time was, I think, Florida AG, and is now our US Senator. He railed against attorney advertising in general. He just thought ANY attorney advertising should be banned.

And, I was interviewing with a long time County attorney at one point, and boy was he ticked about attorney advertising. He was convinced that attorney advertising should be banned.

And I was interviewing with a Public defender, and he was dead set against attorney advertising.

And, some members of our Florida Bar- particularly the ones actually employed by the Bar- just hate it. Some of them have made public comments to the effect that they will limit it to the best of their ability, and that they're proud Florida is so restrictive on attorney advertising.

The thing they all got in common is, they got government/quasi government jobs and are sucking at the public teat. They don't have to advertise, they get a regular paycheck and they don't have to seek clients. If you're in that position, yeah, you don't have to be a fan of attorney advertising.

Ronald Jones

When I put my first ad in my local paper, I was told by the advertising director that I met with that this was THE place to put the ad. It was the most viewed page in the paper. It had nothing to do with the contents of my ad in particular, as I do very little estate work, but simply with the fact that this is the page that people view. That was followed by the police blotter section, of course.

Dawn M. Vigue

My two cents on this issue is that as long as the ad is properly somber, it's otherwise not improper. People have just suffered a terrible loss and they need a trusted advisor to guide them on many, many issues.

Jacob Grassi

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