Running a UAP Practice or Legal-Information Site: Advertising, Prospective Clients, and Unauthorized Practice

Version 1.10 · October 2026 · nhilaw.com/issues/g2.html

Version 1.10, October 2026. Legal information, not legal advice. Published by the Emergent Frontiers Institute (NHI Law is not a law firm). Citations checked in October 2026; check every citation before relying on it.

Key points

- A lawyer's website that promotes the lawyer's services is a communication and an advertisement under California rules 7.1-7.5 and Bus. & Prof. Code §§6157-6159.2; name a responsible lawyer and keep dated copies.
- Intake forms create prospective-client duties unless the site says, in plain language before submission, that the information will not be confidential (State Bar Op. 2005-168; rule 1.18).
- A publisher that is not a law firm must stay on the information side of the unauthorized-practice line (Bus. & Prof. Code §6125; *Parsons Technology*; *Janson*): general analysis and blank templates are information, while answering a visitor's specific question is practice.
- Never invite classified information; point visitors to lawful channels (Form G2-1).
- Live solicitation of whistleblowers for pecuniary gain is barred (rule 7.3).

---

1. Summary

Part A: a lawyer's practice or website. A practitioner-focused legal site operated by a lawyer is likely "communication concerning a lawyer's services" subject to advertising rules if it promotes the lawyer's availability, and creates prospective-client duties if it invites inquiries. It must also avoid giving individualized legal advice to people in jurisdictions where the lawyer is not admitted.

- **Advertising** (ABA Model Rules 7.1-7.3, as adopted by the lawyer's state): no false or misleading communications; required identification of a responsible lawyer; state-specific disclaimers and filing requirements; no solicitation of specific persons by live contact. Educational content that does not promote the lawyer's services is generally not advertising, but a "contact us" or consultation offer can bring the site within the rules.
- **Prospective clients** (Model Rule 1.18): information received from a person who consults about the possibility of a client-lawyer relationship is confidential and can create conflicts. ABA Formal Opinion 10-457 (2010) advises that lawyer websites inviting submissions

should include clear warnings that sending information does not create a lawyer-client relationship and may not be confidential, or else treat submissions as prospective- client communications.

- **Unauthorized practice** (Model Rule 5.5): general legal information is not practice; individualized advice to a person in another jurisdiction may be. Model forms should be presented as templates requiring adaptation by a licensed attorney.
- **Whistleblower-specific risk.** The site must never invite submission of classified information. Contact forms should warn users not to send classified or controlled information and direct them to authorized channels (50 U.S.C. §3373b; IG hotlines). Receipt of classified information could create exposure for the operator (Issues B4, C4).

1A. Part B: a publisher that is not a law firm

This site is published by the Emergent Frontiers Institute as legal information and a practitioner community. It names no lawyer and offers no legal services. A publisher in that position is not subject to the advertising rules for lawyers, but it must stay on the information side of the line drawn by the unauthorized practice statutes. In California no one may "practice law" unless an active licensee of the State Bar (Bus. & Prof. Code §6125), and holding oneself out as entitled to practice is separately prohibited (§6126).

The cases on self-help legal products mark the line. A federal court held that Quicken Family Lawyer software, which generated legal forms, was the unauthorized practice of law under Texas's statute; the Texas Legislature then amended the statute to exclude books, websites, and software that clearly state they are not a substitute for a lawyer (Tex. Gov't Code §81.101(c)), and the Fifth Circuit vacated the injunction. *Unauthorized Practice of Law Committee v. Parsons Technology, Inc.*, 179 F.3d 956 (5th Cir. 1999). A Missouri federal court held that LegalZoom's online document service crossed the line because the company's software and staff prepared documents from customer answers. *Janson v. LegalZoom.com, Inc.*, 802 F. Supp. 2d 1053 (W.D. Mo. 2011). Publishing general analyses and blank templates for lawyers, with clear notices, is on the information side; answering a visitor's particular question, or filling in a form for a visitor's matter, is not.

Practices for a non-lawyer publisher: state on every page that the publisher is not a law firm and offers no legal services; keep the contact form for site and community questions only and say so; never review or complete a visitor's documents; and moderate forum posts that ask for individual legal advice by pointing the poster to a lawyer.

1B. Solicitation of whistleblowers and drafting tools

- **Solicitation.** A lawyer may not solicit professional employment by live person-to-person contact when a significant motive is pecuniary gain (Cal. Rules Prof. Conduct, rule 7.3). Approaching potential UAP whistleblowers at events or through direct messages to offer representation is within the rule; publishing general material that leads them to call is not.
- **Referral fees.** Fee-sharing with another lawyer requires the client's written consent and other conditions (rule 1.5.1); paying a non-lawyer for referrals is forbidden (rule 5.4).

- **AI-assisted drafting.** The State Bar's practical guidance on generative AI (2023) says lawyers must protect client confidences when using such tools, check their output, and consider telling clients when they are used. A lawyer who adapts a template from a site like this one should check every citation, as the forms say.

2. Recommended site features (Part A: lawyer-operated sites)

1. Footer and form disclaimers: "Information on this site is general information, not legal advice. Contacting us does not create an attorney-client relationship. Do not send confidential or classified information."
2. Identify the responsible lawyer and jurisdictions of admission.
3. Label all forms "sample templates for use by or with licensed counsel."
4. A dedicated notice on classified information and authorized disclosure channels.
5. Comply with the admitting state's advertising filing and retention requirements.
6. Privacy policy for any submissions.

3. California rules

- **Advertising and communications**: California Rules of Professional Conduct 7.1 (false or misleading communications), 7.2 (advertising; must include the name and address of at least one responsible lawyer or firm), 7.3 (solicitation), 7.4 (fields of practice and specialization; no claim of certified specialist status unless certified), and 7.5 (firm names). Business and Professions Code §§6157-6159.2 (Article 9.5, Legal Advertising) also apply. Section 6159.1 requires the person who pays for an advertisement soliciting legal employment to retain "[a] true and correct copy" for one year. Section 6157.2 (as amended effective January 1, 2026) bars guarantees of outcome, "[m]isleading, deceptive, or false statements" about a lawyer's skills, experience, or record, undisclosed dramatizations and spokespersons, and references to awards that are conferred by membership or for a fee (§6157.2(a)), and requires each advertisement to name at least one responsible California lawyer or firm and the city, town, or county of at least one bona fide office or the State Bar address of record (§6157.2(b)). A site page that solicits clients for UAP-related matters should carry the §6157.2(b) disclosures in its footer, and the firm should keep a dated archive of each version of the page to satisfy §6159.1.
- **Websites**: State Bar of California Formal Opinion No. 2001-155 treats a lawyer website as a "communication" under former rule 1-400 (now rules 7.1-7.5) and as an "advertisement" under Business and Professions Code §§6157-6158.3; a website is not a "solicitation" merely because it allows e-mail contact. Formal Opinion No. 2005-168 addresses web intake forms: a bare disclaimer that no attorney-client or "confidential relationship" is formed does not defeat a visitor's reasonable belief that the submission is confidential; the lawyer avoids a confidentiality duty to visitors only if the site states, in sufficiently plain language before submission, that information submitted will not be confidential (or limits intake to conflict-check information). Both opinions predate the 2018 rules and Rule 1.18 and are advisory; confirm continued application. Sources: State Bar ethics opinion index

(https://www.calbar.ca.gov/cal-1998-152-cal-2008-175); State Bar, "Ethics Opinions on Internet and Technology" (Dec. 2011).

- **Prospective clients**: Rule 1.18; Business and Professions Code §6068(e) (duty to maintain inviolate the confidences of clients).
- **Unauthorized practice**: Business and Professions Code §6125; Rule 5.5 (multijurisdictional practice). Visitors outside California should be told the site provides general information and that the lawyer is admitted only in California [and any other jurisdictions].
- **Specialization**: do not describe the lawyer as a "specialist" in national security, space, or UAP law (Rule 7.4).

4. Recommended California-specific site language

1. Footer: "[Name], attorney at law, [address]. Admitted in California. Information on this site is general information, not legal advice, and does not create an attorney-client relationship."
2. Contact form, before the submit button, with a required checkbox (drafted to meet Formal Opinion 2005-168's plain-language requirement): "Information you submit through this form will NOT be confidential and will not create an attorney-client relationship. Do not include any confidential details of your situation; describe only your name, contact information, and the names of other people or companies involved so we can check for conflicts. Never send classified, export-controlled, or other protected information."
3. Forms pages: "Sample templates for use by or with licensed counsel; not legal advice; adapt to your jurisdiction."
4. Retain copies of the site's advertising content as required by Business and Professions Code §6159.1.