

Bonnie Frost Quoted In Law360 Article, "NJ Justices Challenge Ethics Behind Atty Keyword Search"

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The New Jersey Supreme Court cast doubt Tuesday on an ethics panel's opinion that attorneys could pay to influence internet search results in order to display their firm websites when competing lawyers' names are searched, saying the maneuver could disadvantage the competitors.

During a Zoom hearing on bar associations' challenge to the June 2019 decision from the state's Advisory Committee on Professional Ethics, the justices indicated that they may call for a deeper investigation of the practice, which involves attorneys buying a competitor's name as a keyword as a means of getting their own firms into the search results.

Justice Barry T. Albin questioned whether such manipulation would violate the state's Rules of Professional Conduct for attorneys by pushing down search results about a competitor.

At Tuesday's hearing, however, attorneys representing the [New Jersey State Bar Association](#) and the Bergen County Bar Association blasted the practice as unethical and deceitful.

Bonnie C. Frost of [Einhorn Barbarito Frost & Botwinick PC](#), representing the state bar association, told the justices that a lawyer's hard-earned reputation is "embodied in the lawyer's name, and a lawyer's name has value."

"And then to have someone come along, buy and use that name and reputation for their own profit is dishonest, and the practice is deceitful under RPC 8.4(c)," Frost said, referring to the rule that it is professional misconduct for a lawyer to "engage in conduct involving dishonesty, fraud, deceit or misrepresentation."

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