



Unauthorized Practice of Law

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Toll Free: (800) 903-0111, prompt 2

Direct: (703) 312-7922

Fax: (703) 312-7966

Email: ncffc@bwjp.org

Web: www.fullfaithandcredit.org

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STATE	UNAUTHORIZED PRACTICE OF LAW
<p>AMERICAN SAMOA</p>	<p>A.S.C.A. § 31.0104 Unauthorized Practice of Law-Penalty</p> <p>(a) It is unlawful for any person, association, firm or corporation to engage in or attempt to engage in the practice of law, or to do, attempt to do or offer to do any act constituting the practice of law, except to the extent such person, firm or association is licensed or authorized by the Chief Justice. Nothing in this section authorizes licensing of a corporation to practice law.</p> <p>(b) A person, association, firm or corporation who violates this section is guilty of a class A misdemeanor.</p>
<p>ALABAMA</p>	<p>Ala. Code § 34-3-6 Authority to Practice Law -- "Practice of Law" Defined</p> <p>(a) Only such persons as are regularly licensed have authority to practice law.</p> <p>(b) For the purposes of this chapter, the practice of law is defined as follows: Whoever,</p> <ol style="list-style-type: none"> (1) In a representative capacity appears as an advocate or draws papers, pleadings, or documents, or performs any act in connection with proceedings pending or prospective before a court or a body, board, committee, commission, or officer constituted by law or having authority to take evidence in or settle or determine controversies in the exercise of the judicial power of the state or any subdivision thereof; or (2) For a consideration, reward, or pecuniary benefit, present or anticipated, direct or indirect, advises or counsels another as to secular law, or draws or procures or assists in the drawing of a paper, document, or instrument affecting or relating to secular rights; or (3) For a consideration, reward, or pecuniary benefit, present or anticipated, direct or indirect, does any act in a representative capacity in behalf of another tending to obtain or secure for such other the prevention or the redress of a wrong or the enforcement or establishment of a right; or (4) As a vocation, enforces, secures, settles, adjusts, or compromises defaulted, controverted, or disputed accounts, claims or demands between persons with neither of whom he or she is in privity or in the relation of employer and employee in the ordinary sense is practicing law. <p>(c) Nothing in this section shall be construed to prohibit any person, firm, or corporation from attending to and caring for his, her, or its own business, claims, or demands, nor from preparing abstracts of title, certifying, guaranteeing, or insuring titles to property, real or personal, or an interest therein, or a lien or encumbrance thereon, but any such person, firm, or corporation engaged in preparing abstracts of title, certifying, guaranteeing, or insuring titles to real or personal property are prohibited from preparing or drawing or procuring or assisting in the drawing or preparation of deeds, conveyances, mortgages, and any paper, document, or instrument affecting or relating to secular rights, which acts are hereby defined to be an act of practicing law, unless such person, firm, or corporation shall have a proprietary interest in such property; however, any such person, firm, or corporation so engaged in preparing abstracts of title, certifying, guaranteeing, or insuring titles shall be permitted to prepare or draw or procure or assist in the drawing or preparation of simple affidavits or statements of fact to be used by such person, firm, or corporation in support of its title policies, to be retained in its files and not to be recorded.</p> <p>(d) Only a person who is a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government, may be licensed to practice law in this state.</p> <p>(e) Each attorney licensed to practice law in the State of Alabama, whether the license is a special or a regular license, may provide pro bono legal services organized through or recognized by the Alabama State Bar Association.</p>
<p>ALASKA</p>	<p>Alaska Stat. 08.08.230 Unlawful Practice a Misdemeanor</p> <p>(a) A person not an active member of the Alaska Bar and not licensed to practice law in Alaska who engages in the practice of law or holds out as entitled to engage in the practice of law as that term is defined in the Alaska Bar Rules, or an active member of the Alaska Bar who willfully employs such a person knowing that the person is engaging in the practice of law or holding out as entitled to so engage is guilty of a class A misdemeanor.</p> <p>(b) This section does not prohibit the use of paralegal personnel as defined by rules of the Alaska supreme court.</p>

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	<p>Alaska R. Prof. Conduct R. 5.5 Unauthorized Practice Of Law; Multijurisdictional Practice Of Law</p> <p>(a) A lawyer shall not practice law in any jurisdiction unless authorized to do so by the laws of that jurisdiction.</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>(c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in that proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or (4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. <p>(d) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are provided to the lawyer's employer or its organizational affiliates and are not services for which the forum requires pro hac vice admission; or (2) are services that the lawyer is authorized to provide by federal law or other law of this jurisdiction. <p>(e) For purposes of paragraph (d), the foreign lawyer must be a member in good standing of a recognized legal profession in a foreign jurisdiction, the members of which are admitted to practice as lawyers or counselors at law or the equivalent, and are subject to effective regulation and discipline by a duly constituted professional body or a public authority.</p>
ARIZONA	<p>Ariz. Sup. Ct. R. 31 Regulation of the Practice of Law</p> <p>(a) Supreme Court jurisdiction over the practice of law.</p> <ol style="list-style-type: none"> 1. <i>Jurisdiction.</i> Any person or entity engaged in the practice of law or unauthorized practice of law in this state, as defined by these rules, is subject to this court's jurisdiction. 2. <i>Definitions.</i> <ol style="list-style-type: none"> A. "Practice of law" means providing legal advice or services to or for another by: <ol style="list-style-type: none"> (1) Preparing any document in any medium intended to affect or secure legal rights for a specific person or entity; (2) Preparing or expressing legal opinions; (3) Representing another in a judicial, quasi-judicial, or administrative proceeding, or other formal dispute resolution process such as arbitration and mediation; (4) Preparing any document through any medium for filing in any court, administrative agency or tribunal for a specific

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	<p>person or entity; or</p> <p>(5) Negotiating legal rights or responsibilities for a specific person or entity.</p> <p>B. "Unauthorized practice of law" includes but is not limited to:</p> <p>(1) Engaging in the practice of law by persons or entities not authorized to practice pursuant to paragraphs (b) or (c) or specially admitted to practice pursuant to Rule 33(d); or</p> <p>(2) Using the designations "lawyer," "attorney at law," "counselor at law," "law," "law office," "J.D.," "Esq.," or other equivalent words by any person or entity who is not authorized to practice law in this state pursuant to paragraphs (b) or (c) or specially admitted to practice pursuant to Rule 33(d), the use of which is reasonably likely to induce others to believe that the person or entity is authorized to engage in the practice of law in this state.</p> <p>C. "Legal assistant/paralegal" means a person qualified by education and training who performs substantive legal work requiring a sufficient knowledge of and expertise in legal concepts and procedures, who is supervised by an active member of the State Bar of Arizona, and for whom an active member of the state bar is responsible, unless otherwise authorized by supreme court rule.</p> <p>D. "Mediator" means an impartial individual who is appointed by a court or government entity or engaged by disputants through written agreement to mediate a dispute. Serving as a mediator is not the practice of law.</p> <p>E. "Unprofessional conduct" means substantial or repeated violations of the Oath of Admission to the Bar or the Lawyer's</p> <p>Creed of Professionalism of the State Bar of Arizona.</p> <p>(b) Authority to practice. -- Except as hereinafter provided in section (d), no person shall practice law in this state or represent in any way that he or she may practice law in this state unless the person is an active member of the state bar.</p> <p>(c) Restrictions on disbarred attorneys' and members' right to practice. -- No member who is currently suspended or on disability inactive status and no former member who has been disbarred shall practice law in this state or represent in any way that he or she may practice law in this state.</p> <p>(d) Exemptions. -- Notwithstanding the provisions of section (b), but subject to the limitations of section (c) unless otherwise stated:</p> <p>1. In any proceeding before the Department of Economic Security or Department of Child Safety, including a hearing officer, an Appeal Tribunal or the Appeals Board, an individual party (either claimant or opposing party) may be represented by a duly authorized agent who is not charging a fee for the representation; an employer, including a corporate employer, may represent itself through an officer or employee; or a duly authorized agent who is charging a fee may represent any party, providing that an attorney authorized to practice law in the State of Arizona shall be responsible for and supervise such agent.</p> <p>2. An employee may designate a representative, not necessarily an attorney, before any board hearing or any quasi-judicial hearing dealing with personnel matters, providing that no fee may be charged for any services rendered in connection with such hearing by any such designated representative not an attorney admitted to practice.</p> <p>3. An officer of a corporation or a managing member of a limited liability company who is not an active member of the state bar may represent such entity before a justice court or police court provided that: the entity has specifically authorized such officer or managing member to represent it before such courts; such representation is not the officer's or managing member's primary duty to the entity, but secondary or incidental to other duties relating to the management or operation of the operation of the entity; and the entity was an original party to or a first assignee of a conditional sales contract, conveyance, transaction or occurrence that gave rise to the cause of action in such court, and the assignment was not made for a collection purpose.</p> <p>4. A person who is not an active member of the state bar may represent a party in small claims procedures in the Arizona Tax Court, as provided in Title 12, Chapter 1, Article 4 of the Arizona Revised Statutes.</p> <p>5. In any proceeding in matters under Title 23, Chapter 2, Article 10 of the Arizona Revised Statutes, before any administrative law judge of the Industrial Commission of Arizona or review board of the Arizona Division of Occupational Safety and Health or any successor agency, a corporate employer may be represented by an officer or other duly authorized agent of the corporation who is not charging a fee for the representation.</p> <p>6. An ambulance service may be represented by a corporate officer or employee who has been specifically authorized by the ambulance service</p>

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	<p>to represent it in an administrative hearing or rehearing before the Arizona Department of Health Services as provided in Title 36, Chapter 21.1, Article 2 of the Arizona Revised Statutes.</p> <p>7. A person who is not an active member of the state bar may represent a corporation in small claims procedures, so long as such person is a full-time officer or authorized full-time employee of the corporation who is not charging a fee for the representation.</p> <p>8. In any administrative appeal proceeding of the Department of Health Services, for behavioral health services, pursuant to A.R.S. § 36-3413 (effective July 1, 1995), a party may be represented by a duly authorized agent who is not charging a fee for the representation.</p> <p>9. An officer or employee of a corporation or unincorporated association who is not an active member of the state bar may represent the corporation or association before the superior court (including proceedings before the master appointed according to A.R.S. § 45-255) in the general stream adjudication proceedings conducted under Arizona Revised Statutes Title 45, Chapter 1, Article 9, provided that: the corporation or association has specifically authorized such officer or employee to represent it in this adjudication; such representation is not the officer's or employee's primary duty to the corporation but secondary or incidental to other duties related to the management or operation of the corporation or association; and the officer or employee is not receiving separate or additional compensation (other than reimbursement for costs) for such representation. Notwithstanding the foregoing provision, the court may require the substitution of counsel whenever it determines that lay representation is interfering with the orderly progress of the litigation or imposing undue burdens on the other litigants. In addition, the court may assess an appropriate sanction against any party or attorney who has engaged in unreasonable, groundless, abusive or obstructionist conduct.</p> <p>10. An officer or full-time, permanent employee of a corporation who is not an active member of the state bar may represent the corporation before the Arizona Department of Environmental Quality in an administrative proceeding authorized under Arizona Revised Statutes, Title 49, provided that: the corporation has specifically authorized such officer or employee to represent it in the particular administrative hearing; such representation is not the officer's or employee's primary duty to the corporation but secondary or incidental to other duties related to the management or operation of the corporation; the officer or employee is not receiving separate or additional compensation (other than reimbursement for costs) for such representation; and the corporation has been provided with a timely and appropriate written general warning relating to the potential effects of the proceeding on the corporation's and its owners' legal rights.</p> <p>11. Unless otherwise specifically provided for in this rule, in proceedings before the Office of Administrative Hearings, or in fee arbitration proceedings conducted under the auspices of the State Bar of Arizona Fee Arbitration Committee, a legal entity may be represented by a full-time officer, partner, member or manager of a limited liability company, or employee, provided that: the legal entity has specifically authorized such person to represent it in the particular matter; such representation is not the person's primary duty to the legal entity, but secondary or incidental to other duties relating to the management or operation of the legal entity; and the person is not receiving separate or additional compensation (other than reimbursement for costs) for such representation.</p> <p>12. In any administrative appeal proceeding relating to the Arizona Health Care Cost Containment System, an individual may be represented by a duly authorized agent who is not charging a fee for the representation.</p> <p>13. In any administrative matter before the Arizona Department of Revenue, the Office of Administrative Hearings relating to the Arizona Department of Revenue, a state or county board of equalization, the Arizona Department of Transportation, the Arizona Department of Economic Security, the Department of Child Safety, the Arizona Corporation Commission, or any county, city, or town taxing or appeals official, a taxpayer may be represented by (1) a certified public accountant, (2) a federally authorized tax practitioner, as that term is defined in A.R.S. § 42-2069(D)(1), or (3) in matters in which the dispute, including tax, interest and penalties, is less than \$ 5,000.00 (five thousand dollars), any duly appointed representative. A legal entity, including a governmental entity, may be represented by a full-time officer, partner, member or manager of a limited liability company, or employee, provided that: the legal entity has specifically authorized such person to represent it in the particular matter; such representation is not the person's primary duty to the legal entity, but secondary or incidental to other duties relating to the management or operation of the legal entity; and the person is not receiving separate or additional compensation (other than reimbursement for costs) for such representation.</p> <p>14. If the amount in any single dispute before the State Board of Tax Appeals is less than twenty-five thousand dollars, a taxpayer may be represented in that dispute before the board by a certified public accountant or by a federally authorized tax practitioner, as that term is defined in A.R.S. §</p>

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	<p>42-2069(D)(1).</p> <p>15. In any administrative proceeding pursuant to <u>20 U.S.C. § 1415</u>(f) or (k) regarding any matter relating to the identification, evaluation, educational placement, or the provision of a free appropriate public education for a child with a disability or suspected disability, a party may be represented by an individual with special knowledge or training with respect to the problems of children with disabilities as determined by the administrative law judge, and who is not charging the party a fee for the representation. The hearing officer shall have discretion to remove the individual, if continued representation impairs the administrative process or causes harm to the parties represented.</p> <p>16. Nothing in these rules shall limit a certified public accountant or other federally authorized tax practitioner, as that term is defined in A.R.S. § 42-2069(D)(1), from practicing before the Internal Revenue Service or other federal agencies where so authorized.</p> <p>17. Nothing in these rules shall prohibit the rendering of individual and corporate financial and tax advice to clients or the preparation of tax-related documents for filing with governmental agencies by a certified public accountant or other federally authorized tax practitioner as that term is defined in A.R.S. § 42-2069(D)(1).</p> <p>18. Nothing in this rule shall affect the ability of nonlawyer assistants to act under the supervision of a lawyer in compliance with ER 5.3 of the rules of professional conduct. This exemption is not subject to section (c).</p> <p>19. Nothing in these rules shall prohibit the supreme court, court of appeals, superior courts, or limited jurisdiction courts in this state from creating and distributing form documents for use in Arizona courts.</p> <p>20. Nothing in these rules shall prohibit the preparation of documents incidental to a regular course of business when the documents are for the use of the business and not made available to third parties.</p> <p>21. Nothing in these rules shall prohibit the preparation of tax returns.</p> <p>22. Nothing in these rules shall affect the rights granted in the Arizona or United States Constitutions.</p> <p>23. Nothing in these rules shall prohibit an officer or employee of a governmental entity from performing the duties of his or her office or carrying out the regular course of business of the governmental entity.</p> <p>24. Nothing in these rules shall prohibit a certified legal document preparer from performing services in compliance with Arizona Code of Judicial Administration, Part 7, Chapter 2, Section 7-208. This exemption is not subject to paragraph (c) of this rule, as long as the disbarred attorney or member has been certified as provided in § 7-208 of the Arizona Code of Judicial Administration.</p> <p>25. Nothing in these rules shall prohibit a mediator as defined in these rules from preparing a written mediation agreement or filing such agreement with the appropriate court, provided that:</p> <p style="padding-left: 40px;">(A) the mediator is employed, appointed or referred by a court or government entity and is serving as a mediator at the direction of the court or government entity; or</p> <p style="padding-left: 40px;">(B) the mediator is participating without compensation in a nonprofit mediation program, a community-based organization, or a professional association .In all other cases, a mediator who is not a member of the state bar and who prepares or provides legal documents for the parties without the supervision of an attorney must be certified as a legal document preparer in compliance with the Arizona Code of Judicial Administration, Part 7, Chapter 2, Section 7-208.</p> <p>26. Nothing in these rules shall prohibit a property tax agent, as that term is defined in A.R.S. § 32-3651, who is registered with the Arizona State Board of Appraisal pursuant to A.R.S. § 32-3642, from practicing as authorized pursuant to A.R.S. § 42-16001.</p> <p>27. Nothing in these rules shall affect the ability of lawyers licensed in another jurisdiction to engage in conduct that is permitted under ER 5.5 of the rules of professional conduct.</p> <p>28. In matters before the Arizona Corporation Commission, a public service corporation, an interim operator appointed by the Commission, or a non-profit organization may be represented by a corporate officer, employee, or a member who is not an active member of the state bar if:</p> <p style="padding-left: 40px;">(A) the public service corporation, interim operator, or non-profit organization has specifically authorized the officer, employee, or member to represent it in the particular matter,</p> <p style="padding-left: 40px;">(B) such representation is not the person's primary duty to the public service corporation, interim operator, or non-profit organization,</p>

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	<p>but is secondary or incidental to such person's duties relating to the management or operation of the public service corporation, interim operator, or non-profit organization, and</p> <p>(C) the person is not receiving separate or additional compensation (other than reimbursement for costs) for such representation.</p> <p>Notwithstanding the foregoing provisions, the Commission or presiding officer may require counsel in lieu of lay representation whenever it determines that lay representation is interfering with the orderly progress of the proceeding, imposing undue burdens on the other parties, or causing harm to the parties represented.</p> <p>29. In any landlord/tenant dispute before the Arizona Department of Fire, Building and Life Safety, an individual may be represented by a duly authorized agent who is not charging a fee for the representation, other than reimbursement for actual costs.</p> <p>30. A person licensed as a fiduciary pursuant to A.R.S. § 14-5651 may perform services in compliance with Arizona Code of Judicial Administration, Part 7, Chapter 2, Section 7-202. Notwithstanding the foregoing provision, the court may suspend the fiduciary's authority to act without an attorney whenever it determines that lay representation is interfering with the orderly progress of the proceedings or imposing undue burdens on other parties.</p> <p>31. Nothing in these rules shall prohibit an active member or full-time employee of an association defined in A.R.S. §§ 33-1202 or 33-1802, or the officers and employees of a management company providing management services to the association, from appearing in a small claims action, so long as:</p> <p>(A) the association's employee or management company is specifically authorized in writing by the association to appear on behalf of the association;</p> <p>(B) the association is a party to the small claims action.</p>
ARKANSAS	<p>A.C.A. § 16-22-501 Prohibited Activities (Unauthorized Practice of Law)</p> <p>(a) A person commits an offense if, with intent to obtain a direct economic benefit for himself or herself, the person:</p> <ol style="list-style-type: none"> (1) Contracts with any person to represent that person with regard to personal causes of action for property damages or personal injury; (2) Advises any person as to the person's rights and the advisability of making claims for personal injuries or property damages; (3) Advises any person as to whether or not to accept an offered sum of money in settlement of claims for personal injuries or property damages; (4) Enters into any contract with another person to represent that person in personal injury or property damage matters on a contingent fee basis with an attempted assignment of a portion of the person's cause of action; (5) Enters into any contract, except a contract of insurance, with a third person which purports to grant the exclusive right to select and retain legal counsel to represent the individual in any legal proceeding; or (6) Contacts any person by telephone or in person for the purpose of soliciting business which is legal in nature, as set forth above. <p>(b) This section does not apply to a person currently licensed to practice law in this state, another state, or a foreign country and in good standing with the State Bar of Arkansas and the state bar or licensing authority of any and all other states and foreign countries where licensed.</p> <p>(c) Except as provided by subsection (d) of this section, an offense under subsection (a) of this section is a Class A misdemeanor.</p> <p>(d) An offense under subsection (a) of this section is a Class D felony if it is shown on the trial of the offense that the defendant has previously been convicted under subsection (a) of this section.</p> <p>(e) This section shall not apply to a person who is licensed as an adjuster or employed as an adjuster by an insurer as authorized by § 23-64-101.</p>
CALIFORNIA	Cal. Rules of Prof'l Conduct, Rule 5.5

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	<p>Rule 5.5 Unauthorized Practice of Law; Multijurisdictional Practice</p> <p>(a) A lawyer admitted to practice law in California shall not:</p> <ol style="list-style-type: none"> (1) practice law in a jurisdiction where to do so would be in violation of regulations of the profession in that jurisdiction; or (2) knowingly assist a person* in the unauthorized practice of law in that jurisdiction. <p>(b) A lawyer who is not admitted to practice law in California shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by these rules or other law, establish or maintain a resident office or other systematic or continuous presence in California for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in California. <p>Comment Paragraph (b)(1) prohibits lawyers from practicing law in California unless otherwise entitled to practice law in this state by court rule or other law. (See, e.g., Bus. & Prof. Code, § 6125 et seq.; see also Cal. Rules of Court, rules 9.40 [counsel pro hac vice], 9.41 [appearances by military counsel], 9.42 [certified law students], 9.43 [out-of-state attorney arbitration counsel program], 9.44 [registered foreign legal consultant], 9.45 [registered legal services attorneys], 9.46 [registered in-house counsel], 9.47 [attorneys practicing temporarily in California as part of litigation], 9.48 [non-litigating attorneys temporarily in California to provide legal services].)</p> <p>Cal. Bus. & Prof. Code § 6125 § 6125 Practicing without an active license</p> <p>No person shall practice law in California unless the person is an active licensee of the State Bar.</p> <p>Cal. Bus. & Prof. Code § 6127 Acts or Practices Amounting to Contempt; Procedure</p> <p>The following acts or omissions in respect to the practice of law are contempts of the authority of the courts:</p> <ol style="list-style-type: none"> (a) Assuming to be an officer or attorney of a court and acting as such, without authority. (b) Advertising or holding oneself out as practicing or as entitled to practice law or otherwise practicing law in any court, without being an active member of the State Bar. <p>Proceedings to adjudge a person in contempt of court under this section are to be taken in accordance with the provisions of Title V of Part III of the Code of Civil Procedure.</p>
<p>COLORADO</p>	<p>C.R.S. 12-5-112 Practicing Law Without License Deemed Contempt Repealed</p> <p>Colo. RPC 5.5 5.5 Unauthorized Practice of Law: Multijurisdictional Practice</p> <p>(a) A lawyer shall not:</p>

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	<p>(1) practice law in this jurisdiction without a license to practice law issued by the Colorado Supreme Court unless specifically authorized by C.R.C.P. 204 or C.R.C.P. 205 or federal or tribal law;</p> <p>(2) practice law in a jurisdiction where doing so violates the regulations of the legal profession in that jurisdiction;</p> <p>(3) assist a person who is not authorized to practice law pursuant to subpart (a) of this Rule in the performance of any activity that constitutes the unauthorized practice of law; or</p> <p>(4) allow the name of a disbarred lawyer or a suspended lawyer who must petition for reinstatement to remain in the firm name.</p> <p>(b) A lawyer shall not employ, associate professionally with, allow or aid a person the lawyer knows or reasonably should know is a disbarred, suspended, or on disability inactive status to perform the following on behalf of the lawyer's client:</p> <p>(1) render legal consultation or advice to the client;</p> <p>(2) appear on behalf of a client in any hearing or proceeding or before any judicial officer, arbitrator, mediator, court, public agency, referee, magistrate, commissioner, or hearing officer;</p> <p>(3) appear on behalf of a client at a deposition or other discovery matter;</p> <p>(4) negotiate or transact any matter for or on behalf of the client with third parties;</p> <p>(5) otherwise engage in activities that constitute the practice of law; or</p> <p>(6) receive, disburse or otherwise handle client funds.</p> <p>(c) Subject to the limitation set forth below in paragraph (d), a lawyer may employ, associate professionally with, allow or aid a lawyer who is disbarred, suspended (whose suspension is partially or fully served), or on disability inactive status to perform research, drafting or clerical activities, including but not limited to:</p> <p>(1) legal work of a preparatory nature, such as legal research, the assemblage of data and other necessary information, drafting of pleadings, briefs, and other similar documents;</p> <p>(2) direct communication with the client or third parties regarding matters such as scheduling, billing, updates, confirmation of receipt or sending of correspondence and messages; and</p> <p>(3) accompanying an active member in attending a deposition or other discovery matter for the limited purpose of providing assistance to the lawyer who will appear as the representative of the client.</p> <p>(d) A lawyer shall not allow a person the lawyer knows or reasonably should know is disbarred, suspended, or on disability inactive status to have any professional contact with clients of the lawyer or of the lawyer's firm unless the lawyer:</p> <p>(1) prior to the commencement of the work, gives written notice to the client for whom the work will be performed that the disbarred or suspended lawyer, or the lawyer on disability inactive status, may not practice law; and</p> <p>(2) retains written notification for no less than two years following completion of the work.</p> <p>(e) Once notice is given pursuant to C.R.C.P. 251.28 or this Rule, then no additional notice is required.</p> <p>COMMENT</p> <p>[1] The definition of the practice of law is established by law and varies from one jurisdiction to another. In order to protect the public, persons not admitted to practice law in Colorado cannot hold themselves out as lawyers in Colorado or as authorized to practice law in Colorado. Rule 5.5(a)(1) recognizes that C.R.C.P. 204 and C.R.C.P. 205 permit lawyers to practice law in accordance with their terms in Colorado without a license from the Colorado Supreme Court. Lawyers may also be permitted to practice law within the physical boundaries of the State, without such a license, where they do so pursuant to Federal or tribal law. Such practice does not constitute a violation of the general proscription of Rule 5.5(a)(1).</p> <p>[2] Paragraph (a)(3) does not prohibit a lawyer from employing the services of paraprofessionals and delegating functions to them, so long as the lawyer supervises the delegated work and retains responsibility for their work. See Rule 5.3. Likewise, it does not prohibit lawyers from providing professional advice and instruction to nonlawyers whose employment requires knowledge of law; for example, claims adjusters, employees of financial or commercial</p>

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	<p>institutions, social workers, accountants and persons employed in governmental agencies. In addition, a lawyer may counsel nonlawyers who wish to proceed pro se.</p> <p>[3] A lawyer may employ or contract with a disbarred, suspended lawyer or a lawyer on disability inactive status, to perform services that a law clerk, paralegal or other administrative staff may perform so long as the lawyer directly supervises the work. Lawyers who are suspended but whose entire suspension has been stayed may engage in the practice of law, and the portion of the Rule limiting what suspended lawyers may do does not apply.</p> <p>[4] The name of a disbarred lawyer or a suspended lawyer who must petition for reinstatement must be removed from the firm name. A lawyer will be assisting in the unauthorized practice of law if the lawyer fails to remove such name.</p> <p>[5] Disbarred, suspended lawyers or lawyers on disability inactive status may have contact with clients of the licensed lawyer so long as such lawyer and the licensed lawyer provide written notice to the client that the lawyer may not practice law. Written notice to the client shall include an advisement that the person may not give advice or engage in any other conduct considered the practice of law. Proof of service shall be maintained in the licensed lawyer's file for a minimum of two years.</p> <p>[6] Separate and apart from the disbarred, suspended or disabled lawyer's obligation not to practice law, the licensed lawyer who employs or hires such person has an obligation to directly supervise that individual.</p>
CONNECTICUT	<p>Conn. Rules of Prof'l Conduct R. 5.5 Unauthorized Practice of Law</p> <p>(a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so. The practice of law in this jurisdiction is defined in Practice Book Section 2-44A. Conduct described in subsections (c) and (d) in another jurisdiction shall not be deemed the unauthorized practice of law for purposes of this subsection (a).</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction, shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>(c) A lawyer admitted in another United States jurisdiction which accords similar privileges to Connecticut lawyers in its jurisdiction, and provided that the lawyer is not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction, that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential mediation or other alternative dispute resolution proceeding in this or another jurisdiction, with respect to a matter that is substantially related to, or arises in, a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires <i>pro hac vice</i> admission; or (4) are not within subdivisions (c) (2) or (c) (3) and arise out of or are substantially related to the legal services provided to an existing

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	<p>client of the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice.</p> <p>(d) A lawyer admitted to practice in another jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) the lawyer is authorized to provide pursuant to Practice Book Section 2-15A and the lawyer is an authorized house counsel as provided in that section; or (2) the lawyer is authorized by federal or other law or rule to provide in this jurisdiction. <p>(e) A lawyer not admitted to practice in this jurisdiction and authorized by the provisions of this Rule to engage in providing legal services on a temporary basis in this jurisdiction is thereby subject to the disciplinary rules of this jurisdiction with respect to the activities in this jurisdiction.</p> <p>(f) A lawyer desirous of obtaining the privileges set forth in subsections (c) (3) or (4):</p> <ol style="list-style-type: none"> (1) shall notify the statewide bar counsel as to each separate matter prior to any such representation in Connecticut, (2) shall notify the statewide bar counsel upon termination of each such representation in Connecticut, and (3) shall pay such fees as may be prescribed by the Judicial Branch. <p>Conn. Practice Book § 2-44A Definition of the Practice of Law</p> <p>(a) General Definition: The practice of law is ministering to the legal needs of another person and applying legal principles and judgment to the circumstances or objectives of that person. This includes, but is not limited to:</p> <ol style="list-style-type: none"> (1) Holding oneself out in any manner as an attorney, lawyer, counselor, advisor or in any other capacity which directly or indirectly represents that such person is either (a) qualified or capable of performing or (b) is engaged in the business or activity of performing any act constituting the practice of law as herein defined. (2) Giving advice or counsel to persons concerning or with respect to their legal rights or responsibilities or with regard to any matter involving the application of legal principles to rights, duties, obligations or liabilities. (3) Drafting any legal document or agreement involving or affecting the legal rights of a person. (4) Representing any person in a court, or in a formal administrative adjudicative proceeding or other formal dispute resolution process or in any administrative adjudicative proceeding in which legal pleadings are filed or a record is established as the basis for judicial review. (5) Giving advice or counsel to any person, or representing or purporting to represent the interest of any person, in a transaction in which an interest in property is transferred where the advice or counsel, or the representation or purported representation, involves (a) the preparation, evaluation, or interpretation of documents related to such transaction or to implement such transaction or (b) the evaluation or interpretation of procedures to implement such transaction, where such transaction, documents, or procedures affect the legal rights, obligations, liabilities or interests of such person, and (6) Engaging in any other act which may indicate an occurrence of the authorized practice of law in the state of Connecticut as established by case law, statute, ruling or other authority. <p>"Documents" includes, but is not limited to, contracts, deeds, easements, mortgages, notes, releases, satisfactions, leases, options, articles of incorporation and other corporate documents, articles of organization and other limited liability company documents, partnership agreements, affidavits, prenuptial agreements, wills, trusts, family settlement agreements, powers of attorney, notes and like or similar instruments; and pleadings and any other papers incident to legal actions and special proceedings.</p> <p>The term "person" includes a natural person, corporation, company, partnership, firm, association, organization, society, labor union, business trust, trust, financial institution, governmental unit and any other group, organization or entity of any nature, unless the context otherwise dictates.</p> <p>The term "Connecticut lawyer" means a natural person who has been duly admitted to practice law in this state and whose privilege to do so is then current and in good standing as an active member of the bar of this state.</p>

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	<p>(b) Exceptions. Whether or not it constitutes the practice of law, the following activities by any person are permitted:</p> <ol style="list-style-type: none"> (1) Selling legal document forms previously approved by a Connecticut lawyer in any format. (2) Acting as a lay representative authorized by administrative agencies or in administrative hearings solely before such agency or hearing where: <ol style="list-style-type: none"> (A) Such services are confined to representation before such forum or other conduct reasonably ancillary to such representation; and (B) Such conduct is authorized by statute, or the special court, department or agency has adopted a rule expressly permitting and regulating such practice. (3) Serving in a neutral capacity as a mediator, arbitrator, conciliator or facilitator. (4) Participating in labor negotiations, arbitrations, or conciliations arising under collective bargaining rights or agreements. (5) Providing clerical assistance to another to complete a form provided by a court for the protection from abuse, harassment and violence when no fee is charged to do so. (6) Acting as a legislative lobbyist. (7) Serving in a neutral capacity as a clerk or a court employee providing information to the public. (8) Performing activities which are preempted by federal law. (9) Performing statutorily authorized services as a real estate agent or broker licensed by the state of Connecticut. (10) Preparing tax returns and performing any other statutorily authorized services as a certified public accountant, enrolled IRS agent, public accountant, public bookkeeper, or tax preparer. (11) Performing such other activities as the courts of Connecticut have determined do not constitute the unlicensed or unauthorized practice of law. (12) Undertaking self-representation, or practicing law authorized by a limited license to practice. <p>(c) Nonlawyer Assistance: Nothing in this rule shall affect the ability of nonlawyer assistants to act under the supervision of a lawyer in compliance with Rule 5.3 of the Rules of Professional Conduct.</p> <p>(d) General Information: Nothing in this rule shall affect the ability of a person or entity to provide information of a general nature about the law and legal procedures to members of the public.</p> <p>(e) Governmental Agencies: Nothing in this rule shall affect the ability of a governmental agency to carry out its responsibilities as provided by law.</p> <p>(f) Professional Standards: Nothing in this rule shall be taken to define or affect standards for civil liability or professional responsibility.</p> <p>(g) Unauthorized Practice: If a person who is not authorized to practice law is engaged in the Sec. 2-44A SUPERIOR COURT--GENERAL PROVISIONS practice of law, that person shall be subject to the civil and criminal penalties of this jurisdiction.</p>
DELAWARE	<p>Del. Rules of Prof'l Conduct R. 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law</p> <p>(a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>(c) A lawyer admitted in another United States jurisdiction or in a foreign jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized;

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	<p>(3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or</p> <p>(4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice.</p> <p>(d) A lawyer admitted in another United States jurisdiction, or in a foreign jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services in this jurisdiction that:</p> <p>(1) are provided to the lawyer's employer or its organizational affiliates after compliance with Supreme Court Rule 55.1(a)(1) and are not services for which the forum requires pro hac vice admission; or</p> <p>(2) are services that the lawyer is authorized to provide by federal law or other law of this jurisdiction.</p>
<p>DISTRICT OF COLUMBIA</p>	<p>D.C. Ct. App. Rule 49 Unauthorized Practice of Law</p> <p>(a) General Rule. -- No person shall engage in the practice of law in the District of Columbia or in any manner hold out as authorized or competent to practice law in the District of Columbia unless enrolled as an active member of the District of Columbia Bar, except as otherwise permitted by these Rules.</p> <p>(b) Definitions. -- The following definitions apply to the interpretation and application of this rule:</p> <p>(1) "Person" means any individual, group of individuals, firm, unincorporated association, partnership, corporation, mutual company, joint stock company, trust, trustee, receiver, legal or business entity.</p> <p>(2) "Practice of Law" means the provision of professional legal advice or services where there is a client relationship of trust or reliance. One is presumed to be practicing law when engaging in any of the following conduct on behalf of another:</p> <p>(A) Preparing any legal document, including any deeds, mortgages, assignments, discharges, leases, trust instruments or any other instruments intended to affect interests in real or personal property, will, codicils, instruments intended to affect the disposition of property of decedents' estates, other instruments intended to affect or secure legal rights, and contracts except routine agreements incidental to a regular course of business;</p> <p>(B) Preparing or expressing legal opinions;</p> <p>(C) Appearing or acting as an attorney in any tribunal;</p> <p>(D) Preparing any claims, demands or pleadings of any kind, or any written documents containing legal argument or interpretation of law, for filing in any court, administrative agency or other tribunal;</p> <p>(E) Providing advice or counsel as to how any of the activities described in subparagraph (A) through (D) might be done, or whether they were done, in accordance with applicable law;</p> <p>(F) Furnishing an attorney or attorneys, or other persons, to render the services described in subparagraphs (a) through (e) above.</p> <p>(3) "In the District of Columbia" means conduct in, or conduct from an office or location within, the District of Columbia.</p> <p>(4) "Hold out as authorized or competent to practice law in the District of Columbia" means to indicate in any manner to any other person that one is competent, authorized, or available to practice law from an office or location in the District of Columbia. Among the characterizations which give such an indication are "Esq.," "lawyer," "attorney at law," "counselor at law," "contract lawyer," "trial or legal advocate," "legal representative," "legal advocate," and "judge."</p> <p>(5) "Committee" means the District of Columbia Court of Appeals Committee on Unauthorized Practice of Law, as constituted under this rule</p>

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	<p>(c) Exceptions. -- The following activity in the District of Columbia is excepted from the prohibitions of section (a) of this Rule, provided the person is not otherwise engaged in the practice of law or holding out as authorized or competent to practice law in the District of Columbia:</p> <p>(1) United States Government Employee: Providing authorized legal services to the United States as an employee thereof;</p> <p>(2) United States Government Practitioner: Providing legal services to members of the public solely before a special court, department or agency of the United States, where:</p> <p>(A) Such legal services are confined to representation before such fora and other conduct reasonably ancillary to such representation;</p> <p>(B) Such conduct is authorized by statute, or the special court, department or agency has adopted a rule expressly permitting and regulating such practice; and</p> <p>(C) If the practitioner has an office in the District of Columbia, the practitioner expressly gives prominent notice in all business documents of the practitioner's bar status and that his or her practice is limited consistent with this section (c).</p> <p>(3) Practice Before a Court of the United States: Providing legal services in or reasonably related to a pending or potential proceeding in any court of the United States if the person has been or reasonably expects to be admitted to practice in that court, provided that if the practitioner has an office in the District of Columbia, the practitioner expressly gives prominent notice in all business documents of the practitioner's bar status and that his or her practice is limited consistent with this section (c).</p> <p>(4) <i>District of Columbia Employee</i>. A person may provide legal services to the government of the District of Columbia during the first 360 days of employment as a lawyer for the government of the District of Columbia, when the person;</p> <p>(A) is authorized to practice law and in good standing in another state or territory;</p> <p>(B) is not disbarred or suspended for disciplinary reasons;</p> <p>(C) has not resigned with charges pending in any jurisdiction or court; and</p> <p>(D) has been authorized by her or his government agency to provide such services.</p> <p>(5) Representation Before District of Columbia Department or Agency. A person may provide legal services to members of the public solely before a department or agency of the District of Columbia government, when:</p> <p>(A) the representation is confined to appearances in proceedings before tribunals of that department or agency and other conduct reasonably ancillary to those proceedings;</p> <p>(B) the representation is authorized by statute, or the department or agency has authorized it by rule and undertaken to regulate it;</p> <p>(C) if the person has an office in the District of Columbia, the person expressly gives prominent notice in all business documents of the person's bar status and that his or her practice is limited consistent with Rule 49(c); and</p> <p>(D) if the person does not have an office in the District of Columbia, the person expressly gives written notice to clients and other parties, with respect to any proceeding before tribunals of that department or agency and any conduct reasonably ancillary to those proceedings, of the person's bar status and that his or her practice is limited consistent with Rule 49(c).</p> <p>(6) <i>Internal Counsel</i>. A person may provide legal advice only to one's regular employer, when the employer does not reasonably expect that it is receiving advice from a person authorized to practice law in the District of Columbia.</p> <p>(7) <i>Pro Hac Vice in the Courts of the District of Columbia</i>. A person may provide legal services in or reasonably related to a pending or potential proceeding in a court of the District of Columbia, if the person has been or reasonably expects to be admitted <i>pro hac vice</i>, in accordance with the following provisions.</p> <p>(A) <i>Limitation to 5 Applications Per Year</i>. -- No person may apply for admission <i>pro hac vice</i> in more than 5 cases pending in the courts of the District of Columbia per calendar year, except for exceptional cause shown to the court.</p> <p>(B) <i>Applicant Declaration</i>. . -- Each application for admission <i>pro hac vice</i> must be accompanied by a declaration under penalty of perjury:</p>

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	<ul style="list-style-type: none"> (i) certifying that the applicant has not applied for admission <i>pro hac vice</i> in more than 5 cases in courts of the District of Columbia in this calendar year; (ii) identifying all jurisdictions and courts where the applicant is authorized to practice law and whether the applicant is in good standing in each such jurisdiction or court; (iii) certifying that there are no disciplinary complaints pending against the applicant for violation of the rules of any jurisdiction or court, or describing all pending complaints; (iv) certifying that the applicant has not been suspended or disbarred for disciplinary reasons or resigned with charges pending in any jurisdiction or court, or describing the circumstances of all suspensions, disbarments, or resignations; (v) certifying that the applicant has not had an application for admission to the D.C. Bar denied, or describing the circumstances of any denials; (vi) agreeing promptly to notify the court if, during the course of the proceeding, the applicant is suspended or disbarred for disciplinary reasons or resigns with charges pending in any jurisdiction or court; (vii) identifying the name, address, and D.C. Bar number of the D.C. Bar member with whom the applicant is associated under Superior Court Rule of Civil Procedure 101; (viii) certifying that the applicant does not practice law or hold out as authorized or competent to practice law in the District of Columbia or that the applicant qualifies under an identified exception in Rule 49(c); (ix) certifying that the applicant has read the rules of the District of Columbia Court of Appeals and the relevant division of the Superior Court, and has complied with District of Columbia Court of Appeals Rule 49 and, as applicable, Superior Court Rule of Civil Procedure 101; (x) explaining the reasons for the application; (xi) acknowledging the power and jurisdiction of the courts of the District of Columbia over the applicant's professional conduct in or related to the proceeding; and (xii) agreeing to be bound by the District of Columbia Rules of Professional Conduct in the matter if the applicant is admitted <i>pro hac vice</i>. <ul style="list-style-type: none"> (C) <i>Office in the District of Columbia Prohibited.</i> . -- A person who maintains or operates from an office or location within the District of Columbia that is for the practice of law may not be admitted to practice before a court of the District of Columbia <i>pro hac vice</i>, unless that person qualifies under another exception provided in Rule 49(c). (D) <i>Supervision.</i> . -- Any person admitted <i>pro hac vice</i> must comply with Superior Court Rule of Civil Procedure 101 and other applicable rules of the District of Columbia courts. (E) <i>Filing Process.</i> . -- The applicant must submit a copy of the application to the Committee, pay an application fee, and receive a receipt for payment of the fee. The applicant must then file the application with the receipt in the appropriate office of the Clerk of Court. An application will not be accepted for filing without the required receipt. (F) <i>Application Fee.</i> . -- The application fee for admission <i>pro hac vice</i> is \$ 100. The fee may be paid in cash, by credit card, or by cashier's check, certified check, or money order made payable to "Clerk, District of Columbia Court of Appeals." The fee is waived for a person whose conduct is covered by Rule 49 (c)(9) or whose client's application to proceed <i>in forma pauperis</i> has been granted. (G) <i>Power of the Court.</i> . -- The court to which the relevant matter is assigned may grant or deny applications for admission <i>pro hac vice</i>, and may withdraw those admissions in its discretion. <p>(8) <i>Limited Duration Supervision by D.C. Bar Member.</i> .</p> <ul style="list-style-type: none"> (A) <i>In General.</i> . -- A person may practice law from a principal office located in the District of Columbia for a period not to exceed 360 days from the commencement of such practice, during pendency of the person's first application for admission to the D.C. Bar, if: <ul style="list-style-type: none"> (i) the person is authorized to practice law and in good standing in another state or territory; (ii) the person is not disbarred or suspended for disciplinary reasons; (iii) the person has not resigned with charges pending in any jurisdiction or court; (iv) the person is under the direct supervision of an enrolled, active member or members of the D.C. Bar; (v) the person has submitted the application for admission within 90 days of commencing practice in the District of Columbia;

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	<p>(vi) the D.C. Bar member takes responsibility for the quality of the work and complaints concerning the services;</p> <p>(vii) the person or the D.C. Bar member gives notice to the public of the member's supervision and the person's bar status; and</p> <p>(viii) the person is admitted <i>pro hac vice</i> to the extent he or she provides legal services in the courts of the District of Columbia.</p> <p>(B) <i>Extension of Time</i> -- On request and for good cause shown, the Director of the Committee on Admissions may extend beyond 360 days the period during which a person is authorized to practice under Rule 49 (c)(8). The Director must inform the person in writing of the length of the extension.</p> <p>(C) the person has not resigned with charges pending in any jurisdiction or court;</p> <p>(D) the person is under the direct supervision of an enrolled, active member or members of the D.C. Bar;</p> <p>(E) the person has submitted the application for admission within ninety (90) days of commencing practice in the District of Columbia;</p> <p>(F) the D.C. Bar member takes responsibility for the quality of the work and complaints concerning the services;</p> <p>(G) the person or the D.C. Bar member gives notice to the public of the member's supervision and the person's bar status; and</p> <p>(H) the person is admitted <i>pro hac vice</i> to the extent he or she provides legal services in the courts of the District of Columbia.</p> <p>(9) <i>Pro Bono Legal Services.</i></p> <p>(A) <i>Person Affiliated With a Non-Profit Organization.</i> -- A person may provide legal services <i>pro bono publico</i> in affiliation with, but not as an employee of, a non-profit organization located in the District of Columbia that provides legal services to individuals with limited means at no charge or for a nominal processing fee, if the person:</p> <p>(i) is an enrolled inactive or enrolled retired member of the D.C. Bar or the bar of another state or territory or is authorized to practice law and in good standing in another state or territory;</p> <p>(ii) is not disbarred or suspended for disciplinary reasons and has not resigned with charges pending in any jurisdiction or court; and</p> <p>(iii) is supervised by an enrolled, active member of the D.C. Bar in good standing.</p> <p>(B) <i>Employee of the Public Defender Service or a Non-Profit Organization.</i> -- A person who is employed by the Public Defender Service or a non-profit organization located in the District of Columbia that provides legal services to individuals with limited means at no charge or for a nominal processing fee may provide legal services <i>pro bono publico</i> until the person's application to the D.C. Bar is either granted or denied, if the person:</p> <p>(i) is authorized to practice law and in good standing in another state or territory;</p> <p>(ii) is not disbarred or suspended for disciplinary reasons and has not resigned with charges pending in any jurisdiction or court;</p> <p>(iii) is supervised by an enrolled, active member of the D.C. Bar in good standing; and</p> <p>(iv) has submitted an application for admission to the D.C. Bar no later than 90 days after commencing the practice of law in the District of Columbia.</p> <p>(C) <i>Person Who is Not Barred Anywhere But Who Has a Pending Bar Application</i> -- A person who has applied to a bar and taken the bar examination, but whose application has not yet been granted or denied, may provide legal services <i>pro bono publico</i> as an employee of or in affiliation with the Public Defender Service or a non-profit organization located in the District of Columbia that provides legal services to individuals with limited means at no charge or for a nominal processing fee, until the person's application is either granted or denied, if the person:</p> <p>(i) has graduated from an ABA-approved law school;</p> <p>(ii) has been certified by the dean of the law school from which the person graduated as being of good character and competent legal ability;</p> <p>(iii) is trained and supervised by an enrolled, active member of the D.C. Bar in good standing who is affiliated with the Public Defender Service or the non-profit organization; and</p> <p>(iv) in addition to complying with Rule 49 (c)(9)(E), gives notice to the public and on all pleadings that the person is not authorized to practice law in any jurisdiction but is practicing under the supervision of a member of the D.C. Bar pursuant to Rule 49 (c)(9)(C).</p> <p>(D) <i>Applicability of Rules Professional Conduct</i> -- A person practicing under Rule 49 (c)(9)(A)-(C) is subject to the District of Columbia Rules of Professional Conduct and the enforcement procedures applicable to those rules, to the same extent as if the person was an enrolled,</p>

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	<p>active member of the D.C. Bar.</p> <p>(E) <i>Notice</i></p> <p>(i) <i>In Business Documents</i> -- A person practicing under Rule 49 (c)(9)(A)-(C) must give prominent notice of the person's bar status in all business documents specifically pertaining to the person's practice.</p> <p>(ii) <i>When Appearing in Any Court</i> -- If the matter requires a person practicing under Rule 49 (c)(9)(A)-(C) to appear in any court, the person must file a completed Form 9 with the person's praecipe of appearance and must submit electronically a copy of the completed Form 9 to the Committee on Admissions. A person practicing under Rule 49 (c)(9)(B) is only required to submit to the Committee on Admissions one Form 9 that covers the period from the beginning of employment until the person's application to the D.C. Bar is either granted or denied, but the person must submit a new Form 9 if any information changes.</p> <p>(10) <i>Specifically Authorized Court Programs</i> -- A person may provide legal services to members of the public as part of a special program for representation or assistance that has been expressly authorized by the District of Columbia Court of Appeals or the Superior Court of the District of Columbia if the person gives notice of his or her bar status, is not disbarred or suspended for disciplinary reasons, and has not resigned with charges pending in any jurisdiction or court.</p> <p>(11) <i>Limited Practice for Corporations or Partnerships</i> -- An authorized officer, director, or employee of a corporation or partnership may appear in defense of the corporation or partnership in a small claims action, or in settlement of a landlord-tenant matter, if:</p> <p>(A) the organization does not file a crossclaim or counterclaim, or the matter is not certified to the Civil Actions Branch; and</p> <p>(B) the person so appearing files at the time of appearance an affidavit vesting in the person the requisite authority to bind the organization.</p> <p>(12) <i>Practice in ADR Proceedings</i> -- A person may provide legal services in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution ("ADR") proceeding if the person:</p> <p>(A) is authorized to practice law and in good standing in another state or territory or authorized to practice law in a foreign country;</p> <p>(B) is not disbarred or suspended for disciplinary reasons;</p> <p>(C) has not resigned with charges pending in any jurisdiction or court;</p> <p>(D) provides these services in no more than 5 ADR proceedings in the District of Columbia per calendar year; and</p> <p>(E) does not maintain or operate from an office or location within the District of Columbia that is for the practice of law or otherwise practice or hold out as authorized or competent to practice law in the District of Columbia, unless that person qualifies under another express exception provided in Rule 49 (c).</p> <p>(13) <i>Incidental and Temporary Practice</i> -- A person may provide legal services in the District of Columbia on an incidental and temporary basis if the person is authorized to practice law and in good standing in another state or territory or authorized to practice law in a foreign country, is not disbarred or suspended for disciplinary reasons, and has not resigned with charges pending in any jurisdiction or court.</p> <p>(d) The committee on unauthorized practice of law. -- The court must appoint a standing committee known as the Committee on Unauthorized Practice of Law.</p> <p>(1) <i>Membership</i> -- The court will appoint at least 6, but not more than 12, members of the D.C. Bar and one resident of the District of Columbia who is not a member of the D.C. Bar. The court must designate the Chair and Vice Chair.</p> <p>(2) <i>Member's Term of Service</i></p> <p>(A) <i>In General</i> -- The court will appoint members for terms of 3 years.</p> <p>(B) <i>Vacancy Before Term Expires</i> -- In case of vacancy caused by death, resignation or otherwise, the court must appoint a successor to serve the unexpired term of the predecessor member.</p> <p>(C) <i>Holdover</i> -- After a member's term has expired, the member may continue to serve until the court appoints a successor or reappoints the member. If a member holds over after the expiration of a term and is reappointed, the holdover period is part of that member's new term. A successor will serve a full 3-year term from the date of appointment without reference to any holdover.</p> <p>(D) <i>Term Limit</i>. -- A member cannot serve for more than 2 consecutive, full 3-year terms, unless the court makes a special exception.</p>

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	<p>(3) <i>Power to Adopt Rules and Regulations.</i> -- Subject to the approval of the court, the Committee may adopt rules and regulations that it deems necessary to carry out the provisions of Rule 49.</p> <p>(4) <i>Subpoena Power and Process.</i> -- When conducting investigations and hearings, the Committee may authorize any member to subpoena, subject to Superior Court Rule of Civil Procedure 45, the respondent, witnesses, and documents.</p> <p>(5) <i>Capacity to Appear.</i> -- The Committee may appear in its own name in legal proceedings addressing issues relating to the performance of its functions and compliance with Rule 49.</p> <p>(6) <i>Compensation and Expenses.</i> -- The court may approve compensation and necessary expenses for the Committee members.</p> <p>(7) <i>Additional Staff.</i> -- The court will designate a deputy clerk to serve as Executive Secretary to the Committee and will provide necessary staff and secretarial services.</p> <p>(8) <i>Duties.</i></p> <p>(A) <i>In General.</i> The Committee will investigate matters of alleged unauthorized practice of law and alleged violations of court rules governing the unauthorized practice of law, and if warranted, the Committee may take any action that is provided in these rules.</p> <p>(B) <i>Law Student Practice.</i> In addition to the duties described in Rule 49, the Committee must oversee the participation of law students permitted to practice under Rule 48.</p> <p>(9) <i>Meetings.</i> The Chair must call at least 8 meetings each year. The Committee must hold a special meeting if a majority of its members request such a meeting by notifying the Executive Secretary.</p> <p>(A) <i>Chair or Vice Chair Presides.</i> The Chair will preside at all meetings of the Committee. In the Chair's absence, the Vice Chair will preside.</p> <p>(B) <i>Confidentiality.</i> Any matter under investigation by the Committee must remain confidential until initiation of formal proceedings under Rule 49(d)(11), or until resolution of the matter under Rule 49(d)(12)(B) or (C). To ensure this confidentiality, the Committee must meet in executive session.</p> <p>(C) <i>Notice of Absence.</i> Members who are unable to attend a meeting must notify the Chair or the Executive Secretary at least 2 days in advance of the meeting.</p> <p>(D) <i>Order of Business.</i> The Chair will determine the order of business.</p> <p>(E) <i>Quorum.</i> A quorum consists of members, and all decisions must be made by a majority of those members present and voting.</p> <p>(F) <i>Telephone or Electronic Vote.</i> In appropriate circumstances, as may be determined by the Chair, a telephone or electronic vote of a majority of members polled, numbering no less than 4 Committee members concurring in a decision, constitutes a Committee decision. Any such decision must be recorded in the minutes of the next Committee meeting.</p> <p>(G) <i>Minutes.</i> The Executive Secretary will direct preparation of minutes for all Committee meetings and will furnish copies of the minutes to all members of the Committee and to the Chief Judge of this court or a judge designated by the Chief Judge.</p> <p>(10) <i>Investigation.</i></p> <p>(A) <i>Assignment.</i> When a complaint is filed with the Committee or the Committee decides to investigate on its own volition, the Chair will assign the matter, on a random basis or as the Chair otherwise determines may be appropriate, to a Committee member for preliminary investigation.</p> <p>(B) <i>Conduct and Content of Investigation.</i> This investigation must consist of an analysis of the complaint, a survey of the applicable law, and discussions with witnesses and the respondent. It will not be deemed a breach of the confidentiality required of an assigned matter for the Committee or one of its members to reveal facts and identities during the investigation of the matter.</p> <p>(C) <i>Report.</i> At the next regular meeting of the Committee, the investigating member must provide a report for the purpose of determining what action, if any, should be taken by the Committee. Complaints must be investigated and reported on within 6 weeks. The Executive Secretary must notify the Chair about any delays in the investigation of and reporting on complaints.</p> <p>(D) <i>Decision to Hold Formal Proceedings.</i> If the Committee concludes that formal proceedings will assist its determination, formal proceedings may be held as specified in Rule 49 (d)(11).</p>

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	<p>(11) <i>Formal Proceedings.</i> To assist the Committee in performing its functions, it may take sworn testimony of witnesses and the respondent.</p> <p>(A) <i>Written Notice to Respondent.</i> Formal proceedings before the Committee are commenced by written notice to the respondent informing the respondent of the nature of the conduct which the Committee believes may constitute the unauthorized practice of law. The notice must be accompanied by a copy of Rule 49. The notice may be served by:</p> <p>(i) delivering it in person;</p> <p>(ii) mailing it by first-class mail, postage prepaid, to the respondent's last known business or residence address;</p> <p>(iii) delivering it to a commercial carrier for delivery to the respondent's last known business or residence address; or</p> <p>(iv) other means such as email or facsimile, reasonably calculated to reach the respondent, including any method described in Superior Court Rule of Civil Procedure 4.</p> <p>(B) <i>Certificate of Service.</i> -- The Committee or its designee must prepare a certificate of service stating how the respondent was served.</p> <p>(C) <i>Time to Respond.</i> -- The respondent must be given 30 days to provide a written response to the notice.</p> <p>(D) <i>Appointing Attorneys.</i> -- The Chair (or the Vice Chair if the Chair is to be appointed) may appoint one or more attorney members of the Committee or outside counsel to present, at a hearing, evidence of conduct which may constitute the unauthorized practice of law. If a Committee member is appointed, the member may not participate further in the Committee's consideration of actions to dispose of the matter under Rule 49 (d)(12) but may participate in any proceedings under Rule 49 (e).</p> <p>(E) <i>Conduct of Hearing.</i> -- The respondent may be accompanied by counsel at the hearing. Formal rules of evidence do not apply. The respondent may present documentary evidence, testify, present testimonial evidence from witnesses, and cross-examine witnesses, all subject to any rules and regulations adopted by the Committee and such reasonable limitations as are imposed by the Committee.</p> <p>(F) <i>Findings of Fact and Conclusions of Law.</i> -- Following a formal hearing, the Committee may prepare written findings of fact and conclusions of law in support of its final disposition of the matter under Rule 49 (d)(12). In preparing its findings, the Committee must apply a preponderance of the evidence standard.</p> <p>(12) <i>Actions by the Committee.</i> -- During any stage of the investigation or formal proceedings the Committee may dispose of any matter pending before it by any of the following methods:</p> <p>(A) If no evidence of unauthorized practice is found, the matter must be closed, and the complainant notified.</p> <p>(B) If the respondent agrees to cease and desist from actions which appear to constitute the unauthorized practice of law, the matter may be closed by formal agreement, with notification of such action given to the complainant. A formal agreement may require restitution to the clients of fees obtained by the respondent. The Committee may file a formal agreement with the court with a proposed consent order memorializing the agreement's terms. A proposed consent order is effective when signed by a judge of the District of Columbia designated by the Chief Judge of this court.</p> <p>(C) If, following a formal proceeding under Rule 49 (d)(11), the Committee finds by a preponderance of the evidence a violation of this rule, or of an injunction or consent order issued pursuant to proceedings under this rule, the Committee may initiate proceedings under Rule 49(e).</p> <p>(D) The Committee may also refer cases to the Office of the United States Attorney or the Attorney General of the District of Columbia for investigation and possible prosecution or to other appropriate authorities.</p> <p>(13) <i>Closed Files.</i> When the Committee closes a file, the file must be retained in the records of this court.</p> <p>(14) <i>Opinions.</i> On the request of a person or organization or when the Committee believes that an opinion will aid the public's understanding of Rule 49, the Committee may by approval of a majority of its members present in quorum provide opinions as to what constitutes the unauthorized practice of law.</p> <p>(A) <i>Publication.</i> The Committee's opinions must be published in the same manner as opinions rendered under the District of Columbia Rules of Professional Conduct.</p> <p>(B) <i>Reliance on Opinion.</i> Conduct of a person, which was undertaken in good faith, in conformity with, and in reliance on the Committee's</p>

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	<p>written interpretation or opinion requested by that person, constitutes a prima facie showing of compliance with Rule 49 in any investigation or proceeding before the Committee or this court.</p> <p>(e) <i>Proceedings Before the Court.</i></p> <p>(1) <i>Contempt.</i> Violations of Rule 49, or of any injunction or consent order issued pursuant to proceedings under Rule 49, are punishable by this court as contempt.</p> <p>(2) <i>Injunction and Equitable Relief.</i> The court may issue a permanent injunction to restrain violations of Rule 49, together with such ancillary equitable remedies so as to afford complete relief, including but not limited to equitable monetary relief in the form of disgorgement, restitution, or reimbursement of those harmed by the conduct.</p> <p>(3) <i>Original Proceeding.</i> The Committee may initiate an original proceeding before this court for violation of Rule 49, or for violation of an injunction or consent order issued pursuant to proceedings under Rule 49.</p> <p>(A) <i>By Petition.</i> The proceeding must be initiated by a petition served on the respondent or his designated counsel.</p> <p>(B) <i>Special Counsel.</i> The court may, on motion of the Committee or on its own initiative, appoint a special counsel to represent the Committee and to present the Committee's proof and argument in the proceeding.</p> <p>(C) <i>Conduct of Proceedings.</i> An original proceeding must be conducted before a judge of the District of Columbia designated by the Chief Judge of this court under the D.C. Code, and is governed by the Superior Court Rules of Civil Procedure.</p> <p>(D) <i>Notice of Appeal.</i> Decisions of the designated judge are final and effective determinations which are subject to review in the normal course, by the filing of a notice of appeal by any party with the Clerk of the Court of Appeals within 30 days from the entry of the judgment by the designated judge</p>
FLORIDA	<p>Fla. Bar Reg. R. 4-5.5 Unlicensed Practice of Law; Multijurisdictional Practice of Law</p> <p>(a) <i>Practice of Law.</i> --A lawyer may not practice law in a jurisdiction other than the lawyer's home state, in violation of the regulation of the legal profession in that jurisdiction, or in violation of the regulation of the legal profession in the lawyer's home state or assist another in doing so.</p> <p>(b) <i>Prohibited Conduct.</i> --A lawyer who is not admitted to practice in Florida may not:</p> <ol style="list-style-type: none"> (1) except as authorized by other law, establish an office or other regular presence in Florida for the practice of law; (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in Florida; or (3) appear in court, before an administrative agency, or before any other tribunal unless authorized to do so by the court, administrative agency, or tribunal pursuant to the applicable rules of the court, administrative agency, or tribunal. <p>(c) <i>Authorized Temporary Practice by Lawyer Admitted in Another United States Jurisdiction.</i> --A lawyer admitted and authorized to practice law in another United States jurisdiction who has been neither disbarred or suspended from practice in any jurisdiction, nor disciplined or held in contempt in Florida by reason of misconduct committed while engaged in the practice of law permitted pursuant to this rule, may provide legal services on a temporary basis in Florida that are:</p> <ol style="list-style-type: none"> (1) undertaken in association with a lawyer who is admitted to practice in Florida and who actively participates in the matter; or (2) in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer is authorized by law or order to appear in the proceeding or reasonably expects to be so authorized; or (3) in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, and the services are not services for which the forum requires pro hac vice admission: <ol style="list-style-type: none"> (A) if the services are performed for a client who resides in or has an office in the lawyer's home state, or

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	<p>(B) where the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice; or</p> <p>(4) not within subdivisions (c)(2) or (c)(3), and</p> <p>(A) are performed for a client who resides in or has an office in the jurisdiction in which the lawyer is authorized to practice, or</p> <p>(B) arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice.</p> <p>(d) <i>Authorized Temporary Practice by Lawyer Admitted in a Non-United States Jurisdiction.</i> --A lawyer who is admitted only in a non-United States jurisdiction who is a member in good standing of a recognized legal profession in a foreign jurisdiction whose members are admitted to practice as lawyers or counselors at law or the equivalent and are subject to effective regulation and discipline by a duly constituted professional body or a public authority, and who has been neither disbarred or suspended from practice in any jurisdiction nor disciplined or held in contempt in Florida by reason of misconduct committed while engaged in the practice of law permitted pursuant to this rule does not engage in the unlicensed practice of law in Florida when on a temporary basis the lawyer performs services in Florida that are:</p> <p>(1) undertaken in association with a lawyer who is admitted to practice in Florida and who actively participates in the matter; or</p> <p>(2) in or reasonably related to a pending or potential proceeding before a tribunal held or to be held in a jurisdiction outside the United States if the lawyer, or a person the lawyer is assisting, is authorized by law or by order of the tribunal to appear in the proceeding or reasonably expects to be so authorized; or</p> <p>(3) in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding held or to be held in Florida or another jurisdiction and the services are not services for which the forum requires admission</p> <p>(A) if the services are performed for a client who resides in or has an office in the jurisdiction in which the lawyer is admitted to practice, or</p> <p>(B) where the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice; or</p> <p>(4) not within subdivisions (d)(2) or (d)(3), and</p> <p>(A) are performed for a client who resides or has an office in a jurisdiction in which the lawyer is authorized to practice to the extent of that authorization, or</p> <p>(B) arise out of or are reasonably related to a matter that has a substantial connection to a jurisdiction in which the lawyer is authorized to practice to the extent of that authorization; or</p> <p>(5) are governed primarily by international law or the law of a non-United States jurisdiction in which the lawyer is a member.</p>
GEORGIA	<p>O.C.G.A. § 15-19-51 Unauthorized Practice of Law Forbidden</p> <p>(a) It shall be unlawful for any person other than a duly licensed attorney at law:</p> <p>(1) To practice or appear as an attorney at law for any person other than himself in any court of this state or before any judicial body;</p> <p>(2) To make it a business to practice as an attorney at law for any person other than himself in any of such courts;</p> <p>(3) To hold himself out to the public or otherwise to any person as being entitled to practice law;</p> <p>(4) To render or furnish legal services or advice;</p> <p>(5) To furnish attorneys or counsel;</p> <p>(6) To render legal services of any kind in actions or proceedings of any nature;</p> <p>(7) To assume or use or advertise the title of "lawyer," "attorney," "attorney at law," or equivalent terms in any language in such manner</p>

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	<p>as to convey the impression that he is entitled to practice law or is entitled to furnish legal advice, services, or counsel; or</p> <p>(8) To advertise that either alone or together with, by, or through any person, whether a duly and regularly admitted attorney at law or not, he has, owns, conducts, or maintains an office for the practice of law or for furnishing legal advice, services, or counsel.</p> <p>(b) Unless otherwise provided by law or by rules promulgated by the Supreme Court, it shall be unlawful for any corporation, voluntary association, or company to do or perform any of the acts recited in subsection (a) of this Code section.</p>
<p>GUAM</p>	<p>7 GCA § 9A106 Unauthorized Practice of Law</p> <p>It is unlawful for any person to practice law or to engage in the law business or in any manner whatsoever to lead others to believe that he is authorized to practice law or to engage in the law business or in any manner whatsoever to represent or designate himself as an attorney and counselor, attorney at law or lawyer unless the person so doing is regularly licensed and authorized to practice law in Guam. Any person who violates the provisions of this Section is guilty of contempt of the Superior Court and upon conviction is punishable as provided by law. On the conditions set forth in § 9A216 of this Chapter, this Section does not apply to a foreign attorney who is duly licensed and authorized to practice law in another state or territory or the District of Columbia while temporarily in Guam and engaged in a particular matter.</p>
<p>HAWAII</p>	<p>HRS § 605-14 Unauthorized Practice of Law Prohibited</p> <p>It shall be unlawful for any person, firm, association, or corporation to engage in or attempt to engage in or to offer to engage in the practice of law, or to do or attempt to do or offer to do any act constituting the practice of law, except and to the extent that the person, firm, or association is licensed or authorized so to do by an appropriate court, agency, or office or by a statute of the State or of the United States. Nothing in sections 605-14 to 605-17 contained shall be construed to prohibit the preparation or use by any party to a transaction of any legal or business form or document used in the transaction.</p>
<p>IDAHO</p>	<p>Idaho Rules of Prof'l Conduct R. 5.5 Unauthorized Practice of Law</p> <p>(a) A lawyer shall not practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction.</p> <p>(b) A lawyer admitted to practice in another jurisdiction, but not in this jurisdiction, does not engage in the unauthorized practice of law in this jurisdiction when:</p> <p>(1) the lawyer is authorized by law or order, including <i>pro hac vice</i> admission pursuant to <i>Idaho Bar Commission Rule 222</i>, to appear before a tribunal or administrative agency in this jurisdiction or is preparing for a potential proceeding or hearing in which the lawyer reasonably expects to be so authorized; or</p> <p>(2) other than engaging in conduct governed by paragraph (1):</p> <p>(i) a lawyer who is an employee of a client acts on the client's behalf or, in connection with the client's matters, on behalf of the client's commonly owned organizational affiliates;</p> <p>(ii) the lawyer acts with respect to a matter that arises out of or is otherwise reasonably related to the lawyer's representation of a client in a jurisdiction in which the lawyer is admitted to practice; or</p> <p>(iii) the lawyer is associated in the matter with a lawyer admitted to practice in this jurisdiction who actively participates in the representation.</p> <p>(c) A lawyer shall not assist another person in the unauthorized practice of law.</p>

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ILLINOIS	<p>Ill. Rules of Prof'l Conduct R. 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law</p> <p>(a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>(c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or (4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. <p>(d) A lawyer admitted in another United States jurisdiction or admitted or otherwise authorized to practice in a foreign jurisdiction, and not disbarred or suspended from practice in any jurisdiction or the equivalent thereof, may provide legal services through an office or other systematic and continuous presence in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are provided to the lawyer's employer or its organizational affiliates and are not services for which the forum requires pro hac vice admission; or (2) are services that the lawyer is authorized by federal or other law or rule to provide in this jurisdiction. <p>(e) For purposes of paragraph (d), the foreign lawyer must be a member in good standing of a recognized legal profession in a foreign jurisdiction the members of which are admitted to practice as lawyers or counselors at law or the equivalent, and subject to effective regulation and discipline by a duly constituted professional body or a public authority; or,</p> <p>(2) the person otherwise lawfully practicing as an in-house counsel under the laws of a foreign jurisdiction must be authorized to practice under this Rule by, in the exercise of its discretion, [the highest court of this jurisdiction].</p>
INDIANA	<p>Ind. Rules of Prof'l Conduct R. 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law</p> <p>(a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or

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	<p>(2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction.</p> <p>(c) A lawyer who is not admitted to practice in this jurisdiction, but is admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires temporary admission; or (4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. <p>(d) A lawyer who is not admitted to practice in this jurisdiction, but is admitted in another United States jurisdiction, or in a foreign jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services in this jurisdiction if:</p> <ol style="list-style-type: none"> (1) the lawyer does not establish an office or other systematic and continuous presence in this jurisdiction for the practice of law and the legal services are provided to the lawyer's employer or its organizational affiliates and are not services for which the forum requires temporary admission; or (2) the services are services that the lawyer is authorized to provide by federal law or other law of this jurisdiction.
IOWA	<p>Iowa Ct. R. 37.1 RULE 37.1. Commission on the Unauthorized Practice of law.</p> <p>37.1(1) There is created a commission for the abatement of the unauthorized practice of law, which shall be known as the Commission on the Unauthorized Practice of Law. This commission shall comprise seven lawyer members and two nonlawyer members who shall be appointed by the supreme court. The supreme court shall accept nominations for appointment to the commission from any association of lawyers which maintains an office within the state of Iowa or any attorney licensed in Iowa. The court shall designate annually one lawyer commission member to be the chair. Members shall serve no more than three three-year terms, and a member who has served three full terms shall not be eligible for reappointment. The commission shall receive complaints and make investigations with respect to the alleged unauthorized practice of law within this state.</p> <p>37.1(2) The director of the office of professional regulation will designate an assistant director for boards and commissions of the office of professional regulation to serve as the principal administrator for the commission on the unauthorized practice of law. Wherever in this chapter a reference to the "assistant director" appears, it refers to the assistant director for boards and commissions of the office of professional regulation.</p> <p>37.1(3) Commission expenses must be paid from the disciplinary fee account of the client security fund. The director of the office of professional regulation must, annually on or before May 1, submit a budget to the supreme court for the next fiscal year.</p> <p>Iowa Ct. R. 37.4 Domestic Violence and Sexual Assault Victim Counselors</p> <p>37.4(1) In all proceedings under Iowa Code chapters 236 and 664A, a victim counselor, as defined in Iowa Code section 915.20A(1)(d), who is affiliated</p>

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	<p>with a member domestic violence program of the Iowa Coalition Against Domestic Violence or a member of the sexual assault program of the Iowa Coalition Against Sexual Assault, and whose program has registered with the Iowa Coalition Against Domestic Violence or the Iowa Coalition Against Sexual Assault as providing services under this rule, shall be allowed to do the following:</p> <ol style="list-style-type: none"> a. To distribute the pro se forms prescribed by the department of justice pursuant to Iowa Code section 236.3A and to assist victims of domestic violence in the preparation of such forms. b. To describe to victims the proceedings under chapters 236 and 664A and to assist them in their role as witnesses. c. To accompany victims throughout all stages of proceedings under Iowa Code chapters 236 and 664A. d. To attend all court proceedings, including sitting in chambers and at counsel table, to confer with the plaintiffs, and, at the judge's discretion, to address the court; however, domestic violence and sexual assault victim counselors shall not examine witnesses, make arguments to the court, or otherwise act in a representative capacity for victims of domestic violence. <p>37.4(2) The Iowa Coalition Against Domestic Violence and the Iowa Coalition Against Sexual Assault shall provide to the director of the office of professional regulation, on an annual basis and more frequently as necessary, an updated list of its member programs which perform the services provided under this rule.37.4(3) When they assist victims of domestic violence as specified in this rule, domestic violence and sexual assault victim counselors are not engaged in the unauthorized practice of law.</p> <p>37.4(3) When they assist victims of domestic violence as specified in this rule, domestic violence and sexual assault victim counselors are not engaged in the unauthorized practice of law.</p>
<p>KANSAS</p>	<p>KRPC 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law</p> <ol style="list-style-type: none"> (a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so. (b) A lawyer who is not admitted to practice in this jurisdiction shall not: <ol style="list-style-type: none"> (1) except as authorized by these Rules or other law (including Kansas Supreme Court Rule 712), establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. (c) A lawyer admitted in another United States jurisdiction and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that: <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are services in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or (4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. (d) A lawyer admitted in another United States jurisdiction or in a foreign jurisdiction, and not disbarred or suspended from practice in any jurisdiction or the equivalent thereof, may provide legal services through an office or other systematic and continuous presence in this jurisdiction that: <ol style="list-style-type: none"> (1) are provided to the lawyer's employer or its organizational affiliates; are not services for which the forum requires pro hac vice admission; and, when performed by a foreign lawyer and requires advice on the law of this or another jurisdiction or of the United States, such advice shall be based upon the advice of a lawyer who is duly licensed and authorized by the jurisdiction to provide such advice; and otherwise complies with Kansas

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	<p>Supreme Court Rule 712; or</p> <p>(2) are services that the lawyer is authorized by federal law or other law or rule to provide in this jurisdiction.</p> <p>(e) For purposes of paragraph (d), the foreign lawyer must be a member in good standing of a recognized legal profession in a foreign jurisdiction, the members of which are admitted to practice as lawyers or counselors at law or the equivalent, and are subject to effective regulation and discipline by a duly constituted professional body or a public authority. Comment</p> <p>[1] A lawyer may practice law only in a jurisdiction in which the lawyer is authorized to practice. A lawyer may be admitted to practice law in a jurisdiction on a regular basis or may be authorized by court rule or order or by law to practice for a limited purpose or on a restricted basis. Paragraph (a) applies to unauthorized practice of law by a lawyer, whether through the lawyer's direct action or by the lawyer assisting another person. For example, a lawyer may not assist a person in practicing law in violation of the rules governing professional conduct in that person's jurisdiction.</p> <p>[2] The definition of the practice of law is established by law and varies from one jurisdiction to another. Whatever the definition, limiting the practice of law to members of the bar protects the public against rendition of legal services by unqualified persons. This Rule does not prohibit a lawyer from employing the services of paraprofessionals and delegating functions to them, so long as the lawyer supervises the delegated work and retains responsibility for his or her work. See Rule 5.3.</p> <p>[3] A lawyer may provide professional advice and instruction to nonlawyers whose employment requires knowledge of the law; for example, claims adjusters, employees of financial or commercial institutions, social workers, accountants, and persons employed in government agencies. Lawyers also may assist independent nonlawyers, such as paraprofessionals, who are authorized by the law of a jurisdiction to provide particular law-related services. In addition, a lawyer may counsel nonlawyers who wish to proceed pro se.</p> <p>[4] Other than as authorized by law or this Rule, a lawyer who is not admitted to practice generally in this jurisdiction violates paragraph (b)(1) if the lawyer establishes an office or other systematic and continuous presence in this jurisdiction for the practice of law. Presence may be systematic and continuous even if the lawyer is not physically present here. Such a lawyer must not hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. See also Rules 7.1(a) and 7.5(b).</p> <p>[5] There are occasions in which a lawyer admitted to practice in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction under circumstances that do not create an unreasonable risk to the interests of their clients, the public, or the courts. Paragraph (c) identifies four such circumstances. The fact that conduct is not so identified does not imply that the conduct is or is not authorized. With the exception of paragraphs (d)(1) and (d)(2), this Rule does not authorize a United States or foreign lawyer to establish an office or other systematic and continuous presence in this jurisdiction without being admitted to practice generally here.</p> <p>[6] There is no single test to determine whether a lawyer's services are provided on a "temporary basis" in this jurisdiction, and may therefore be permissible under paragraph (c). Services may be "temporary" even though the lawyer provides services in this jurisdiction on a recurring basis, or for an extended period of time, as when the lawyer is representing a client in a single lengthy negotiation or litigation.</p> <p>[7] Paragraphs (c) and (d) apply to lawyers who are admitted to practice law in any United States jurisdiction, which includes the District of Columbia and any state, territory, or commonwealth of the United States. Paragraph (d) also applies to lawyers admitted in a foreign jurisdiction. The word "admitted" in paragraphs (c), (d), and (e) contemplates that the lawyer is authorized to practice in the jurisdiction in which the lawyer is admitted and excludes a lawyer who while technically admitted is not authorized to practice, because, for example, the lawyer is on inactive status.</p> <p>[8] Paragraph (c)(1) recognizes that the interests of clients and the public are protected if a lawyer admitted only in another jurisdiction associates with a lawyer licensed to practice in this jurisdiction. For this paragraph to apply, however, the lawyer admitted to practice in this jurisdiction must actively participate in and share responsibility for the representation of the client.</p> <p>[9] Lawyers not admitted to practice generally in a jurisdiction may be authorized by law or order of a tribunal or an administrative agency to appear before the tribunal or agency. This authority may be granted pursuant to formal rules governing admission pro hac vice or pursuant to informal practice of the tribunal or agency. Under paragraph (c)(2), a lawyer does not violate this Rule when the lawyer appears before a tribunal or agency pursuant to such authority. To the extent that a court rule or other law of this jurisdiction requires a lawyer who is not admitted to practice in this jurisdiction to obtain admission pro hac vice before appearing before a tribunal or administrative agency, this Rule requires the lawyer to obtain that authority.</p>

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	<p>[10] Paragraph (c)(2) also provides that a lawyer rendering services in this jurisdiction on a temporary basis does not violate this Rule when the lawyer engages in conduct in anticipation of a proceeding or hearing in a jurisdiction in which the lawyer is authorized to practice law or in which the lawyer reasonably expects to be admitted pro hac vice. Examples of such conduct include meetings with the client, interviews of potential witnesses, and the review of documents. Similarly, a lawyer admitted only in another jurisdiction may engage in conduct temporarily in this jurisdiction in connection with pending litigation in another jurisdiction in which the lawyer is or reasonably expects to be authorized to appear, including taking depositions in this jurisdiction.</p> <p>[11] When a lawyer has been or reasonably expects to be admitted to appear before a court or administrative agency, paragraph (c)(2) also permits conduct by lawyers who are associated with that lawyer in the matter, but who do not expect to appear before the court or administrative agency. For example, subordinate lawyers may conduct research, review documents, and attend meetings with witnesses in support of the lawyer responsible for the litigation.</p> <p>[12] Paragraph (c)(3) permits a lawyer admitted to practice law in another jurisdiction to perform services on a temporary basis in this jurisdiction if those services are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. The lawyer, however, must obtain admission pro hac vice in the case of a court-annexed arbitration or mediation or otherwise if court rules or law so require.</p> <p>[13] Paragraph (c)(4) permits a lawyer admitted in another jurisdiction to provide certain legal services on a temporary basis in this jurisdiction that arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted but are not within paragraphs (c)(2) or (c)(3). These services include both legal services and services that nonlawyers may perform but that are considered the practice of law when performed by lawyers.</p> <p>[14] Paragraphs (c)(3) and (c)(4) require that the services arise out of or be reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted. A variety of factors evidence such a relationship. The lawyer's client may have been previously represented by the lawyer, or may be resident in or have substantial contacts with the jurisdiction in which the lawyer is admitted. The matter, although involving other jurisdictions, may have a significant connection with that jurisdiction. In other cases, significant aspects of the lawyer's work might be conducted in that jurisdiction or a significant aspect of the matter may involve the law of that jurisdiction. The necessary relationship might arise when the client's activities or the legal issues involve multiple jurisdictions, such as when the officers of a multinational corporation survey potential business sites and seek the services of their lawyer in assessing the relative merits of each. In addition, the services may draw on the lawyer's recognized expertise developed through the regular practice of law on behalf of clients in matters involving a particular body of federal, nationally uniform, foreign, or international law. Lawyers desiring to provide pro bono legal services on a temporary basis in a jurisdiction that has been affected by a major disaster, but in which they are not otherwise authorized to practice law, as well as lawyers from the affected jurisdiction who seek to practice law temporarily in another jurisdiction, but in which they are not otherwise authorized to practice law, should consult the American Bar Association's Model Court Rule on Provision of Legal Services Following Determination of Major Disaster.</p> <p>[15] Paragraph (d) identifies two circumstances in which a lawyer who is admitted to practice in another United States or a foreign jurisdiction, and is not disbarred or suspended from practice in any jurisdiction, or the equivalent thereof, may establish an office or other systematic and continuous presence in this jurisdiction for the practice of law. Pursuant to paragraph (c) of this Rule, a lawyer admitted in any United States jurisdiction may also provide legal services in this jurisdiction on a temporary basis. See also Model Rule on Temporary Practice by Foreign Lawyers. Except as provided in paragraphs (d)(1) and (d)(2), a lawyer who is admitted to practice law in another United States or foreign jurisdiction and who establishes an office or other systematic or continuous presence in this jurisdiction must become admitted to practice law generally in this jurisdiction.</p> <p>[16] Paragraph (d)(1) applies to a United States or foreign lawyer who is employed by a client to provide legal services to the client or its organizational affiliates, i.e., entities that control, are controlled by, or are under common control with the employer. This paragraph does not authorize the provision of personal legal services to the employer's officers or employees. The paragraph applies to in-house corporate lawyers, government lawyers, and others who are employed to render legal services to the employer. The lawyer's ability to represent the employer outside the jurisdiction in which the lawyer</p>

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	<p>is licensed generally serves the interests of the employer and does not create an unreasonable risk to the client and others because the employer is well situated to assess the lawyer's qualifications and the quality of the lawyer's work. To further decrease any risk to the client, when advising on the domestic law of a United States jurisdiction or on the law of the United States, the foreign lawyer authorized to practice under paragraph (d)(1) of this Rule needs to base that advice on the advice of a lawyer licensed and authorized by the jurisdiction.</p> <p>[17] If an employed lawyer establishes an office or other systematic presence in this jurisdiction for the purpose of rendering legal services to the employer, the lawyer may be subject to registration or other requirements, including assessments for client protection funds and mandatory continuing legal education. See also Kansas Supreme Court Rule 712, governing the admission of attorneys performing legal services for a single employer.</p> <p>[18] Paragraph (d)(2) recognizes that a United States or foreign lawyer may provide legal services in a jurisdiction in which the lawyer is not licensed when authorized to do so by federal or other law, which includes statute, court rule, executive regulation, or judicial precedent.</p> <p>[19] A lawyer who practices law in this jurisdiction pursuant to paragraphs (c) or (d) or otherwise is subject to the disciplinary authority of this jurisdiction. See Rule 8.5(a).</p> <p>[20] In some circumstances, a lawyer who practices law in this jurisdiction pursuant to paragraphs (c) or (d) may have to inform the client that the lawyer is not licensed to practice law in this jurisdiction. For example, that may be required when the representation occurs primarily in this jurisdiction and requires knowledge of the law of this jurisdiction.</p> <p>[21] Paragraphs (c) and (d) do not authorize communications advertising legal services in this jurisdiction by lawyers who are admitted to practice in other jurisdictions. Whether and how lawyers may communicate the availability of their services in this jurisdiction is governed by Rules 7.1 to 7.5.</p>
<p>KENTUCKY</p>	<p>KRS § 524.130 Unauthorized Practice of Law</p> <p>(1) Except as provided in KRS 341.470 and subsection (2) of this section, a person is guilty of unlawful practice of law when, without a license issued by the Supreme Court, he engages in the practice of law, as defined by rule of the Supreme Court.</p> <p>(2) A licensed nonresident attorney in good standing, although not licensed in Kentucky, is not guilty of unlawful practice if, in accordance with rules adopted by the Supreme Court, he practices law under specific authorization of a court.</p> <p>(3) Unlawful practice of law is a Class B misdemeanor.</p> <p>KRS § 421.570 Training Requirement for Victim Advocates; Prohibition Against Practicing Law</p> <p>(1) For the purposes of this section and KRS 421.575, “victim advocate” means an individual at least eighteen (18) years of age and of good moral character, who is employed by, or serves as a volunteer for, a public or private agency, organization, or official to counsel and assist crime victims as defined in KRS 421.500, and includes a victim advocate employed by a Commonwealth’s attorney pursuant to KRS 15.760 and a victim advocate employed by a county attorney pursuant to KRS 69.350.</p> <p>(2) Each victim advocate shall complete training which shall include information concerning the difference between advocacy and the practice of law, and the appropriate intervention with crime victims, including victims of domestic violence, child physical and sexual abuse, human trafficking, and rape.</p> <p>(3) A victim advocate shall not engage in the practice of law as defined in KRS 524.130.</p> <p>Under Kentucky law, the “practice of law” includes advice given to clients and the preparation and drafting of all legal instruments, where the work requires a consideration of the legal effects of facts and conditions by a trained legal mind. <i>In re Moffett</i> (Bkrcty.W.D.Ky. 2001) 263 B.R. 805.</p>

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	A legal services organization may prepare a handbook for distribution to lay persons which includes forms of pleading and practice for pro se use without such distribution being viewed as the practice of law or active limited representation. KBA E-343
LOUISIANA	<p>La. St. Bar Ass'n. Art. XVI § 5.5 Rule 5.5. Unauthorized Practice of Law; Multijurisdictional Practice</p> <p>a. A lawyer shall not practice law in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.</p> <p>b. A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> 1. except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or 2. hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>c. A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> 1. are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; 2. are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; 3. are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or 4. are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. <p>d. A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services in this jurisdiction that:</p> <ol style="list-style-type: none"> 1. are provided to the lawyer's employer or its organizational affiliates and are not services for which the forum requires pro hac vice admission and that are provided by an attorney who has received a limited license to practice law pursuant to La. S. Ct. Rule XVII, § 14.; or 2. are services that the lawyer is authorized to provide by federal law or other law of this jurisdiction. <p>e.</p> <ol style="list-style-type: none"> 1. A lawyer shall not: <ol style="list-style-type: none"> i. employ, contract with as a consultant, engage as an independent contractor, or otherwise join in any other capacity, in connection with the practice of law, any person the attorney knows or reasonably should know is a disbarred attorney, during the period of disbarment, or any person the attorney knows or reasonably should know is an attorney who has permanently resigned from the practice of law in lieu of discipline; or ii. employ, contract with as a consultant, engage as an independent contractor, or otherwise join in any other capacity, in connection with the practice of law, any person the attorney knows or reasonably should know is a suspended attorney, or an attorney who has been transferred to disability inactive status, during the period of suspension or transfer, unless first preceded by the submission of a fully executed employment registration statement to the Office of Disciplinary Counsel, on a registration form provided by the Louisiana Attorney Disciplinary Board, and approved by the Louisiana Supreme Court. 2. The registration form provided for in Section (e)(1) shall include: <ol style="list-style-type: none"> i. the identity and bar roll number of the suspended or transferred attorney sought to be hired; ii. the identity and bar roll number of the attorney having direct supervisory responsibility over the suspended attorney, or the attorney transferred to disability inactive status, throughout the duration of employment or association; iii. a list of all duties and activities to be assigned to the suspended attorney, or the attorney transferred to disability inactive status, during the period of employment or association;

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	<p>iv. the terms of employment of the suspended attorney, or the attorney transferred to disability inactive status, including method of compensation;</p> <p>v. a statement by the employing attorney that includes a consent to random compliance audits, to be conducted by the Office of Disciplinary Counsel, at any time during the employment or association of the suspended attorney, or the attorney transferred to disability inactive status; and</p> <p>vi. a statement by the employing attorney certifying that the order giving rise to the suspension or transfer of the proposed employee has been provided for review and consideration in advance of employment by the suspended attorney, or the attorney transferred to disability inactive status.</p> <p>3. For purposes of this Rule, the practice of law shall include the following activities:</p> <p>i. holding oneself out as an attorney or lawyer authorized to practice law;</p> <p>ii. rendering legal consultation or advice to a client;</p> <p>iii. appearing on behalf of a client in any hearing or proceeding, or before any judicial officer, arbitrator, mediator, court, public agency, referee, magistrate, commissioner, hearing officer, or governmental body operating in an adjudicative capacity, including submission of pleadings, except as may otherwise be permitted by law;</p> <p>iv. appearing as a representative of the client at a deposition or other discovery matter;</p> <p>v. negotiating or transacting any matter for or on behalf of a client with third parties;</p> <p>vi. otherwise engaging in activities defined by law or Supreme Court decision as constituting the practice of law.</p> <p>4. In addition, a suspended lawyer, or a lawyer transferred to disability inactive status, shall not receive, disburse or otherwise handle client funds.</p> <p>5. Upon termination of the suspended attorney, or the attorney transferred to disability inactive status, the employing attorney having direct supervisory authority shall promptly serve upon the Office of Disciplinary Counsel written notice of the termination.</p>
MAINE	<p>4 M.R.S.A. § 807 Unauthorized Practice of Law</p> <p>1. Prohibition. No person may practice law or profess to practice law within the State or before its courts, or demand or receive any remuneration for those services rendered in this State, unless that person has been admitted to the bar of this State and has complied with section 806-A, or unless that person has been admitted to try cases in the courts of this State under section 802.</p> <p>2. Violation. Any person who practices law in violation of these requirements is guilty of the unauthorized practice of law, which is a Class E crime.</p> <p>3. Application. This section shall not be construed to apply to:</p> <p>A. Practice before any Federal Court by any person admitted to practice therein;</p> <p>B. A person pleading or managing that person’s own cause in court;</p> <p>C. An officer or authorized employee of a corporation, partnership, sole proprietorship or governmental entity, or a member, manager or authorized employee of a limited liability company, who is not an attorney but is appearing for that organization:</p> <p>1) In an action cognizable as a small claim under Title 14, chapter 738; or</p> <p>2) For the purposes of entering a plea or answer and paying the fine or penalty for a violation by that organization of Title 23, chapter 24 or Title 29-A;</p> <p>D. A person who is not an attorney, but is representing a municipality under:</p> <p>1) Title 30-A, section 2671, subsection 3;</p> <p>3) Title 30-A, section 4452, subsection 1; or</p> <p>4) Title 38, section 441, subsection 2;</p> <p>E. A person who is not an attorney, but is representing the Department of Environmental Protection under Title 38, section 342, subsection 7;</p>

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	<p>F. A person who is not an attorney, but is representing the Bureau of Unemployment Compensation or the Bureau of Revenue Services under section 807-A;</p> <p>G. A person who is not an attorney, but is representing a party in any hearing, action or proceeding before the Workers' Compensation Board as provided in Title 39-A, section 317;</p> <p>H. A person who is not an attorney but has been designated to represent the Department of Health and Human Services under Title 22, section 3473, subsection 3 or under Title 22-A, section 207, subsection 7 in Probate Court proceedings;</p> <p>I. A person who is not an attorney, but is representing the Department of Health and Human Services in a child support enforcement matter as provided by Title 14, section 3128-A, subsection 7; Title 18-A, section 5-204; and Title 19-A, section 2361, subsection 10;</p> <p>J. For the purposes of defending a civil action filed against a corporation, an officer of the corporation if the corporation is organized in this State and has 5 or fewer shareholders;</p> <p>K. A person who is not an attorney, but who is representing the Department of Health and Human Services in accordance with Title 19-A, section 1615; Title 19-A, section 2009, subsection 8; Title 19-A, section 2201, subsection 1-B; and Title 19-A, section 2202, subsection 1-B;</p> <p>L. A person who is not an attorney, but who is representing the Department of Agriculture, Conservation and Forestry in accordance with Title 7, section 3909, subsection 2;</p> <p>M. A law enforcement officer, as defined in Title 29-A, section 101, subsection 30, who is not an attorney but who is representing the State in the prosecution of a traffic infraction, as defined in Title 29-A, section 101, subsection 85, when representation in that matter has been approved by the prosecuting attorney;</p> <p>N. A person who is not an attorney, but is representing the State under section 807-A;</p> <p>O. A person who is not an attorney, but who is representing a party in any hearing, action or proceeding before the Maine Public Employees Retirement System;</p> <p>P. A person who is not an attorney but who, as the executive director of the State Harness Racing Commission, is representing the Department of Agriculture, Conservation and Forestry at adjudicatory hearings before the commission in accordance with Title 8, section 263-C;</p> <p>Q. A person who is an attorney admitted to practice in another United States jurisdiction to the extent permitted by rules of professional conduct adopted by the Supreme Judicial Court;</p> <p>R. A person who is not an attorney but who is a public accountant, enrolled agent, enrolled actuary or any other person permitted to represent the taxpayer under Title 36, section 151-A, subsection 2 and is representing a party in any hearing, action or proceeding before the Maine Board of Tax Appeals in accordance with Title 36, section 151-D; or</p> <p>S. An individual who is the sole member of a limited liability company or is a member of a limited liability company that is owned by a married couple, registered domestic partners or an individual and that individual's issue as defined in Title 18-A, section 1-201, subsection (21) who is not an attorney but is appearing for that company in an action for forcible entry and detainer pursuant to Title 14, chapter 709.</p> <p>4. Evidence. In all proceedings, the fact, as shown by the records of the Board of Overseers of the Bar, that that person is not recorded as a member of the bar shall be prima facie evidence that that person is not a member of the bar licensed to practice law in the State.</p> <p>Notwithstanding any of the other provisions of this chapter and under such terms, conditions, limitations, qualifications and supervision as the Supreme Judicial Court shall by rule require, a senior law student who is enrolled in a law school which is approved by the American Bar Association, may appear in the courts of the State on behalf of the State or an agency thereof, or under the supervision of an organization providing legal services to the indigent approved by the Supreme Judicial Court on behalf of an individual receiving services through such organization.</p>

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<p>MARYLAND</p>	<p>Md. Lawyer’s R. Prof’l Conduct 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law</p> <p>(a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>(c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or (4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. <p>(d) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are provided to the lawyer's employer or its organizational affiliates and are not services for which the forum requires pro hac vice admission; or (2) are services that the lawyer is authorized to provide by federal law or other law of this jurisdiction.
<p>MASSACHUSETTS</p>	<p>M.G.L.A. 221 § 41 Attorneys -- Discipline -- Penalties on Disbarred or Unauthorized Attorneys and for Soliciting Law Business</p> <p>Whoever has been so removed and continues thereafter to practice law or to receive any fee for his services as an attorney at law rendered after such removal, or who holds himself out, or who represents or advertises himself as an attorney or counsellor at law, or whoever, not having been lawfully admitted to practice as an attorney at law, represents himself to be an attorney or counsellor at law, or to be lawfully qualified to practice in the courts of the commonwealth, by means of a sign, business card, letter head or otherwise, or holds himself out or represents or advertises himself as having authority or power in behalf of persons who have claims for damages to procure settlements of such claims for damages either to person or property, or whoever, not being an attorney at law, solicits or procures from any such person or his representative, either for himself or another, the management or control of any such claim, or authority to adjust or bring suit to recover for the same, or solicits for himself or another from a person accused of crime or his representative</p>

STATE	UNAUTHORIZED PRACTICE OF LAW
	<p>the right to defend the accused person, shall be punished for a first offence by a fine of not more than one hundred dollars or by imprisonment for not more than six months, and for a subsequent offence by a fine of not more than five hundred dollars or by imprisonment for not more than one year.</p> <p>Mass. Rules of Prof'l Conduct R. 5.5 (2014) Unauthorized Practice of Law; Multijurisdictional Practice of Law</p> <p>(a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>(c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or (4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. <p>(d) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are provided to the lawyer's employer or its organizational affiliates and are not services for which the forum requires pro hac vice admission; or (2) are services that the lawyer is authorized to provide by federal law or other law of this jurisdiction. <p>(e) For purposes of paragraph (d), the foreign lawyer must be a member in good standing of a recognized legal profession in a foreign jurisdiction, the members of which are admitted to practice as lawyers or counselors at law or the equivalent, and are subject to effective regulation and discipline by a duly constituted professional body or a public authority.</p>
MICHIGAN	<p>M.C.L.A. 600.916 Unauthorized Practice of Law</p> <p>(1) A person shall not practice law or engage in the law business, shall not in any manner whatsoever lead others to believe that he or she is authorized to practice law or to engage in the law business, and shall not in any manner whatsoever represent or designate himself or herself as an attorney and counselor, attorney at law, or lawyer, unless the person is regularly licensed and authorized to practice law in this state. A person who violates this section is guilty of contempt of the supreme court and of the circuit court of the county in which the violation occurred, and upon conviction is punishable as provided by law. This section does not apply to a person who is duly licensed and authorized to practice law in another state while temporarily in this state and engaged in a particular matter.</p> <p>(2) A domestic violence victim advocate's assistance that is provided in accordance with section 2950c does not violate this section.</p>

STATE	UNAUTHORIZED PRACTICE OF LAW
	<p>Mich. Rules of Prof'l Conduct R. 5.5 Unauthorized Practice Law; Multijurisdictional Practice of Law</p> <p>(a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>(c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or (4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. <p>(d) A lawyer admitted in another United States jurisdiction or in a foreign jurisdiction, and not disbarred or suspended from practice in any jurisdiction or equivalent thereof, may provide legal services through an office or other systematic and continuous presence in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are provided to the lawyer's employer or its organizational affiliates and are not services for which the forum requires pro hac vice admission; and, when performed by a foreign lawyer and requires advice on the law of this or another jurisdiction or of the United States, such advice shall be based upon the advice of a lawyer who is duly licensed and authorized by the jurisdiction to provide such advice; or (2) are services that the lawyer is authorized to provide by federal law or other law or rule in this jurisdiction.
MINNESOTA	<p>M.S.A. § 481.02 Unauthorized Practice of Law</p> <p>Subdivision 1. <i>Prohibitions.</i> — It shall be unlawful for any person or association of persons, except members of the bar of Minnesota admitted and licensed to practice as attorneys at law, to appear as attorney or counselor at law in any action or proceeding in any court in this state to maintain, conduct, or defend the same, except personally as a party thereto in other than a representative capacity, or, by word, sign, letter, or advertisement, to hold out as competent or qualified to give legal advice or counsel, or to prepare legal documents, or as being engaged in advising or counseling in law or acting as attorney or counselor at law, or in furnishing to others the services of a lawyer or lawyers, or, for a fee or any consideration, to give legal advice or counsel, perform for or furnish to another legal services, or, for or without a fee or any consideration, to prepare, directly or through another, for another person, firm, or corporation, any will or testamentary disposition or instrument of trust serving purposes similar to those of a will, or, for a fee or any consideration, to prepare for another person, firm, or corporation, any other legal document, except as provided in subdivision 3.</p> <p>Subd. 2. <i>Corporations.</i> — No corporation, organized for pecuniary profit, except an attorney's professional firm organized under chapter 319B, by or through its officers or employees or any one else, shall maintain, conduct, or defend, except in its own behalf when a party litigant, any action or proceeding in any court in this state, or shall, by or through its officers or employees or any one else, give or assume to give legal advice or counsel or perform for or furnish to another person or corporation legal services; or shall, by word, sign, letter, or advertisement, solicit the public or any person to</p>

STATE	UNAUTHORIZED PRACTICE OF LAW
	<p>permit it to prepare, or cause to be prepared, any will or testamentary disposition or instrument of trust serving purposes similar to those of a will, or hold itself out as desiring or willing to prepare any such document, or to give legal advice or legal services relating thereto or to give general legal advice or counsel, or to act as attorney at law or as supplying, or being in a position to supply, the services of a lawyer or lawyers; or shall to any extent engage in, or hold itself out as being engaged in, the business of supplying services of a lawyer or lawyers; or shall cause to be prepared any person's will or testamentary disposition or instrument of trust serving purposes similar to those of a will, or any other legal document, for another person, firm, or corporation, and receive, directly or indirectly, all or a part of the charges for such preparation or any benefits therefrom; or shall itself prepare, directly or through another, any such document for another person, firm, or corporation, except as provided in subdivision 3.</p> <p>Subd. 3. Permitted actions. — The provisions of this section shall not prohibit:</p> <ol style="list-style-type: none"> (1) any person from drawing, without charge, any document to which the person, an employer of the person, a firm of which the person is a member, or a corporation whose officer or employee the person is, is a party, except another's will or testamentary disposition or instrument of trust serving purposes similar to those of a will; (2) a person from drawing a will for another in an emergency if the imminence of death leaves insufficient time to have it drawn and its execution supervised by a licensed attorney-at-law; (3) any insurance company from causing to be defended, or from offering to cause to be defended through lawyers of its selection, the insureds in policies issued or to be issued by it, in accordance with the terms of the policies; (4) a licensed attorney-at-law from acting for several common-carrier corporations or any of its subsidiaries pursuant to arrangement between the corporations; (5) any bona fide labor organization from giving legal advice to its members in matters arising out of their employment; (6) any person from conferring or cooperating with a licensed attorney-at-law of another in preparing any legal document, if the attorney is not, directly or indirectly, in the employ of the person or of any person, firm, or corporation represented by the person; (7) any licensed attorney-at-law of Minnesota, who is an officer or employee of a corporation, from drawing, for or without compensation, any document to which the corporation is a party or in which it is interested personally or in a representative capacity, except wills or testamentary dispositions or instruments of trust serving purposes similar to those of a will, but any charge made for the legal work connected with preparing and drawing the document shall not exceed the amount paid to and received and retained by the attorney, and the attorney shall not, directly or indirectly, rebate the fee to or divide the fee with the corporation; (8) any person or corporation from drawing, for or without a fee, farm or house leases, notes, mortgages, chattel mortgages, bills of sale, deeds, assignments, satisfactions, or any other conveyances except testamentary dispositions and instruments of trust; (9) a licensed attorney-at-law of Minnesota from rendering to a corporation legal services to itself at the expense of one or more of its bona fide principal stockholders by whom the attorney is employed and by whom no compensation is, directly or indirectly, received for the services; (10) any person or corporation engaged in the business of making collections from engaging or turning over to an attorney-at-law for the purpose of instituting and conducting suit or making proof of claim of a creditor in any case in which the attorney-at-law receives the entire compensation for the work; (11) any regularly established farm journal or newspaper, devoted to general news, from publishing a department of legal questions and answers to them, made by a licensed attorney-at-law, if no answer is accompanied or at any time preceded or followed by any charge for it, any disclosure of any name of the maker of any answer, any recommendation of or reference to any one to furnish legal advice or services, or by any legal advice or service for the periodical or any one connected with it or suggested by it, directly or indirectly; (12) any authorized management agent of an owner of rental property used for residential purposes, whether the management agent is a natural person, corporation, partnership, limited partnership, or any other business entity, from commencing, maintaining, conducting, or defending in its own behalf any action in any court in this state to recover or retain possession of the property, except that the provision of this clause does not authorize a person who is not a licensed attorney-at-law to conduct a jury trial or to appear before a district court or the Court of Appeals or Supreme Court pursuant to an appeal;

STATE	UNAUTHORIZED PRACTICE OF LAW
	<p>(13) any person from commencing, maintaining, conducting, or defending on behalf of the plaintiff or defendant any action in any court of this state pursuant to the provisions of section 504B.375 or sections 504B.185 and 504B.381 to 504B.471 or from commencing, maintaining, conducting, or defending on behalf of the plaintiff or defendant any action in any court of this state for the recovery of rental property used for residential purposes pursuant to the provisions of section 504B.285, subdivision 1, or 504B.301, except that the provision of this clause does not authorize a person who is not a licensed attorney-at-law to conduct a jury trial or to appear before a district court or the Court of Appeals or Supreme Court pursuant to an appeal, and provided that, except for a nonprofit corporation, a person who is not a licensed attorney-at-law shall not charge or collect a separate fee for services rendered pursuant to this clause;</p> <p>(14) the delivery of legal services by a specialized legal assistant in accordance with a specialty license issued by the Supreme Court before July 1, 1995;</p> <p>(15) the sole shareholder of a corporation from appearing on behalf of the corporation in court; or</p> <p>(16) an officer, manager, partner, or employee or an agent of a condominium, cooperative, or townhouse association from appearing on behalf of a corporation, limited liability company, partnership, sole proprietorship, or association in conciliation court or in a district court action removed from conciliation court, in accordance with section 491A.02, subdivision 4.</p> <p>Subd. 3a. Real estate closing services. — Nothing in this section shall be construed to prevent a real estate broker, a real estate salesperson, or a real estate closing agent, as defined in section 82.55, from drawing or assisting in drawing papers incident to the sale, trade, lease, or loan of property, or from charging for drawing or assisting in drawing them, except as hereafter provided by the Supreme Court.</p> <p>Subd. 4. Mortgage foreclosure fees. — It shall be unlawful to exact, charge or receive any attorney’s fee for the foreclosure of any mortgage, unless the foreclosure is conducted by a licensed attorney at law of Minnesota and unless the full amount charged as attorney’s fee is actually paid to and received and retained by such attorney, without being, directly or indirectly, shared with or rebated to any one else; and it shall be unlawful for any such attorney to make any showing of receiving such a fee unless the attorney has received the same or to share with or rebate to any other person, firm, or corporation such fee, or any part thereof, received by the attorney; but such attorney may divide such fee with another licensed attorney at law maintaining the other’s place of business and not an officer or employee of the foreclosing party, if such attorney has assisted in performing the services for which the fee is paid, or resides in a place other than that where the foreclosure proceedings are conducted and has forwarded the case to the attorney conducting such foreclosure.</p> <p>Subd. 5. Corporate fiduciary agents. — It shall be unlawful for any corporation, appearing as executor, administrator, guardian, trustee, or other representative, to do the legal work in any action, probate proceeding or other proceeding in any court in this state, except through a licensed attorney at law of Minnesota maintaining the attorney’s own place of business and not an officer or employee of such executor, administrator, guardian, trustee, or representative. No attorney’s fee shall be charged or paid or received in any such case, unless actually paid to and received and retained by such an attorney at law maintaining the attorney’s own place of business and not an officer or employee of such executor, administrator, guardian, trustee, or representative; and it shall be unlawful for such attorney to represent in any manner receiving any sum as a fee or compensation unless the same has been actually received or, directly or indirectly, to divide with or rebate to any person, firm, or corporation any part of any such fee or consideration received by the attorney in any such case; but such attorney may divide such fee with another licensed attorney at law maintaining the other’s own place of business and not an officer or employee of such executor, administrator, guardian, trustee, or other representative, if such attorney has assisted in performing the services for which the fees are paid, or resides in a place other than that where the action or proceedings are conducted and has forwarded the case to the attorney conducting the action or proceedings.</p> <p>Subd. 6. Attorneys of other states. — Any attorney or counselor at law residing in any other state or territory in which the attorney has been admitted to practice law, who attends any term of the Supreme Court, Court of Appeals, or district court of this state for the purpose of trying or participating in the trial or proceedings of any action or proceedings there pending, may, in the discretion of the court before which the attorney appears in the action or proceeding, be permitted to try, or participate in the trial or proceedings in, the action or proceeding, without being subject to the provisions of this section, other than those set forth in subdivision 2, providing the state in which the attorney is licensed to practice law likewise grants permission to members of the state bar of Minnesota to act as an attorney for a client in that state under the same terms.</p>

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	<p>Subd. 7. Lay assistance to attorneys. — Nothing herein contained shall be construed to prevent a corporation from furnishing to any person lawfully engaged in the practice of law, such information or such clerical service in and about the attorney’s professional work as, except for the provisions of this section, may be lawful, provided, that at all times the lawyer receiving such information or such services shall maintain full, professional and direct responsibility to the attorney’s clients for the information and services so received.</p> <p>Subd. 8. Penalty; injunction.</p> <p>(a) Any person or corporation, or officer or employee thereof, violating any of the foregoing provisions shall be guilty of a misdemeanor; and, upon conviction thereof, shall be punished as by statute provided for the punishment of misdemeanors. It shall be the duty of the respective county attorneys in this state to prosecute violations of this section, and the district courts of this state shall have sole original jurisdiction of any such offense under this section.</p> <p>(b) A county attorney or the attorney general may, in the name of the state of Minnesota, or in the name of the State Board of Law Examiners, proceed by injunction suit against any violator of any of the provisions above set forth to enjoin the doing of any act or acts violating any of said provisions.</p> <p>(c) In addition to the penalties and remedies provided in paragraphs (a) and (b), the public and private penalties and remedies in section 8.31 apply to violations of this section.</p> <p>Subd. 9. <i>Construing subdivision.</i> — Nothing in subdivision 3a shall be construed to allow a person other than a licensed attorney to perform or provide the services of an attorney or be construed to otherwise conflict with this section.</p>
MISSISSIPPI	<p>Miss. Code Ann. § 73-3-55 Unlawful to Practice Law Without License; Certain Abstract Companies May Certify Titles</p> <p>It shall be unlawful for any person to engage in the practice of law in this state who has not been licensed according to law. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished in accordance with the provisions of Section 97-23-43. Any person who shall for fee or reward or promise, directly or indirectly, write or dictate any paper or instrument of writing, to be filed in any cause or proceeding pending, or to be instituted in any court in this state, or give any counsel or advice therein, or who shall write or dictate any bill of sale, deed of conveyance, deed of trust, mortgage, contract, or last will and testament, or shall make or certify to any abstract of title to real estate other than his own or in which he may own an interest, shall be held to be engaged in the practice of law. This section shall not, however, prevent title or abstract of title guaranty companies incorporated under the laws of this state from making abstract or certifying titles to real estate where it acts through some person as agent, authorized under the laws of the State of Mississippi to practice law; nor shall this section prevent any abstract company chartered under the laws of the State of Mississippi with a paid-up capital of Fifty Thousand Dollars (\$ 50,000.00) or more from making or certifying to abstracts of title to real estate through the president, secretary or other principal officer of such company.</p> <p>Miss. Rules of Prof’l Conduct R. 5.5 Unauthorized Practice of Law</p> <p>A lawyer shall not:</p> <p>(a) practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction; or</p> <p>(b) assist a person who is not a member of the bar in the performance of activity that constitutes the unauthorized practice of law.</p>
MISSOURI	<p>Mo. Rules of Prof’l Conduct R. 4-5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law</p>

STATE	UNAUTHORIZED PRACTICE OF LAW
	<p>(a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction or assist another in doing so.</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by this Rule 4 or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>(c) A lawyer admitted and authorized to practice law in another United States jurisdiction and not disbarred or suspended from practice in any jurisdiction may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction if the lawyer or a person the lawyer is assisting is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted and authorized to practice law and are not services for which the forum requires pro hac vice admission; (4) are provided to the lawyer's employer or its organizational affiliates and are not services for which the forum requires pro hac vice admission; or (5) are not within Rule 4-5.5(c)(2), (c)(3), or (c)(4) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted and authorized to practice law. <p>(d) A lawyer admitted in another United States jurisdiction and not disbarred or suspended from practice in any jurisdiction may establish an office or other systematic and continuous presence in this jurisdiction for the practice of law and provide legal services in this jurisdiction that are provided to the lawyer's employer or its organizational affiliates if the lawyer has obtained a limited license pursuant to Rule 8.105 or a general license pursuant to other provisions of Rule 8.</p> <p>(e) A lawyer shall not practice law in Missouri if the lawyer is subject to Rule 15 and, because of failure to comply with Rule 15, The Missouri Bar has referred the lawyer's name to the chief disciplinary counsel or the commission on retirement, removal and discipline.</p> <p>(f) For purposes of paragraph (d), the foreign lawyer must be a member in good standing of a recognized legal profession in a foreign jurisdiction, the members of which are admitted to practice as lawyers or counselors at law or the equivalent, and are subject to effective regulation and discipline by a duly constituted professional body or a public authority.</p> <p>COMMENT ¹¹¹¹¹¹_{SEPSEPSEP}</p> <p>[1] A lawyer may practice law only in a jurisdiction in which the lawyer is authorized to practice. A lawyer may be admitted to practice law in a jurisdiction on a regular basis or may be authorized by court rule or order or by law to practice for a limited purpose or on a restricted basis. Rule 4-5.5(a) applies to unauthorized practice of law by a lawyer, whether through the lawyer's direct action or by the lawyer assisting another person.</p> <p>[2] The definition of "the practice of law" is established by law and varies from one jurisdiction to another. Whatever the definition, limiting the practice of law to members of the bar protects the public against rendition of legal services by unqualified persons. This Rule 4-5.5 does not prohibit a lawyer from employing the services of paraprofessionals and delegating functions to them, so long as the lawyer supervises the delegated work and retains responsibility for their work. See Rule 4-5.3.</p> <p>[3] A lawyer may provide professional advice and instruction to nonlawyers whose employment requires knowledge of the law; for example, claims adjusters, employees of financial or commercial institutions, social workers, accountants, and persons employed in government agencies. In addition, a lawyer may counsel nonlawyers who wish to proceed pro se.</p> <p>[4] Other than as authorized by law or this Rule 4-5.5, a lawyer who is not admitted to practice generally in this jurisdiction violates Rule 4-5.5(b) if the lawyer establishes an office or other systematic and continuous presence in this jurisdiction for the practice of law. Presence may be systematic and continuous even if the lawyer is not physically present here. Such a lawyer must not hold out to the public or otherwise represent that the</p>

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	<p>lawyer is admitted to practice law in this jurisdiction. See also Rules 4-7.1(a) and 4-7.5(b). Federal law, including but not limited to international treaties, may require that a lawyer be permitted to practice in this jurisdiction. Federal law that admits a lawyer to appear in a federal court or other tribunal does not authorize a lawyer to establish an office or other systematic and continuous presence to engage in other aspects of the practice of law in this jurisdiction. See In re: Page, 257 S.W. 2d 679 (Mo. banc 1953).</p> <p>[5] There are occasions in which a lawyer admitted to practice in another United States jurisdiction and not disbarred or suspended from practice in any jurisdiction may provide legal services on a temporary basis in this jurisdiction under circumstances that do not create an unreasonable risk to the interests of their clients, the public, or the courts. Rule 4-5.5(c) identifies four such circumstances. The fact that conduct is not so identified does not imply that the conduct is or is not authorized. This Rule 4-5.5 does not authorize a lawyer to establish an office or other systematic and continuous presence in this jurisdiction without being admitted to practice here under any provision of Rule 8.</p> <p>[6] There is no single test to determine whether a lawyer's services are provided on a "temporary basis" in this jurisdiction and, therefore, may be permissible under Rule 4-5.5(c). Services may be "temporary" even though the lawyer provides services in this jurisdiction on a recurring basis or for an extended period of time, as when the lawyer is representing a client in a single lengthy negotiation or litigation.</p> <p>[7] Rule 4-5.5(c) and (d) apply to lawyers who are admitted to practice law in any United States jurisdiction, which includes the District of Columbia and any state, territory or commonwealth of the United States. The phrase "admitted and authorized to practice law" in Rule 4-5.5(c) requires that the lawyer be authorized to practice in a jurisdiction in which the lawyer is admitted and excludes a lawyer who while technically admitted is not authorized to practice, because, for example, the lawyer is on inactive status.</p> <p>[8] Rule 4-5.5(c)(1) recognizes that the interests of clients and the public are protected if a lawyer admitted only in another jurisdiction associates with a lawyer licensed to practice in this jurisdiction. For Rule 4-5.5(c)(1) to apply, however, the lawyer admitted to practice in this jurisdiction must actively participate in and share responsibility for the representation of the client.</p> <p>[9] Lawyers not admitted to practice generally in a jurisdiction may be authorized by law or order of a tribunal or an administrative agency to appear before the tribunal or agency. This authority may be granted pursuant to formal rules governing admission pro hac vice. Under Rule 4-5.5(c)(2), a lawyer does not violate this Rule 4-5.5 when the lawyer appears before a tribunal or agency pursuant to such authority. To the extent that a court rule or other law of this jurisdiction requires a lawyer who is not admitted to practice in this jurisdiction to obtain admission pro hac vice before appearing before a tribunal or administrative agency, this Rule 4-5.5 requires the lawyer to obtain that authority.</p> <p>[10] Rule 4-5.5(c)(2) also provides that a lawyer rendering services in this jurisdiction on a temporary basis does not violate this Rule 4-5.5 when the lawyer engages in conduct in anticipation of a proceeding or hearing in a jurisdiction in which the lawyer is authorized to practice law or in which the lawyer reasonably expects to be admitted pro hac vice. Examples of such conduct include meetings with the client, interviews of potential witnesses, and the review of documents. Similarly, a lawyer admitted only in another jurisdiction may engage in conduct temporarily in this jurisdiction in connection with pending litigation in another jurisdiction in which the lawyer is or reasonably expects to be authorized to appear, including taking depositions in this jurisdiction.</p> <p>[11] When a lawyer has been or reasonably expects to be admitted to appear before a court or administrative agency, Rule 4-5.5(c)(2) also permits conduct by lawyers who are associated with that lawyer in the matter, but who do not expect to appear before the court or administrative agency. For example, subordinate lawyers may conduct research, review documents, and attend meetings with witnesses in support of the lawyer responsible for the litigation.</p> <p>[12] Rule 4-5.5(c)(3) permits a lawyer admitted to practice law in another jurisdiction to perform services on a temporary basis in this jurisdiction if those services are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction and if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. The lawyer, however, must obtain admission pro hac vice in the case of a court-annexed arbitration or mediation or otherwise if court rules or law so require.</p> <p>[13] Rule 4-5.5(c)(4) permits a lawyer who is admitted and authorized to practice law in another jurisdiction to perform services on a temporary basis in this jurisdiction if those services are provided to the lawyer's employer or its organizational affiliates and are not services for which the</p>

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	<p>forum requires pro hac vice admission. Rule 4-5.5(c)(4) applies to in-house corporate lawyers, government lawyers, and others who are employed to render legal services to the employer. Rule 4-5.5(c)(4) does not authorize the provision of personal legal services on a temporary basis to the employer's officers or employees. Lawyers who wish to establish an office or other systematic and continuous presence in this jurisdiction to provide legal services to the lawyer's employer or its organizational affiliates must be admitted to practice law in this jurisdiction pursuant to Rule 8.105 or other relevant provisions of Rule 8. See Rule 4-5.5(d).</p> <p>[14] Rule 4-5.5(c)(5) permits a lawyer admitted in another jurisdiction to provide certain legal services in this jurisdiction on a temporary basis if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted but are not within Rule 4-5.5(c)(2) or (c)(3). These services include both legal services and services that nonlawyers may perform but that are considered the practice of law when performed by lawyers.</p> <p>[15] Rule 4-5.5(c)(3) and (c)(5) require that the services arise out of or be reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted. A variety of factors evidence such a relationship. The lawyer's client may have been previously represented by the lawyer or may be resident in or have substantial contacts with the jurisdiction in which the lawyer is admitted. The matter, although involving other jurisdictions, may have a significant connection with that jurisdiction. In other cases, significant aspects of the lawyer's work might be conducted in that jurisdiction or a significant aspect of the matter may involve the law of that jurisdiction. The necessary relationship might arise when the client's activities or the legal issues involve multiple jurisdictions, such as when the officers of a multinational corporation survey potential business sites and seek the services of their lawyer in assessing the relative merits of each. In addition, the services may draw on the lawyer's recognized expertise developed through the regular practice of law on behalf of clients in matters involving a particular body of federal, nationally-uniform, foreign, or international law.</p> <p>[16] Rule 4-5.5(d) applies to a lawyer employed exclusively for a corporation, its subsidiaries or affiliates; an association; a business; or a governmental entity if the employer's lawful business consists of activities other than the practice of law or the provision of legal services. Rule 4-5.5(d) does not authorize the provision of personal legal services to the employer's officers or employees. Rule 4-5.5(d) does not address federal practice; federal practice is addressed in Rule 4-5.5(b)(1) and paragraph 4 of this Comment.</p> <p>[17] A lawyer who practices law in this jurisdiction pursuant to Rule 4-5.5(c) or (d) or otherwise is subject to the disciplinary authority of this jurisdiction. See Rule 4-8.5(a).</p> <p>[18] In some circumstances, a lawyer who practices law in this jurisdiction pursuant to Rule 4-5.5(c) may have to inform the client that the lawyer is not licensed to practice law in this jurisdiction. For example, that may be required when the representation occurs primarily in this jurisdiction and requires knowledge of the law of this jurisdiction. See Rule 4-1.4(b).</p> <p>[19] Rule 4-5.5(c) does not authorize communications advertising legal services to prospective clients in this jurisdiction by lawyers who are admitted to practice in other jurisdictions. Whether and how lawyers may communicate the availability of their services to prospective clients in this jurisdiction is governed by Rules 4-7.1 to 4-7.5.</p>
MONTANA	<p>MCA 37-61-201 Who Considered to be Practicing Law</p> <p>Any person who holds out to the public or advertises as an attorney or who appears in any court of record or before a judicial body, referee, commissioner, or other officer appointed to determine any question of law or fact by a court or who engages in the business and duties and performs acts, matters, and things that are usually done or performed by an attorney at law in the practice of that profession for the purposes of parts 1 through 3 of this chapter is considered to be practicing law.</p>
NEBRASKA	<p>Neb. Rev. St. § 7-101 Unauthorized Practice of Law; Penalty</p>

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	<p>Except as provided in section 7-101.01, no person shall practice as an attorney or counselor at law, or commence, conduct or defend any action or proceeding to which he is not a party, either by using or subscribing his own name, or the name of any other person, or by drawing pleadings or other papers to be signed and filed by a party, in any court of record of this state, unless he has been previously admitted to the bar by order of the Supreme Court of this state. No such paper shall be received or filed in any action or proceeding unless the same bears the endorsement of some admitted attorney, or is drawn, signed, and presented by a party to the action or proceeding. It is hereby made the duty of the judges of such courts to enforce this prohibition. Any person who shall violate any of the provisions of this section shall be guilty of a Class III misdemeanor, but this section shall not apply to persons admitted to the bar under preexisting laws.</p>
NEVADA	<p>N.R.S. 50.400 Applicability to Proceedings in Civil Actions; Qualifications, Duties and Limitations on Conduct of Attendant; Designation of Attendant as Witness; “Victim of an Act of Domestic Violence Pursuant to NRS 33.018” Defined</p> <ol style="list-style-type: none"> 1. In any civil action involving a victim of an act of domestic violence pursuant to NRS 33.018, the victim may designate a person to act as an attendant during any proceeding to provide support to the victim. 2. The victim may designate any person to act as an attendant. 3. An attendant: <ol style="list-style-type: none"> (a) Is not required to possess or obtain any special qualifications, such as certification or training, to serve as an attendant pursuant to this section. (b) Shall be available to provide moral and emotional support to the victim. (c) Shall be available to assist the victim in feeling more confident that the victim will not be injured or threatened at any time during any proceeding. (d) Unless otherwise ordered by the court, must be allowed to be present in close proximity to the victim during any proceeding. 4. Unless the attendant is an attorney licensed or otherwise authorized to practice in this State, the attendant shall not provide any legal advice to the victim. Any action taken by the attendant in accordance with this section shall be deemed not to constitute the unauthorized practice of law pursuant to NRS 7.285. 5. The attendant may be designated by a party as a witness and must not be excluded from the proceedings. If a party designates the attendant as a witness, the attendant must be examined and cross-examined before any other witness testifies. 6. For the purposes of this section, “victim of an act of domestic violence pursuant to NRS 33.018” includes any person who alleges that he or she is a victim of an act of domestic violence pursuant to NRS 33.018, regardless of whether or not the alleged perpetrator of the act of domestic violence has been charged with or convicted of any criminal offense related to that act.
NEW HAMPSHIRE	<p>N.H. Rules of Prof’l Conduct R. 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law</p> <ol style="list-style-type: none"> (a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so. (b) A lawyer who is not admitted to practice in this jurisdiction shall not: <ol style="list-style-type: none"> (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction.

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	<p>(c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or (4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. <p>(d) A lawyer admitted in another United States jurisdiction or in a foreign jurisdiction, and not disbarred or suspended from practice in any jurisdiction or the equivalent thereof, may provide legal services through an office or other systematic and continuous presence in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are provided to the lawyer's employer or its organizational affiliates; are not services for which the forum requires pro hac vice admission; and, when performed by a foreign lawyer and requires advice on the law of this or another U.S. jurisdiction or of the United States, such advice shall be based upon the advice of a lawyer who is duly licensed and authorized by the jurisdiction to provide such advice; or (2) are services that the lawyer is authorized by federal or other law or rule to provide in this jurisdiction. (3) relate solely to the law of a jurisdiction in which the lawyer is admitted. <p>(e) For purposes of paragraph (d), the foreign lawyer must be a member in good standing of a recognized legal profession in a foreign jurisdiction, the members of which are admitted to practice as lawyers or counselors at law or the equivalent, and are subject to effective regulation and discipline by a duly constituted professional body or a public authority.</p>
NEW JERSEY	<p>N.J.S.A. 2C:21-22 Unauthorized Practice of Law; Penalties</p> <ol style="list-style-type: none"> a. A person is guilty of a crime of the fourth degree if the person knowingly engages in the unauthorized practice of law. b. A person is guilty of a crime of the third degree if the person knowingly engages in the unauthorized practice of law and: <ol style="list-style-type: none"> (1) Creates or reinforces, by any means, a false impression that the person is licensed to engage in the practice of law. As used in this paragraph, "by any means" includes but is not limited to using or advertising the title of lawyer or attorney-at-law, or equivalent terms, in the English language or any other language, which mean or imply that the person is licensed as an attorney-at-law in the State of New Jersey or in any other jurisdiction of the United States; or (2) Derives a benefit; or (3) In fact causes injury to another. c. For the purposes of this section, the phrase "in fact" indicates strict liability.
NEW MEXICO	<p>N.M. Stat. Ann. § 36-2-27 Practice Without Admission; Contempt of Court; Foreign Attorneys</p> <p>No person shall practice law in a court of this state, except a magistrate court, nor shall a person commence, conduct or defend an action or proceeding unless he has been granted a certificate of admission to the bar under the provisions of Chapter 36 NMSA 1978. No person not licensed as provided in that chapter shall advertise or display any matter or writing whereby the impression may be gained that he is an attorney or counselor at law or hold himself out as an attorney or counselor at law, and all persons violating the provisions of that chapter shall be deemed guilty of contempt of the court in which the</p>

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	<p>violation occurred, as well as of the supreme court of the state; provided, however, that nothing in this section shall be construed to prohibit persons residing beyond the limits of this state, otherwise qualified, from assisting resident counsel in participating in an action or proceeding.</p> <p>The “practice of law” is not restricted to appearances in court; it also encompasses giving legal advice and counsel. <i>In re Chavez</i>, 129 N.M. 35,42 (N.M. 2000)</p>
NEW YORK	<p>NY CLS Jud. Law § 478 Practicing or Appearing as Attorney-At-Law Without Being Admitted and Registered</p> <p>It shall be unlawful for any natural person to practice or appear as an attorney-at-law or as an attorney and counselor-at-law for a person other than himself or herself in a court of record in this state, or to furnish attorneys or counsel or an attorney and counsel to render legal services, or to hold himself or herself out to the public as being entitled to practice law as aforesaid, or in any other manner, or to assume to be an attorney or counselor-at-law, or to assume, use, or advertise the title of lawyer, or attorney and counselor-at-law, or attorney-at-law or counselor-at-law, or attorney, or counselor, or attorney and counselor, or equivalent terms in any language, in such manner as to convey the impression that he or she is a legal practitioner of law or in any manner to advertise that he or she either alone or together with any other persons or person has, owns, conducts or maintains a law office or law and collection office, or office of any kind for the practice of law, without having first been duly and regularly licensed and admitted to practice law in the courts of record of this state, and without having taken the constitutional oath. Provided, however, that nothing in this section shall be held to apply (1) to officers of societies for the prevention of cruelty to animals, duly appointed, when exercising the special powers conferred upon such corporations under section fourteen hundred three of the not-for-profit corporation law; or (2) to law students who have completed at least two semesters of law school or persons who have graduated from a law school, who have taken the examination for admittance to practice law in the courts of record in the state immediately available after graduation from law school, or the examination immediately available after being notified by the board of law examiners that they failed to pass said exam, and who have not been notified by the board of law examiners that they have failed to pass two such examinations, acting under the supervision of a legal aid organization when such students and persons are acting under a program approved by the appellate division of the supreme court of the department in which the principal office of such organization is located and specifying the extent to which such students and persons may engage in activities otherwise prohibited by this statute; or (3) to law students who have completed at least two semesters of law school, or to persons who have graduated from a law school approved pursuant to the rules of the court of appeals for the admission of attorneys and counselors-at-law and who have taken the examination for admission to practice as an attorney and counselor-at-law immediately available after graduation from law school or the examination immediately available after being notified by the board of law examiners that they failed to pass said exam, and who have not been notified by the board of law examiners that they have failed to pass two such examinations, when such students or persons are acting under the supervision of the state or a subdivision thereof or of any officer or agency of the state or a subdivision thereof, pursuant to a program approved by the appellate division of the supreme court of the department within which such activities are taking place and specifying the extent to which they may engage in activities otherwise prohibited by this statute and those powers of the supervising governmental entity or officer in connection with which they may engage in such activities; or (4) an attorney and counselor-at-law or the equivalent who is admitted to the bar in another state, territory, district or foreign country and who has been admitted to practice pro hac vice in the state of New York within the limitations prescribed in the rules of the court of appeals; or (5) an attorney licensed as a legal consultant under rules adopted by the court of appeals pursuant to subdivision six of section fifty-three of this chapter and rendering legal services in the state within limitations prescribed in such rules..</p> <p>“Practice of law” includes rendering of legal advice as well as appearing in court and holding oneself out to be lawyer. <i>El Gemayel v. Seaman</i>, 1988, 72 N.Y.2d 701, 536 N.Y.S.2d 406, 533 N.E.2d 245.</p>

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	<p>In New York, it is not a violation of the unauthorized practice of law to provide legal material, or even specific forms for legal use as long as there is no attorney-client relationship <i>In re Tomlinson</i>, 343 B.R. 400 (E.D.N.Y. 2006).</p>
<p>NORTH CAROLINA</p>	<p>N.C.G.S.A. § 84-4 Persons Other than Members of State Bar Prohibited from Practicing Law</p> <p>Except as otherwise permitted by law, it shall be unlawful for any person or association of persons, except active members of the Bar of the State of North Carolina admitted and licensed to practice as attorneys-at-law, to appear as attorney or counselor at law in any action or proceeding before any judicial body, including the North Carolina Industrial Commission, or the Utilities Commission; to maintain, conduct, or defend the same, except in his own behalf as a party thereto; or, by word, sign, letter, or advertisement, to hold out himself, or themselves, as competent or qualified to give legal advice or counsel, or to prepare legal documents, or as being engaged in advising or counseling in law or acting as attorney or counselor-at-law, or in furnishing the services of a lawyer or lawyers; and it shall be unlawful for any person or association of persons except active members of the Bar, for or without a fee or consideration, to give legal advice or counsel, perform for or furnish to another legal services, or to prepare directly or through another for another person, firm or corporation, any will or testamentary disposition, or instrument of trust, or to organize corporations or prepare for another person, firm or corporation, any other legal document. Provided, that nothing herein shall prohibit any person from drawing a will for another in an emergency wherein the imminence of death leaves insufficient time to have the same drawn and its execution supervised by a licensed attorney-at-law. The provisions of this section shall be in addition to and not in lieu of any other provisions of this Chapter. Provided, however, this section shall not apply to corporations authorized to practice law under the provisions of Chapter 55B of the General Statutes of North Carolina.</p> <p>N.C.G.S.A. § 84-2.1 “Practice Law” Defined</p> <p>(a) The phrase "practice law" as used in this Chapter is defined to be performing any legal service for any other person, firm or corporation, with or without compensation, specifically including the preparation or aiding in the preparation of deeds, mortgages, wills, trust instruments, inventories, accounts or reports of guardians, trustees, administrators or executors, or preparing or aiding in the preparation of any petitions or orders in any probate or court proceeding; abstracting or passing upon titles, the preparation and filing of petitions for use in any court, including administrative tribunals and other judicial or quasi-judicial bodies, or assisting by advice, counsel, or otherwise in any legal work; and to advise or give opinion upon the legal rights of any person, firm or corporation: Provided, that the above reference to particular acts which are specifically included within the definition of the phrase "practice law" shall not be construed to limit the foregoing general definition of the term, but shall be construed to include the foregoing particular acts, as well as all other acts within the general definition.</p> <p>(b) The phrase "practice law" does not encompass:</p> <p>(1) The drafting or writing of memoranda of understanding or other mediation summaries by mediators at community mediation centers authorized by G.S. 7A-38.5 or by mediators of employment-related matters for The University of North Carolina or a constituent institution, or for an agency, commission, or board of the State of North Carolina.</p> <p>(2) The selection or completion of a preprinted form by a real estate broker licensed under Chapter 93A of the General Statutes, when the broker is acting as an agent in a real estate transaction and in accordance with rules adopted by the North Carolina Real Estate Commission, or the selection or completion of a preprinted residential lease agreement by any person or Web site provider. Nothing in this subdivision or in G.S. 84-2.2 shall be construed to permit any person or Web site provider who is not licensed to practice law in accordance with this Chapter to prepare for any third person any contract or deed conveying any interest in real property, or to abstract or pass upon title to any real property, which is located in this State.</p>

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	<p>(3) The completion of or assisting a consumer in the completion of various agreements, contracts, forms, and other documents related to the sale or lease of a motor vehicle as defined in G.S. 20-286(10), or of products or services ancillary or related to the sale or lease of a motor vehicle, by a motor vehicle dealer licensed under Article 12 of Chapter 20 of the General Statutes.</p> <p>It was not the purpose and intent of the statute prohibiting the unlawful practice of law to make unlawful all activities of lay persons that come within the general definition of practicing law; its purpose is for the better security of the people against incompetency and dishonesty in an area of activity affecting general welfare. <i>State v. Williams</i>, 186 N.C. App. 233 (N.C. Ct. App. 2007)</p>
NORTH DAKOTA	<p>N.D. Rules of Prof'l Conduct R. 5.5 Unauthorized Practice of Law</p> <p>(a) A lawyer shall not practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction.</p> <p>(b) A lawyer admitted to practice in another jurisdiction and not in this jurisdiction, who performs legal services in this jurisdiction on a temporary basis does not engage in the unauthorized practice of law in this jurisdiction when:</p> <ol style="list-style-type: none"> (1) the lawyer who is an employee of a client, acts on the client's behalf, or on behalf of the client's commonly owned affiliates, except for work for which pro hac vice admission or registration under Admission to Practice R.3 is required; (2) the lawyer acts with respect to a matter that arises out of the lawyer's representation of a client in a jurisdiction in which the lawyer is admitted to practice, except for work for which pro hac vice admission or registration under Admission to Practice R.3 is required; (3) with respect to matters for which registration or pro hac vice admission is available under Admission to Practice R.3, the lawyer is authorized to represent a client or is preparing for a matter in which the lawyer reasonably expects to be so authorized; (4) with respect to matters, transactions or proceedings pending in or substantially related to this jurisdiction and for which pro hac vice admission is not available under Admission to Practice R.3, the lawyer is associated in the matter, transaction or proceeding with a lawyer admitted to practice in this jurisdiction who actively participates in the representation of the client in the matter, transaction or proceeding; or (5) the lawyer performs a service that may be performed by a person without a license to practice law or without other authorization from a federal, state or local governmental body. <p>(c) A lawyer admitted to practice in another jurisdiction but not in this jurisdiction, who establishes an office or whose presence for performing legal services is other than temporary in this jurisdiction does not engage in the unauthorized practice of law in this jurisdiction when:</p> <ol style="list-style-type: none"> (1) the lawyer who is an employee of a client, acts on the client's behalf, or on behalf of the client's commonly owned affiliates, and the lawyer is eligible for and has complied with the lawyer registration rules under Admission to Practice R.3, or (2) the lawyer renders services in this jurisdiction pursuant to other authority granted by federal law or a law or Court rule of this jurisdiction. <p>(d) A lawyer who is not admitted to practice in this jurisdiction shall not represent or hold out to the public that the lawyer is admitted to practice law in this jurisdiction. A lawyer who practices law in this jurisdiction under paragraph (b) or (c) shall disclose in writing to the client that the lawyer is not licensed in this jurisdiction.</p> <p>(e) A lawyer shall not assist another person in the unauthorized practice of law.</p> <p>(f) For purposes of paragraph (c), the foreign lawyer must be a member in good standing of a recognized legal profession in a foreign jurisdiction, the members of which are admitted to practice as lawyers or counselors at law or the equivalent and are subject to effective regulation and discipline by a duly constituted professional body or a public authority.</p> <p>N.D. Sup. Ct. Admin. R. 34 Rule Regarding Domestic Violence Advocates</p> <p>Section 1. <i>Statement of Policy.</i> Pursuant to the authority of the Supreme Court in N.D. Const. art. IV, § 3, and N.D.C.C. §§ 27-02-07 and 27-02-08,</p>

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	<p>it is the policy of the Supreme Court of North Dakota to provide opportunity for appropriate services to persons who are alleged victims of domestic violence in proceedings in the trial courts of North Dakota.</p> <p>Section 2. <i>Definition of Certified Domestic Violence Advocate.</i> A Certified Domestic Violence Advocate is defined as a person who:</p> <ul style="list-style-type: none"> (a) is certified by an approved certifying entity as a Certified Domestic Violence Advocate to provide direct support services to alleged victims of domestic violence; (b) is affiliated with a domestic violence program which is a member of an approved certifying entity; (c) has completed 40 hours of domestic violence training relating to the services and proceedings under N.D.C.C. ch. 14-07.1, pursuant to a curriculum provided by an approved certifying entity subject to the approval of a committee of three consisting of the State Health Officer, the North Dakota Attorney General and the President of the State Bar Association of North Dakota, or their designees; and (d) has completed, in each year following the year of certification, ten additional hours of training in the areas set forth in Section 2(a) and which are developed and approved by the committee of three identified in Section 2(c). <p>Section 3. <i>Definition of Approved Certifying Entity.</i> An approved certifying entity is an organization determined by the Supreme Court or its designee to be qualified to train and certify domestic violence advocates. To qualify to train and certify domestic violence advocates an organization must file with the Supreme Court or its designee satisfactory proof that the organization:</p> <ul style="list-style-type: none"> (a) is capable of providing a 40-hour course of domestic violence training relating to the services and proceedings under Chapter 14-07.1, N.D.C.C., following a curriculum approved by the committee of three identified in Section 2(c); (b) is capable of providing, in each year following the year of certification of a domestic violence advocate, ten additional hours of training in the areas set forth in Section 2(a) and which are developed and approved by the committee of three identified in Section 2(c); (c) provides affiliation and support to local domestic violence programs in North Dakota; and (d) has established a grievance procedure as set forth in Section 6. <p>Section 4. <i>Lists of Certified Domestic Violence Advocates.</i> Each approved certifying entity shall provide the State Court Administrator with an annual list of Certified Domestic Violence Advocates in North Dakota as may be revised by the entity from time to time. The State Court Administrator shall provide copies of the current list to all judges presiding in proceedings pursuant to N.D.C.C. ch. 14-07.1, and to any person, upon request.</p> <p>Section 5. <i>The Role of Domestic Violence Advocates in Court Proceedings.</i> In all proceedings pursuant to N.D.C.C. ch. 14-07.1, a Certified Domestic Violence Advocate may:</p> <ul style="list-style-type: none"> (a) assist the petitioner in completing printed forms for proceedings pursuant to N.D.C.C. ch. 14-07.1; (b) sit with the petitioner during court proceedings; and <p>Section 6. <i>Grievance Procedure.</i> The approved certifying entity shall establish a grievance procedure, prepared in consultation with the President of the State Bar Association of North Dakota, or the President's designee, which must include provisions for universal standing to submit a complaint, due process, and prompt disposition of complaints.</p> <p>Section 7. <i>Unauthorized Practice of Law.</i> When providing services pursuant to Section 4, a Certified Domestic Violence Advocate is not engaged in the unauthorized practice of law.</p> <p>Section 8. <i>Effective Date.</i> The effective date of this Rule, as amended, is January 1, 2005.</p>
<p>NORTHERN MARIANA ISLANDS</p>	<p>N.M.I C.M. Code § 3115 Unauthorized Practice of Law</p> <p>(a) Except as otherwise permitted by law or rule, no person or association of persons, except active members of the NMI Bar Association, admitted and licensed to practice as attorneys-at-law, shall:</p>

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	<p>(1) Appear as attorney, representative or counselor at law in any action, for or on behalf of any other person, or any firm, partnership, association or corporation in any action or proceeding in or before the Commonwealth Supreme or Superior Court, or any other court of record or in any administrative hearing or adjudication;</p> <p>(2) Whether in or out of court or any other adjudication, for compensation of any kind or pecuniary reward, give professional legal advice not incidental to his or her usual or ordinary business;</p> <p>(3) Render any legal service for any other person, or any firm, partnership, association or corporation; or</p> <p>(4) Purport to be licensed to practice law as an attorney in the Commonwealth.</p> <p>(b) Every person who uses the words “attorney at law,” “lawyer,” “solicitor,” “counselor,” “attorney” “counselor,” “proctor,” “law,” “law office,” or other equivalent words in connection with his or her name or any sign, advertisement, business card, letterhead, circular, notice, or other writing, document or design, the evident purpose of which is to induce others to believe or understand the person to be authorized to practice law or who in any other manner represents himself or herself either verbally or in writing, directly or indirectly, as authorized to practice law in this Commonwealth, shall be deemed to be purporting to be licensed to practice law as an attorney within the meaning of subsection (a)(4).</p> <p>(c) Any person convicted of the unauthorized practice of law for violating subsection (a) may be punished by not more than one year imprisonment or a fine of not more than \$2,000 or both. Upon a second or subsequent conviction, the person may be fined not more than \$5,000 and incarcerated for not more than two years, or both. The penalties provided in this subsection are cumulative to any other remedies or penalties provided by rule or law.</p>
OHIO	<p>Ohio Gov. Bar. Rule VII Unauthorized Practice of Law</p> <p>Section 1. Board on the unauthorized practice of law.</p> <p>(A) There shall be a Board on the Unauthorized Practice of Law of the Supreme Court consisting of thirteen commissioners appointed by the Court. Eleven commissioners shall be attorneys admitted to the practice of law in Ohio and two commissioners shall be persons not admitted to the practice of law in any state. The term of office of each commissioner shall be three years, beginning on the first day of January next following the commissioner's appointment. Appointments to terms commencing on the first day of January of any year shall be made prior to the first day of December of the preceding year. A commissioner whose term has expired and who has an uncompleted assignment as a commissioner shall continue to serve for the purpose of that assignment until the assignment is concluded before the Board, and the successor commissioner shall take no part in the proceedings of the Board concerning the assignment. No commissioner shall be appointed for more than two consecutive three-year terms. Vacancies for any cause shall be filled for the unexpired term by the Justice who appointed the commissioner causing the vacancy or by the successor of that Justice. A commissioner appointed to a term of fewer than three years to fill a vacancy may be reappointed to not more than two consecutive three-year terms.</p> <p>(B) The Board shall each year elect an attorney commissioner as chair and vice-chair. A commissioner may be reelected as chair, but shall not serve as chair for more than two consecutive one-year terms. A commissioner may be reelected as vice-chair, but shall not serve as vice-chair for more than two consecutive one-year terms. The Administrative Director or his or her designee shall serve as the Secretary of the Board. The chair, vice-chair, or the Secretary may execute administrative documents on behalf of the Board. The Secretary may execute any other documents at the direction of the chair or vice-chair.</p> <p>(C) Commissioners shall be reimbursed for expenses incurred in the performance of their official duties. Reimbursement shall be paid from the Attorney Services Fund.</p> <p>(D) Initial appointments for terms beginning January 1, 2005, shall be as follows:</p> <p>(1) One attorney and one nonattorney shall be appointed for terms ending December 31, 2005. Commissioners appointed pursuant to this division shall be eligible for reappointment to two consecutive three-year terms.</p> <p>(2) Two attorneys shall be appointed for terms ending December 31, 2006. Commissioners appointed pursuant to this division shall be eligible for reappointment to two consecutive three-year terms.</p>

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	<p>(3) One attorney shall be appointed for a term ending December 31, 2007. A commissioner appointed pursuant to this division shall be eligible for reappointment to one three-year term.</p> <p>(4) Thereafter, appointments shall be made pursuant to division (A) of this section.</p> <p>(E) For the initial appointment beginning January 1, 2011, one nonattorney shall be appointed for a term ending December 31, 2013. A commissioner appointed pursuant to this division shall be eligible for reappointment to one three-year term.</p> <p>Section 2. Jurisdiction of board.</p> <p>(A) The unauthorized practice of law is:</p> <p>(1) The rendering of legal services for another by any person not admitted to practice in Ohio under Rule I of the Supreme Court Rules for the Government of the Bar unless the person is:</p> <ul style="list-style-type: none"> (a) Certified as a legal intern under Gov. Bar R. II and rendering legal services in compliance with that rule; (b) Granted corporate status under Gov. Bar R. VI and rendering legal services in compliance with that rule; (c) Certified to temporarily practice law in legal services, public defender, and law school programs under Gov. Bar R. IX and rendering legal services in compliance with that rule; (d) Registered as a foreign legal consultant under Gov. Bar R. XI and rendering legal services in compliance with that rule; (e) Granted permission to appear pro hac vice by a tribunal in a proceeding in accordance with Gov. Bar R. XII and rendering legal services in that proceeding; (f) Rendering legal services in accordance with Rule 5.5 of the Ohio Rules of Professional Conduct (titled "Unauthorized practice of law; multijurisdictional practice of law"). <p>(2) The rendering of legal services for another by any person:</p> <ul style="list-style-type: none"> (a) Disbarred from the practice of law in Ohio under Gov. Bar R. V; (b) Designated as resigned or resigned with disciplinary action pending under former Gov. Bar R. V (prior to September 1, 2007); (c) Designated as retired or resigned with disciplinary action pending under Gov. Bar R. VI. <p>(3) The rendering of legal services for another by any person admitted to the practice of law in Ohio under Gov. Bar R. I while the person is:</p> <ul style="list-style-type: none"> (a) Suspended from the practice of law under Gov. Bar R. V; (b) Registered as an inactive attorney under Gov. Bar R. VI; (c) Summarily suspended from the practice of law under Gov. Bar R. VI for failure to register; (d) Suspended from the practice of law under Gov. Bar R. X for failure to satisfy continuing legal education requirements; (e) Registered as retired under former Gov. Bar R. VI (prior to September 1, 2007). <p>(4) Holding out to the public or otherwise representing oneself as authorized to practice law in Ohio by a person not authorized to practice law by the Supreme Court Rules for the Government of the Bar or Prof. Cond. R. 5.5.</p> <p>For purposes of this section, "holding out" includes conduct prohibited by divisions (A)(1) and (2) and (B)(1) of section 4705.07 of the Revised Code.</p> <p>(B) The Board shall receive evidence, preserve the record, make findings, and submit recommendations concerning complaints of unauthorized practice of law except for complaints against persons listed in division (A)(3) of this section, which shall be filed in accordance with the disciplinary procedure set forth in Gov. Bar R. V.</p> <p>(C) The Board may issue informal, nonbinding advisory opinions to any regularly organized bar association in this state, Disciplinary Counsel, or the Attorney General in response to prospective or hypothetical questions of public or great general interest regarding the application of this rule and the unauthorized practice of law. The Board shall not issue advisory opinions in response to requests concerning a question that is pending before a court or a</p>

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	<p>question of interest only to the person initiating the request. All requests for advisory opinions shall be submitted, in writing, to the Secretary with information and details sufficient to enable adequate consideration and determination of eligibility under this rule.</p> <p>The Secretary shall acknowledge the receipt of each request for an advisory opinion and forward copies of each request to the Board. The Board shall select those requests that shall receive an advisory opinion. The Board may decline to issue an advisory opinion and the Secretary promptly shall notify the requesting party. An advisory opinion approved by the Board shall be issued to the requesting party over the signature of the Secretary.</p> <p>Advisory opinions shall be public and distributed by the Board.</p> <p>(D)Referral of procedural questions to board.</p> <p>In the course of an investigation, the chair of the unauthorized practice of law committee of a bar association, Disciplinary Counsel, or the Attorney General may direct a written inquiry regarding a procedural question to the Board chair or vice-chair. The inquiry shall be sent to the Secretary. The chair or vice-chair and the Secretary shall consult and direct a response.</p> <p>Section 3.Referral for investigation.</p> <p>The Board may refer to the unauthorized practice of law committee of the appropriate bar association, Disciplinary Counsel, or the Attorney General any matters coming to its attention for investigation as provided in this rule.</p> <p>Section 4.Application of rule.</p> <p>(A) All proceedings arising out of complaints of the unauthorized practice of law shall be brought, conducted, and disposed of in accordance with the provisions of this rule except for complaints against persons listed in Section 2 (A)(3) of this rule, which shall be filed in accordance with the disciplinary procedure set forth in Gov. Bar R. V. A bar association that permits the membership of any attorney practicing within the geographic area served by that association without reference to the attorney's area of practice, special interest, or other criteria and that satisfies other criteria that may be established by Board regulations may establish an unauthorized practice of law committee. Members of bar association unauthorized practice of law committees shall be attorneys admitted to the practice of law in Ohio. Unauthorized practice of law committees, Disciplinary Counsel, and the Attorney General may share information with each other regarding investigations and prosecutions. This information shall be confidential and not subject to discovery or subpoena. Unauthorized practice of law committees may conduct joint investigations and prosecutions of unauthorized practice of law matters with each other, Disciplinary Counsel, and the Attorney General.</p> <p>(B) The unauthorized practice of law committee of a bar association or Disciplinary Counsel shall investigate any matter referred to it or that comes to its attention and may file a complaint pursuant to this rule. The Attorney General may also file a complaint pursuant to this rule. The Board, Disciplinary Counsel, the president, secretary, or chair of the unauthorized practice of law committee of a bar association, and the Attorney General may call upon an attorney or judge in Ohio to assist in any investigation or to testify in any hearing before the Board as to any matter as to which he or she would not be bound to claim privilege as an attorney. No attorney or judge shall neglect or refuse to assist in any investigation or to testify.</p> <p>(C) By the thirty-first day of January of each year, each bar association, Disciplinary Counsel, and the Attorney General shall file with the Board, on a form provided by the Board, a report of its activity on unauthorized practice of law complaints, investigations, and other matters requested by the Board. The report shall include all activity for the preceding calendar year.</p> <p>(D) For complaints filed more than sixty days prior to the close of the report period on which a disposition has not been made, the report shall include an expected date of disposition and a statement of the reasons why the investigation has not been concluded.</p> <p>Section 5.The complaint; Where filed; By whom signed.</p>

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	<p>(A) A complaint shall be a formal written complaint alleging the unauthorized practice of law by one who shall be designated as the respondent. The original complaint shall be filed in the office of the Secretary and shall be accompanied by thirteen copies plus two copies for each respondent named in the complaint. A complaint shall not be accepted for filing unless it is signed by one or more attorneys admitted to the practice of law in Ohio who shall be counsel for the relator. The complaint shall be accompanied by a certificate in writing signed by the president, secretary or chair of the unauthorized practice of law committee of any regularly organized bar association, Disciplinary Counsel, or the Attorney General, who shall be the relator, certifying that counsel are authorized to represent relator and have accepted the responsibility of prosecuting the complaint to conclusion. The certification shall constitute a representation that, after investigation, relator believes probable cause exists to warrant a hearing on the complaint and shall constitute the authorization of counsel to represent relator in the action as fully and completely as if designated by order of the Supreme Court with all the privileges and immunities of an officer of the Court. The Attorney General may serve as co-relator with any regularly organized bar association or Disciplinary Counsel.</p> <p>(B) Upon the filing of a complaint with the Secretary, the relator shall forward a copy of the complaint to Disciplinary Counsel, the unauthorized practice of law committee of the Ohio State Bar Association, and any local bar association serving the county or counties from which the complaint emanated, except that the relator need not forward a copy of the complaint to itself.</p> <p>Section 5a. Interim cease and desist order.</p> <p>(A)</p> <p>(1) Upon receipt of substantial, credible evidence demonstrating that an individual or entity has engaged in the unauthorized practice of law and poses a substantial threat of serious harm to the public, Disciplinary Counsel, the unauthorized practice of law committee of any regularly organized bar association, or the Attorney General, which shall be referred to as the relator, shall do both of the following:</p> <p>(a) Prior to filing a motion for an interim cease and desist order, make a reasonable attempt to provide the individual or entity, who shall be referred to as respondent, with notice, which may include notice by telephone, that a motion requesting an interim order that the respondent cease and desist engaging in the unauthorized practice of law will be filed with the Supreme Court and the Board.</p> <p>(b) Simultaneously file a motion with the Supreme Court and the Board requesting that the Court order respondent to immediately cease and desist engaging in the unauthorized practice of law. The relator shall include, in its motion, proposed findings of fact, proposed conclusions of law, and other information in support of the requested order. Evidence relevant to the requested order shall be attached to or filed with the motion. The motion shall include a certificate detailing the attempts made by relator to provide advance notice to the respondent of relator's intent to file the motion. The motion also shall include a certificate of service on the respondent at the most recent address of the respondent known to the relator. Upon the filing of a motion with the Court and the Board, proceedings before the Court shall be automatically stayed and the matter shall be deemed to have been referred by the Court to the Board for application of this rule.</p> <p>(2) After the filing of a motion for an interim cease and desist order the respondent may file a memorandum opposing the motion in accordance with Rule XIV of the Rules of Practice of the Supreme Court of Ohio. The respondent shall attach or file with the memorandum any rebuttal evidence and simultaneously file a copy with the Board. If a memorandum in opposition to the motion is not filed, the stay of proceedings before the Supreme Court shall be automatically lifted and the Court shall rule on the motion pursuant to division (C) of this section.</p> <p>(B) Upon the filing of a memorandum opposing the motion for an interim cease and desist order, the Board chair or the chair's designee ("commissioner") shall set the matter for hearing within seven days. A designee shall be an attorney member of the Board. Upon review of the filings of the parties, the commissioner will determine whether an oral argument or an evidentiary hearing shall be held based upon the existence of any genuine issue of material fact. Within seven days after the close of hearing, the commissioner shall file a report, including the transcript of hearing and the record, with the Supreme Court recommending whether or not an interim cease and desist order should be issued. Upon the filing of the commissioner's report, the stay of Supreme Court proceedings shall be automatically lifted.</p>

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	<p>(C) Upon consideration of the commissioner's report required by division (B) of this section, or if no memorandum in opposition is filed, the Supreme Court may enter an order that the respondent cease and desist engaging in the unauthorized practice of law, pending final disposition of proceedings before the Board, predicated on the conduct posing a substantial threat of serious harm to the public, or may order other action as the Court considers appropriate.</p> <p>(D)</p> <ol style="list-style-type: none"> (1) The respondent may request dissolution or modification of the cease and desist order by filing a motion with the Supreme Court. The motion shall be filed within thirty days of entry of the cease and desist order, unless the respondent first obtains leave of the Supreme Court to file a motion beyond that time. The motion shall include a statement and all available evidence as to why the respondent no longer poses a substantial threat of serious harm to the public. A copy of the motion shall be served by the respondent on the relator. The relator shall have ten days from the date the motion is filed to file a response to the motion. The Supreme Court promptly shall review the motion after a response has been filed or after the time for filing a response has passed. (2) In addition to the motion allowed by division (D)(1) of this section, the respondent may file a motion requesting dissolution of the interim cease and desist order, alleging that one hundred eighty days have elapsed since the entry of the order and the relator has failed to file with the Board a formal complaint predicated on the conduct that was the basis of the order. A copy of the motion shall be served by the respondent on the relator. The relator shall have ten days from the date the motion is filed to file a response to the motion. The Supreme Court promptly shall review the motion after a response has been filed or after the time for filing a response has passed. <p>(E) The Rules of Practice of the Supreme Court of Ohio shall apply to interim cease and desist proceedings filed pursuant to this section.</p> <p>(F) Upon the entry of an interim cease and desist order or an entry of dissolution or modification of such order, the Clerk of the Supreme Court shall mail certified copies of the order as provided in Section 19 (E) of this rule.</p> <p>Section 5b. Settlement of complaints; Consent decrees.</p> <p>(A) As used in this section:</p> <ol style="list-style-type: none"> (1) A "settlement agreement" is a voluntary written agreement entered into between the parties without the continuing jurisdiction of the Board or the Supreme Court. (2) A "consent decree" is a voluntary written agreement entered into between the parties, approved by the Board, and approved and ordered by the Supreme Court. The consent decree is the final judgment of the Supreme Court and is enforceable through contempt proceedings before the Court. (3) A "proposed resolution" is a proposed settlement agreement or a proposed consent decree. <p>(B) The proposed resolution of a complaint filed pursuant to Section 5 of this rule, prior to adjudication by the Board, shall not be permitted without the prior review of the Board, the Supreme Court, or both. Parties contemplating the proposed resolution of a complaint shall file a motion to approve settlement agreement or motion to approve consent decree, whichever is applicable, with the Secretary. The motion shall be accompanied by:</p> <ol style="list-style-type: none"> (1) A proposed settlement agreement or a proposed consent decree that is signed by the respondent, respondent's counsel, if the respondent is represented by counsel, and the relator and contains a stipulation of facts and waiver of notice and hearing as stated in Section 7 (H) of this rule; (2) A memorandum in support of the proposed resolution that demonstrates the resolution complies with the factors set forth in division (C) of this section and makes a recommendation concerning civil penalties based upon the factors set forth in Section 8 (B) of this rule and Regulation 400 (F) of the Regulations Governing Procedure on Complaints and Hearings Before the Board on the Unauthorized Practice of Law; (3) An itemized statement of the relator's costs or a statement that no costs have been incurred. <p>The voluntary dismissal of a complaint filed pursuant to Civ.R. 41 (A) in conjunction with a proposed resolution is subject to the requirements of this section.</p> <p>(C) The Board shall determine whether a proposed resolution shall be considered and approved by either the Board or the Supreme Court based on the following factors:</p> <ol style="list-style-type: none"> (1) The extent the proposed resolution:

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	<p>(a) Protects the public from future harm and remedies any substantial injury;</p> <p>(b) Resolves material allegations of the unauthorized practice of law;</p> <p>(c) Contains an admission by the respondent to material allegations of the unauthorized practice of law as stated in the complaint and a statement that the admitted conduct constitutes the unauthorized practice of law;</p> <p>(d) Involves public policy issues or encroaches upon the jurisdiction of the Supreme Court to regulate the practice of law;</p> <p>(e) Contains an agreement by the respondent to cease and desist the alleged activities;</p> <p>(f) Furthers the stated purposes of this rule;</p> <p>(g) Designates whether civil penalties are to be imposed in accordance with Section 8 of this rule;</p> <p>(h) Assigns the party responsible for costs, if any.</p> <p>(2) The extent the motion to approve settlement agreement or consent decree and any accompanying documents comply with the requirements of division (B) of this section;</p> <p>(3) Any other relevant factors.</p> <p>(D)Review by the board.</p> <p>(1) Upon receipt of a proposed resolution, the Board chair shall direct the assigned hearing panel to prepare a written report setting forth its recommendation for the acceptance or rejection of the proposed resolution. The Board shall vote to accept or reject the proposed resolution. Upon a majority vote to accept a settlement agreement, an order shall be issued by the Board chair or vice-chair dismissing the complaint. Upon a majority vote to accept a consent decree, the Board shall prepare and file a final report with the Supreme Court in accordance with division (E)(1) of this section.</p> <p>(2) The refiling of a complaint previously resolved as a settlement agreement pursuant to this section shall reference the prior settlement agreement, and proceed only on the issue of the unauthorized practice of law. The case shall be presented on the merits and any previous admissions made by the respondent to allegations of conduct may be offered into evidence.</p> <p>(E)Review by the court.</p> <p>(1) After approving a proposed consent decree, the Board shall file an original and twelve copies of a final report and the proposed consent decree with the Clerk of the Supreme Court. A copy of the report shall be served upon all parties and counsel of record. Neither party shall be permitted to file an objection to the final report.</p> <p>(2) A consent decree may be approved or rejected by the Supreme Court. If a consent decree is approved, the Court shall issue the appropriate order.</p> <p>(3) A motion to show cause alleging a violation of a consent decree and any memorandum in opposition shall be filed with both the Supreme Court and the Board. The Board, upon receipt of the motion and memorandum in opposition, by panel assignment shall conduct either an evidentiary hearing or oral argument hearing on the motion, and by a majority vote of the Board submit a final report to the Court with findings of fact, conclusions of law, and recommendations on the issue of whether the consent decree was violated. Neither party shall be permitted to file objections to the Board's report without leave of Court.</p> <p>(F)Rejection of a proposed resolution.</p> <p>(1) A complaint will proceed on the merits pursuant to this rule if a proposed resolution is rejected by either the Board or the Supreme Court. Upon rejection by the Board, an order shall be issued rejecting the proposed resolution and remanding the matter to the hearing panel for further proceedings. Upon rejection by the Court, an order shall be issued remanding the matter to the Board with or without instructions.</p> <p>(2) A rejected proposed resolution shall not be admissible or otherwise used in a subsequent proceeding before the Board.</p> <p>(3) No objections or other appeal may be filed with the Supreme Court upon a rejection by the Board of a proposed resolution.</p>

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	<p>(4) Any panel member initially considering a proposed resolution and voting with the Board on the rejection of the proposed resolution may proceed to hear the original complaint.</p> <p>(G) The parties may consult with the Board through the Secretary concerning the terms of a proposed resolution.</p> <p>(H) All settlement agreements approved by the Board and all consent decrees approved by the Supreme Court shall be recorded for reference by the Board, bar association unauthorized practice of law committees, and Disciplinary Counsel.</p> <p>(I) This section shall not apply to the resolution of matters considered by an unauthorized practice of law committee, Disciplinary Counsel, or the Attorney General before a complaint is filed pursuant to Section 5 of this rule.</p> <p>Section 6. Duty of the board upon filing of the complaint; Notice to respondent.</p> <p>The Secretary shall send a copy of the complaint by certified mail to respondent at the address indicated on the complaint with a notice of the right to file, within twenty days after the mailing of the notice, an original and thirteen copies of an answer and to serve copies of the answer upon counsel of record named in the complaint. Extensions of time may be granted, for good cause shown, by the Secretary.</p> <p>Section 7. Proceedings of the board after filing of the complaint.</p> <p>(A) Hearing panel.</p> <p>(1) After respondent's answer has been filed, or the time for filing an answer has elapsed, the Secretary shall appoint a hearing panel consisting of three commissioners chosen by lot. At least two members of the hearing panel shall be attorney commissioners. The Secretary shall designate one of the commissioners chair of the panel, except that a nonattorney commissioner shall not be chair of the panel. The Secretary shall serve a copy of the entry appointing the panel on the respondent, relator, and all counsel of record.</p> <p>(2) A majority of the panel shall constitute a quorum. The panel chair shall rule on all motions and interlocutory matters. The panel chair shall have a transcript of the testimony taken at the hearing, and the cost of the transcript shall be paid from the Attorney Services Fund and taxed as costs.</p> <p>(3) Upon reasonable notice and at a time and location set by the panel chair, the panel shall hold a formal hearing. Requests for continuances may be granted by the panel chair for good cause. The panel may take and hear testimony in person or by deposition, administer oaths, and compel by subpoena the attendance of witnesses and the production of books, papers, documents, records, and materials.</p> <p>(B) Motion for default.</p> <p>If no answer has been filed within twenty days of the answer date set forth in the notice to respondent of the filing of the complaint, or any extension of the answer date, relator shall file a motion for default. Prior to filing, relator shall make reasonable efforts to contact respondent.</p> <p>A motion for default shall contain at least all of the following:</p> <p>(1) A statement of the effort made to contact respondent and the result;</p> <p>(2) Sworn or certified documentary prima facie evidence in support of the allegations of the complaint;</p> <p>(3) Citations of any authorities relied upon by relator;</p> <p>(4) A statement of any mitigating factors or exculpatory evidence of which relator is aware;</p> <p>(5) A statement of the relief sought by relator;</p> <p>(6) A certificate of service of the motion on respondent at the address stated on the complaint and at the last known address, if different.</p>

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	<p>The hearing panel appointed pursuant to division (A) of this section shall rule on the motion for default. If the motion for default is granted by the panel, the panel shall prepare a report for review by the Board pursuant to division (E) of this section. If the motion is denied, the hearing panel shall proceed with a formal hearing pursuant to division (A) of this section.</p> <p>The Board chair or vice-chair may set aside a default entry, for good cause shown, and order a hearing before the hearing panel at any time before the Board renders its decision pursuant to division (F) of this section.</p> <p>(C)Authority of hearing panel; Dismissal.</p> <p>If at the end of evidence presented by relator or of all evidence, the hearing panel unanimously finds that the evidence is insufficient to support a charge or count of unauthorized practice of law, or the parties agree that the charge or count should be dismissed, the panel may order that the complaint or count be dismissed. The panel chair shall give written notice of the action taken to the Board, the respondent, the relator, all counsel of record, Disciplinary Counsel, the unauthorized practice of law committee of the Ohio State Bar Association, and the bar association serving the county or counties from which the complaint emanated.</p> <p>Section 8.Costs; Civil penalties.</p> <p>(A)Costs.</p> <p>As used in section 7 (G) of this rule, "costs" includes both of the following:</p> <ol style="list-style-type: none"> (1) The expenses of relator, as described in Section 9 of this rule, that have been reimbursed by the Board; (2) The direct expenses incurred by the hearing panel and the Board, including, but not limited to, the expense of a court reporter and transcript of any hearing before the hearing panel. <p>"Costs" shall not include attorney's fees incurred by the relator.</p> <p>(B)Civil penalties.</p> <p>The Board may recommend and the Supreme Court may impose civil penalties in an amount up to ten thousand dollars per offense. Any penalty shall be based on the following factors:</p> <ol style="list-style-type: none"> (1) The degree of cooperation provided by the respondent in the investigation; (2) The number of occasions that unauthorized practice of law was committed; (3) The flagrancy of the violation; (4) Harm to third parties arising from the offense; (5) Any other relevant factors. <p>Section 9.Expenses.</p> <p>(A)Reimbursement of direct expenses.</p>

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	<p>A bar association and the Attorney General may be reimbursed for direct expenses incurred in performing the obligations imposed by this rule. Reimbursement shall be limited to costs for depositions, transcripts, copies of documents, necessary travel expenses for witnesses and volunteer attorneys, witness fees, subpoenas, the service of subpoenas, postal and delivery charges, long distance telephone charges, and compensation of investigators and expert witnesses authorized in advance by the Board. There shall be no reimbursement for the costs of the time of other bar association or Attorney General personnel or attorneys in discharging these obligations.</p> <p>An application for reimbursement of expenses, together with proof of the expenditures, shall be filed with the Secretary. Upon approval by the Board, reimbursement shall be made from the Attorney Services Fund.</p> <p>(B)Annual reimbursement of indirect expenses.</p> <p>A bar association may apply to the Board prior to the first day of February each year for partial reimbursement of other expenses necessarily and reasonably incurred during the preceding calendar year in performing their obligations under this rule. The Board, by regulation, shall establish criteria for determining whether expenses under this section are necessary and reasonable. The Board shall deny reimbursement for any expense for which a bar association seeks reimbursement on or after the first day of May of the year immediately following the calendar year in which the expense was incurred. Expenses eligible for reimbursement are those specifically related to unauthorized practice of law matters and include the following:</p> <ol style="list-style-type: none"> (1) The personnel costs for the portion of an employee's work that is dedicated to this area; (2) The costs of bar counsel retained pursuant to a written agreement with the unauthorized practice of law committee; (3) Postal and delivery charges; (4) Long distance telephone charges; (5) Local telephone charges and other appropriate line charges included, but not limited to, per call charges; (6) The costs of dedicated telephone lines; (7) Subscription to professional journals, law books, and other legal research services and materials related to unauthorized practice of law; (8) Organizational dues and educational expenses related to unauthorized practice of law; (9) All costs of defending a lawsuit relating to unauthorized practice of law and that portion of professional liability insurance premiums directly attributable to the operation of the committees in performing their obligations under this rule; (10) The percentage of rent, insurance premiums not reimbursed pursuant to division (B)(9) of this section, supplies and equipment, accounting costs, occupancy, utilities, office expenses, repair and maintenance, and other overhead expenses directly attributable to the operation of the committees in performing their obligations under this rule, as determined by the Board and provided that no bar association shall be reimbursed in excess of three thousand five hundred dollars per calendar year for such expenses. Reimbursement shall not be made for the costs of the time of other bar association personnel, volunteer attorneys, depreciation, or amortization. No bar association shall apply for reimbursement or be entitled to reimbursement for expenses that are reimbursed pursuant to Gov. Bar R. V(3)(D). <p>(C)Quarterly reimbursement of certain indirect expenses.</p> <p>In addition to applying annually for reimbursement pursuant to division (B) of this section, a bar association may apply quarterly to the Board for reimbursement of the expenses set forth in divisions (B)(1) and (2) of this section that were necessarily and reasonably incurred during the preceding calendar quarter. Quarterly reimbursement shall be submitted in accordance with the following schedule: Click here to view image.</p> <p>Any expense that is eligible for quarterly reimbursement, but that is not submitted on a quarterly reimbursement application, shall be submitted no later than the appropriate annual reimbursement application pursuant to division (B) of this section and shall be denied by the Board if not timely submitted. The</p>

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	<p>application for quarterly reimbursement shall include an affidavit with documentation demonstrating that the unauthorized practice of law committee incurred the expenses set forth in divisions (B)(1) and (2) of this section.</p> <p>(D)Audit.</p> <p>Expenses incurred by bar associations and reimbursed under divisions (A), (B), and (C) of this section may be audited at the discretion of the Board or the Supreme Court and paid out of the Attorney Services Fund.</p> <p>(E)Availability of funds.</p> <p>Reimbursement under divisions (A), (B), and (C) of this section is subject to the availability of moneys in the Attorney Services Fund.</p> <p>Section 10.Manner of service.</p> <p>Whenever provision is made for the service of any complaint, notice, order, or other document upon a respondent or relator in connection with any proceeding under this rule, service may be made upon counsel of record for the party personally or by certified mail.</p> <p>If service of any document by certified mail is refused or unclaimed, the Secretary may make service by ordinary mail evidenced by a certificate of mailing. Service shall be considered complete when the fact of mailing is entered in the record, provided that the ordinary mail envelope is not returned by the postal authorities with an endorsement showing failure of delivery.</p> <p>Section 11.Quorum of board.</p> <p>A majority of the commissioners shall constitute a quorum for all purposes and the action of a majority of those present comprising such quorum shall be the action of the Board.</p> <p>Section 12.Power to issue subpoenas.</p> <p>In order to facilitate any investigation and proceeding under this rule, upon application by Disciplinary Counsel, the unauthorized practice of law committee of any regularly organized bar association, respondent, relator, or the Attorney General, the Secretary, the Board chair or vice-chair, and the hearing panel chair may issue subpoenas and cause testimony to be taken under oath before Disciplinary Counsel, the unauthorized practice of law committee of any regularly organized bar association, the Attorney General, a Board hearing panel, or the Board. All subpoenas shall be issued in the name and under the seal of the Supreme Court and shall be signed by the Secretary, the Board chair or vice-chair, or the hearing panel chair and served as provided by the Rules of Civil Procedure. Fees and costs of all subpoenas shall be provided from the Attorney Services Fund and taxed as costs.</p> <p>The refusal or neglect of a person subpoenaed or called as a witness to obey a subpoena, to attend, to be sworn or to affirm, or to answer any proper question shall be deemed to be contempt of the Supreme Court and may be punished accordingly.</p> <p>Section 13.Depositions.</p>

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	<p>The Secretary, the Board chair or vice-chair, and the hearing panel chair may order testimony of any person to be taken by deposition within or without this state in the manner prescribed for the taking of depositions in civil actions, and such depositions may be used to the same extent as permitted in civil actions.</p> <p>Section 14. Conduct of hearing.</p> <p>The hearing panel shall follow the Rules of Civil Procedure and Rules of Evidence wherever practicable, unless a provision of this rule or Board hearing procedures and guidelines provide otherwise. The panel chair shall rule on evidentiary matters. All evidence shall be taken in the presence of the hearing panel and the parties except where a party is absent, is in default, or has waived the right to be present. The hearing panel shall receive evidence by sworn testimony and may receive additional evidence as it determines proper. Any documentary evidence to be offered shall be served upon the adverse parties or their counsel and the hearing panel at least thirty days before the hearing, unless the parties or their counsel otherwise agree or the hearing panel otherwise orders. All evidence received shall be given the weight the hearing panel determines it is entitled after consideration of objections.</p> <p>Section 15. Records.</p> <p>The Secretary shall maintain permanent public records of all matters processed by the Board and the disposition of those matters.</p> <p>Section 16. Board may prescribe regulations.</p> <p>Subject to the prior approval of the Supreme Court, the Board may adopt regulations not inconsistent with this rule.</p> <p>Section 17. Rules to be liberally construed.</p> <p>Amendments to any complaint, notice, answer, objections, or report may be made at any time prior to final order of the Board. The party affected by the amendment shall be given reasonable opportunity to meet any new matter presented by the amendment. This rule and regulations relating to investigations and proceedings involving complaints of unauthorized practice of law shall be liberally construed for the protection of the public, the courts, and the legal profession and shall apply to all pending investigations and complaints so far as may be practicable, and to all future investigations and complaints whether the conduct involved occurred prior or subsequent to the enactment or amendment of this rule.</p> <p>Section 18. Records and proceedings public.</p> <p>All records, documents, proceedings, and hearings of the Board relating to investigations and complaints pursuant to this rule shall be public, except that deliberations by a hearing panel and the Board shall not be public.</p> <p>Section 19. Review by Supreme Court of Ohio; Orders; Costs.</p> <p>(A) Show cause order.</p> <p>After the filing of a final report of the Board, the Supreme Court shall issue to respondent an order to show cause why the report of the Board shall not be confirmed and an appropriate order granted. Notice of the order to show cause shall be served by the Clerk of the Supreme Court on all parties and counsel of record by certified mail at the address provided in the Board's report.</p>

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	<p>(B)Response to show cause order.</p> <p>Within twenty days after the issuance of an order to show cause, the respondent or relator may file objections to the findings or recommendations of the Board and to the entry of an order or to the confirmation of the report on which the order to show cause was issued. The objections shall be accompanied by a brief in support of the objections and proof of service of copies of the objections and the brief on the Secretary and all counsel of record. Objections and briefs shall be filed in the number and form required for original actions by the Rules of Practice of the Supreme Court of Ohio, to the extent such rules are applicable.</p> <p>(C)Answer briefs.</p> <p>Answer briefs and proof of service shall be filed within fifteen days after briefs in support of objections have been filed. All briefs shall be filed in the number and form required for original actions by the Rules of Practice of the Supreme Court of Ohio, to the extent such rules are applicable.</p> <p>(D)Supreme Court proceedings.</p> <p>(1) After a hearing on objections, or if objections are not filed within the prescribed time, the Supreme Court shall enter an order as it finds proper. If the Supreme Court finds that respondent's conduct constituted the unauthorized practice of law, the Court shall issue an order that does one or more of the following:</p> <ul style="list-style-type: none"> (a) Prohibits the respondent from engaging in any such conduct in the future; (b) Requires the respondent to reimburse the costs and expenses incurred by the Board and the relator pursuant to this rule; (c) Imposes a civil penalty on the respondent. The civil penalty may be imposed regardless of whether the Board recommended imposition of the penalty pursuant to Section 8 (B) of this rule and may be imposed for an amount greater or less than the amount recommended by the Board, but not to exceed ten thousand dollars per offense. <p>(2) Payment for costs, expenses, sanctions, and penalties imposed under this rule shall be deposited in the Attorney Services Fund established under Gov. Bar R. VI, Section 8.</p> <p>(E)Notice.</p> <p>Upon the entry of any order pursuant to this rule, the Clerk of the Supreme Court shall mail certified copies of the entry to all parties and counsel of record, the Board, Disciplinary Counsel, and the Ohio State Bar Association.</p> <p>(F)Publication.</p> <p>The Supreme Court reporter shall publish any order entered by the Supreme Court under this rule in the Ohio Official Reports, the Ohio State Bar Association Report, and in a publication, if any, of the local bar association in the county in which the complaint arose. The publication shall include the citation of the case in which the order was issued. Publication also shall be made in a local newspaper having the largest general circulation in the county in which the complaint arose. The publication shall be in the form of a paid legal advertisement, in a style and size commensurate with legal advertisements, and shall be published three times within the thirty days following the order of the Supreme Court. Publication fees shall be assessed against the respondent as part of the costs.</p>
OKLAHOMA	<p>T.5, Ch. 1, App. 3-A, Rule 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law</p>

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	<p>(a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>(c) Subject to the provisions of 5.5(a), a lawyer admitted in a United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in a jurisdiction where not admitted to practice that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or (4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. <p>(d) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are provided to the lawyer's employer or its organization affiliates in connection with the employer's matters, provided the employer does not render legal services to third persons and are not services for which the forum requires pro hac vice admission; or (2) are services that the lawyer is authorized to provide by federal law or other law of this jurisdiction. <p>(e)(1) A lawyer shall not:</p> <ol style="list-style-type: none"> (i) employ, contract with as a consultant, engage as an independent contractor, or otherwise join in any other capacity, in connection with the practice of law, any person the attorney knows or reasonably should know is a disbarred attorney, during the period of disbarment, or any person the attorney knows or reasonably should know is an attorney who has permanently resigned from the practice of law in lieu of discipline; or (ii) employ, contract with as a consultant, engage as an independent contractor, or otherwise join in any other capacity, in connection with the practice of law, any person the attorney knows or reasonably should know is a suspended attorney, or an attorney who has been transferred to disability inactive status during the period of suspension or transfer, unless first preceded by the submission of a fully executed employment registration statement to the Office of Disciplinary Counsel, on a registration form provided by the Louisiana Attorney Disciplinary Board, and approved by the Louisiana Supreme Court. <p>(e)(2) The registration form provided for in Section (e)(1) shall include:</p> <ol style="list-style-type: none"> (i) the identity and bar roll number of the suspended or transferred attorney sought to be hired; (ii) the identity and bar roll number of the attorney having direct supervisory responsibility over the suspended attorney, or the attorney transferred to disability inactive status, throughout the duration of employment or association; (iii) a list of all duties and activities to be assigned to the suspended attorney, or the attorney transferred to disability inactive status, during the period of employment or association; (iv) the terms of employment of the suspended attorney, or the attorney transferred to disability inactive status, including method of compensation; (v) a statement by the employing attorney that includes a consent to random compliance audits, to be conducted by the Office of Disciplinary Counsel, at any time during the employment or association of the suspended attorney or the attorney transferred to disability inactive status, and (vi) a statement by the employing attorney certifying that the order giving rise to the suspension or transfer of the proposed employee has been provided for review and consideration in advance of employment by the suspended attorney, or the attorney transferred to disability inactive status.

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	<p>(e)(3) For purposes of this Rule, the practice of law shall include the following activities:</p> <ul style="list-style-type: none"> (i) holding oneself out as an attorney or lawyer authorized to practice law; (ii) rendering legal consultation or advice to a client; (iii) appearing on behalf of a client in any hearing or proceeding, or before any judicial officer, arbitrator, mediator, court, public agency, referee, magistrate, commissioner, hearing officer, or governmental body operating in an adjudicative capacity, including submission of pleadings, except as may otherwise be permitted by law; (iv) appearing as a representative of the client at a deposition or other discovery matter; (v) negotiating or transacting any matter for or on behalf of a client with third parties; (vi) otherwise engaging in activities defined by law or Supreme Court decision as constituting the practice of law. <p>(e)(4) In addition, a suspended lawyer, or a lawyer transferred to disability inactive status, shall not receive, disburse or otherwise handle client funds.</p> <p>(e)(5) Upon termination of the suspended attorney, or the attorney transferred to disability inactive status, the employing attorney having direct supervisory authority shall promptly serve upon the Office of Disciplinary Counsel written notice of the termination.</p>
OREGON	<p>O.R.S. § 9.160 Bar Membership Required to Practice Law; Exceptions</p> <p>(1) Except as provided in this section, a person may not practice law in this state, or represent that the person is qualified to practice law in this state, unless the person is an active member of the Oregon State Bar.</p> <p>(2) Subsection (1) of this section does not affect the right to prosecute or defend a cause in person as provided in ORS 9.320.</p> <p>(3) An individual licensed under ORS 696.022 acting in the scope of the individual's license to arrange a real estate transaction, including the sale, purchase, exchange, option or lease coupled with an option to purchase, lease for a term of one year or longer or rental of real property, is not engaged in the practice of law in this state in violation of subsection (1) of this section.</p> <p>(4) A title insurer authorized to do business in this state, a title insurance agent licensed under the laws of this state or an escrow agent licensed under the laws of this state is not engaged in the practice of law in this state in violation of subsection (1) of this section if, for the purposes of a transaction in which the insurer or agent provides title insurance or escrow services, the insurer or agent:</p> <ul style="list-style-type: none"> (a) Prepares any satisfaction, reconveyance, release, discharge, termination or cancellation of a lien, encumbrance or obligation; (b) Acts pursuant to the instructions of the principals to the transaction as scrivener to fill in blanks in any document selected by the principals; (c) Presents to the principals to the transaction for their selection any blank form prescribed by statute, rule, ordinance or other law; or (d) Presents to the principals to the transaction for their selection a blank form prepared or approved by a lawyer licensed to practice law in this state for one or more of the following: <ul style="list-style-type: none"> (A) A mortgage. (B) A trust deed. (C) A promissory note. (D) An assignment of a mortgagee's interest under a mortgage. (E) An assignment of a beneficial interest under a trust deed. (F) An assignment of a seller's or buyer's interest under a land sale contract. (G) A power of attorney. (H) A subordination agreement. (I) A memorandum of an instrument that is to be recorded in place of the instrument that is the subject of the memorandum.

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	<p>(5) In performing the services permitted in subsection (4) of this section, a title insurer, a title insurance agent or an escrow agent may not draft, select or give advice regarding any real estate document if those activities require the exercise of informed or trained discretion. (6) The exemption provided by subsection (4) of this section does not apply to any acts relating to a document or form that are performed by an escrow agent under subsection (4)(b), (c) or (d) of this section unless the escrow agent provides to the principals to the transaction a notice in at least 12-point type as follows: _____ You will be reviewing, approving and signing important documents at closing. legal consequences follow from the selection and use of these documents. these consequences affect your rights and obligations. you may consult an attorney about these documents. you should consult an attorney if you have questions or concerns about the transaction or about the documents. if you wish to review transaction documents that you have not yet seen, please contact the escrow agent.</p> <p>(7) The exemption provided by subsection (4) of this section does not apply to any acts relating to a document or form that are performed by an escrow agent under subsection (4)(b), (c) or (d) of this section for a real estate sale and purchase transaction in which all or part of the purchase price consists of deferred payments by the buyer to the seller unless the escrow agent provides to the principals to the transaction:</p> <ul style="list-style-type: none"> (a) A copy of any proposed instrument of conveyance between the buyer and seller to be used in the transaction; (b) A copy of any proposed deferred payment security instrument between the buyer and seller to be used in the transaction; and (c) A copy of any proposed promissory note or other evidence of indebtedness between the buyer and seller to be used in the transaction. <p>(8) The notice and copies of documents that must be provided under subsections (6) and (7) of this section must be delivered in the manner most likely to ensure receipt by the principals to the transaction at least three days before completion of the transaction. If copies of documents have been provided under subsection (7) of this section and are subsequently amended, copies of the amended documents must be provided before completion of the transaction.</p> <p>(9) Failure of any person to comply with the requirements of subsections (3) to (8) of this section does not affect the validity of any transaction and may not be used as a basis to challenge any transaction.</p>
PENNSYLVANIA	<p>42 Pa.C.S. § 2524 Penalty for Unauthorized Practice of Law</p> <p>(a) <i>General rule.</i> — Except as provided in subsection (b), any person, including, but not limited to, a paralegal or legal assistant, who within this Commonwealth shall practice law, or who shall hold himself out to the public as being entitled to practice law, or use or advertise the title of lawyer, attorney at law, attorney and counselor at law, counselor, or the equivalent in any language, in such a manner as to convey the impression that he is a practitioner of the law of any jurisdiction, without being an attorney at law or a corporation complying with 15 Pa.C.S. Ch. 29 (relating to professional corporations), commits a misdemeanor of the third degree upon a first violation. A second or subsequent violation of this subsection constitutes a misdemeanor of the first degree.</p> <p>(b) <i>Practice by associations.</i></p> <ul style="list-style-type: none"> (1) An association does not violate subsection (a) if it provides legal services only through officers, employees or agents who are duly admitted to practice law. The association may employ persons not admitted to practice law, but those persons shall not render any legal services rendered or to be rendered by the association. (2) This subsection shall not be interpreted to preclude the use of clerks, secretaries, administrators, bookkeepers, technicians and other assistants who are not usually and ordinarily considered by law, custom and practice to be rendering legal services nor to preclude the use of any other person who performs all his employment under the direct supervision and control of a person duly admitted to practice law. A person shall not, under the guise of employment, render legal services unless duly admitted to practice law. (3) Notwithstanding any other provision of law, an association may charge for the legal services of its officers, employees and agents,

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	<p>may collect those charges and may compensate those who render the professional services.</p> <p>(c) <i>Injunction.</i> — In addition to criminal prosecution, unauthorized practice of law may be enjoined in any county court of common pleas having personal jurisdiction over the defendant. The party obtaining such an injunction may be awarded costs and expenses incurred, including reasonable attorney fees, against the enjoined party. A violation of subsection (a) is also a violation of the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law.Phila. Co. Family Div. Rule 1904.4 (2014)</p> <p>23 Pa.C.S.A. § 6111 Domestic Violence Counselor/Advocate</p> <p>A domestic violence counselor/advocate may accompany a party to any legal proceeding or hearing under this chapter.</p> <ol style="list-style-type: none"> 1. Upon request of a plaintiff, the Court shall allow a domestic violence counselor/advocate who has accompanied the plaintiff to Court to be present in the courtroom throughout the proceedings. 2. Where a plaintiff is unrepresented by counsel, the domestic violence counselor/advocate may provide assistance to the plaintiff in his or her presentation of the facts relevant to the action. 3. A domestic violence counselor/advocate is an individual who is engaged in a domestic violence program, who provides services to victims of domestic violence, who has undergone 40 hours of training and who is under the control of a direct services supervisor of a domestic violence program, the primary purpose of which is the rendering of counseling or assistance to victims of domestic violence.
<p>PUERTO RICO</p>	<p>4 L.P.R.A. § 740 Unauthorized Practice of Law; Malpractice; Disbarment</p> <p>No person not a lawyer authorized by the Supreme Court of Puerto Rico may engage in the practice of law, or advertise as such, or as judicial agent or act, except in regard to his own affairs, in any judicial or quasi-judicial matter before any court of law; Provided, That the violation of any of the provisions of this section shall be deemed and punished as a misdemeanor; Provided, That the fact that any lawyer authorizes with his signature, deeds, pleadings and documents concerning which the said lawyer is not the true bona fide attorney or notary in the matter, or the substitute of the said attorney or notary, shall be deemed malpractice, and shall constitute sufficient cause for disbarment; and Provided, also, That it shall be the duty of prosecuting attorneys to investigate violations of this section and they may, in case they find just cause therefor, apply to the Supreme Court for the temporary or permanent disbarment of any attorney or notary who has violated the foregoing provisions.</p> <p>4 L.P.R.A. § 782 Penalty for Unauthorized Practice of Law</p> <p>Every person who, without having been duly admitted or licensed to practice the profession as provided in §§ 771—783 of this title, or who during the suspension of such license practices as a person qualified therefor, or who announces himself as such, or who tries to lead others to believe that he is a practicing attorney, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than five thousand dollars (\$5,000), or imprisonment for not more than six (6) months, or both penalties.</p>
<p>RHODE ISLAND</p>	<p>R.I. Gen. Laws 1956, § 11-27-2 “Practice of law” defined</p>

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	<p>"Practice law" as used in this chapter means the doing of any act for another person usually done by attorneys at law in the course of their profession, and, without limiting the generality of the definitions in this section, includes the following:</p> <ol style="list-style-type: none"> (1) The appearance or acting as the attorney, solicitor, or representative of another person before any court, referee, master, auditor, division, department, commission, board, judicial person, or body authorized or constituted by law to determine any question of law or fact or to exercise any judicial power, or the preparation of pleadings or other legal papers incident to any action or other proceeding of any kind before or to be brought before the court or other body; (2) The giving or tendering to another person for a consideration, direct or indirect, of any advice or counsel pertaining to a law question or a court action or judicial proceeding brought or to be brought; (3) The undertaking or acting as a representative or on behalf of another person to commence, settle, compromise, adjust, or dispose of any civil or criminal case or cause of action; (4) The preparation or drafting for another person of a will, codicil, corporation organization, amendment, or qualification papers, or any instrument which requires legal knowledge and capacity and is usually prepared by attorneys at law. <p>R.I. Gen. Laws 1956, § 11-27-11 Practices Permitted to Persons Not Members of Bar</p> <p>Nothing in §§ 11-27-5 -- 11-27-11 shall be construed to limit or prevent:</p> <ol style="list-style-type: none"> (1) Clerks of court and recorders of deeds from the drafting of any legal instruments that may be necessary for the proper conduct and discharge of their respective offices and duties. (2) Clerks or registered students in law offices from acting under the direction of a member of the bar of this state whose authority as a member to practice law is in full force and effect. (3) Any person from occasionally collecting or adjusting any unassigned claim of or against any member of his or her household or of or against his or her regular and principal employer. (4) The performance of any service personally performed by any natural person acting as administrator, executor, guardian, trustee, or other fiduciary in the preparation, rendering, and allowance of inventories, accounts, tax returns, or other services personally performed by him or her in relation to the fiduciary estate without the intervention of another person. (5) Town clerks from drafting deeds and mortgages and transfers and discharges of deeds and mortgages for recording in their own offices. (6) Any person from drawing, in the regular course of his or her regular business or employment, any note, bill, draft, bill of sale, conditional bill of sale, or any ordinary business agreement, to which he or she or his or her regular and principal employer is a party. (7) Any certified public accountant or member of the American Institute of Accountants from appearing or acting as a representative of another person before any federal, state, or municipal department, board, division, department, commission, agency, or any body other than a court, authorized or constituted by law to determine any question of fact, affecting the imposition or adjustment of taxes or regarding any financial or accounting matter, or from preparing for or on behalf of another person any federal, state, or municipal return or report of any nature or description, or advising another person in relation to the preparation of any such return or report. (8) Any person registered to practice before the Interstate Commerce Commission or member of the Association of Practitioners before the Interstate Commerce Commission from appearing or acting as representative of another person before any federal, state, or municipal department, board, commission, agency, or any body other than a court, authorized or constituted by law to determine any question of fact, affecting the rights of any carrier of persons or property in intrastate or interstate commerce, or from preparing for or on behalf of another person any federal, state, or municipal application, report or other writing of any nature or description, or advising another person in relation to the preparation of the application, report, or other writing. (9) Any public accountant from advising a taxpayer in connection with the imposition or adjustment of taxes or any person from preparing for or on behalf of a taxpayer any federal, state, or municipal tax return or tax report, provided the person or public accountant regularly audits or

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	<p>examines the accounting records of the taxpayer or any person from preparing for or on behalf of a taxpayer any federal, state, or municipal personal income tax return.</p> <p>R.I. Gen. Laws 1956, § 12-29-7 Domestic Abuse Advocacy Project</p> <p>(a) There is established within the court system a domestic abuse court advocacy project to provide the services as set forth in subsection (b) of this section. The administrator of the court system may contract with a nonprofit agency or organization which has a demonstrated record of service to victims of domestic violence for the purpose of operating the project.</p> <p>(b) The responsibilities of the project shall include, but not be limited to:</p> <ol style="list-style-type: none"> (1) Advising victims of domestic violence crimes of their rights pursuant to chapter 28 of this title, and assisting victims in securing those rights; (2) Informing victims of the availability of protective orders and assisting victims in obtaining those orders as appropriate; (3) Referring victims to shelter services, counseling, and other social services, as appropriate; and (4) Monitoring the justice system's response to and treatment of victims of domestic violence crimes. <p>(c) The project shall assure coordination with other victims services programs, shelters, and other organizations or agencies offering services to victims of domestic abuse.</p>
<p>SOUTH CAROLINA</p>	<p>S.C. Code 1976 § 40-5-310 Practicing Law or Soliciting Legal Cause of Another Without Being Enrolled as Member of South Carolina Bar</p> <p>No person may either practice law or solicit the legal cause of another person or entity in this State unless he is enrolled as a member of the South Carolina Bar pursuant to applicable court rules, or otherwise authorized to perform prescribed legal activities by action of the Supreme Court of South Carolina. The type of conduct that is the subject of any charge filed pursuant to this section must have been defined as the unauthorized practice of law by the Supreme Court of South Carolina prior to any charge being filed. A person who violates this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.</p>
<p>SOUTH DAKOTA</p>	<p>Rules of Prof'l Conduct R. 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law</p> <p>(a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> (1) Except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) Hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>(c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) Are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) Are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) Are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another

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	<p>jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or</p> <p>(4) Are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice, and</p> <p>(5) In all cases, the lawyer obtains a South Dakota sales tax license and tenders the applicable taxes pursuant to Chapter 10-45.</p> <p>(d) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services in this jurisdiction that:</p> <p>(1) Are provided to the lawyer's employer or its organizational affiliates and are not services for which the forum requires pro hac vice admission; or</p> <p>(2) Are services that the lawyer is authorized to provide by federal law or other law of this jurisdiction, provided that the lawyer obtains a South Dakota sales tax license and tenders the applicable taxes pursuant to Chapter 10-45.</p> <p>(e) For purposes of paragraph (d):</p> <p>(1) the foreign lawyer must be a member in good standing of a recognized legal profession in a foreign jurisdiction, the members of which are admitted to practice as lawyers or counselors at law or the equivalent, and subject to effective regulation and discipline by a duly constituted professional body or a public authority; or,</p> <p>(2) the person otherwise lawfully practicing as an in-house counsel under the laws of a foreign jurisdiction must be authorized to practice under this Rule by, in the exercise of its discretion, [the highest court of this jurisdiction].</p> <p>COMMENT</p> <p>[1] A lawyer may practice law only in a jurisdiction in which the lawyer is authorized to practice. A lawyer may be admitted to practice law in a jurisdiction on a regular basis or may be authorized by court rule or order or by law to practice for a limited purpose or on a restricted basis. Paragraph (a) applies to unauthorized practice of law by a lawyer, whether through the lawyer's direct action or by the lawyer assisting another person.</p> <p>[2] The definition of the practice of law is established by law and varies from one jurisdiction to another. Whatever the definition, limiting the practice of law to members of the bar protects the public against rendition of legal services by unqualified persons. This Rule does not prohibit a lawyer from employing the services of paraprofessionals and delegating functions to them, so long as the lawyer supervises the delegated work and retains responsibility for their work. See Rule 5.3.</p> <p>[3] A lawyer may provide professional advice and instruction to nonlawyers whose employment requires knowledge of the law; for example, claims adjusters, employees of financial or commercial institutions, social workers, accountants and persons employed in government agencies. Lawyers also may assist nonlawyers, such as paraprofessionals, who are authorized by the law of a jurisdiction to provide particular law-related services. In addition, a lawyer may counsel nonlawyers who wish to proceed pro se.</p> <p>[4] Other than as authorized by law or this Rule, a lawyer who is not admitted to practice generally in this jurisdiction violates paragraph (b) if the lawyer establishes an office or other systematic and continuous presence in this jurisdiction for the practice of law. Presence may be systematic and continuous even if the lawyer is not physically present here. Such a lawyer must not hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. See also Rules 7.1(a) and 7.5(b).</p> <p>[5] There are occasions in which a lawyer admitted to practice in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction under circumstances that do not create an unreasonable risk to the interests of their clients, the public or the courts. Paragraph (c) identifies four such circumstances. The fact that conduct is not so identified does not imply that the conduct is or is not authorized. With the exception of paragraphs (d)(1) and (d)(2), this Rule does not authorize a lawyer to establish an office or other systematic and continuous presence in this jurisdiction without being admitted to practice generally here.</p> <p>[6] There is no single test to determine whether a lawyer's services are provided on a "temporary basis" in this jurisdiction, and may therefore be permissible under paragraph (c). Services may be "temporary" even though the lawyer provides services in this jurisdiction on a recurring</p>

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	<p>basis, or for an extended period of time, as when the lawyer is representing a client in a single lengthy negotiation or litigation.</p> <p>[7] Paragraphs (c) and (d) apply to lawyers who are admitted to practice law in any United States jurisdiction, which includes the District of Columbia and any state, territory or commonwealth of the United States. The word "admitted" in paragraph (c) contemplates that the lawyer is authorized to practice in the jurisdiction in which the lawyer is admitted and excludes a lawyer who while technically admitted is not authorized to practice, because, for example, the lawyer is on inactive status.</p> <p>[8] Paragraph (c)(1) recognizes that the interests of clients and the public are protected if a lawyer admitted only in another jurisdiction associates with a lawyer licensed to practice in this jurisdiction. For this paragraph to apply, however, the lawyer admitted to practice in this jurisdiction must actively participate in and share responsibility for the representation of the client.</p> <p>[9] Lawyers not admitted to practice generally in a jurisdiction may be authorized by law or order of a tribunal or an administrative agency to appear before the tribunal or agency. This authority may be granted pursuant to formal rules governing admission pro hac vice or pursuant to informal practice of the tribunal or agency. Under paragraph (c)(2), a lawyer does not violate this Rule when the lawyer appears before a tribunal or agency pursuant to such authority. To the extent that a court rule or other law of this jurisdiction requires a lawyer who is not admitted to practice in this jurisdiction to obtain admission pro hac vice before appearing before a tribunal or administrative agency, this Rule requires the lawyer to obtain that authority.</p> <p>[10] Paragraph (c)(2) also provides that a lawyer rendering services in this jurisdiction on a temporary basis does not violate this Rule when the lawyer engages in conduct in anticipation of a proceeding or hearing in a jurisdiction in which the lawyer is authorized to practice law or in which the lawyer reasonably expects to be admitted pro hac vice. Examples of such conduct include meetings with the client, interviews of potential witnesses, and the review of documents. Similarly, a lawyer admitted only in another jurisdiction may engage in conduct temporarily in this jurisdiction in connection with pending litigation in another jurisdiction in which the lawyer is or reasonably expects to be authorized to appear, including taking depositions in this jurisdiction.</p> <p>[11] When a lawyer has been or reasonably expects to be admitted to appear before a court or administrative agency, paragraph (c)(2) also permits conduct by lawyers who are associated with that lawyer in the matter, but who do not expect to appear before the court or administrative agency. For example, subordinate lawyers may conduct research, review documents, and attend meetings with witnesses in support of the lawyer responsible for the litigation.</p> <p>[12] Paragraph (c)(3) permits a lawyer admitted to practice law in another jurisdiction to perform services on a temporary basis in this jurisdiction if those services are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. The lawyer, however, must obtain admission pro hac vice in the case of a court-annexed arbitration or mediation or otherwise if court rules or law so require.</p> <p>[13] Paragraph (c)(4) permits a lawyer admitted in another jurisdiction to provide certain legal services on a temporary basis in this jurisdiction that arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted but are not within paragraphs (c)(2) or (c)(3). These services include both legal services and services that nonlawyers may perform but that are considered the practice of law when performed by lawyers.</p> <p>[14] Paragraphs (c)(3) and (c)(4) require that the services arise out of or be reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted. A variety of factors evidence such a relationship. The lawyer's client may have been previously represented by the lawyer, or may be resident in or have substantial contacts with the jurisdiction in which the lawyer is admitted. The matter, although involving other jurisdictions, may have a significant connection with that jurisdiction. In other cases, significant aspects of the lawyer's work might be conducted in that jurisdiction or a significant aspect of the matter may involve the law of that jurisdiction. The necessary relationship might arise when the client's activities or the legal issues involve multiple jurisdictions, such as when the officers of a multinational corporation survey potential business sites and seek the services of their lawyer in assessing the relative merits of each. In addition, the services may draw on the lawyer's recognized expertise developed through the regular practice of law on behalf of clients in matters involving a particular body of federal, nationally-uniform, foreign, or international law.</p>

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	<p>[15] Paragraph (d) identifies two circumstances in which a lawyer who is admitted to practice in another United States jurisdiction, and is not disbarred or suspended from practice in any jurisdiction, may establish an office or other systematic and continuous presence in this jurisdiction for the practice of law as well as provide legal services on a temporary basis. Except as provided in paragraphs (d)(1) and (d)(2), a lawyer who is admitted to practice law in another jurisdiction and who establishes an office or other systematic or continuous presence in this jurisdiction must become admitted to practice law generally in this jurisdiction.</p> <p>[16] Paragraph (d)(1) applies to a lawyer who is employed by a client to provide legal services to the client or its organizational affiliates, i.e., entities that control, are controlled by, or are under common control with the employer. This paragraph does not authorize the provision of personal legal services to the employer's officers or employees. The paragraph applies to in-house corporate lawyers, government lawyers and others who are employed to render legal services to the employer. The lawyer's ability to represent the employer outside the jurisdiction in which the lawyer is licensed generally serves the interests of the employer and does not create an unreasonable risk to the client and others because the employer is well situated to assess the lawyer's qualifications and the quality of the lawyer's work.</p> <p>[17] If an employed lawyer establishes an office or other systematic presence in this jurisdiction for the purpose of rendering legal services to the employer, the lawyer may be subject to registration or other requirements, including assessments for client protection funds and mandatory continuing legal education.</p> <p>[18] Paragraph (d)(2) recognizes that a lawyer may provide legal services in a jurisdiction in which the lawyer is not licensed when authorized to do so by federal or other law, which includes statute, court rule, executive regulation or judicial precedent.</p> <p>[19] A lawyer who practices law in this jurisdiction pursuant to paragraphs (c) or (d) or otherwise is subject to the disciplinary authority of this jurisdiction. See Rule 8.5(a).</p> <p>[20] In some circumstances, a lawyer who practices law in this jurisdiction pursuant to paragraphs (c) or (d) may have to inform the client that the lawyer is not licensed to practice law in this jurisdiction. For example, that may be required when the representation occurs primarily in this jurisdiction and requires knowledge of the law of this jurisdiction. See Rule 1.4(b).</p> <p>[21] Paragraphs (c) and (d) do not authorize communications advertising legal services to prospective clients in this jurisdiction by lawyers who are admitted to practice in other jurisdictions. Whether and how lawyers may communicate the availability of their services to prospective clients in this jurisdiction is governed by Rules 7.1 to 7.5.</p> <p>[22] All legal services are subject to South Dakota sales tax and lawyers utilizing pro hac vice, multijurisdictional practice, or reciprocal licensing must obtain a sales tax license pursuant to Chapter 10-45 of the South Dakota Codified Laws.</p>
TENNESSEE	<p>Tenn. Code Ann. § 23-3-103 Unlawful Practice Prohibited -- Penalty</p> <p>(a) No person shall engage in the practice of law or do law business, or both, as defined in § 23-3-101, unless the person has been duly licensed and while the person's license is in full force and effect, nor shall any association or corporation engage in the practice of the law or do law business, or both. However, nonresident attorneys associated with attorneys in this state in any case pending in this state who do not practice regularly in this state shall be allowed, as a matter of courtesy, to appear in the case in which they may be thus employed without procuring a license, if properly authorized in accordance with applicable rules of court, and when introduced to the court by a member in good standing of the Tennessee bar, if all the courts of the resident state of the nonresident attorney grant a similar courtesy to attorneys licensed in this state.</p> <p>(b) Any person who violates the prohibition in subsection (a) commits a Class A misdemeanor.</p> <p>(c)</p> <p>(1) The attorney general and reporter may bring an action in the name of the state to restrain by temporary restraining order, temporary injunction or permanent injunction any violation of this chapter; to obtain a civil penalty in an amount not to exceed ten thousand dollars (\$10,000) per violation, and to obtain restitution for any person who has suffered an ascertainable loss by reason of the violation of this chapter. The attorney general and</p>

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	<p>reporter shall be entitled to be reimbursed for the reasonable costs and expenses of investigation and prosecution of acts under this chapter, including, but not limited to, reasonable attorney fees as well as expert and other witness fees.</p> <p>(2) The action may be brought in a court of competent jurisdiction:</p> <p>(A) In the county where the alleged violation took place or is about to take place;</p> <p>(B) In the county in which the defendant resides, has a principal place of business or conducts, transacts or has conducted business; or</p> <p>(C) If the defendant cannot be found in any of the locations in subdivisions (c)(2)(A) and (B), in the county in which the defendant can be found.</p> <p>(3) The courts are authorized to issue orders and injunctions to restrain, prevent and remedy violations of this chapter, and the orders and injunctions shall be issued without bond.</p> <p>(4) Any knowing violation of the terms of an injunction or order issued pursuant to this chapter shall be punishable by a civil penalty of not more than twenty thousand dollars (\$20,000) per violation, in addition to any other appropriate relief.</p> <p>(d)</p> <p>(1) Any organized bar association of a municipality, county, except any county having a metropolitan form of government, or multi-county region in which a violation occurs may bring a civil action seeking relief, as provided in this chapter, against any person that violates this chapter. Any organized statewide bar association, primarily representing plaintiff attorneys and having no locally-based affiliate associations, may bring a civil action in the municipality or county in which a violation occurs seeking relief, as provided in this chapter, against any person that violates this chapter. Upon the commencement of any action brought under this section by any bar association, the bar association shall provide a copy of the complaint or other initial pleading to the attorney general and reporter, who, in the public interest, may intervene and prosecute the action. The pleadings shall be provided to the attorney general and reporter simultaneously with the initial service to the defendant or defendants. Additionally, all subsequent filings shall be provided to the attorney general and reporter, including any judgments or notices of appeal by the initiating bar association.</p> <p>(2) Any bar association bringing suit under this section is presumed to be acting in good faith and is granted a qualified immunity for the suit and the consequences of the suit. The presumption of good faith is rebuttable upon a showing by a preponderance of the evidence that the suit was brought for a malicious purpose.</p>
TEXAS	<p>Tex. Gov't Code § 81.102 Sec. 81.102. State Bar Membership Required.</p> <p>(a) Except as provided by Subsection (b), a person may not practice law in this state unless the person is a member of the state bar.</p> <p>(b) The supreme court may promulgate rules prescribing the procedure for limited practice of law by:</p> <p>(1) attorneys licensed in another jurisdiction;</p> <p>(2) bona fide law students; and</p> <p>(3) unlicensed graduate students who are attending or have attended a law school approved by the supreme court.</p> <p>Tex. Gov't Code § 81.101 Definition</p> <p>(a) In this chapter the "practice of law" means the preparation of a pleading or other document incident to an action or special proceeding or the management of the action or proceeding on behalf of a client before a judge in court as well as a service rendered out of court, including the giving of advice</p>

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	<p>or the rendering of any service requiring the use of legal skill or knowledge, such as preparing a will, contract, or other instrument, the legal effect of which under the facts and conclusions involved must be carefully determined.</p> <p>(b) The definition in this section is not exclusive and does not deprive the judicial branch of the power and authority under both this chapter and the adjudicated cases to determine whether other services and acts not enumerated may constitute the practice of law.</p> <p>(c) In this chapter, the “practice of law” does not include the design, creation, publication, distribution, display, or sale, including publication, distribution, display, or sale by means of an Internet web site, of written materials, books, forms, computer software, or similar products if the products clearly and conspicuously state that the products are not a substitute for the advice of an attorney. This subsection does not authorize the use of the products or similar media in violation of Chapter 83 and does not affect the applicability or enforceability of that chapter.</p> <p>Under Texas law, practice of law embraces all advice to clients and all action taken for them in matters connected with the law. <i>In re Gutierrez</i>, Bkrtcy.W.D.Tex.2000, 248 B.R. 287.</p>
<p>UTAH</p>	<p>Utah Judicial Admin Rule 14-802 Authorization to Practice Law</p> <p>(a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>(c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential arbitration, mediation or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or (4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. <p>(d) A lawyer admitted in another United States jurisdiction and not disbarred or suspended from practice in any jurisdiction may provide legal services through an office or other systematic and continuous presence in this jurisdiction without admission to the Utah State Bar if:</p> <ol style="list-style-type: none"> (1) the services are provided to the lawyer's employer or its organizational affiliates while the lawyer has a pending application for admission to the Utah State Bar and are not services for which the forum requires pro hac vice admission; or (2) the services provided are authorized by specific federal or Utah law or by applicable rule. <p>COMMENT</p> <p>[1] A lawyer may practice law only in a jurisdiction in which the lawyer is authorized to practice. A lawyer may be admitted to practice law in a jurisdiction on a regular basis or may be authorized by court rule or order or by law to practice for a limited purpose or on a restricted basis. Paragraph (a) applies to unauthorized practice of law by a lawyer, whether through the lawyer's direct action or by the lawyer's assisting another person. For example, a lawyer may not assist a person in practicing law in violation of the rules governing professional conduct in that person's jurisdiction.</p>

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	<p>[2] The definition of the practice of law is established by law and varies from one jurisdiction to another. The "practice of law" in Utah is defined in Rule 14-802(b)(1), Authorization to Practice Law, of the Supreme Court Rules of Professional Practice. This Rule does not prohibit a lawyer from employing the services of paraprofessionals and delegating functions to them, so long as the lawyer supervises the delegated work and retains responsibility for their work. See Rule 5.3.</p> <p>[2a] The Utah rule modifies the second sentence of ABA Comment [2] to reflect and be consistent with Rule 14 802(b)(1), Authorization to Practice Law, of the Supreme Court Rules of Professional Practice, which both defines the "practice of law" and expressly authorizes nonlawyers to engage in some aspects of the practice of law as long as their activities are confined to the categories of services specified in that rule.</p> <p>[3] A lawyer may provide professional advice and instruction to nonlawyers whose employment requires knowledge of the law for example, claims adjusters, employees of financial or commercial institutions, social workers, accountants and persons employed in government agencies. Lawyers also may assist independent nonlawyers, such as paraprofessionals, who are authorized by the law of a jurisdiction to provide particular law-related services. In addition, a lawyer may counsel nonlawyers who wish to proceed pro se.</p> <p>[4] Other than as authorized by law or this Rule, a lawyer who is not admitted to practice generally in this jurisdiction violates paragraph (b)(1) if the lawyer establishes an office or other systematic and continuous presence in this jurisdiction for the practice of law. Presence may be systematic and continuous even if the lawyer is not physically present here. Such a lawyer must not hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. See also Rules 7.1(a) and 7.5(b).</p> <p>[5] There are occasions in which a lawyer admitted to practice in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction under circumstances that do not create an unreasonable risk to the interests of their clients, the public or the courts. Paragraph (c) identifies four such circumstances. The fact that conduct is not so identified does not imply that the conduct is or is not authorized. With the exception of paragraphs (d)(1) and (d)(2), this Rule does not authorize a lawyer to establish an office or other systematic and continuous presence in this jurisdiction without being admitted to practice generally here.</p> <p>[6] There is no single test to determine whether a lawyer's services are provided on a "temporary basis" in this jurisdiction and may therefore be permissible under paragraph (c). Services may be "temporary" even though the lawyer provides services in this jurisdiction on a recurring basis, or for an extended period of time, as when the lawyer is representing a client in a single lengthy negotiation or litigation.</p> <p>[7] Paragraphs (c) and (d) apply to lawyers who are admitted to practice law in any United States jurisdiction, which includes the District of Columbia and any state, territory or commonwealth of the United States. The word "admitted" in paragraphs (c) and (d) contemplates that the lawyer is authorized to practice in the jurisdiction in which the lawyer is admitted and excludes a lawyer who while technically admitted is not authorized to practice, because, for example, the lawyer is on inactive status.</p> <p>[8] Paragraph (c)(1) recognizes that the interests of clients and the public are protected if a lawyer admitted only in another jurisdiction associates with a lawyer licensed to practice in this jurisdiction. For this paragraph to apply, however, the lawyer admitted to practice in this jurisdiction must actively participate in and share responsibility for the representation of the client.</p> <p>[9] Lawyers not admitted to practice generally in a jurisdiction may be authorized by law or order of a tribunal or an administrative agency to appear before the tribunal or agency. This authority may be granted pursuant to formal rules governing admission pro hac vice or pursuant to informal practice of the tribunal or agency. Under paragraph (c)(2), a lawyer does not violate this Rule when the lawyer appears before a tribunal or agency pursuant to such authority. To the extent that a court rule or other law of this jurisdiction requires a lawyer who is not admitted to practice in this jurisdiction to obtain admission pro hac vice before appearing before a tribunal or administrative agency, this Rule requires the lawyer to obtain that authority.</p> <p>[10] Paragraph (c)(2) also provides that a lawyer rendering services in this jurisdiction on a temporary basis does not violate this Rule when the lawyer engages in conduct in anticipation of a proceeding or hearing in a jurisdiction in which the lawyer is authorized to practice law or in which the lawyer reasonably expects to be admitted pro hac vice. Examples of such conduct include meetings with the client, interviews of potential witnesses and the review of documents. Similarly, a lawyer admitted only in another jurisdiction may engage in conduct temporarily in this jurisdiction in connection with pending litigation in another jurisdiction in which the lawyer is or reasonably expects to be authorized to appear, including taking depositions in this jurisdiction.</p>

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	<p>[11] When a lawyer has been or reasonably expects to be admitted to appear before a court or administrative agency, paragraph (c)(2) also permits conduct by lawyers who are associated with that lawyer in the matter, but who do not expect to appear before the court or administrative agency. For example, subordinate lawyers may conduct research, review documents and attend meetings with witnesses in support of the lawyer responsible for the litigation.</p> <p>[12] Paragraph (c)(3) permits a lawyer admitted to practice law in another jurisdiction to perform services on a temporary basis in this jurisdiction if those services are in or reasonably related to a pending or potential arbitration, mediation or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. The lawyer, however, must obtain admission pro hac vice in the case of a court-annexed arbitration or mediation or otherwise if court rules or law so require.</p> <p>[13] Paragraph (c)(4) permits a lawyer admitted in another jurisdiction to provide certain legal services on a temporary basis in this jurisdiction that arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted but are not within paragraphs (c)(2) or (c)(3).</p> <p>[13a] The last sentence in Comment [13] to ABA Model Rule 5.5 has been omitted to comport with Utah's definition of the "practice of law" in Rule 14 802(b)(1).</p> <p>[14] Paragraphs (c)(3) and (c)(4) require that the services arise out of or be reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted. A variety of factors evidence such a relationship. The lawyer's client may have been previously represented by the lawyer or may be resident in or have substantial contacts with the jurisdiction in which the lawyer is admitted. The matter, although involving other jurisdictions, may have a significant connection with that jurisdiction. In other cases, significant aspects of the lawyer's work might be conducted in that jurisdiction or a significant aspect of the matter may involve the law of that jurisdiction. The necessary relationship might arise when the client's activities or the legal issues involve multiple jurisdictions, such as when the officers of a multinational corporation survey potential business sites and seek the services of their lawyer in assessing the relative merits of each. In addition, the services may draw on the lawyer's recognized expertise developed through the regular practice of law on behalf of clients in matters involving a particular body of federal, nationally-uniform, foreign or international law.</p> <p>[15] Paragraph (d) identifies two circumstances in which a lawyer who is admitted to practice in another United States jurisdiction, and is not disbarred or suspended from practice in any jurisdiction, may establish an office or other systematic and continuous presence in this jurisdiction for the practice of law as well as provide legal services on a temporary basis. Except as provided in paragraphs (d)(1) and (d)(2), a lawyer who is admitted to practice law in another jurisdiction and who establishes an office or other systematic or continuous presence in this jurisdiction must become admitted to practice law generally in this jurisdiction.</p> <p>[15a] Utah's Rule 5.5(d) differs from the ABA Model Rule by requiring a person providing services to the lawyer's employer to have submitted an application for admission to the Bar, such as an application for admission of attorney applicants under Supreme Court Rules of Professional Practice, Rule 14-704; admission by motion under Rule 14-705; or admission as House Counsel under Rule 14-719</p> <p>[15b] Utah Rule 5.5 does not adopt the ABA's provisions dealing with foreign lawyers, as other rules in Article 7 of the Rules Governing the Utah State Bar cover this matter.</p> <p>[16] Paragraph (d)(1) applies to a lawyer who is employed by a client to provide legal services to the client or its organizational affiliates, i.e., entities that control, are controlled by or are under common control with the employer. This paragraph does not authorize the provision of personal legal services to the employer's officers or employees. The paragraph applies to in-house corporate lawyers, government lawyers and others who are employed to render legal services to the employer. The lawyer's ability to represent the employer outside the jurisdiction in which the lawyer is licensed generally serves the interests of the employer and does not create an unreasonable risk to the client and others because the employer is well situated to assess the lawyer's qualifications and the quality of the lawyer's work.</p> <p>[17] If an employed lawyer establishes an office or other systematic presence in this jurisdiction for the purpose of rendering legal services to the employer under paragraph (d)(1), the lawyer is subject to Utah admission and licensing registration, including assessments for annual licensing fees and client protection funds and mandatory continuing legal education.</p> <p>[18] Paragraph (d)(2) recognizes that a lawyer may provide legal services in a jurisdiction in which the lawyer is not licensed when authorized federal or other law, which includes statute, court rule, executive regulation or judicial precedent.</p>

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	<p>[18a] The Utah version of Paragraph (d)(2) clarifies that a lawyer not admitted to practice in Utah may provide legal services under that paragraph only if the lawyer can cite specific federal or state law or an applicable rule that authorizes the services. See, e.g., Rule DUCivR 83 1.1, Rules of Practice of the United States District Court of the District of Utah; Rule 14 804 of the Supreme Court Rules of Professional Practice, admission for military-lawyer practice; Rule 14-719(d)(2), which provides a six-month period during which an in-house counsel is authorized to practice before submitting a House Counsel application; practice as a patent attorney before the United States Patent and Trademark Office.</p> <p>[19] A lawyer who practices law in this jurisdiction pursuant to paragraphs (c) or (d) or otherwise is subject to the disciplinary authority of this jurisdiction. See Rule 8.5(a).</p> <p>[20] In some circumstances, a lawyer who practices law in this jurisdiction pursuant to paragraphs (c) or (d) may have to inform the client that the lawyer is not licensed to practice law in this jurisdiction. For example, that may be required when the representation occurs primarily in this jurisdiction and requires knowledge of the law of this jurisdiction. See Rule 1.4(b).</p> <p>[21] Paragraphs (c) and (d) do not authorize communications advertising legal services in this jurisdiction by lawyers who are admitted to practice in other jurisdictions. Whether and how lawyers may communicate the availability of their services in this jurisdiction are governed by Rules 7.1 to 7.5.</p> <p>Utah R. Judicial Admin Rule 5.5 Rule 5.5. Unauthorized Practice of Law; Multijurisdictional Practice of Law (a) A licensed paralegal practitioner shall not provide legal services in a jurisdiction or in a manner that is in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so. (b) A licensed paralegal practitioner who is not admitted to provide legal services in this jurisdiction shall not: (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the purpose of providing legal services; or (2) hold out to the public or otherwise represent that the licensed paralegal practitioner is admitted to practice law or otherwise provide legal services in this jurisdiction.</p>
VERMONT	<p>Vt. Prof'l Cond. R. 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law</p> <p>A lawyer shall not: (a) practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction; or (b) assist a person who is not a member of the bar in the performance of activity that constitutes the unauthorized practice of law.</p> <p>13 V.S.A. § 5306 Victim Advocates</p> <p>In order to carry out the provisions of the Victims Assistance Program, state's attorneys are authorized to hire victim advocates who shall serve at their pleasure unless otherwise modified by a collective bargaining agreement entered into pursuant to 3 V.S.A. chapter 27. Nothing in this section shall be construed to limit the subjects for bargaining pursuant to 3 V.S.A. § 904</p>
VIRGIN ISLANDS	<p>V.I.S. Ct. R. Rule 211.5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law (a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so. (b) An individual who is not admitted to practice in this jurisdiction shall not:</p>

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	<p>(1) except as authorized by section 443 of title 4 of the Virgin Islands Code or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or</p> <p>(2) hold out to the public or otherwise represent that he or she is admitted to practice law in this jurisdiction.</p>
VIRGINIA	<p>Va. Sup. Ct. R. pt. 6, sec. I, 1 Rule 1. Prohibition Against Unauthorized Practice of Law No non-lawyer shall engage in the practice of law in the Commonwealth of Virginia or in any manner hold himself or herself out as authorized or qualified to practice law in the Commonwealth of Virginia except as may be authorized by rule or statute. The term "non-lawyer" means any person, firm, association or corporation not duly licensed or authorized to practice law in the Commonwealth of Virginia. Any person or entity who practices law without being licensed or otherwise authorized to practice law shall be guilty of a Class 1 misdemeanor. <u>Va. Code § 54.1-3904.</u></p> <p>Va. Sup. Ct. R. pt. 6, sec. I, 2 Rule 2. General Definition A person or entity engages in the practice of law when representing to another, by words or conduct, that one is authorized to do any of the following: A. Undertake for compensation, direct or indirect, to give advice or counsel to an entity or person in any matter involving the application of legal principles to facts. B. Select, draft or complete legal documents or agreements which affect the legal rights of an entity or person. C. Represent another entity or person before a tribunal. D. Negotiate the legal rights or responsibilities on behalf of another entity or person.</p> <p>Va. Sup. Ct. R. pt. 6, sec. I, 3 Rule 3. Exceptions Non-lawyers and/or Foreign Lawyers (as defined by Part 6, § II, Rule 5.5, Rules of Supreme Court of Virginia) may engage in any of the following actions, even though they may constitute the practice of law: A. Providing legal services as permitted by <u>Va. Code § 54.1-3900</u> (military legal assistance attorneys; third-year law students or persons in the last year of study in the law reader program practicing under the supervision of a practicing attorney; employees of state agencies in the course of employment representing the agency; non-lawyer employees of the Department of Social Services preparing and signing form petitions for the establishment, modification or enforcement of support in juvenile and domestic relations district courts); legal aid societies licensed by the Virginia State Bar pursuant to <u>Va. Code § 54.1-3916</u> and non-lawyer employees thereof representing society patrons before a tribunal under the direct supervision of a legal aid staff attorney as authorized by the governing body of that society and the rules of that tribunal; provided, however, that the legal aid staff attorney shall assume personal responsibility for any work performed by the non-lawyer. B. Providing legal services as a foreign attorney as authorized by Part IA of the Rules of Supreme Court of Virginia to include attorneys admitted <i>pro hac vice</i>, corporate counsel, registered military assistance attorneys, foreign legal consultants and military spouse provisional admittees. C. Providing legal services as a Foreign Lawyer pursuant to Part 6, § II, Rule 5.5 of the Rules of Supreme Court of Virginia (Virginia Rules of Professional Conduct). D. Acting as a lay representative authorized by law to appear before administrative agencies or tribunals. E. Appearing and filing certain pleadings as authorized under <u>Va. Code § 16.1-88.03</u> and § 16.1-81.1 (employees or officers of certain business entities). F. Acting as a real estate settlement agent authorized by law to provide escrow, closing or settlement services for real estate transactions in the purchase or financing of real estate in the Commonwealth of Virginia. Va. Code, Title 55, Chapters 27.2 and 27.3. G. Preparing legal documents as an employee of an entity that are incidental to the entity's business and in connection with a transaction in which the entity has a direct or primary interest.</p>

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	<p>H. Performing the tasks as a trustee pursuant to <u>Va. Code § 64.2-778</u>.</p> <p>I. Discharging the duties and exercising the powers of a trustee on a deed of trust pursuant to Va. Code § 55-59.4.</p> <p>J. Preparing Advanced Medical Directives pursuant to <u>Va. Code §§ 54.1-2984</u>, 54.1-2988, 54.1-2988.1 and 54.1-2993.1.</p> <p>K. Practicing before the Internal Revenue Service and the United States Tax Court as authorized by law.</p> <p>L. Participating in labor negotiations, arbitrations or conciliations arising under collective bargaining rights or agreements.</p> <p>M. Preparing a memorandum of understanding or agreement resulting from an alternative dispute resolution proceeding, to include, when necessary, completion of a child support guidelines worksheet.</p> <p>N. Working as a paralegal or providing other administrative support under the direct supervision of a licensed attorney.</p> <p>O. Providing assistance as a court clerk to litigants in completing for filing, forms prescribed by the Supreme Court of Virginia or other tribunal; information shall be limited to description of forms, instructions for use, and required sections to complete. Court clerks shall not engage in providing legal advice, recommendations or opinions as part of the court clerk's assistance.</p> <p>P. Serving as a registered patent agent.</p> <p>Q. Preparing and filing pleadings in general district court to recover possession of leased premises and/or recovery of rent as permitted by Va. Code § 55-246.1.</p> <p>R. Providing other legal services as authorized by state, federal or other law.</p> <p>Va. Sup. Ct. R. pt. 6, sec. I, 4 Rule 4. Exclusions</p> <p>The following actions do not constitute the practice of law:</p> <p>A. Providing translation services.</p> <p>B. Selling legal forms.</p> <p>C. <i>Pro se</i> representation.</p> <p>D. Serving as a mediator, arbitrator, conciliator, or facilitator.</p> <p>E. Serving as a fiduciary.</p> <p>F. Acting as a lobbyist.</p> <p>G. Teaching law or providing legal information.</p> <p>H. Negotiating settlements and preparing releases in the course of employment as an adjuster or agent for an insurer.</p> <p>I. Preparing tax returns to the extent authorized by the Internal Revenue Service or other state law.</p> <p>Va. Sup. Ct. R. pt. 6, sec. I, 5</p> <p>Rule 5. Comments</p> <p>A. Definition of "tribunal": The term "tribunal" shall include any agency, authority, board, commission or court when it determines the rights and obligations of parties to proceedings before it, as opposed to promulgating rules and regulations of general applicability.</p> <p>B. Real Estate Settlement Agents. A non-lawyer licensed real estate agent may, pursuant to <u>Va. Code § 54.1-2101.1</u>, prepare contracts incident to the regular course of conducting a licensed real estate business. Paragraph 3 (F) of this rule allows attorneys licensed by the Virginia State Bar, a title insurance company licensed by the State Corporation Commission, a title agency or title agent licensed by the State Corporation Commission, or a real estate broker licensed by the Virginia Real Estate Board to serve as a "settlement agent" and provide "escrow, closing or settlement services" to close a transaction</p>

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	<p>involving any real estate located within the Commonwealth, subject to the requirements of Chapters 27.2 and 27.3 of Title 55 of the Code of Virginia. No other person may lawfully act or hold himself or herself out as a settlement agent. See Va. Code §§ 55-525.19 (2)-(3), 55-525.18 (B)(1).</p> <p>1. In connection with a real estate closing, the following tasks may be performed by a non-lawyer settlement agent or a non-lawyer employed by such settlement agent, and do not involve the practice of law:</p> <ul style="list-style-type: none"> a) ordering a survey, termite or other inspection(s), casualty insurance or certificates of insurance, lien payoff figures, loan checks or title insurance; b) creating or preparing a title abstract; c) determining the status of utility services and assisting in their transfer; d) making mathematical calculations involving the proration of taxes, insurance, rent, interest and the like in accordance with the contract or local custom; e) completing form documents selected by and in accordance with the instructions of the parties to the transaction, but not drafting or selecting such documents; f) obtaining lien waivers from mechanics or materialmen in a form acceptable to the parties in interest, but not drafting such waivers or giving advice as to the legal sufficiency thereof; g) preparing settlement statements; h) receiving and disbursing settlement funds; i) drafting receipts and certificates of satisfaction, but not deeds, deeds of trust, deed of trust notes, or deeds of release; j) completing other forms such as the Owner's/Seller's Affidavit, Notice of Availability, and tax reporting forms. <p>2. A non-lawyer settlement agent cannot provide any legal representation or give legal advice to any party to a transaction. Examples of legal advice which, if provided by a Settlement Agent, would be the unauthorized practice of law, include:</p> <ul style="list-style-type: none"> a) explaining the legal obligations of the parties under the real estate sales contract; b) explaining the meaning of legal terms used in taking title to property or advising the parties to the transaction which way to take title to the property; c) explaining the legal obligations of the parties under the loan documents; d) explaining the legal effect of an item reported as an exception in a title commitment; e) explaining the legal effect of a document in the chain of title; f) drafting legal instruments for a party to the transaction, other than completing form documents selected by and in accordance with the instructions of the parties to the transaction; g) selecting a legal instrument for a party if to do so requires the exercise of legal judgment; h) instructing or assisting a party in the completion of a legal document if to do so requires the exercise of legal judgment; i) providing legal opinions in response to the following types of questions: <ul style="list-style-type: none"> (1) "What should I do?" (2) "What are my rights or obligations under this document?" (3) "What are the lender's rights or obligations under this document?" <p>C. It is now well settled that a lay corporation may not ordinarily employ an attorney to provide legal services to customers or clients of the corporation. See, e.g., <i>Richmond Ass'n of Credit Men v. Bar Ass'n of Richmond</i>, 167 Va. 327, 189 S.E. 153 (1937). The underlying basis of this rule was explained by the Virginia Supreme Court in <i>Richmond Association of Credit Men</i> as follows:</p> <p>[The practice of law] is not a lawful business except for members of the Bar who have complied with all the conditions required by statute and the rules of the Courts. As these conditions cannot be performed by a corporation, it follows that the practice of law is not a lawful business for a corporation to engage in.</p> <p>The relation of attorney and client is that of master and servant in a limited and dignified sense, and it involves the highest trust and</p>

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	<p>confidence. It cannot be delegated without consent, and it cannot exist between an attorney employed by a corporation to practice law for it, and a client of the corporation, for he would be subject to the directions of the corporation, and not to the directions of the client. Independent of statute, it is contrary to public policy for a corporation to practice law, directly or indirectly. UPL Opinion 60 (1985).</p> <p>D. The following are examples of activity that fall within the scope of paragraph 3 (R) ("Providing other legal services as authorized by state, federal or other law"):</p> <ol style="list-style-type: none"> 1. Serving as a legal representative or lay advocate for a party in a state or federal administrative proceeding as permitted by, and subject to, the rules of that agency. (For example, the Social Security Administration and the Virginia Employment Commission.) 2. Serving as lay advocate for parents in IDEA cases and parents litigating their own child's IDEA claim. 3. A non-lawyer entity, such as an insurance company, that employs staff lawyers or captive law firms to provide legal services to its insureds so long as the lawyer employed is able to comply with the Virginia Rules of Professional Conduct. <i>See</i> UPL Op. 60. 4. Any non-profit entity that employs a licensed staff lawyer to assist its consumers and provide pro bono or nominal fee legal services. Provided, however: <ol style="list-style-type: none"> a) the staff lawyer shall exercise independent professional judgement on behalf of each client; b) the board or management, if composed of non-lawyers, shall not direct or control the lawyer's independent professional judgement on behalf of any client; c) the initial screening or interview of prospective clients must be done by a lawyer or a non-lawyer under the direct supervisory authority of a staff lawyer; and d) access to confidential information of clients served by the organization shall be restricted to a lawyer or non-lawyers under their direct supervisory authority. 5. Non-lawyers making any disclosures or advisements required by state or federal law, e.g., police officer explaining <i>Miranda</i> rights to an arrestee. 6. When Congress grants authority to an agency to prescribe regulations governing the recognition and conduct of a person representing the interests of another before such agency, the state is preempted from enforcing its own rules of practice while such person is acting reasonably within the scope of the practice authorized by the agency. <i>Sperry v. Florida ex rel. Florida Bar</i> 373 U.S. 379 (1963) (Florida may not prohibit non-lawyer patent agent from performing within Florida tasks which are incident to the preparation and prosecution of patent applications before the Patent Office). <p>E. Paragraph 4 (B) ("Sale of legal forms") permits the sale of legal forms provided no legal advice is provided to complete the forms.</p> <p>F. The following are examples of activity which fall within the scope of paragraph 4 (G) ("Teaching law or providing legal information"):</p> <ol style="list-style-type: none"> 1. A law professor instructing a class in the application of law to an actual situation is not engaged in the practice of law because he or she is not undertaking to provide advice or services for one or more clients as to their legal interests. 2. Non-lawyer employees of an entity or organization providing legal information or education about law, regulations, legal procedures or compliance issues for the purpose of training other employees or members of the entity or organization. For example, a human resource manager or FOIA officer is not engaged in the practice of law when advising the employer as to what the employer must do to comply with state or federal laws. 3. Non-lawyer providing information about the application of the law to a product or service that the non-lawyer is otherwise authorized to provide to the public. For example: <ol style="list-style-type: none"> a) Lender explaining right of rescission to borrower in a refinancing of real estate. b) Preparation of privacy notices for customers by credit card companies. c) Preparation of authorization to share patient's medical information under HIPAA.

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	<p>d) Tax accountants, real estate agents, title company attorneys, securities advisors, pension consultants, and the like, who do not indicate they are providing legal advice or services based on competence and standing in the law are not engaged in the practice of law, because their relationship with the customer is not based on the reasonable expectation that learned and authorized professional legal advice is being given.</p> <p>4. Non-lawyer employees and supervised volunteers of nonprofit entities, whose primary purpose is assisting domestic violence and sexual assault victims, may explain to victims how to seek legal recourse, accompany victims throughout all stages of court proceedings, and respond to inquiries by the court. However, they shall not examine witnesses, make arguments to the court, or otherwise act in a representative capacity for the victims.</p> <p>5. A lay trustee on a deed of trust may prepare the legal instruments necessary to sell or encumber real estate to which he holds the legal title, e.g., contracts, deeds, deeds of trust, etc.</p> <p>G. <i>Pro se</i> representation. Every jurisdiction recognizes the right of an individual to proceed <i>pro se</i> by providing his or her own representation in any matter, whether or not the person is a lawyer. Because the appearance is personal only, it does not involve an issue of unauthorized practice. The right extends to self-preparation of legal documents and other kinds of out-of-court legal work as well as to in-court representation.</p> <p>Va. Sup. Ct. R. pt. 6, sec. I, 6</p> <p>A. <i>Preparation of legal instruments incident to the ordinary course of conducting a licensed business is not the unauthorized practice of law:</i> --A non-lawyer may prepare legal instruments incident to the ordinary course of conducting a licensed business. For example, a real estate broker or agent may prepare and have the buyer and seller execute a contract for the sale of real estate which the agent or broker participated. <u><i>Commonwealth v. Jones & Robins, Inc.</i></u>, 186 Va. 30, 41 S.E.2d 720 (1947). It is not the unauthorized practice of law for a pension plan administrator to offer the legal services of preparing, amending and submitting pension plans to the IRS where such activities arise in association with the administrator's primary business of administering individually tailored plans. UPL Op. 77 (1985).</p> <p>B. <i>Preparation/completion of Advance Medical Directive by non-lawyer:</i> --Ministerial assistance to another in completing and executing an advanced medical directive in the form prescribed by <u>Va. Code § 54.1-2984</u> is not unauthorized practice of law. <u>Va. Code § 54.1-2988.1</u>. Ministerial assistance does not include expressing an opinion about the legal effect of the alternative choices or offering legal advice. <i>Id.</i></p> <p>C. <i>A non-lawyer may serve as an arbitrator or mediator since neither activity is the practice of law.</i> --The Supreme Court of Virginia allows certification of non-lawyers as well as lawyers as mediators. See <i>Guidelines for the Training & Certification of Court-Referred Mediators</i>, Judicial Council of Virginia, November 1, 2017. Whether certified or not, a lawyer or non-lawyer serving as a mediator or arbitrator shall not give the parties legal advice. See <u>Va. Code § 8.01-581.26 (3)</u> (requiring mediator to inform parties at the outset of the mediation process that the mediator does not give legal advice). See also Pt. 6, § II, Rule 2.10 (Third Party Neutral), cmt. [3] and Rule 2.11 (Mediator) cmt. [7] (prohibiting a lawyer serving as a third party neutral or mediator from offering any of the parties legal advice as distinct from legal information or neutral evaluation); and <i>Standards of Ethics and Professional Responsibility for Certified Mediators</i>, Standard D.2 (1), adopted by Judicial Council of Virginia effective July 1, 2011.</p> <p>D. <i>Non-lawyer advocates in Social Security matters:</i> --The Social Security Act permits a non-lawyer to represent a third person in pursuing a Social Security claim. <u>42 U.S.C. § 406</u>. (a)(1) ("The Commissioner of Social Security may prescribe rules and regulations governing the recognition of agents or other persons, other than attorneys as hereinafter provided, representing claimants before the Commissioner of Social Security, and may require of such agents or other persons, before being recognized as representatives of claimants that they shall show that they are of good character and in good repute, possessed of the necessary qualifications to enable them to render such claimants valuable service, and otherwise competent to advise and assist such claimants in the presentation of their cases.")</p> <p>E. <i>Non-lawyer employees of a business or company:</i> --A non-lawyer employee of a corporation may permissibly draft legal documents, negotiate complex transactions, and perform other tasks for the employing organization, even if the task is typically performed by lawyers for the organization. Restatement (Third) of Law Governing Lawyers § 4. cmt. <i>e</i> (2000). By statute, lay employees may prepare certain pleadings and appear on behalf of their employer in a limited role in general district court. <u>Va. Code § 16.1-88.03</u>. Small businesses may appear <i>pro se</i> in general district court through one of its owners or officers if the claim does not exceed \$ 2500. <u>Va. Code § 16.1-81.1</u>. A nonlawyer officer or designated employee may represent his or her employer's interests in dispute resolution processes such as mediation or arbitration. UPL Op. 206 (2004). It is not the unauthorized practice of law for bank personnel</p>

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	<p>to prepare deeds of trust with the bank as sole beneficiary. UPL Op. 49 (1980); UPL Op. 109 (1988). In small claims court, an owner, a general partner, an officer or an employee of a corporate or partnership plaintiff or defendant may represent that corporation or partnership and shall have all the rights and privileges given an individual to represent, plead and try a case without an attorney. <u>Va. Code § 16.1-122.4.</u></p> <p>F. <i>Serving as lay advocate for parents and pro se representation in IDEA cases:</i> --Parents may represent their child in due process hearings and in federal court under the <u>IDEA. <i>Winkelman v. Parma City School Dist.</i>, 550 U.S. 516 (2007)</u> (IDEA allows parents to litigate their child's claim <i>pro se</i>); UPL Op. 187 (1996) (34 C.F.R. § 300.58 permits the aggrieved parents in IDEA hearings to be represented by counsel or a lay advocate, provided the lay advocate is a person having special knowledge or training concerning the problems of children with disabilities. Under the Virginia IDEA statutes, specifically § 22.1-214 (C), a party may be "represented by legal counselor other representative before such hearing officer without being in violation of the provisions of § 54.1-3904 [prohibition against unauthorized practice of law]." Virginia Department of Education regulations permit a party to be "accompanied and advised" by an advocate "without [a] violation of the provisions of <u>§ 54.1-3904 of the Code of Virginia as amended.</u>")</p> <p>G. <i>Trustee in a foreclosure sale -- statutory duties:</i> --Virginia law does not require that a lawyer serve as the trustee on a deed of trust and a non-lawyer is authorized to serve in this capacity. Virginia Code Section 55-58.1 requires only that a person named as trustee be a Virginia resident. Incident to the sale of property under a deed of trust, Va. Code § 55-59.4 requires the trustee to perform tasks and make judgments which undoubtedly require the exercise of legal knowledge, judgment and skill. Since the trustee is a party to the deed, the trustee is authorized to prepare this legal instrument. The trustee must also be aware that unpaid real estate tax, water and sewer liens on the subject property have priority over the deed of trust and the trustee is to pay these charges out of the foreclosure sale proceeds. <i>See</i> Va. Code § 55-59.4 ("Powers and duties of trustee in event of sale under or satisfaction of deed of trust"); <i>see</i> UPL Opinion 193 (1999) and UPL Op. 198 (2006) (activities of a business composed of non-lawyers and offering residential foreclosure services to mortgage lenders acting as trustees).</p> <p>H. <i>Representation of others before state and federal administrative agencies:</i> --Representing another before an administrative agency normally constitutes the practice of law. Regulation of the practice of law before administrative agencies is the responsibility of Congress or the Virginia General Assembly. Also, an agency's own rules or regulations may authorize a non-lawyer or foreign lawyer to represent a party before that agency. <i>See also</i>, UPL Op. 113 (1988) (on behalf of their employer a non-lawyer may participate in informal fact-finding hearing before state agencies as permitted by Virginia Administrative Procedures Act); UPL Op. 74 (1984) (Va. Code § 60.1-124.1 authorizes the appearance of a non-lawyer on behalf of another before the Virginia Employment Commission).</p> <p>Va. Sup. Ct. R. pt. 6, sec. II, 5.5 Rule 5.5. Unauthorized Practice of Law; Multijurisdictional Practice of Law</p> <p>A lawyer, law firm or professional corporation shall not employ in any capacity a lawyer whose license has been suspended or revoked for professional misconduct, during such period of suspension or revocation, if the disciplined lawyer was associated with such lawyer, law firm, or professional corporation at any time on or after the date of the acts which resulted in suspension or revocation.</p> <p>(b) A lawyer, law firm or professional corporation employing a lawyer as a consultant, law clerk, or legal assistant when that lawyer's license is suspended or revoked for professional misconduct shall not represent any client represented by the disciplined lawyer or by any lawyer with whom the disciplined lawyer practiced on or after the date of the acts which resulted in suspension or revocation.</p> <p>(c) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.</p> <p>(d) Foreign Lawyers: (1) "Foreign Lawyer" is a person authorized to practice law by the duly constituted and authorized</p>

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	<p>governmental body of any State or Territory of the United States or the District of Columbia, or a foreign nation, but is neither licensed by the Supreme Court of Virginia or authorized under its rules to practice law generally in the Commonwealth of Virginia, nor disbarred or suspended from practice in any jurisdiction.</p> <p>(2)A Foreign Lawyer shall not, except as authorized by these Rules or other law:</p> <p>(i)establish an office or other systematic and continuous presence in Virginia for the practice of law, which may occur even if the Foreign Lawyer is not physically present in Virginia; or</p> <p>(ii)hold out to the public or otherwise represent that the Foreign Lawyer is admitted to practice law in Virginia.</p> <p>(3)A Foreign Lawyer shall inform the client and interested third parties in writing:</p> <p>(i)that the lawyer is not admitted to practice law in Virginia;</p> <p>(ii)the jurisdiction(s) in which the lawyer is licensed to practice; and</p> <p>(iii)the lawyer's office address in the foreign jurisdiction.</p> <p>(4)A Foreign Lawyer may, after informing the client as required in 3(i)-(iii) above, provide legal services on a temporary and occasional basis in Virginia that:</p> <p>(i) are undertaken in association with a lawyer who is admitted to practice without limitation in Virginia or admitted under Part I of Rule 1A:5 of this Court and who actively participates in the matter;</p> <p>(ii)are in or reasonably related to a pending or potential proceeding before a tribunal in Virginia or another jurisdiction, if the Foreign Lawyer, or a person the Foreign Lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized;</p> <p>(iii) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in Virginia or another jurisdiction, if the services arise out of or are reasonably related to the Foreign Lawyer's practice in a jurisdiction in which the Foreign Lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or</p> <p>(iv) are not within paragraphs (4)(ii) or (4)(iii) and arise out of or are reasonably related to the representation of a client by the Foreign Lawyer in a jurisdiction in which the Foreign Lawyer is admitted to practice or, subject to the foregoing limitations, are governed primarily by international law.</p> <p>(5)A foreign legal consultant practicing under Rule 1A:7 of this Court and a corporate counsel registrant practicing under Part II of Rule 1A:5 of this Court are not authorized to practice under this rule.</p>
WASHINGTON	<p>Rev. Code Wash. (ARCW) § 2.48.180</p> <p>Definitions — Unlawful Practice a Crime — Cause for Discipline — Unprofessional Conduct — Defense — Injunction — Remedies — Costs — Attorneys' Fees — Time Limit for Action</p> <p>(1) As used in this section:</p> <p>(a) "Legal provider" means an active member in good standing of the state bar, and any other person authorized by the Washington state supreme court to engage in full or limited practice of law;</p> <p>(b) "Nonlawyer" means a person to whom the Washington supreme court has granted a limited authorization to practice law but who practices law outside that authorization, and a person who is not an active member in good standing of the state bar, including persons who are disbarred or</p>

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	<p>suspended from membership;</p> <p>(c) “Ownership interest” means the right to control the affairs of a business, or the right to share in the profits of a business, and includes a loan to the business when the interest on the loan is based upon the income of the business or the loan carries more than a commercially reasonable rate of interest.</p> <p>(2) The following constitutes unlawful practice of law:</p> <p>(a) A nonlawyer practices law, or holds himself or herself out as entitled to practice law;</p> <p>(b) A legal provider holds an investment or ownership interest in a business primarily engaged in the practice of law, knowing that a nonlawyer holds an investment or ownership interest in the business;</p> <p>(c) A nonlawyer knowingly holds an investment or ownership interest in a business primarily engaged in the practice of law;</p> <p>(d) A legal provider works for a business that is primarily engaged in the practice of law, knowing that a nonlawyer holds an investment or ownership interest in the business; or</p> <p>(e) A nonlawyer shares legal fees with a legal provider.</p> <p>(3)</p> <p>(a) Unlawful practice of law is a crime. A single violation of this section is a gross misdemeanor.</p> <p>(b) Each subsequent violation of this section, whether alleged in the same or in subsequent prosecutions, is a class C felony punishable according to chapter 9A.20 RCW.</p> <p>(4) Nothing contained in this section affects the power of the courts to grant injunctive or other equitable relief or to punish as for contempt.</p> <p>(5) Whenever a legal provider or a person licensed by the state in a business or profession is convicted, enjoined, or found liable for damages or a civil penalty or other equitable relief under this section, the plaintiff’s attorney shall provide written notification of the judgment to the appropriate regulatory or disciplinary body or agency.</p> <p>(6) A violation of this section is cause for discipline and constitutes unprofessional conduct that could result in any regulatory penalty provided by law, including refusal, revocation, or suspension of a business or professional license, or right or admission to practice. Conduct that constitutes a violation of this section is unprofessional conduct in violation of RCW 18.130.180.</p> <p>(7) In a proceeding under this section it is a defense if proven by the defendant by a preponderance of the evidence that, at the time of the offense, the conduct alleged was authorized by the rules of professional conduct or the admission to practice rules, or Washington business and professions licensing statutes or rules.</p> <p>(8) Independent of authority granted to the attorney general, the prosecuting attorney may petition the superior court for an injunction against a person who has violated this chapter. Remedies in an injunctive action brought by a prosecuting attorney are limited to an order enjoining, restraining, or preventing the doing of any act or practice that constitutes a violation of this chapter and imposing a civil penalty of up to five thousand dollars for each violation. The prevailing party in the action may, in the discretion of the court, recover its reasonable investigative costs and the costs of the action including a reasonable attorney’s fee. The degree of proof required in an action brought under this subsection is a preponderance of the evidence. An action under this subsection must be brought within three years after the violation of this chapter occurred.</p> <p>Rev. Code Wash. (ARCW) § 7.90.060 Sexual Assault Advocates</p> <p>Sexual assault advocates, as defined in RCW 5.60.060, shall be allowed to accompany the victim and confer with the victim, unless otherwise directed by the court. Court administrators shall allow sexual assault advocates to assist victims of nonconsensual sexual conduct or nonconsensual sexual penetration in the preparation of petitions for sexual assault protection orders. Sexual assault advocates are not engaged in the unauthorized practice of law when providing assistance of the types specified in this section. Communications between the petitioner and a sexual assault advocate are protected as provided by RCW 5.60.060.</p>

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WEST VIRGINIA	<p>W. Va. Rules of Prof'l Conduct R. 5.5 Unauthorized Practice of Law</p> <p>(a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.</p> <p>(b) A lawyer who is not admitted to practice in this jurisdiction shall not:</p> <ol style="list-style-type: none"> (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. <p>(c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter; (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; or (4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. <p>(d) A lawyer admitted in another United States jurisdiction or in a foreign jurisdiction, and not disbarred or suspended from practice in any jurisdiction or the equivalent thereof, may provide legal services through an office or other systematic and continuous presence in this jurisdiction that:</p> <ol style="list-style-type: none"> (1) are provided to the lawyer's employer or its organizational affiliates; are not services for which the forum requires pro hac vice admission; and, when performed by a foreign lawyer and requires advice on the law of this or another jurisdiction or of the United States, such advice shall be based upon the advice of a lawyer who is duly licensed and authorized by the jurisdiction to provide such advice; or (2) are services that the lawyer is authorized by federal or other law or rule to provide in this jurisdiction. <p>(e) For purposes of paragraph (d), the foreign lawyer must be a member in good standing of a recognized legal profession in a foreign jurisdiction, the members of which are admitted to practice as lawyers or counselors at law or the equivalent, and are subject to effective regulation and discipline by a duly constituted professional body or a public authority.</p> <p>(f) Before providing any legal services set forth in paragraph (c) or (d) a lawyer must make an affirmative disclosure to the client that the lawyer is not admitted to practice in West Virginia.</p> <p>W. Va. Definition of the Practice of Law</p> <p>In general, one is deemed to be practicing law whenever he or it furnishes to another advice or service under circumstances which imply the possession or use of legal knowledge and skill.</p> <p>More specifically but without purporting to formulate a precise and completely comprehensive definition of the practice of law or to prescribe limits to the scope of that activity, one is deemed to be practicing law whenever (1) one undertakes, with or without compensation and whether or not in connection with another activity, to advise another in any matter involving the application of legal principles to facts, purposes or desires; (2) one undertakes, with or without</p>

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	<p>compensation and whether or not in connection with another activity, to prepare for another legal instruments of any character; or (3) one undertakes, with or without compensation and whether or not in connection with another activity, to represent the interest of another before any judicial tribunal or officer, or to represent the interest of another before any executive or administrative tribunal, agency or officer otherwise than in the presentation of facts, figures or factual conclusions as distinguished from legal conclusions in respect to such facts and figures. Nothing in this paragraph shall be deemed to prohibit a lay person from appearing as agent before a justice of the peace or to prohibit a bona fide full-time lay employee from performing legal services for his regular employer (other than in connection with representation of his employer before any judicial, executive or administrative tribunal, agency or officer) in matters relating solely to the internal affairs of such employer, as distinguished from such services rendered to or for others.</p> <p>Domestic Violence and Civil Proceedings, Rule 7 (2014) Persons Allowed to be Present During Hearing; Unofficial Recording of Domestic Violence Civil Proceeding Prohibited</p> <p>(a) No person or domestic violence advocate accompanying a person who is seeking to file a petition is precluded from being present if his or her presence is desired by the person seeking a petition, W. Va. Code § 48-27-307, and no person or domestic violence advocate requested by a party to be present during a hearing on a petition for a protective order shall be precluded from being present unless such person is a witness in the proceeding and a motion for sequestration has been made and such motion has been granted. Any person or domestic violence advocate shall be permitted to sit with a party during the hearing. Any person or domestic violence advocate found by the court to be disruptive may be precluded from being present. W. Va. Code § 48-27-403(f). For purposes of this rule, a domestic violence advocate means an employee or representative of a licensed program for victims of domestic violence.</p> <p>(b) Rule 8 of the Rules of Practice and Procedure for Family Law shall govern the unofficial recording of domestic violence civil proceedings.</p>
WISCONSIN	<p>WI SCR 23.01 Definition of Practice of Law</p> <p>Preamble</p> <p>Every jurisdiction in the United States recognizes the inherent right of individuals to represent themselves in legal matters. In contrast, the privilege of representing others in our system is regulated by law for the protection of the public, to ensure that those who provide legal services to others are qualified to do so by education, training, and experience and that they are held accountable for errors, misrepresentations, and unethical practices. The following rules are promulgated by the Wisconsin Supreme Court pursuant to its inherent authority to define and regulate the practice of law in this state. The purpose of the rules is to protect the public from potential harm caused by the actions of nonlawyers engaging in the unauthorized practice of law. The practice of law in Wisconsin is the application of legal principles and judgment with regard to the circumstances or objectives of another entity or person(s) where there is a client relationship of trust or reliance and which require the knowledge, judgment, and skill of a person trained as a lawyer. The practice of law includes but is not limited to:</p> <ol style="list-style-type: none"> (1) Giving advice or counsel to others as to their legal rights or the legal rights or responsibilities of others for fees or other consideration. (2) Selection, drafting, or completion for another entity or person of legal documents or agreements which affect the legal rights of the other entity or person(s). (3) Representation of another entity or person(s) in a court, or in a formal administrative adjudicative proceeding or other formal dispute resolution process or in an administrative adjudicative proceeding in which legal pleadings are filed or a record is established as the basis for judicial review. (4) Negotiation of legal rights or responsibilities on behalf of another entity or person(s). (5) Any other activity determined to be the practice of law by the Wisconsin Supreme Court.

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WYOMING	<p>Wyo. Jud. Branch Rules Governing the Wyoming State Bar and the Authorized Practice of Law Rule 7 Unauthorized Practice of Law</p> <p>(a) The following persons are authorized to practice law in Wyoming:</p> <ol style="list-style-type: none"> (1) Members of the Wyoming State Bar, as more fully delineated and subject to the limitations set forth in the Bylaws of the Wyoming State Bar; (2) Attorneys who have been granted pro hac vice admission as provided in Rule 8, subject to the limitations set forth in that rule; (3) Law school clinic supervising attorneys meeting the qualifications of Rule 9, subject to the limitations set forth in that rule; (4) Law students meeting the qualifications of Rule 9, subject to the limitations set forth in that rule; and (5) Attorneys meeting the qualifications of Rule 5.5(d) of the Wyoming Rules of Professional Conduct, subject to the limitations set forth in that rule. <p>(b) "Practice law" means providing any legal service for any other person, firm or corporation, with or without compensation, or providing professional legal advice or services where there is a client relationship of trust or reliance, including appearing as an advocate in a representative capacity; drafting pleadings or other documents; or performing any act in a representative capacity in connection with a prospective or pending proceeding before any tribunal.</p> <p>(c) Whether or not they constitute the practice of law, the following are not prohibited:</p> <ol style="list-style-type: none"> (1) Financial institutions and their nonlawyer employees, licensed to do business in Wyoming, preparing and informing customers with respect to documents incidental to the regular course of business they are licensed to perform. (2) Acts historically performed by landmen relating to the lease, purchase, sale, or transfer of an oil, gas, mineral or mining interest or other interest incident to an oil, gas, mineral or mining interest in real property if: <ol style="list-style-type: none"> (A) the acts are performed by a landman who does not hold himself or herself out as an attorney licensed to practice law in Wyoming or another jurisdiction; (B) the acts are in conformance with regional best industry practice; and (C) the landman is not a member of the Wyoming State Bar. (3) Statutorily authorized acts by a real estate agent or broker licensed by the Wyoming Real Estate Commission. (4) Title insurance companies authorized to do business in the State of Wyoming and their licensed agents preparing certain documents that would normally involve the practice of law subject to the following: <ol style="list-style-type: none"> (A) The transaction arises in the lawful course of business for the title insurance company issuing title insurance. (B) In closing a real estate sale, title insurance companies and their licensed agents may only prepare closing statements and releases which do not affect judgment liens. (C) The documents shall be on standardized forms prepared by a licensed Wyoming lawyer. When using said forms, non-lawyers shall not insert or include text or other information that requires the knowledge, judgment, or skill of one trained as a licensed Wyoming lawyer. (D) No counsel or advice shall be given with respect to the meaning, validity, or legal effect of the document or regarding the rights and obligations of the parties. (5) Title insurance companies authorized to do business in the State of Wyoming and their licensed agents, real estate rental agencies, licensed real estate brokers and their affiliated licensees, and employees of such entities may prepare documents other than those specifically set forth above at the request of a lawyer duly authorized to practice law in the State of Wyoming provided, however, that the lawyer requesting the document shall be responsible for the content thereof as if he or she drafted the document. (6) Abstractors preparing or extending abstracts in compliance with <u>Wyo.Stat. Ann. § 33-2-101</u> without rendering opinions as to the character of a title. A title insurance company authorized to do business in the State of Wyoming, including its licensed agents, may review public records

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	<p>and specify any curative work or describe conditions which must be fulfilled before it will issue a title insurance policy in connection with a proposed real estate transaction, but may not render opinions, counsel, or advice to others regarding the marketability of status or titles.</p> <p>(7) Nonlawyers appearing as an advocate in a representative capacity before any body, board committee, or commission constituted by law, if that body, board, committee or commission has authorized such representation by federal statute, state statute, county, or city resolution or ordinance, federal administrative regulation, or state administrative regulation.</p> <p>(8) Nonlawyers serving in neutral capacities as mediators, arbitrators, conciliators, or facilitators.</p> <p>(9) Nonlawyers participating in labor negotiations, employee discipline hearings, employment grievances, arbitrations, mediations, or conciliations arising under collective bargaining rights or agreements or state or federal law, provided, however, that neither the Wyoming nor Federal Rules of Evidence apply.</p> <p>(10) Nonlawyers acting as lobbyists.</p> <p>(11) Nonlawyers selling legal forms in any format, so long as they do not advise or counsel another regarding the selection, use, or legal effect of the forms. Such forms shall clearly and conspicuously state that the forms are not a substitute for the advice of an attorney.</p> <p>(12) With respect to tax laws:</p> <p>(A) Nonlawyers preparing tax returns.</p> <p>(B) Nonlawyers representing other persons, entities, or organizations before the Internal Revenue Service or any other state or local taxing authority in Wyoming to the extent permitted by such agency or taxing authority.</p> <p>(C) Nonlawyers practicing before the U.S. Tax Court in conformity with its rules.</p> <p>(13) CPAs and members, associates or employees of CPA firms and persons working under the supervision of a CPA providing accounting, assurance, attest, tax, financial planning or consulting services for clients if such CPAs are licensed in accordance with the Wyoming Certified Public Accountants Act or are duly licensed in another state or jurisdiction and are authorized to practice in Wyoming under such law or rules.</p> <p>(14) Acts performed by duly licensed Professional Engineers and Professional Land Surveyors in accordance with applicable statutes and the Rules and Regulations of the Wyoming Board of Professional Engineers and Professional Land Surveyors.</p> <p>(15) Nonlawyers engaging in any other activity which the Supreme Court determines, upon the report and recommendation of the Committee on the Unauthorized Practice of Law, does not constitute the unauthorized practice of law.</p> <p>(d) Any person may act pro se in a matter in which that person is a party.</p>