

**REAUTHORIZATION OF PROHIBITIONS ON PRACTICING
LAW WITHOUT A LICENSE**

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott K. Jenkins

House Sponsor: James A. Dunnigan

LONG TITLE

General Description:

This bill reinstates provisions prohibiting the unauthorized practice of law.

Highlighted Provisions:

This bill:

- ▶ reinstates provisions that prohibit the unauthorized practice of law that were inadvertently removed due to technical effective date requirements; and
- ▶ makes nonsubstantive grammatical modifications to the previously enacted language.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

78A-9-103, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78A-9-103** is enacted to read:

78A-9-103. Practicing law without a license prohibited -- Exceptions.



28 (1) Unless otherwise provided by law, an individual may not practice law or assume to
29 act or hold himself or herself out to the public as an individual qualified to practice law within
30 this state if that individual:

31 (a) is not admitted and licensed to practice law within this state;

32 (b) has been disbarred or suspended from the practice of law; or

33 (c) is prohibited from practicing law by court order entered pursuant to the courts'
34 inherent powers or published court rule.

35 (2) The prohibition against the practice of law described in Subsection (1) shall be
36 enforced by any civil action or proceeding instituted by the Board of Commissioners of the
37 Utah State Bar.

38 (3) Nothing in this section prohibits an individual from personally and fully
39 representing that individual's own interests in a cause to which that individual is a party in the
40 individual's own right and not as an assignee.

Legislative Review Note
as of 1-9-13 3:07 PM

Office of Legislative Research and General Counsel