

# HOUSE . . . . No. 607

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By Mr. Curtis of Boston, petition of the Bar Association of the City of Boston for legislation relative to unauthorized practice of law. Legal Affairs.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Thirty-Four.

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An Act relative to the Unauthorized Practice of Law.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section forty-one of chapter two hun-  
2 dred and twenty-one of the General Laws is hereby  
3 amended by adding after the words "at law", in the  
4 sixth line, the words: — practices law, or, — so that  
5 said section forty-one shall read as follows:— *Sec-*  
6 *tion 41.* Whoever has been so removed and continues  
7 thereafter to practice law or to receive any fee for  
8 his services as an attorney at law rendered after such  
9 removal, or who holds himself out, or who represents  
10 or advertises himself as an attorney or counsellor at  
11 law, or whoever, not having been lawfully admitted  
12 to practice as an attorney at law, practices law, or  
13 represents himself to be an attorney or counsellor at  
14 law, or to be lawfully qualified to practice in the courts  
15 of the commonwealth, by means of a sign, business  
16 card, letter head or otherwise, or holds himself out

17 or represents or advertises himself as having authority  
18 or power in behalf of persons who have claims for  
19 damages to procure settlements of such claims for  
20 damages either to person or property, or whoever,  
21 not being an attorney at law, solicits or procures  
22 from any such person or his representative, either  
23 for himself or another, the management or control  
24 of any such claim, or authority to adjust or bring  
25 suit to recover for the same, or solicits for himself or  
26 another from a person accused of crime or his repre-  
27 sentative the right to defend the accused person,  
28 shall be punished for a first offence by a fine of not  
29 more than one hundred dollars or by imprisonment  
30 for not more than six months, and for a subsequent  
31 offence by a fine of not more than five hundred dol-  
32 lars or by imprisonment for not more than one year.

1 SECTION 2. Chapter two hundred and twenty-one  
2 of the General Laws is hereby further amended by  
3 inserting after section forty-one the following new  
4 section:—

5 *Section 41A.* Nothing in sections forty-one, forty-  
6 six or forty-seven of chapter two hundred and twenty-  
7 one of the General Laws shall be construed as a limi-  
8 tation upon the courts of this commonwealth in the  
9 exercise of their power to decide what acts constitute  
10 the practice of law, or as a limitation upon their power  
11 to enjoin and punish as a contempt of court unlawful  
12 practice of the law.

1 SECTION 3. Section forty-nine of chapter two hun-  
2 dred and twenty-one of the General Laws is hereby  
3 repealed.