

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

3 2013 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Scott K. Jenkins**

6 House Sponsor: James A. Dunnigan

8 **LONG TITLE**

9 **General Description:**

10 This bill reinstates provisions prohibiting the unauthorized practice of law.

11 **Highlighted Provisions:**

12 This bill:

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

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 ENACTS:

23 **78A-9-103**, Utah Code Annotated 1953

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

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

27 **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.