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Minutes of a Meeting of Unlawful Practice of Law Committee of Denver Bar Association

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**MINUTES OF A MEETING OF UNLAWFUL PRACTICE
OF LAW COMMITTEE OF DENVER BAR
ASSOCIATION**

A meeting of the Unlawful Practice of the Law Committee of the Denver Bar Association was held at the office of Jacob V. Schaetzel, chairman of the committee, at four o'clock P. M. on September 17, 1935.

Members of the committee present were: Thomas Woodrow, John Zanoni, Gail L. Ireland, Jacob V. Schaetzel.

The report of Gail L. Ireland on unauthorized practice of law before the Justice of the Peace Courts was received. Mr. Ireland gave a splendid report, and, after hearing it, the following resolution was unanimously adopted:

"RESOLVED, that proper action be commenced against any person who unlawfully appears as an attorney in any action commenced before a Justice of the Peace in Denver, Colorado."

Mr. John Zanoni gave a report on the filing of corporation papers, and stated that the office of the Secretary of State was being changed around and that it was very difficult to get the statistics which our committee desires before taking action on any unauthorized practice. Mr. Zanoni stated that the Secretary of State has promised to co-operate to the fullest extent, and also stated that between 85% and 90% of the corporation papers now being filed were not filed by attorneys and that on account of the lack of knowledge of the law, the efficiency of the office of the Secretary of State was impaired, owing to the fact that they had to go over these papers so very carefully, and the Secretary of State thought it would be much better if only attorneys prepared these papers.

A brief, general discussion was had as to the preparation of estate papers by Clerks of the County Court, and other matters of interest.

The Committee adjourned at 5:30 P. M., to be called again at the next meeting by the chairman.

JACOB V. SCHAETZEL, *Chairman.*

MASSACHUSETTS TAKES ACTION TO STOP UNLAWFUL PRACTICE

(Unauthorized Practice News, Am. Bar Assn., September, 1935)

Attorney General Dever of Massachusetts will prosecute more than 100 persons, collection agencies, automobile road service companies and corporations charged with illegal practice of the law, according to a featured story appearing in the Boston Herald on August 30, 1935. The prosecutions will be the result of a sweeping two months' investigation under the direct supervision of Assistant Attorney General Maurice M. Goldman which revealed, it is alleged, that more than \$1,000,000 annually was being taken from the public by those practicing law illegally. Furthermore, the investigation is said to have revealed that for the most part the low-salaried people were contributing the major part of this annual tribute.

The effects of this investigation alone have been tremendous, according to the newspaper story.

"Alarmed by the investigation, half the collection agencies of the state have gone out of business in Massachusetts since the attorney-general's investigation began. In the same time, 13 of 25 automobile road service companies operating in the state have withdrawn from business and others have been sharply warned to cease giving legal advice or attempting to act in a legal capacity for clients.

"Last January the state supreme court declared that bonding of collection agencies or anyone else to practice law is unconstitutional. The Legislature repealed the statute allowing the companies to be bonded and stipulated that only lawyers and not persons or corporations may practice law."

Assistant Attorney General Goldman was quoted as saying:

"Our investigation shows the brazen activities of hundreds of collection agencies in recent years have been nothing short of amazing. They have been collecting more than \$1,000,000 a year in fake charges and costs which they have saddled on to the back of debtors, chiefly among low salaried people.

"In some instances constables have been working in co-operation with these racket collection agencies. In other cases they simply hand a man a badge with which to go out and hound people and scare them into paying not only their legitimate bills but exorbitant fees.

"All sorts of rackets have been going on, sometimes with the connivance of shyster lawyers in connection with the automobile roadside service companies. Their proper function is towing disabled automobiles, repairing tires and the like.

"But in recent years they have been offering all sorts of fancy services, including legal and medical service. For a nominal fee, they offer not only to provide service on the road but to give legal advice and free medical treatment in case of injury.

"Some of the road service companies have been used by unscrupulous shyster lawyers as ambulance chasing vehicles. When legal advice has been sought in accidents, the cases have been turned over in batches to these ambulance chasers, immeasurably increasing the number of fake claims which have burdened the courts and insurance companies.

"There is no place in this state for collection agencies and this department is determined to eliminate them because they have no right to operate.

"Not only the illegal operations of collection agencies but the unauthorized practice of law by laymen and corporations is going to be stopped."

The prosecution of these illegal practitioners revealed by the investigation is scheduled to begin immediately in the Suffolk and Middlesex superior courts.

LOS ANGELES SPEECHES AVAILABLE

The speeches delivered in Los Angeles at the open meeting of the Committee on Unauthorized Practice of the Law of the American Bar Association have been mimeographed and are available on request at the Association headquarters, 1140 North Dearborn Street, Chicago. The following addresses are included:

(a) Legal Service Rendered by Laymen or Lay Agencies Exclusively to Lawyers.—Andrew D. Christian, Richmond, Virginia.

(b) Practice Before Justices of the Peace and Police Magistrates.—Burdette B. Webster, Baltimore, Maryland.

(c) Practice of Notaries Public, Real Estate Agents, Real Estate Brokers and the Like.—John R. Snively, Rockford, Illinois.

(d) Participation by Lawyers in Unlawful Practice of the Law and Their Discipline for Such Participation.—Stanley B. Houck, Minneapolis, Minnesota.