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Unauthorized Practice

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UNAUTHORIZED PRACTICE

The important point in the Bar Association's program to invoke Judicial and Legislative interference with the practice of law by those not duly qualified and licensed to practice lies in the fact that the public welfare demands that lawyers take these steps.

It is quite true that, in certain individual cases, practicing lawyers are deprived of legal business because those not qualified or licensed to practice do legal work. The general result, however, is to create more business. The profession, as a whole, therefore, would not suffer from the invasion into their field in this way.

There is, nevertheless, a direct manner in which the individual lawyer, and the profession generally, is affected. It has been recognized that the best interests of society can only be maintained through an independent Bar and Judiciary. That independence will be destroyed, without doubt, the moment the free and unhampered solicitation of legal business is permitted; and one of the first effects of the unauthorized practice of law is to unloose upon the public the merchandising methods of the counting room and the commercial enterprise.

Permit the unauthorized practice to continue, and the open solicitation of business would grow with every advance in modern propaganda. Lawyers, themselves, would be required to imitate their unauthorized competitors, and the whole profession would become entangled in a web of lay organizations and associations.

Surely, the public can be brought to realize that such involvements, such resulting secret alliances, could only interfere and prevent the proper handling of clients' legal difficulties, and would, ultimately, impede and discredit the administration of justice.