



1930

President's Page

Fred J. Traynor

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BAR BRIEFS

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—By—

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PRESIDENT'S PAGE

Unlawful practice of law is a topic that is engaging the attention of bar associations all over the United States. The American Bar Association has a special committee making an investigation thereof and will soon make an exhaustive report with recommendations. Many state associations are likewise making a study of the matter.

Last winter I appointed a committee for that purpose with instructions to report at our annual meeting at Jamestown on August 18th and 19th. The committee, headed by John O. Hanchett, Vice-President, has devoted a great deal of time and thought to this subject. Its report and recommendations will be of vital interest to the bar and the public.

Recently this committee made a complaint to the United States District Attorney against a party, not a lawyer, using a fake form of summons and sending it through the mails in order to force collections. This resulted in the arrest of the party and prosecution is now pending.

Many banks, trust companies, real estate men and insurance agents, whether they realize it or not, are practicing law unlawfully. The North Dakota Bankers' Association has a published schedule of charges for services including many forms of legal papers. Some banks and trust companies send out leaflets and put advertisements in the newspapers soliciting the management of estates and inviting the public to come to them for consultation and advice. These consultations necessarily involve advice regarding legal matters. True, some of them suggest that the client employ his own lawyer to draw his will and that the trust company as executors will employ that lawyer to probate the estate. But the net effect of the advertising is to get the client to the trust office rather than to the lawyer's office and here legal services are rendered by laymen. The public interest requires that this practice be properly controlled.—Fred J. Traynor, President.