

UNAUTHORIZED PRACTICE OF LAW COMMITTEE
PURPOSE AND SCOPE

The committee is charged with investigating all reported allegations of unauthorized practice of law throughout the State of Alabama, and stopping the proliferation of the unauthorized practice of law throughout the State of Alabama.

The committee shall review the previously approved UPL Criminalization Act and recommend any legislative proposals it deems appropriate to strengthen the current UPL laws.

The committee will review all complaints alleging the unauthorized practice of law and, in cooperation with the Office of General Counsel of the Alabama State Bar, make recommendations to the Board of Bar Commissioners concerning such incidents.

The committee may also initiate on its own a review of situations where activities may questionably constitute an unauthorized practice. This committee is further charged with reviewing any proposed legislation that may encroach upon the practice of law. The committee is divided into geographical subcommittees to facilitate its work. It is anticipated that the chairperson and staff liaisons will meet with the geographical subcommittees in different areas of the state to handle problems occurring in those areas. Meetings of the whole committee should become less necessary but the committee as a whole should review and approve actions taken by the subcommittees. At the end of this year, the chairperson should evaluate this geographical means of conducting business and make a recommendation of whether or not to continue it.

The committee should provide to the Board of Bar Commissioners a written plan for the enforcement of cease and desist agreements. Careful consideration should be given to ways to involve the assistance of the Attorney General's Office since, with the proliferation of home computers, a unique problem has arisen. The chair shall appoint a subcommittee to recommend how the state bar shall handle the many complaints it receives involving the use of the internet as a means of practicing law in Alabama and in other jurisdictions without a license.

The committee is encouraged to solicit the assistance of local UPL committees in cities where they exist, and to develop procedures whereby the local UPL committees can assist this committee in the investigation of UPL complaints. The committee should increase its efforts to assist the various district attorneys' offices and the Attorney General's Office to pursue criminal charges against persistent offenders, and make their recommendations, as formulated, known to the Board of Bar Commissioners from time to time. The committee should look for ways to encourage or require the Attorney General to assign prosecutors statewide to handle these UPL claims. The committee, acting through the Board of Bar Commissioners, should look for ways to enforce the cease and desist orders issued by the Alabama State Bar.

The committee shall elect from its membership a secretary who shall be responsible for maintaining a written record of its actions. The secretary, or a designee, shall keep minutes of all meetings of the committee, or any subcommittee. The original of the minutes will be filed with the Alabama State Bar within 14 days after each meeting, to be made a part of the committee's permanent file.

The committee will divide itself into such subcommittees as may be necessary to effectively carry out its functions. The chairperson shall appoint sub-chairs for each subcommittee. The committee and subcommittees should meet at the call of the chairperson or sub-chair, provided, however, that the committee as a whole should meet no less than two times during the year.

The Alabama State Bar, through its designated staff liaisons, will assist the committee in carrying out its purpose. To this end, the chairperson is requested to consult the staff liaisons when scheduling meetings. On three weeks' notice, the committee may conduct its meetings at bar headquarters.

Done this 2nd day of August, 2023.

A handwritten signature in black ink, reading "Brannon J. Buck". The signature is written in a cursive style with a large initial "B".

Brannon J. Buck, President
Alabama State Bar