

MAR 5 1967

STATE GOVERNMENT

HOUSE FILE 464  
BY CARROLL

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act establishing an unauthorized practice of law commission.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 464

1 Section 1. NEW SECTION. 602.10151 UNAUTHORIZED PRACTICE  
2 OF LAW COMMISSION.

3 1. A commission for the abatement of the unauthorized  
4 practice of law is created within the supreme court.

5 2. The unauthorized practice of law commission shall  
6 consist of seven members, five of whom shall not be attorneys,  
7 appointed by the supreme court. Of the seven members, three  
8 shall be members of a consumer protection association, two  
9 members shall represent the general public, one member shall  
10 be from the consumer protection division of the office of the  
11 attorney general, and one member shall be from the  
12 professional licensing and regulation division of the  
13 department of commerce. The members shall serve staggered  
14 five-year terms and shall designate one of its members  
15 annually to be the presiding officer.

16 Sec. 2. NEW SECTION. 602.10152 COMMISSION AUTHORITY.

17 1. The unauthorized practice of law commission shall have  
18 the exclusive authority to receive complaints, make  
19 investigations, and issue decisions with respect to the  
20 alleged unauthorized practice of law within this state.

21 2. The commission shall have the authority to investigate  
22 a complaint, hold hearings, and receive evidence concerning a  
23 complaint and, upon completion, render a decision dismissing  
24 the complaint, admonishing or reprimanding a person for  
25 engaging in the unauthorized practice of law, or referring the  
26 complaint to the supreme court for consideration.

27 Sec. 3. NEW SECTION. 602.10153 RULES.

28 The supreme court shall prescribe rules for the operation  
29 and procedure of the commission. The rules shall include  
30 provisions concerning the confidentiality of information  
31 received by the commission and immunity from suit for members  
32 and staff for any conduct in the course of their official  
33 duties.

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#### EXPLANATION

35 This bill establishes an unauthorized practice of law

1 commission and vests the commission with the exclusive  
2 authority to receive complaints, investigate, hold hearings,  
3 and render decisions concerning the unauthorized practice of  
4 law. The bill provides that the commission shall consist of  
5 seven members, five of whom shall be nonlawyers, appointed by  
6 the supreme court for a five-year term. The bill provides  
7 that of the seven members, three shall be from consumer  
8 organizations, one from the attorney general's office, one  
9 from the professional licensing division of the department of  
10 commerce, and two from the general public. The bill provides  
11 that the supreme court shall prescribe rules for the operation  
12 and procedure of the commission and that the rules shall  
13 contain confidentiality and immunity provisions. This bill  
14 would supersede the unauthorized practice commission  
15 established pursuant to court rule 118A.

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