1	State of Arkansas	As Engrossed: S2/27/97 H3/14/97 H4/1/97		
2	81st General Assembly	A Bill	ACT 1301 OF 1997	
3	Regular Session, 1997		SENATE BILL 433	
4				
5	By: Senators Gordon, Beebe, and Harr	iman		
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8		For An Act To Be Entitled		
9	"AN ACT TO DEFIN	NE THE UNAUTHORIZED PRACTICE OF LAW AN	ND SET	
10	PENALTIES; AND E	FOR OTHER PURPOSES."		
11				
12		Subtitle		
13	"TO DI	EFINE THE UNAUTHORIZED PRACTICE OF		
14	LAW AI	ND SET PENALTIES"		
15				
16	BE IT ENACTED BY THE GE	NERAL ASSEMBLY OF THE STATE OF ARKANS	SAS:	
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18	SECTION 1. Unaut	chorized practice of law.		
19	(a) A person commits an offense if, with intent to obtain a direct			
20	economic benefit for hi	mself or herself, the person:		
21	(1) contrac	ets with any person to represent that	person with regard	
22	to personal causes of a	action for property damages or persona	ıl injury;	
23	(2) advise	es any person as to the persons rights	s and the	
24	advisability of making	claims for personal injuries or prope	erty damages;	
25	(3) advise	es any person as to whether or not to	accept an offered	
26	sum of money in settlem	ment of claims for personal injuries o	or property	
27	damages;			
28	(4) enters	s into any contract with another perso	n to represent	
29	that person in personal injury or property damage matters on a contingent fee			
30	basis with an attempted	assignment of a portion of the perso	ons cause of	
31	action;			
32	(5) enters	s into any contract, except a contract	of insurance,	
33	with a third person whi	ch purports to grant the exclusive ri	ght to select and	
34	retain legal counsel to represent the individual in any legal proceeding; or			
35	(6) contac	ts any person by telephone or in pers	son for the purpose	
36	of soliciting business which is legal in nature, as set forth above.			

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1	(b) This section does not apply to a person currently licensed to		
2	practice law in this state, another state, or a foreign country and in good		
3	standing with the State Bar of Arkansas and the state bar or licensing		
4	authority of any and all other states and foreign countries where licensed.		
5	(c) Except as provided by subsection (d) of this section, an offense		
6	under subsection (a) of this section is a Class A misdemeanor.		
7	(d) An offense under subsection (a) of this section is a Class D felony		
8	if it is shown on the trial of the offense that the defendant has previously		
9	been convicted under subsection (a) of this section.		
10	(e) This section shall not apply to a person who is licensed as an		
11	adjuster or employed as an adjuster by an insurer as authorized by Arkansas		
12	Code Annotated 8 23-64-101.		
13			
14	SECTION 2. All provisions of this act of a general and permanent nature		
15	are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code		
16	Revision Commission shall incorporate the same in the Code.		
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18	SECTION 3. If any provision of this act or the application thereof to		
19	any person or circumstance is held invalid, such invalidity shall not affect		
20	other provisions or applications of the act which can be given effect without		
21	the invalid provision or application, and to this end the provisions of this		
22	act are declared to be severable.		
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24	SECTION 4. All laws and parts of laws in conflict with this act are		
25	hereby repealed.		
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27	/s/Gordon et al		
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29	APPROVED: 4-10-97		
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