

KENTUCKY BAR ASSOCIATION
Unauthorized Practice of Law Opinion KBA U-51
Issued: June 1997

Question: Does a person, firm, partnership, corporation or other entity engage in the unauthorized practice of law when, not being an attorney licensed to practice law in the Commonwealth of Kentucky, said entity on behalf of another, and in an attempt to collect a debt, implies that the entity is an attorney and threaten litigation?

Answer: Yes.

References: KBA U-13; SCR 3.020

OPINION

SCR 3.020 provides:

The practice of law is any service rendered involving legal knowledge or legal advice, whether of representation, counsel or advocacy in or out of court, rendered in respect to the rights, duties, obligations, liabilities, or business relations of one requiring the services....

A similar issue has been addressed by the Bar Association in KBA U-13.

Note to Reader

This unauthorized practice opinion has been formally adopted by the Board of Governors of the Kentucky Bar Association under the provisions of Kentucky Supreme Court Rule 3.530 (or its predecessor rule). Note that the Rule provides in part: "Both informal and formal opinions shall be advisory only."