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Unauthorized Practice of Law

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UNAUTHORIZED PRACTICE OF LAW

A number of questions relating to the unauthorized practice of law are being presented to the courts in Ohio, Illinois, Michigan, Missouri, Virginia and Indiana.

Toledo Bar Association v. Toledo Creditors Association is a suit pending in the federal district court for the northern district of Ohio raising the question of the right of a Creditors Association to solicit bankruptcy claims.

People ex rel. Chicago Bar Association v. Albert Goodman is a suit pending in the Supreme Court of Illinois asking for an injunction to restrain a layman claim adjustor from soliciting claims of injured workmen, making decisions concerning the application of the Workmen's Compensation Act, preparing documents, conducting client's cause on trial and on appeal under the act.

The Detroit Bar Association v. Union Guardian Trust Company (two companion cases) raises the question of the right of a corporate fiduciary to prepare wills and trusts, to retain lawyers to draft such instruments; to render ordinary and incidental service in probate matters. The Circuit Court has enjoined the defendant trust company from engaging in the above actions, including engaging in all probate matters except they be ordinary and incidental. The case is on appeal in the Supreme Court.

Attorney General McKittrick v. Corporation Trust Company, pending in the Supreme Court of Missouri is a suit to test the right of corporation service companies to render services to attorneys concerning incorporating and qualifying corporations in other states and the right to represent foreign corporations. *Attorney General McKittrick v. C. S. Dudley* is also pending in the Supreme Court of Missouri and is a quo warranto proceeding to test the rights of collection agencies to do acts which constitute the practice of law and to oust the defendant for so doing.

Bar Association of the City of Richmond v. Richmond Association of Credit Men, Inc., is also a suit to test the right of collection agencies to forward claims to lawyers and to share in lawyers' fees. An injunction has been granted by the Law and Equity Court of the City of Richmond. The defendant has petitioned for an appeal to the Supreme Court.

Indianapolis Bar Association v. Fletcher Trust Company is a suit pending in the Supreme Court of Indiana to test the right of the defendant to draw wills and contracts, give legal advice and generally to do any acts which constitute the practice of law.

LOCAL BAR ASSOCIATIONS

The Delaware County Bar Association held a dinner meeting on November 7 in Muncie at which they were hosts to many lawyers from neighboring counties. About 100 lawyers attended. Judge Walter E. Treanor spoke on "The Tools of the Lawyer."

The St. Joseph County Bar Association has elected the following officers for the next year: Vitus G. Jones, South Bend, President; Charles W. Bingham, Mishawaka, Vice-President; Albert T. Frantz, South Bend, Secretary-Treasurer; and M. Edward Doran, South Bend, Board of Governors.

Congressman William T. Schulte of the First Indiana District spoke at the Gary Bar Association meeting, October 24.

Mr. Leonard Keeler, Professor of Law at Northwestern University and inventor of the "lie-detector," addressed the Allen County Bar Association on October 30. His subject was "Scientific Crime Detection with Particular Emphasis on the Lie-detector." The officers of the Allen County Bar for the coming year will be C. Byron Hayes, President; Howard L. Townsend, First Vice-President; Dan C. Flanagan, Second Vice-President; Harold R. McClain, Secretary; Lake E. Rariden, Treasurer; Wm. J. Vesey, and Otto E. Grant, Trustees.

Former Senator Arthur R. Robinson was the principal speaker at the Indianapolis Bar Association, November 6. The officers of the Indianapolis Bar Association for next year will be Hubert Hickam, President; Russell Willson, First Vice-President; Taylor Groninger, Second Vice-President; William C. Kern, Secretary; Harvey Grabill, Treasurer; John A. Royse and Herman W. Kothe, members of the Executive Committee; and Maurice E. Tennant, William S. McMaster, Gideon W. Blain and G. R. Redding, members of the Committee on Admissions.

The Terre Haute Bar Association at its smoker in Terre Haute, November 21, discussed "Changes in the Criminal Law." Discussion was a round table discussion by members of the Association.