

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

SENATE BILL 300

5 By: Senator R. Thompson  
6

## For An Act To Be Entitled

8 AN ACT TO ALLOW NON-PROFIT AND PUBLIC INTEREST  
9 CORPORATIONS AND ASSOCIATIONS TO REPRESENT INDIVIDUAL  
10 PERSONS; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 TO ALLOW NON-PROFIT AND PUBLIC INTEREST  
14 CORPORATIONS AND ASSOCIATIONS TO  
15 REPRESENT INDIVIDUAL PERSONS.  
16  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. Arkansas Code 16-22-211 amended to read as follows:

22 16-22-211. Corporations or associations – Practice of law or  
23 solicitation prohibited – Exceptions – Penalty.

24 (a) It shall be unlawful for any corporation or voluntary association  
25 to practice or appear as an attorney at law for any person in any court in  
26 this state or before any judicial body, to make it a business to practice as  
27 an attorney at law for any person in any of the courts, to hold itself out to  
28 the public as being entitled to practice law, to tender or furnish legal  
29 services or advice, to furnish attorneys or counsel, to render legal services  
30 of any kind in actions or proceedings of any nature or in any other way or  
31 manner, or in any other manner to assume to be entitled to practice law or to  
32 assume or advertise the title of lawyer or attorney, attorney at law, or  
33 equivalent terms in any language in such a manner as to convey the impression  
34 that it is entitled to practice law or to furnish legal advice, service, or  
35 counsel or to advertise that either alone or together with or by or through  
36 any person, whether a duly and regularly admitted attorney at law or not, it



1 has, owns, conducts, or maintains a law office or any office for the practice  
2 of law or for furnishing legal advice, services, or counsel.

3 (b) It also shall be unlawful for any corporation or voluntary  
4 association to solicit itself by or through its officers, agents, or  
5 employees any claim or demand for the purpose of bringing an action thereon  
6 or of representing as attorney at law or for furnishing legal advice,  
7 services, or counsel to a person sued or about to be sued in any action or  
8 proceeding or against whom an action or proceeding has been or is about to be  
9 brought, or who may be affected by any action or proceeding that has been or  
10 may be instituted in any court or before any judicial body, or for the  
11 purpose of so representing any person in the pursuit of any civil remedy.

12 (c) The fact that any officer, trustee, director, agent, or employee  
13 shall be a duly and regularly admitted attorney at law shall not be held to  
14 permit or allow any such corporation or voluntary association to do the acts  
15 prohibited in this section nor shall that fact be a defense upon the trial of  
16 any of the persons mentioned for a violation of the provisions of this  
17 section.

18 (d) This section shall not apply to a:

19 (1) For-profit corporation or voluntary association lawfully  
20 engaged in:

21 (A) ~~the~~ The examination and insuring of titles to real  
22 property; ~~or~~

23 (B) ~~nor shall it prohibit a corporation or a voluntary~~  
24 ~~association from employing~~ Employing an attorney or attorneys in and about  
25 its own immediate affairs or in any litigation to which it is or may become a  
26 party; ~~or~~

27 (2) A nonprofit corporation or voluntary association lawfully  
28 engaged in representing or assisting an indigent, poor, or disadvantaged  
29 person as a client in a civil or criminal matter.

30 (e)(1) Nothing contained in this section shall be construed to prevent  
31 a corporation from furnishing to any person lawfully engaged in the practice  
32 of law such information or such clerical services in and about his or her  
33 professional work as may be lawful, except for the provisions of this  
34 section, ~~may be lawful~~ if at all times the lawyer receiving such information  
35 or such services shall maintain full professional and direct responsibility  
36 to his or her clients for the information and services so received.

