
A BILL FOR AN ACT

RELATING TO THE UNAUTHORIZED PRACTICE OF LAW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 605, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§605- Unauthorized practice of law by unlicensed
5 attorney; prohibited. (a) An attorney not licensed or
6 authorized to practice law in the State violates section 605-14
7 when the attorney provides legal services to or for a person in
8 the State.

9 (b) For purposes of this section, "legal services" include
10 any and all acts requiring the use of any degree of legal
11 knowledge, skill, or advocacy that a person who is licensed or
12 authorized to practice law in the State by the supreme court,
13 under section 605-1, has been trained and is permitted to
14 perform, including, but not limited to, appearing in the courts
15 of the State, giving legal advice, drafting pleadings, preparing
16 for or conducting discovery, and evaluating and valuing claims
17 against legal standards and precedent.



(c) This section shall not apply to an attorney providing legal services to an organization in another jurisdiction as in-house counsel or to an affiliated entity or employee of that organization in the State."

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

Guthrie Thelen

JAN 23 2015



H.B. NO. 351

Report Title:

Unauthorized Practice of Law

Description:

Clarifies that an unlicensed attorney commits the unauthorized practice of law by providing legal services and assessing a fee or being paid for those legal services.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

