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Opposition Opinion: Senate Bill 829

Reasons for opposition:

“The requirements for admission to the bar are to protect members of the public, clients and the courts. ‘The ultimate purpose of all regulations of the admission of attorneys is to assure the courts the assistance of advocates of ability, learning and sound character and to protect the public from incompetent and dishonest practitioners’” *King v. Guilliani, 9 Conn. L. Rptr. 527, 530 (Super. Ct. 1993) [quoting Resonthal v. State Bar Examining Comm., 116 Conn. 409, 415, 165 A. 211, 213 (1933)].*

This bill seeks to strip away the protection that courts have again and again noted to be present from the requirements of our current law. The bill will allow governmental corporations to be represented by anyone; and the people chosen would have no ethical obligation in respect to their conduct.

“The law does not treat individuals and corporations equally. The law allows an individual to bear the risk that representation without an attorney may entail. Natural persons may represent themselves in situations which, if done for someone else, would constitute the practice of law. Clark v. Austin, 340 Mo. 467, 101 S.W.2d 977, 982 (1937). Unlike individuals, corporations are not natural persons, Clark v. Austin, 340 Mo. 467, 101 S.W.2d at 982, but are creatures of statute. Businesses operating in corporate form are entitled to certain benefits that are denied to others. In addition to benefits, however, corporations also have certain restrictions placed upon them. One such restriction in Missouri is that a corporation may not represent itself in legal matters, but must act solely through licensed attorneys. Liberty Mut. Ins. Co. v. Jones, 130 S.W.2d at 955. In Clark v. Austin, 101 S.W.2d at 982..” *Majorie Reed v. Labor and Industrial Relations Commission and K-Mart Corporation, 789 S.W.2d 19 (1990), Supreme Court of Missouri.*

I would oppose creating different classes of corporations; ones that need to be represented by a licensed attorney and ones that do not.

The changes proposed would lead to widespread abuse. I oppose.

