

18 Pa.C.S.A. § 2524. Penalty for unauthorized practice of law.

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(a) General rule.--Except as provided in subsection (b), any person, including, but not limited to, a paralegal or legal assistant, who within this Commonwealth shall practice law, or who shall hold himself out to the public as being entitled to practice law, or use or advertise the title of lawyer, attorney at law, attorney and counselor at law, counselor, or the equivalent in any language, in such a manner as to convey the impression that he is a practitioner of the law of any jurisdiction, without being an attorney at law or a corporation complying with 15 Pa.C.S. Ch. 29 (relating to professional corporations), commits a misdemeanor of the third degree upon a first violation. A second or subsequent violation of this subsection constitutes a misdemeanor of the first degree.

(b) Practice by associations.--

(1) An association does not violate subsection (a) if it provides legal services only through officers, employees or agents who are duly admitted to practice law. The association may employ persons not admitted to practice law, but those persons shall not render any legal services rendered or to be rendered by the association.

(2) This subsection shall not be interpreted to preclude the use of clerks, secretaries, administrators, bookkeepers, technicians and other assistants who are not usually and ordinarily considered by law, custom and practice to be rendering legal services nor to preclude the use of any other person who performs all his employment under the direct supervision and control of a person duly admitted to practice law. A person shall not, under the guise of employment, render legal services unless duly admitted to practice law.

(3) Notwithstanding any other provision of law, an association may charge for the legal services of its officers, employees and agents, may collect those charges and may compensate those who render the professional services.

(c) Injunction.--In addition to criminal prosecution, unauthorized practice of law may be enjoined in any county court of common pleas having personal jurisdiction over the defendant. The party obtaining such an injunction may be awarded costs and expenses incurred, including reasonable attorney fees, against the enjoined party. A violation of subsection (a) is also a violation of the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law. (Dec. 21, 1988, P.L.1444, No.177, eff. Oct. 1, 1989; Dec. 7, 1994, P.L.703, No.106, eff. 60 days; July 11, 1996, P.L.607, No.104, eff. 60 days)

1996 Amendment. Act 104 amended subsec. (a) and added subsec. (c).

The Restatement of the Law notes:

" ... The "COMMERCIAL" practice of law, pleading for hire, should not be confused with the common law right to practice law. The former being fully subject to the regulation of law as a commercial endeavor, and the latter being the exercise of a common right beyond legislation. *Sims v. Aherns*, 271 SW 720 (1925).

"The practice of law is an occupation of common right." "In the federal courts, the right of self-representation has been protected by statute ... , provided that "in all the courts of the United States, the parties may plead and manage their own causes personally or by the assistance of ... counsel ... "