

1949

Report of State Committee on Probate Code

Minn. L. Rev. Editorial Board

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supreme court and by statutory amendments. The adoption of our recommendations will open the way for concrete proposals.

If adequate funds are provided for the employment by the Minnesota State Board of Law Examiners of a full time qualified attorney who will concern himself exclusively with the business of the Board by investigating the applicants for admission, the complaints of improper conduct of those who have been admitted and the violations of the law by laymen and lay groups who unlawfully practice law, and by prosecuting violations, it is certain that such a full time employee can carry out the program with efficiency and dispatch in the interest of the profession and the public. We need concerted action in the field of unauthorized practice. It is agreed by lawyers everywhere that the encroachment upon the field of the lawyers by unauthorized lay practitioners must be stopped.

Since the preparation of its last annual report, this committee has disposed of 31 of the 42 complaints at hand or received during the year. One petition for reinstatement was opposed after thorough investigation of the petitioner, and the court rejected the petition upon the factual report of the committee. The prosecution of petitions for discipline are currently under consideration.

The committee has made reports regarding the standing of 18 Minnesota lawyers who have sought admission to practice in other states. The committee has furnished numerous opinions to members of the bar concerning proper professional conduct on questions involving among others, professional cards, window signs, fees and serving conflicting interests. As usual, the membership of the committee has maintained an almost perfect attendance record. The committee has adopted rules which prohibit payment of compensation to any committeeman, even if he undertakes investigation or prosecution of a complaint. The shortage of funds has compelled committeemen to personally undertake the investigation of some of the complaints, at great sacrifice of time when travel over large areas was required, and many have never been reimbursed for their expenses.

This report is not to be construed as a criticism of the splendid work done on a volunteer basis by the Unauthorized Practice of Law Committee. This committee is certain of their cooperation in these proposals, to the end that this important work may be carried on with increased vigor by one central agency which will constantly and promptly investigate and prosecute on a state wide front violations by unauthorized lay practitioners.

Respectfully submitted,

CHARLES H. RICHTER, Chairman
MILTON D. MASON, Secretary
JAMES D. BAIN
F. MANLEY BRIST
CYRUS A. FIELD
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PATRICK J. RYAN
WILLIAM P. STURTZ
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REPORT OF STATE COMMITTEE ON PROBATE CODE

TO THE MINNESOTA STATE BAR ASSOCIATION :

Your Committee reports :

Report

The Committee has had the following bills drawn and introduced in the Legislature: a bill for an act relating to requisites of an appeal from the probate court amending Minnesota Statutes 1945, Section 525.712; a bill