

STATE OF MINNESOTA

IN SUPREME COURT

C8-84-1650

In the Matter of the Petition of the Minnesota
State Bar Association to Amend the Minnesota
Rules of Professional Conduct to Authorize
Multidisciplinary Practice.

O R D E R

On January 25, 2002, the Minnesota State Bar Association (MSBA) filed a petition requesting amendments to the Minnesota Rules of Professional Conduct that would authorize multidisciplinary practice. Multidisciplinary practice (MDP) would allow lawyers to work with nonlawyers in the same firm to provide clients with a variety of services. By orders dated March 14 and April 22, 2002, this court invited written and oral comments on the proposed amendments. A hearing on the petition was held on July 16, 2002.

The MSBA, primarily through its Multidisciplinary Practice Task Force, extensively studied the subject and provided to the court valuable information about MDP. The MSBA proposal for the authorization of MDP is a thoughtful effort to address the varied issues presented by such a change.

To date only one state has authorized MDP, and the American Bar Association has not endorsed state authorization of MDP. Adopting MDP in Minnesota would indeed be breaking new ground. The MSBA urges Minnesota to take the lead.

We are not, however, convinced that now is the time to break this new ground. Developments of recent months in the arena of the accounting profession and corporate financial misconduct cannot responsibly be ignored. Indeed, they counsel strongly against precipitous adoption of such a significant change in the structure of the legal profession at this time. Although the MSBA proposal includes restrictions intended to preserve and protect the independence of legal judgment in the MDP environment, in the present climate we do not believe even these measures are sufficient to ensure maintenance of public confidence in the independence of the legal profession. Additionally, federal legislation generated by recent events may further alter the landscape for MDP.

Despite the excellent efforts of the MSBA, we are firmly convinced that now is not the time to authorize MDP. Rather, the better course is to take a step back and monitor the repercussions of recent events, whether the ABA reconsiders the issue and recommends additional protections, and the impact of any new legislation that may affect the feasibility or scope of MDP. For these reasons, we deny the petition.

Based upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED that the petition of the Minnesota State Bar Association to amend the Rules of Professional Conduct to allow the multidisciplinary practice of law be, and the same is, denied.

Dated: *September 17, 2002*

BY THE COURT:

OFFICE OF
APPELLATE COURTS

SEP 18 2002

FILED

Kathleen A. Blatz

Kathleen A. Blatz
Chief Justice