

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

In re the Matter of:

**STANDING ORDER REGARDING
DISBARRED OR SUSPENDED
ATTORNEYS**

Disbarred or Suspended Attorneys Appearing in
District Court.

WHEREAS, the disbarment or suspension of an attorney is to protect the public and guard the administration of justice.

WHEREAS, disbarred or suspended attorneys have an obligation to set and adhere to appropriate boundaries so that there is no unauthorized practice of law.

WHEREAS, when the Supreme Court issues an Order suspending an individual from practicing law, it does not envision that the individual practice law under a different guise.

WHEREAS, attorneys may circumvent their disbarment or suspension by continuing to practice law while ostensibly appearing as “agents” or “advisors” pursuant to Rule 603 of the Minnesota Rules of General Practice, Minn. Stat. § 481.01, subd. 3(12), and other similar laws.

WHEREAS, the Supreme Court has held:

A suspended lawyer is not the same as a layman. The public knows that he has a legal education, that he has engaged in the practice of law, and that his work and his opinions are presumably more valuable on that account. We cannot accept the argument that a disbarred or suspended lawyer may engage in all activities which nonlawyers also perform. A suspended lawyer may engage in some legal-related activities if he is otherwise qualified to do so, but not if his qualifications come from having been a lawyer. When professional expertise enters into the activity, and when the activity is one which is customarily performed by lawyers, then such activity is forbidden to a suspended attorney, even though under some conditions members of other professions may sometimes be allowed to perform the same acts.

Matter of Discipline of Jorissen, 391 N.W.2d 822, 825 (Minn. 1986) (internal quotations and citations omitted).

WHEREAS, it is the opinion of this Court that disbarred or suspended attorneys should not appear in Hennepin County District Court as an “agent” or “advisor” because their professional

expertise enters into the activity, thereby circumventing the Supreme Court's Order disbaring or suspending the attorney and amounting to the unauthorized practice of law.

NOW, THEREFORE,

IT IS HEREBY ORDERED

The Fourth Judicial District Court of Minnesota prohibits any disbarred or suspended attorney from appearing in Hennepin County District Court in any capacity except to represent themselves.

Dated: November 9, 2015

BY THE COURT:

Peter A. Cahill
Chief Judge of District Court