



MESSAGE FROM THE PRESIDENT

BY LAURENCE DIGESTI, ESQ.

TASK FORCE TO TACKLE UNAUTHORIZED PRACTICE OF LAW

This past February, the United States Supreme Court decided that the Federal Trade Commission could hold the Board of Dental Examiners accountable for its anticompetitive efforts to drive non-dentist teeth whitening services out of the state in *North Carolina State Board of Dental Examiners v. Federal Trade Commission*.

Although this case wasn't directly about the practice of law, it has important ramifications for the legal profession – because it may alter how unified state bar associations across the country can define and act to protect clients against the unauthorized practice of law (UPL).

UPL is a serious issue throughout the country, Nevada included. Here, the state bar's Office of Bar Counsel currently handles matters related to UPL. Right now, there are 40 open matters. Historically, the state bar opens between 35-50 UPL matters each year.

The State Bar of Nevada has recently formed a task force to discuss the impact of the U.S. Supreme Court decision on UPL. Task force members include Board of Governors members Kimberly Buchanan, Julie Cavanaugh-Bill, Richard Dreitzer, Gene Leverty and Ryan Russell.

In addition to responding to the ramifications of *North Carolina State Board of Dental Examiners v. Federal Trade Commission*, the task force's priorities will also include coordinating with local, county and state agencies to identify more efficient ways of responding to UPL. I'm eager to hear the task force's recommendations to the Board of Governors for other methods we can utilize to tackle this serious issue.

While the task force ramps up, we haven't been idle. In Nevada, our large immigrant population is at particularly high risk of becoming victimized by UPL, due to the large number of notario-related scams prevalent in our area. To help address this issue, the State Bar of Nevada partnered with the Latino Bar Association this year in a bilingual awareness campaign. The campaign emphasized these important points:

- It can be risky to work with notarios and document preparers;
- There are significant advantages to working with a licensed attorney; and
- There are bilingual resources available to help Nevadans find a licensed attorney.

The awareness campaign has been circulated through radio, newspapers, community outreach, flyers and websites in both northern and southern Nevada. That campaign is just one way we're improving how we minimize the impact of UPL on Nevada's citizens. With the new task force in place, we'll be actively looking for additional ways to enhance how we combat UPL and further the state bar's mission to protect the public interest. **NL**