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which will be presently announced and with which I will work, what your idea of the policy is. Are we going to be able to not change, alter or amend the statute, or are we going to be able to start out to not publish the statutory law and the statutes as enacted by the legislature?

There is a difference of opinion in the Statutory Law Committee. Some of them say we cannot do that, although this code was enacted by reference. Some of us say we can. That is the policy that has to be decided. I trust, fellow members of the Bar, that you are deciding, each and every one of you, that the hour has arrived in which you must get up. You must take action to save for the people of this state the laws of a general and permanent nature in the form that they were enacted by the Legislature.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE OF LAW

BY ALFRED H. LUNDIN

Now, this matter of the unauthorized practice of law is a matter for the protection of the public from the incompetent and the unqualified. It is not a committee that acts to see that the lawyers maintain and keep their business. Some people seem to think that this is the idea. It isn't. A lawyer's business has been decreasing in the forty-five years I have been around here. I have seen things taken away from the lawyers. But that is not the purpose of this Committee to remedy that situation, but rather to attempt to protect the public from the incompetent and unqualified.

Now, in order that this attempt be more universal, the policy of the Committee this year—and we have had several meetings all over the state—is to have local associations appoint unauthorized law committees, and we have been advised that the bar associations of Lewis, Pierce, Whitman and Yakima Counties, and the Seattle Bar Association have appointed such committees. There may be others of which we haven't been advised.

One of the efforts of the Committee prior to the present one was a case relative to realtors drawing legal instruments, and that matter was argued in the supreme court last May. It is the case of the Washington State Bar Association against the Washington Association of Realtors. From our standpoint of lawyers, it is a very, very important case and in the course of time that decision will be available.

It is to be regretted that the Washington Association of Realtors have not shown the cooperation with our association that other similar bodies have shown nationally. In fact, the National Board has been working with the American Bar, and other organizations have been working with the American Bar on these matters.

One of the troublesome things of our Committee that has given us a lot of concern and attention, and which we have even taken up with the Board of Governors, is relative to the trust companies soliciting their appointments as executors or guardians. There is a provision in the code that we find with which most lawyers are not familiar. It provides that: Any trust company whose officers or agents personally solicit the appointment of such trust company as executor, administrator, or guardian shall be ineligible for one year thereafter to be appointed executor, administrator, or guardian in any of the courts of this state. We have had what appeared to be considerable violation of the provision on the part of trust companies.

In the large cities we found a splendid spirit of cooperation between trust companies and the Bar, in that they don't draw wills themselves, and a lawyer who draws a will is usually appointed the attorney for the estate. But there have been a few things that have been mentioned in our Committee that are of serious import. For instance, the trust companies, some lawyers have reported, do practically all of the work after the preparation of the inventory and the lawyer gets a fee and the trust company gets its fee; and some lawyers have pointed out that unless the lawyer does his part that won't continue.

Another matter and in fact one considered by George Mathieu, the previous chairman of this Committee, was laymen advising. The Supreme Court of Minnesota last May rendered a decision holding that a layman who renders a decision as taxation consultant is guilty of contempt of court. The regular accountants don't do such advising but we do find that people advise when they are not qualified. We have considered the subject of laymen and stenographers drawing wills without legal advice. There are cases in our courts where wills have been thrown out because they found the wills haven't been drawn under the advice of lawyers; and in certain sections of this state there are public stenographers who draw wills without the advice and consultation of any lawyers.

That condition ought to be remedied and the way that this condi-

tion can be remedied is through our local committees who will serve in a similar capacity to that of the local grievance committees of the Bar to ferret out and find the facts. In that connection the Board of Governors has made available Mr. A. Vernon Stoneman, who works different parts of the state where it is necessary. And also I find a fine spirit of cooperation on the part of the prosecuting attorneys in the different parts of the state.

Another matter—and I call these matters to your attention because I think it is the duty of the various lawyers to watch these matters and bring them to the attention of the local committees—is that collectors have been violating the law by using judicial process. We have had cases in this state.

I presume you have all noticed in the last American Bar Association Journal the code of the American Institute of Accountants published in our July issue, where they are cooperating with the lawyers and attempting to find a common ground for the lawyer and the accountant relative to income tax work. It is a good work.

Another matter which has concerned our Committee and of which I think you ought to be advised, is the situation with respect to title insurance. A man goes to the title insurance company and gets a \$1,000 policy thinking he is insuring a \$20,000 property, and if the title is no good his only recovery would be \$1,000. Another instance reported: A man buys a piece of property and then litigation arises and they claim that his boundary is wrong and about one-third of his property is taken away, and he thinks he is insured; and then the title company says, "We make exception of area and boundary and you will have to get your own lawyer to defend."

I think these matters should be taken up with the local committee to give attention to these matters.

Finally, we have heard from our Governor to that effect and we know that it is the duty and responsibility of lawyers to protect and serve the people of this state; and in my opinion in associating with the Committee this year, we have found that each lawyer should be vigilant and see that there is no unauthorized practice of the law, for the protection of the public and citizenry of the state.