

By: Representative Reeves

To: Judiciary A

HOUSE BILL NO. 994

1 AN ACT TO AMEND SECTION 11-1-8, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE MISSISSIPPI BAR TO ENFORCE THE LAW REGARDING
3 ADVERTISING BY OUT OF STATE ATTORNEYS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 11-1-8, Mississippi Code of 1972, is
6 amended as follows:

7 11-1-8. The Legislature recognizes that attorneys should be
8 licensed by the State of Mississippi before engaging in any
9 solicitation of clients in this state. Such licensing of
10 attorneys protects the people of Mississippi in that The
11 Mississippi Bar has direct jurisdiction over attorneys licensed by
12 it. The Mississippi Supreme Court can act against such licensed
13 attorneys in the event that such licensed attorneys commit
14 violations of Mississippi law, court rules and rules of ethics for
15 attorneys. The Legislature finds that this section is necessary
16 for the protection of the people of Mississippi. An attorney who
17 is not admitted to The Mississippi Bar shall not advertise his
18 legal services in this state for the purpose of soliciting
19 prospective clients for commencement of any civil action in this
20 state, or for the purpose of soliciting clients for any civil
21 action already commenced or pending in this state, unless the
22 attorney who is not a member of The Mississippi Bar has associated
23 an attorney who (a) is a member of The Mississippi Bar; and (b)
24 will be associated and actively working on substantial aspects in
25 any civil action filed on behalf of a client solicited as a result
26 of the advertisement. A law firm composed of both attorneys who
27 are members of The Mississippi Bar and attorneys who are not

28 members of The Mississippi Bar may advertise in this state if a
29 majority of the members of the firm are members of The Mississippi
30 Bar. For purposes of this section, a listing in the residential
31 or business section of the white pages of a telephone book shall
32 not be an advertisement. The Mississippi Bar is authorized to
33 enforce the provisions of this section.

34 **SECTION 2.** This act shall take effect and be in force from
35 and after July 1, 2004.