

By: Representative Reeves

To: Judiciary A

HOUSE BILL NO. 95

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, 2005.