

1 AN ACT concerning attorneys.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Attorney Act is amended by changing Section  
5 1 as follows:

6 (705 ILCS 205/1) (from Ch. 13, par. 1)

7 Sec. 1. No person shall be permitted to practice as an  
8 attorney or counselor at law within this State without having  
9 previously obtained a license for that purpose from the Supreme  
10 Court of this State.

11 No person or entity shall receive any compensation directly  
12 or indirectly for any legal services other than a regularly  
13 licensed attorney, nor may an unlicensed person or entity  
14 advertise or hold himself, herself, or itself out to provide  
15 legal services.

16 A license, as provided for herein, constitutes the person  
17 receiving the same an attorney and counselor at law, according  
18 to the law and customs thereof, for and during his good  
19 behavior in the practice and authorizes him to demand and  
20 receive fees for any services which he may render as an  
21 attorney and counselor at law in this State. No person shall be  
22 granted a license or renewal authorized by this Act who has  
23 defaulted on an educational loan guaranteed by the Illinois  
24 Student Assistance Commission; however, a license or renewal  
25 may be issued to the aforementioned persons who have  
26 established a satisfactory repayment record as determined by  
27 the Illinois Student Assistance Commission. No person shall be  
28 granted a license or renewal authorized by this Act who is more  
29 than 30 days delinquent in complying with a child support  
30 order; a license or renewal may be issued, however, if the  
31 person has established a satisfactory repayment record as  
32 determined (i) by the Illinois Department of Public Aid for

1 cases being enforced under Article X of the Illinois Public Aid  
2 Code or (ii) in all other cases by order of court or by written  
3 agreement between the custodial parent and non-custodial  
4 parent. No person shall be refused a license under this Act on  
5 account of sex.

6 Any person or entity practicing, charging or receiving fees  
7 for legal services or advertising or holding himself, herself,  
8 or itself out to provide legal services within this State,  
9 either directly or indirectly, without being licensed to  
10 practice as herein required, is guilty of contempt of court and  
11 shall be punished accordingly, upon complaint being filed in  
12 any Circuit Court of this State. Such proceedings shall be  
13 conducted in the Courts of the respective counties where the  
14 alleged contempt has been committed in the same manner as in  
15 cases of indirect contempt and with the right of review by the  
16 parties thereto.

17 The provisions of this Act shall be in addition to other  
18 remedies permitted by law and shall not be construed to deprive  
19 courts of this State of their inherent right to punish for  
20 contempt or to restrain the unauthorized practice of law.

21 Nothing in this Act shall be construed to conflict with,  
22 amend, or modify Section 5 of the Corporation Practice of Law  
23 Prohibition Act or prohibit representation of a party by a  
24 person who is not an attorney in a proceeding before either  
25 panel of the Illinois Labor Relations Board under the Illinois  
26 Public Labor Relations Act, as now or hereafter amended, the  
27 Illinois Educational Labor Relations Board under the Illinois  
28 Educational Labor Relations Act, as now or hereafter amended,  
29 the State Civil Service Commission, the local Civil Service  
30 Commissions, or the University Civil Service Merit Board, to  
31 the extent allowed pursuant to rules and regulations  
32 promulgated by those Boards and Commissions or the giving of  
33 information, training, or advocacy or assistance in any  
34 meetings or administrative proceedings held pursuant to the  
35 federal Individuals with Disabilities Education Act, the  
36 federal Rehabilitation Act of 1973, the federal Americans with

1 Disabilities Act of 1990, or the federal Social Security Act,  
2 to the extent allowed by those laws or the federal regulations  
3 or State statutes implementing those laws.

4 (Source: P.A. 91-798, eff. 7-9-00.)