

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 shall receive any compensation directly or  
12 indirectly for any legal services other than a regularly  
13 licensed attorney, nor may an unlicensed person advertise or  
14 hold himself or herself out to provide legal services.

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

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

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

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

19 Nothing in this Act shall be construed to conflict with,  
20 amend, or modify Section 5 of the Corporation Practice of Law  
21 Prohibition Act or prohibit representation of a party by a  
22 person who is not an attorney in a proceeding before either  
23 panel of the Illinois Labor Relations Board under the Illinois  
24 Public Labor Relations Act, as now or hereafter amended, the  
25 Illinois Educational Labor Relations Board under the Illinois  
26 Educational Labor Relations Act, as now or hereafter amended,  
27 the State Civil Service Commission, the local Civil Service  
28 Commissions, or the University Civil Service Merit Board, to  
29 the extent allowed pursuant to rules and regulations  
30 promulgated by those Boards and Commissions or the giving of  
31 information, training, or advocacy or assistance in any  
32 meetings or administrative proceedings held pursuant to the  
33 federal Individuals with Disabilities Education Act, the  
34 federal Rehabilitation Act of 1973, the federal Americans with  
35 Disabilities Act of 1990, or the federal Social Security Act,  
36 to the extent allowed by those laws or the federal regulations

1 or State statutes implementing those laws.

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