

HCS HB 385 -- PRACTICE OF LAW

SPONSOR: DeGroot

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Special Committee on Litigation Reform by a vote of 6 to 3. Voted "Do Pass" by the Standing Committee on Legislative Oversight by a vote of 7 to 2.

The following is a summary of the House Committee Substitute for HB 385.

This bill specifies that admission and licensure to practice law in Missouri must not be contingent on membership in or payment of dues to any private organization. No rule or administrative guidance issued by the Missouri Bar Association shall infringe on an attorney's or counselor's ability to advise or produce documents on behalf of their clients to practice in accordance with the laws of Missouri, regardless of discordance with federal law.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that the bill promotes fundamental fairness to give Missouri lawyers the right to choose what organization they belong to.

Testifying for the bill was Representative DeGroot.

OPPONENTS: Those who oppose the bill say that the bill effects the sovereign right of the judiciary to set the rules on these matters. The bill violates the separation of powers.

Testifying against the bill was The Missouri Bar.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.