

## RIGHT TO PRACTICE LAW

The American Bar Association (ABA), founded August 21, 1878, is a voluntary association of lawyers, and was incorporated in 1909 in the state of Illinois. The state does not accredit the law schools or hold examinations and has no control or jurisdiction over the ABA or its members. The ABA accredits all the law schools, holds their private examinations, selects the students they will accept in their organization, and issues them so-called license for a fee; but does not issue state licenses to lawyers.

The Bar is the only authority that can punish or disbar a Lawyer not the state. The ABA also selects the lawyers that they consider qualified for Judgeships and various other offices in the State. Under fiction of law only the Bar Association or their designated committees can remove any of these lawyers from public office. This is a tremendous amount of power for a private union to control and because of this unchecked power RICO run rampant throughout our government at every level, and We the People intend on extinguishing it.

The United States Constitution does not give anyone the right to a lawyer or the right to counsel, or the right to any other "hearsay substitute". The 6th Amendment is very specific, that the accused only has the right to the "assistance of counsel" and this assistance of counsel can be anyone the accused chooses without limitations.

*"The term [liberty] ... denotes not merely freedom from bodily restraint but also the right of the individual to contract, to engage in any of the common occupations of life, to acquire useful knowledge, to marry, to establish a home and bring up children, to worship God according to the dictates of this own conscience... The established doctrine is that this liberty may not be interfered with, under the guise of protecting public interest, by legislative action<sup>1</sup>." ... "The practice of law cannot be licensed by any State<sup>2</sup>." ... "a State cannot exclude a person from the practice of law or from any other occupation in a manner or for reasons that contravene the Due Process Clause<sup>3</sup>." ... "The practice of law is an occupation of common right<sup>4</sup>." ... Therefore "there can be no sanction or penalty imposed upon one because of his exercise of Constitutional Rights<sup>5</sup>."*

**CONCLUSION:** *"Litigants can be assisted by unlicensed laymen during judicial proceedings<sup>6</sup>" ... "Members of groups who are competent non-lawyers can assist other members of the group achieve the goals of the group in court without being charged with "unauthorized practice of law<sup>7</sup>." ... "A next friend is a person who represents someone who is unable to tend to his or her own interest<sup>8</sup>."*

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<sup>1</sup> Meyer v. Nebraska, 262 U.S. 390, 399, 400

<sup>2</sup> Schware v. Board of Examiners, United State Reports 353 U.S. pages 238, 239

<sup>3</sup> Schware v. Board of Bar Examiners, 353 U.S. 232 (1957)

<sup>4</sup> Sims v. Aherns, 271 SW 720 (1925)

<sup>5</sup> Sherar v. Cullen, 481 F. 2d 946 (1973)

<sup>6</sup> Brotherhood of Trainmen v. Virginia ex rel. Virginia State Bar, 377 U.S. 1; v. Wainwright, 372 U.S. 335; Argersinger v. Hamlin, Sheriff 407 U.S. 425

<sup>7</sup> NAACP v. Button, 371 U.S. 415; United Mineworkers of America v. Gibbs, 383 U.S. 715; and Johnson v. Avery, 89 S. Ct. 747 (1969)

<sup>8</sup> Federal Rules of Civil Procedures, Rule 17, 28 USCA "Next Friend