

# The Practice of Law -- Authorized & Otherwise

*by Lynn Hardy*

The Texas State Bar has admitted in one of their own surveys that 2/3rds of the people of Texas can't afford to hire an attorney. That means 2/3rds of all Texans are effectively denied access to even the pretense of justice in "the best legal system in the world".

What are these "poor" (middle class and below) people to do? Live without even a chance of finding a civil resolution to their problems? Accept their problems as insoluble (live on their knees)? Or resort to violence to solve the problems lawyers and courts can't "afford" to hear?

Note that the political majority of Texas (and probably the USA) are being denied virtually any legal services in the "most litigious society on Earth". Note also that this lack of services represents an incredible unserved market for legal services; i.e., there's a lot of money to be made serving the majority of Americans who don't happen to live in the upper-third of the economic strata.

The potentially huge political and economic power of this unserved market may be the force that finally topples the Bar monopolies. Despite any contrary

rhetoric, virtually all monopolies exist for the sole purpose of charging exorbitant fees for services that would be provided at affordable rates by the free market. Just so, the Bar's monopoly on providing legal services has raised its rates to levels most Americans can't afford. But more subtly, the monopoly has also "addicted" lawyers to legal fees far greater than those a free market might provide. As a result, although there's an enormous untapped market among the poor and middle class, the lawyers are too spoiled to work it. Most American's can't afford \$100-\$400 per hour legal fees, and most "licensed" lawyers generally refuse to work for less.

Enter the independent paralegals. These are folks who have sufficient knowledge or training to perform some relatively simple legal services like name changes, uncontested divorces, or writing simple wills. These are "boiler plate" services that involve little more than the proper selection of existing forms and accurate data entry.

Although paralegals can work for lawyers for \$15 an hour (the lawyer charges the customer \$50/ hour for the paralegal's

time), paralegals can not compete with lawyers in the free market at rates the public can afford. The Bar argues that paralegals are not qualified to determine the real legal needs of their customers -- which may be true. However, if the customer determines what legal service he wants, what's wrong with having a paralegal satisfy that customer's determination?

Allowing paralegals to offer legal services to the public at affordable, free market prices would shatter the financial foundation of the Bar's monopoly. Once the public found out it could get a name change application filled out for \$20 from a paralegal instead of \$200 to \$500 from a lawyer, the lawyers would not only start losing business, they'd be forced to compete in the free market. Once that starts, the average lawyer will soon receive what he's really worth: about \$20-\$50 an hour (unless he's a litigator which is a valuable talent worth several hundred dollars an hour while in court). Result: the average lawyer's income would be cut by half or more.

Obviously, the Bar is not about to allow free market competition to enter into the Ameri-

can legal services marketplace, even among “poor” people the lawyers refuse to serve.

Even the Bar recognizes the conflict between the public who can’t afford lawyers and the lawyers who refuse to work for free market wages. According to the Dec. 5, 1996 Dallas Morning News, “Lawyers Battle Order on Death Row Appeals”, the Texas Court of Criminal Appeals is ordering individual lawyers to represent death row inmates and paying \$100/hour for “justifiable work”. Lawyers want none of it. First, \$100 is chicken feed to lawyers. Second, the cases will be tried on appeal which means the lawyers will actually have to work (not “settle”) the case. Third, the Courts won’t overpay the way the average ignorant laymen do for extended billing hours. That means lawyers are suffering the sacrilege of being “drafted” into jobs characterized by low pay and real work.

Worse, lawyers are being forced to take these appellate cases even if they’ve never handled a previous criminal appeal. Why? Not because anyone cares if these poor folks die, but because executing poor people without legal representation is a Public Relations no-no. Moreover, if the “system” executes poor people (who commit most of the murders that are solved) without lawyers, the public might start to see one reason poor people kill each other might be because legal fees are so high the poor folks can’t afford access to a civilized resolution of their problems in court and therefore resort to violence.

So the Bar is caught in a tragicomic Catch-22. If they serve the poor, their incomes must decline precipitously; if they ignore the poor, the political consequences might end the Bar’s monopoly and cause their incomes to decline precipitously. On the other hand, if they allow paralegals to

serve the middle class and poor at affordable rates, the free market pressures will also indirectly cause the lawyers’ incomes to precipitously decline.

Amusing, hmm? The lawyers have taken so much for so long, they can’t afford to work for us and we can’t afford to hire ‘em. Ask any economist if this relationship can be allowed to continue. It can’t. Lawyers are heading toward an huge financial “reorganization”.

Of course, lawyers will not go quietly. They will shuck, jive, scream, shout, promise, beguile, and do whatever they can to postpone the inevitable. For the moment, the principal threat to the Bar’s income is the growth of paralegal services. Hence, should any “unlicensed” lawyer go into business, the Bar will dedicate itself to removing the interloper.

This article reflects some of the thoughts of a paralegal (a “non-union lawyer”) who’s been battling by the Texas Bar.

- Have you ever pledged allegiance to the flag of the United States of America and really thought about what it meant?

- Have you ever been a parent and had the arduous task of correcting your child in order to teach him or her the difference between “right” and “wrong”, especially during the “terrible twos”?

- Have you ever attended church and listened to the minister preach that the highest social law is the “Golden Rule” (“Do unto others as you would have them do unto you.” *Matthew 7:12, 22:36-40, Luke 6:31 and “Equity”, Blacks Law Dictionary*)?

- Have you ever enlisted or been inducted into the armed forces and raised your right hand and sworn the OATH that you promised to “uphold, protect and defend the Constitution of the

United States from all enemies, both foreign and domestic”?

- Have you ever exercised your right to “freedom of speech” or considered yourself a law-abiding citizen?

If you answered “yes” to one or more of the preceding questions, then — believe it or not — you are “practicing law”.

As an American Citizen, I believe it is my duty and responsibility to practice law. In fact, I have been practicing law ever since I knew what the Constitution for the United States of America meant!

As a result, on October 13, 1994, I was indicted by a Jefferson County, Texas, Grand Jury for falsely holding myself out as a lawyer. The charge was an alleged violation of Texas Penal Code Section 38.122 in the 3rd Degree, a felony. That means I could be fined and incarcerated if convicted of this alleged offense. The indictment stated plainly that the Grand Jury took an Oath prior to handing down their indictment against me. They probably swore to tell the Truth, the Whole Truth and Nothing But the Truth. Unfortunately, sometimes the information given to the Grand Jury on which these indictments are issued, is *not* the *whole* truth! Therefore, since it is my duty to uphold the Law, it is also necessary to tell you the *real truth*!

The truth is . . . I am a *non-union* lawyer!

1) I practice law, just like you do. You should be studying and understanding the law, just like I do. That way, you will know the difference between your Constitutional Rights, and your duties and commercial responsibilities as a Citizen of this State.

2) On the bond form (#34270) I had to sign to be released from jail the “Offense charged” section read: “Impersonating a Lawyer”. Daily living of the Golden Rule is the highest practice of law, and is necessary for a

stable society. Such practice of law cannot require a license, and compels the conclusion that: *every man or woman who professes and lives the "Golden Rule" is a lawyer!*

3) It is *my* duty and responsibility as a Citizen of this State to maintain the peace and dignity and the continuity of Commerce in this State. It is also the duty and responsibility of the Sheriff of Jefferson County, Texas and the Grand Jury that was impaneled to indict me to do the same.

4) If you did *not* understand what you just read in the preceding sections, you should start studying and practicing law, just like I do! As part of my duty and responsibility to maintain the peace and dignity and continuity of Commerce in this State, I have educational materials to aid you in your research and understanding so you can be a better "non-union" lawyer . . . just like me, lest you be charged with the same offense as I.

I have never held myself out as a "union" lawyer! In order to be a "union" lawyer (and there is a difference), you have to be a member of the State Bar of Texas. The penal code section for which I was indicted claims that I "was not then and there licensed by the State Bar of Texas or other licensing authority at the time such representation was made." The synopsis of the offense states "Defendant went out, solicited clients and held herself out as a lawyer when she was not." This is a definite misrepresentation of facts.

The information given to the Grand Jury was that I was holding myself out as a "union" lawyer! Unfortunately, the person or persons that gave the Grand Jury this information were "union" lawyers. I always thought that Texas was a "right to work" State. Moreover, this is a violation of the Anti-Peonage Laws (for the principle on this matter, see 42 USC 1994,

et. seq.).

One of the prohibitions mentioned in the Constitution (Article 1, Section 10, Clause 1) is that, "No State shall . . . pass any . . . Law impairing the Obligation of Contracts, or grant any Title of Nobility." Titles of Nobility are any advantage or privilege enjoyed by an individual or group that is not afforded equally to all Americans. Unfortunately, by restricting the practice of law, by trying to suppress the remedies of the poor (my clients) to the advantage of the aristocracy (the rich), "union" lawyers are enjoying "Titles of Nobility".

When "union" lawyers limit their "non-union" competition with Grand Jury indictments for "offenses" that every Citizen commits daily, it is clearly a violation of Rights under Title 42, United States Code, Sections 1988 and 1986; and a violation of Title 18, United States Criminal Code, Sections 241 and 24211

### By legal precedent . . .

"A lawyer is a person who knows the law." *Black's Law Dictionary*

"It is said that all persons are presumed to know the law, meaning that ignorance of the law excuses no one." 16 American Jurisprudence 2d 178.

Therefore, all persons are presumed to be lawyers.

Further, by researching and understanding the law as I did, you will discover:

- The Holy Bible is the "Supreme Law of the Land". Our founding fathers, who believed and practiced the true meaning of the Holy Bible authored the Constitution for the United States of America based on those same true meanings.
- Any State statute which supersedes the Constitution is null and void.
- The Texas State Bar Association is a private 501(c)(6), not-for-profit corporation. It operates as a union for lawyers. Even

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## NO ENZYMES – NO LIFE!

All Commercial food sold in this country, whether organic or not, is picked green (unripe) and subjected to gassing and irradiating to make it look ripe. This process guarantees that no (or few) enzymes remain in the food!! Preserving and cooking destroys what might be left. Without enzymes you slowly starve to death . . . First you develop degenerative diseases . . . Then you die . . . After you've spent your life's savings on drugs and surgery trying to alleviate your chronic pain . . .

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though this corporation has some very attractive benefits, (like a retirement plan and limited liability from prosecution for crimes that would land a average person in prison for several years), as Texas is a “right to work” State, I chose *not* to become a member of that private union.

- A license takes away a Right and makes it a privilege. Every individual has a Right to engage in any commercial activity, as long as it does not disrupt the peace and dignity or interfere with the continuity of commerce. Because a license grants known privileges to a chosen few, it confers upon those chosen a “Title of Nobility” (that is, an advantage or privilege enjoyed by one person or group of people that is not available to all persons or groups).

- State Bar Associations do *not* have the authority to issue a “license”. I have attempted to obtain a “law license” from the

State of Texas. The Secretary of State and the Secretary of Commerce in this State have informed me in writing that they are not the licensing authority for obtaining a law license, *nor do they know who the authority has been conferred upon to issue such licenses.*

- Judges have to be licensed attorneys for a prescribed period of time before they can sit on the bench. If one cannot obtain a law license, how can one sit on the bench? Although lawyers receive documents from the State Supreme Court stating they’ve been “admitted” to practice before that court, this “admission” is not legally equivalent to being “licensed” to practice law. An “admission fee” is *not* the same as a “license fee”. . . if it was, the law would say so. Being “admitted” to practice law is the same thing as being “admitted” to a sanitarium. To be “admitted” you get a referral and then permission to enter whatever it is you’re being “admitted” into.

- State Bar Associations issue a *union card* and *certificate* called a “Certificate of Admission to the Bar”. These are *not* licenses to practice law. Try asking a union lawyer for a copy of his law license. Further, it is a violation of the antitrust laws to allow a private corporation to regulate and monopolize any industry and set public policy and statutes to satisfy its own whims. When you continually consent to give someone authority, pretty soon they will take it from you without your consent.

Title 18, U.S.C. Section 1001. Statements or entries generally:

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned more than five years, or both.

Question: Are union lawyers [members of a 501(c)(6) non-profit corporation under the authority of the Internal Revenue Code (hence, federal jurisdiction)], subject to this law?

You bet. And so are the judges. And none of them are licensed. So who do they indict and prosecute? Paralegals and “non-union” lawyers -- the only people in the legal system who are probably operating according to law.

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