

## **§ 3-1012. Commission; jurisdiction and duties.**

(A) Except as otherwise provided by § 3-1012(B), the Commission shall have jurisdiction over all complaints made by any person or entity alleging the unauthorized practice of law under these rules. The Commission may inquire into any matter pertaining to the unauthorized practice of law on its own motion.

(B) Nothing contained in these rules shall be construed as a limitation upon the jurisdiction or authority of any court or judge thereof to punish for contempt any person or other entity not having a license from the Supreme Court attempting to practice law within the jurisdiction of said court, nor shall these rules be construed as a limitation upon any civil remedy or criminal proceeding which may otherwise exist with respect to the unauthorized practice of law.

(C) All matters within the jurisdiction of the Commission shall be referred to the Counsel on Unauthorized Practice of Law (CUPL) for screening and, if required, an investigation. Upon completion of such screening or investigation, the CUPL shall report in writing to the Commission. The Commission may dismiss allegations, request further investigation, offer the respondent the opportunity to enter into a written consent agreement, enter into negotiations with the respondent resulting in a consent decree to be presented to the Supreme Court for approval, or take such other action as may be appropriate under these rules. The Commission, acting through the CUPL, may petition the Supreme Court for such formal relief as it deems appropriate under these rules.

(D) The Commission may, when asked in writing by an interested member of the public or by a member of the Nebraska State Bar Association, issue advisory opinions regarding the unauthorized practice of law as defined and regulated by the Supreme Court. The purpose of such advisory opinions shall be to inform the public and the bar as to what activities violate these rules but shall not be construed as binding the Supreme Court in carrying out its duty of regulating and defining the practice of law.

*§ 3-1012(C) amended October 29, 2008; § 3-1012(E) deleted December 3, 2013, effective April 1, 2014.*

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