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Joint Legislative Administrative Procedure Oversight Committee
Joint Legislative Oversight Committee on Justice & Public Safety
Attn: Jeff Hudson
545 Legislative Office Building
300 N. Salisbury Street
Raleigh, NC 27603

RE: House Bill 379; Session Law 2018-60
Required Report

Dear Committee Members:

As counsel to the North Carolina Board of Law Examiners, I attach the report of the Board with respect to the inquiry contained in Section 1 of the captioned Bill. Please advise if you need further assistance.

Sincerely yours,

YOUNG MOORE AND HENDERSON, P.A.

By: 
John N. Fountain

JNF/kse
Enclosure
cc: Lee Vlahos
4586237_1.842-001

HOUSE BILL 379 SESSION LAW 2018-69
REPORT OF NORTH CAROLINA BOARD OF LAW EXAMINERS ON CREATION OF
CRIMES BY THE BOARD

The North Carolina Board of Law Examiners is an agency created pursuant to G.S. §84-24 of the General Statutes with oversight provided by the State Bar and by the North Carolina Supreme Court. The Board exists to examine applicants for license as attorneys in the State of North Carolina, to assess the character and fitness of applicants as well as provide for licensure by comity for attorneys from other states.

There is no crime defined in the rules of the North Carolina Board of Law Examiners and the Board is not empowered to create crimes through its rulemaking authority. Any rule adopted by the North Carolina Board of Law Examiners is subject to approval by the State Bar and by the Chief Justice of the Supreme Court pursuant to provisions of G.S. §84-24 and G.S. §84-21.

Discipline of attorneys and prosecution of the unauthorized practice of law are matters within the purview of the State Bar, the Superior Court and the Appellate Courts and are beyond the authority of the North Carolina Board of Law Examiners.