

# ONE PEOPLE...ONE VOICE

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For Immediate Release

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## OPEN LETTER TO THE PUBLIC *Regarding Unauthorized Practice of Law*

(Hopkinsville, KY, July 1, 2020) – For the last couple of years our office has been collecting data of the housing and rental community within Hopkinsville-Christian County. We review eviction cases, and with the COVID-19 pandemic we will continue to monitor evictions even closer. We believe it's in the public interest that we inform our community of their rights under the law.

Black's Law Dictionary (most widely used law dictionary in United States and is cited as a secondary legal authority in many U.S. Supreme Court cases) defines unauthorized practice of law as "The practice of law by a person, typically a nonlawyer, who has not been licensed or admitted to practice law in a given jurisdiction." (Garner, 2019)

Court of Appeals of Kentucky in Phillips v. M&M Corbin Properties, LLC, 593 S.W.3d 525 (2020). In summary the case holds that a "forcible detainer complaint is a pleading that must be filed and practiced by an attorney..." Since the forcible detainer commonly known as the Eviction Notice on form AOC-215 was filed by the property manager, who was not an attorney nor the owner of the property, the Court of Appeals reversed and remanded the order with the instruction and action for dismissal by the Whitley District Court.

Hopkinsville Human Rights Commission would like to advise the community that during court proceedings, if you witness or directly experience an unauthorized practice of law, you may file a complaint form to the Kentucky Bar Association UPL – Office of Bar Counsel 514 West Main Street Frankfort, KY 40601. A copy of the complaint form may be found on our website by visiting [www.hoptown.org/hrc](http://www.hoptown.org/hrc) click on the Landlord/Tenant tab of the submenu section.

If you are in need of civil legal assistance please contact the Kentucky Legal Aid intake line at 270-782-5740; they receive calls Monday through Thursday from the hours of 8:30 a.m. until 6:00 p.m.

If you find yourself in substandard living conditions that could be violating [the Hopkinsville Basic Property Maintenance Ordinance Chapter 163](#), please do not hesitate to contact our office at 270-887-4010 or file a formal complaint with a Code Enforcement Officer within Community Development Services by calling 270-887-4285.

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Hopkinsville Human Rights Commission was established by Ordinance 24-63, July 16, 1963 under KRS 344.310. Our work is to promote and secure mutual understanding and respect among all while eliminating discriminatory practices that violate human rights.

If you would like more information about this topic, our office is open and following healthy at work precautions. We are available by phone at 270-887-4010 or email at [hrc@hopkinsvilleky.us](mailto:hrc@hopkinsvilleky.us).

## **References**

Garner, B. A. (2019). *Black's Law Dictionary 11th Edition, Hardcover*. Claitor's Publishing Division, Incorporated.

*Phillips v. M & M Corbin Properties, LLC*, 593 S.W.3d 525 (Kentucky 2020).

