



THE FLORIDA BAR

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January 30, 2006

David Ramba
Post Office Box 10788
Tallahassee, Florida 32301

Re: FAO #2006-01

Dear Mr. Ramba:

This follows up my September 14, 2005 letter, wherein I advised that the Standing Committee on Unlicensed Practice of Law decided that instead of holding a public hearing and issuing a formal advisory opinion it would develop a policy on how these matters would be handled.

It is the position of the Standing Committee on Unlicensed Practice of Law that the situation where a nonlawyer employee of a corporation prepares a claim of lien, satisfaction of lien, or notice of commencement for the corporation, when the corporation is providing or receiving services under the construction lien law, may be distinguishable from the CAM opinion (681 So. 2d 1119 (Fla. 1996)). Therefore, as a matter of policy employees of such corporations who prepare these forms for their employer will not be prosecuted by The Florida Bar for unlicensed practice of law unless there is a complaint in which there is an allegation of public harm. This policy is subject to amendment in the future on a case-by-case basis.

If you have any questions, please feel free to contact me.

Sincerely,

Jeffrey T. Picker
Bar Counsel
UPL Dept., Headquarters

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