

The State of South Carolina



Office of the Attorney General

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January 3, 1986

The Honorable C. Alex Harvin, III
Majority Leader
House of Representatives
505-B Blatt Building
Columbia, South Carolina 29211

Re: Advertising by Paralegals

Dear Mr. Harvin:

You have requested an opinion as to whether a paralegal can advertise her business to the general public through an office sign and newspaper ads. Paralegals are not regulated in South Carolina by statute or by rule of the South Carolina Supreme Court. Therefore, there are no specific restrictions on this occupation, except that a suspended or disbarred attorney may not be employed as a paralegal. See, Section 42, Rule on Disciplinary Procedure of the South Carolina Supreme Court, Volume 22, South Carolina Code of Laws (1976).

Of course, paralegals are restricted by general laws that apply to all forms of businesses. For example, false, misleading or deceptive advertising is prohibited by South Carolina's Unfair Trade Practices Act. Also, paralegals could not hold themselves out as able to engage in any activity that would constitute the practice of law. Section 40-5-310, et seq., South Carolina Code of Laws (1976).

I hope this information will be of some assistance to Mrs. Warren-Daniels, and should you have any further questions, please advise. With cordial best wishes, I am

Very truly yours,

A handwritten signature in cursive script that reads "Richard B. Kale, Jr.".

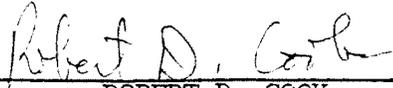
Richard B. Kale, Jr.
Senior Assistant Attorney General

REKjr/shb

REQUEST LETTER

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REVIEWED AND APPROVED:



ROBERT D. COOK
EXECUTIVE ASSISTANT FOR OPINIONS