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EDITORIAL COMMENT

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The upholding of the Illinois Supreme Court by the United States Supreme Court, which denied a writ of certiorari in *People* v. *Goodman*,[1] marks a definite milepost in the fight of the organized bar of the nation to stem the inroads of laymen into the field of administrative practice. It is highly improbable that the principle of the case will be limited to workmen's compensation practice, but it should furnish a rule of decision for all administrative practice in the State of Illinois.

There can be little question of the desirability of the rule from the standpoint of the organized bar. It guarantees to the members of the profession a considerable field of practice which is rapidly expanding. Moreover, it is highly advantageous to those parties litigating cases before the administrative tribunals. It not only assures them of more competent services, but a standard of ethical accountability which is possible only in the presence of a highly organized bar. There is little validity to the argument that the attorneys' services entail higher fees which must be borne by the litigants, but even assuming that this were true, it is offset both by the advantage of trained, superior services and ethical accountability and definitely minimized by the power, present in some tribunals and certainly potential in others, to regulate fees.

However, one perplexing and far reaching problem is presented by the decision in the Goodman case. This is a possible clash between the regulation of practice before federal administrative bodies and the regulation of practice within Illinois. Practice before the federal courts presents no problem, inasmuch as only members of the state bar are admitted to such practice, but laymen are commonly admitted to the various federal administrative bars. With the present day expanse, both in scope and numbers, of the federal administrative boards, it may be difficult to draw a line between practice before such tribunals and a legal practice in general. For instance, how far may a lay practitioner, who has been admitted to practice before the Board of Tax Appeals, go in advising a taxpayer? If he should recommend a change from corporate to partnership form of organization, several questions are presented. May he also advise

[1] 366 Ill. 346, 8 N. E. (2d) 941 (1937). Certiorari denied, 82 L. Ed. 29 (1937).

the client with regard to the comparative legal advantages and liabilities incident to the respective forms of such organization? May he advise the client with respect to the procedure for dissolving the corporation; and, if he may do this, may he also assist in preparing and filing the necessary papers? If the principle of the Goodman case is applied to the Illinois Commerce Commission, seemingly lay practitioners before the Interstate Commerce Commission, who have been handling the interstate aspects of the business of motor carriers, will be precluded from handling such matters before the state commission. The same would be true with regard to rates, irrespective of the closeness of relationship between the local and interstate aspects of these problems.

The decision in the Goodman case presents problems which should be presented; which, if not considered at this time, may, in the future, force themselves upon the attorney and the layman. It is hoped that the aggressive attitude of the Illinois and Chicago Bar Associations, supported by the decision by the Supreme Court, may encourage other states to take similar steps through corresponding organizations.