

27 NCAC 01D .0203 DEFINITIONS

Subject to additional definitions contained in other provisions of this subchapter, the following words and phrases, when used in this subchapter, have the meanings set forth in this Rule, unless the context clearly indicates otherwise.

- (1) Appellate division - the appellate division of the General Court of Justice.
- (2) Chairperson of the Authorized Practice Committee - the councilor appointed to serve as chairperson of the Authorized Practice Committee of the State Bar.
- (3) Complainant or the complaining witness - any person who has complained of the conduct of any person, firm or corporation as relates to alleged unauthorized practice of law.
- (4) Complaint - a formal pleading filed in the name of the North Carolina State Bar in the superior court against a person, firm or corporation after a finding of probable cause.
- (5) Council - the Council of the North Carolina State Bar.
- (6) Councilor - a member of the Council of the North Carolina State Bar.
- (7) Counsel - the counsel of the North Carolina State Bar appointed by the council.
- (8) Court or courts of this state - a court authorized and established by the Constitution or laws of the state of North Carolina.
- (9) Defendant - any person, firm or corporation against whom a complaint is filed after a finding of probable cause.
- (10) Investigation - the gathering of information with respect to alleged unauthorized practice of law.
- (11) Investigator - any person designated to assist in investigation of alleged unauthorized practice of law.
- (12) Letter of notice - a communication to an accused individual or corporation setting forth the substance of alleged conduct involving unauthorized practice of law.
- (13) Office of the counsel - the office and staff maintained by the counsel of the North Carolina State Bar.
- (14) Office of the secretary - the office and staff maintained by the secretary of the North Carolina State Bar.
- (15) Party - after a complaint has been filed, the North Carolina State Bar as plaintiff and the accused individual or corporation as defendant.
- (16) Plaintiff - after a complaint has been filed, the North Carolina State Bar.
- (17) Preliminary Hearing - hearing by the Authorized Practice Committee to determine whether probable cause exists.
- (18) Probable Cause - a finding by the Authorized Practice Committee that there is reasonable cause to believe that a person or corporation has engaged in the unauthorized practice of law justifying legal action against such person or corporation.
- (19) Secretary - the secretary of the North Carolina State Bar.
- (20) Supreme Court - the Supreme Court of North Carolina.

*History Note: Authority G.S. 84-37;
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