

N.C.P.I.—Criminal 259.23

UNAUTHORIZED PRACTICE OF LAW—APPEARING FOR CREDITORS IN
[INSOLVENCY] [BANKRUPTCY] AND OTHER PROCEEDINGS. MISDEMEANOR.
GENERAL CRIMINAL VOLUME

JUNE 2012

G.S. 84-9

UNAUTHORIZED PRACTICE OF LAW—APPEARING FOR CREDITORS IN
[INSOLVENCY] [BANKRUPTCY] AND OTHER PROCEEDINGS. MISDEMEANOR.

The defendant has been charged with the unauthorized practice of law by appearing for creditors in [insolvency] [bankruptcy] [(*describe other proceedings*)] proceedings.¹

For you to find the defendant guilty of this offense, the State must prove two things beyond a reasonable doubt:

First, that the defendant was [a corporation] [a firm] [(*describe other association of persons other than a law firm*)] [an individual other than an attorney duly licensed to practice law];

And Second, that the defendant appeared for another in any [bankruptcy] [insolvency] [(*describe other proceeding*)] proceeding.

¹ G.S. 84-9. The statute also applies to appearances “in any action or proceeding for or growing out of the appointment of a receiver, or in any matter involving an assignment for the benefit of creditors, or to present or vote any claim of another, whether under an assignment or transfer of such claim or in any other manner, in any of the actions, proceedings or matters hereinabove set out.”

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If you find from the evidence beyond a reasonable doubt that on or about the alleged date that the defendant was [a corporation] [a firm] [*describe other association of persons other than a law firm*] [an individual other than an attorney duly licensed to practice law] and that the defendant appeared for another in any [bankruptcy] [insolvency] [*describe other proceeding*] proceeding, it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or more of these things, then it would be your duty to return a verdict of not guilty.