



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

## Senator Fuschillo Legislation to Raise Penalties for Impersonating an Attorney Signed by Governor Cuomo

CHARLES J. FUSCHILLO JR. December 12, 2012

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### *New Law Creates Felony Charges for Practicing Law Without a License*

New York State Senator Charles J. Fuschillo, Jr. (R-Merrick) announced today that legislation he sponsors creating felony charges for individuals who impersonate licensed attorneys in New York State has been signed into law by Governor Andrew Cuomo.

“Someone who hires an attorney is paying and entrusting that attorney to carry out some of their most important personal and financial wishes, such as buying or selling their home or creating a will. Scam artists who pose as licensed attorneys and jeopardize these important matters should face tougher penalties. I applaud Governor Cuomo for approving this law which will help ensure that phony lawyers receive real punishment for defrauding consumers,” said Senator Fuschillo.

The new law will raise the penalty for practicing law without a license to a class E felony, which is the same penalty for illegally practicing most other licensed professions in New York State, if the violation causes \$1,000 or more in damages. Under current state law, the crime of illegally practicing law is only a misdemeanor, regardless of the damages caused.

The law is supported by the New York State Bar Association, which noted in a memo of support that the new law will “enable local and state law enforcement agencies to more effectively protect consumers from entities and individuals who seek to advise and represent the interests of others without proper qualifications, training, and licensing.”

"Con artists who impersonate attorneys can quickly destroy the reputations we spend lifetimes building," said Nassau County District Attorney Kathleen Rice. "The amount of damage a phony attorney can wreak with access to our personal information and financial records can be devastating. I agree

wholeheartedly with this important legislation to increase penalties for impersonating an attorney, and I applaud its passage into law."

The new law takes effect on November 1, 2013.