



April 19, 2010

Federal Trade Commission  
Office of the Secretary  
Room H-135 (Annex W)  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

Re: Proposed Changes to the Practice of Law Exemption, FTC Mortgage Assistance Relief Services Rulemaking, Rule No. R911003, 75 Fed. Reg. 10707 (March 9, 2010)

Dear Sir/Madam:

On behalf of the approximately 41,000 members of the State Bar of Georgia, I write to express our concerns over the Commission's proposed rule regarding "Mortgage Assistance Relief Services" ("MARS"), and more particularly the lawyer exemption provision contained in the proposed rule.

We request that the proposed rule be amended to exempt licensed attorneys engaged in the practice of law and those acting under an attorney's direction. We also urge the FTC to broaden the exemption to cover all aspects of the attorneys' legal representation of clients in connection with mortgage assistance relief services, not just those provided in connection with the filing of a bankruptcy, court, or administrative proceeding.

If adopted in its current form, the Proposed Rule could undermine both the confidential attorney-client relationship and the ability of state courts to supervise and discipline lawyers effectively. In addition, the rule would make it difficult, if not impossible, for many consumer debtors to obtain the legal services that they desperately need to help negotiate changes to their residential mortgages with their lenders and to keep their homes.

We have reviewed the American Bar Association's March 29, 2010 Comment Letter and concur in its analysis and conclusions. On behalf of our membership, thank you for your consideration.

Sincerely,

Bryan M. Cavan  
President, State Bar of Georgia

BMC/bc