
Can a Non-Attorney Represent a Corporation in the North Carolina Courts?

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A longstanding rule developed by the North Carolina courts generally prohibits a non-attorney from representing a corporation or other business entity in the courts. In the leading case on this issue, *Lexis-Nexis, Division of Reed Elsevier, Inc. v. Travishan Corp.*, 155 N.C. App. 205, 573 S.E.2d 547 (2002), the North Carolina Court of Appeals held that “in North Carolina a corporation must be represented by a duly admitted and licensed attorney-at-law and cannot proceed pro se [i.e., without a lawyer] unless doing so in accordance with” certain exceptions.

The court explained that North Carolina statute prohibits “any person or association of persons, except active members of the Bar of the State of North Carolina admitted and licensed to practice as attorneys-at-law, to appear as attorney or counselor at law in any action or proceeding before any judicial body . . . except in his own behalf as a party thereto.” This right to represent oneself extends only to individuals and not corporations, limited liability companies, or other business entities, which as artificial entities can only act through their agents. The court went on to hold that not even an individual who is the CEO, president, chairman of the board, and sole shareholder of the corporation could represent the corporation in court.

As mentioned above, the Court of Appeals did note certain exceptions to the requirement that a corporation or other business entity be represented by counsel. Most notably, a corporation need not be represented by an attorney in small claims court, though attorney representation is permitted. Other limited exceptions also apply.

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