Buffalo Law Review

Volume 6 | Number 3 Article 19

4-1-1957

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practical matter, the effects of this decision will be limited to areas with a small population. The Court of Appeals readily accepted this proposition, but has left the result in doubt if a committee, appointed after the presumption became conclusive, attempted to bring an action to set aside the deed.

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Right of Licensed Practitioner to Enjoin Unlicensed Practice in His Profession

In an action by licensed chiropractors to enjoin the defendants from practicing chiropractic without a license, held (5-2): the right to practice a profession is a "valuable interest" and, since unlicensed practice infringes upon this interest, equity may enjoin such practice despite the fact that it also constitutes a breach of the criminal law. *Burden v. Hoover,* 9 Ill. 2d 114, 137 N. E. 2d 59 (1956).

It is well settled that equity has no jurisdiction where an adequate remedy at law exists. *Lewis v. City of Lockport,* 276 N. Y. 336, 12 N. E. 431 (1938); *County of Cook v. Davis,* 143 Ill. 151, 32 N. E. 176 (1892). However, the fact that the acts of a defendant subject him to prosecution under the criminal law does not of itself deny equitable jurisdiction. If there is an independent ground for equitable relief, the criminality of the act is only a factor to be considered by the courts in determining whether equitable intervention is necessary. *People ex rel. Bennett v. Laman,* 277 N. Y. 368, 14 N. E. 2d 439 (1938); 4 POMEROY'S EQUITY JURISPRUDENCE §1347 (5th ed. 1941).

Also, it is generally accepted that a license to practice a profession is a property right in the sense that state actions which affect it must satisfy due process of law. *People v. Love,* 298 Ill. 304, 131 N. E. 809 (1921); *Bender v. Board of Regents of State of New York,* 262 App. Div. 627, 30 N. Y. S. 2d 779 (3d Dep't 1941). However, whether this property interest is sufficient to enable a licensed practitioner to enjoin an unlicensed individual from practice is a question which finds the courts in conflict. Those which answer in the affirmative point to the extensive training which is a prerequisite to obtaining a professional license (as the court did in the instant case), *Doworken v. Apartment House Owners' Ass'n of Cleveland,* 380 Ohio App. 265, 175 N. E. 577, (1931), or take as granted that a sufficient property right exists. *Ezell v. Ritholz,* 188 S. C. 39, 198 S. E. 19 (1938); *Siefert v. Buhl Optical Co.,* 276 Mich. 692, 268 N. W. 784 (1936). Where relief has been denied, the courts have generally based their decisions either on the theory that the licensing statutes were enacted for the public benefit and do not operate to give individual licensees any rights which equity will protect, *New Hampshire Board of Registration in Optometry v. Scott Jewelry Co.,*

90 N. H. 368, 9 A. 2d 513 (1939), *Delaware Optometric Ass'n v. Sherwood,*— Del. Ch.—, 122 A. 2d 424 (1956), or on the grounds that no substantial injury has been shown. *Wollitzer v. Title Guarantee & Trust Co.,* 148 Misc. 529, 266 N. Y. Supp. 184 (1933); *aff'd without opinion* 241 App. Div. 757, 270 N. Y. Supp. 968 (2d Dep't 1934).

New York follows a substantial majority of states in permitting the Attorney General to enjoin the unlicensed practice of a profession if a public nuisance can be shown. *People ex rel. Bennett v. Laman, supra.* However, as to the right of the individual practitioner to such an injunction, the lower courts have consistently refused to recognize a sufficient property interest in the licensees upon which to base such relief, *Wollitzer v. Title Guarantee & Trust Co., supra* (attorney), *Goldsmith v. Jewish Press Pub. Co.,* 118 Misc. 789, 195 N. Y. Supp. 37 (1922) (Certified Public Accountant); and the Court of Appeals apparently has not yet been faced with the precise issue. *But cf. Smith v. Lockwood,* 13 Barb. 209 (1852).

A strictly logical approach to this problem would require a refusal to recognize a substantial property interest in a professional license. There was no right at common law to be free from competition and it is extremely doubtful that the legislature intended to create such a right by the enactment of the licensing statutes. *New Hampshire Board of Registration in Optometry v. Scott Jewelry Co., supra* at 518; RESTATEMENT, TORTS §710, comment *d* (1938). However, there are certain policy considerations which seem to justify a contrary result. Regardless of who was intended to benefit from the licensing statute, it is clear that the licensed practitioner has paid a high price, in both time and money, in return for his right to practice. Justice would seem to dictate that he be entitled to protect himself from unauthorized interference with the exercise of this right. Also, preservation of a profession's reputation and protection of the public welfare require that the profession be policed, and unlicensed practice eliminated; the individual practitioners are probably equipped to handle such a task, along with the Attorney General.

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Criminal Law: Entrapment

Defendant, who had no previous record for dealing in narcotics, was successfully induced by a government agent to produce a seller and to facilitate a sale of heroin. Defendant put forth the defense of entrapment. Conceding that the defendant had been induced to commit the offense, the issue evolved around whether the prosecution had made a valid reply to the defense. Held (2-1): defendant's ready complaisance to the agent's request was sufficient to indicate