By Senator Geller

31-116A-05

A bill to be entitled 2 An act relating to restrictions on the practice of law; amending s. 454.18, F.S.; clarifying 3 provisions prohibiting a sheriff or deputy 4 5 sheriff from practicing law in this state; 6 authorizing an attorney to serve as a volunteer 7 with a sheriff's auxiliary; providing an 8 effective date. 9 Be It Enacted by the Legislature of the State of Florida: 10 11 12 Section 1. Section 454.18, Florida Statutes, is 13 amended to read: 454.18 Officers not allowed to practice. -- A No sheriff 14 15 or clerk of the any court, or deputy clerk of the court thereof, may not shall practice law in this state, and nor 16 shall any person who is not of good moral character, or who has been convicted of an infamous crime is not be entitled to 18 practice <u>law</u>. A sheriff or deputy sheriff who is an attorney 19 may not engage in the private practice of law, be a member of 20 21 a law firm, or represent himself or herself as an attorney on 22 any letterhead. An attorney may serve with a sheriff's 23 auxiliary only as a volunteer. A But no person may not shall be denied the right to practice <u>law</u> on account of <u>gender</u> sex, 2.4 race, or color. And any person, whether an attorney or not, or 25 whether within the exceptions mentioned above or not, may 26 27 conduct his or her own cause in any court of this state, or before any public board, committee, or officer, subject to the lawful rules and discipline of such court, board, committee, 29 or officer. The provisions of this section restricting the 30 practice of law by a sheriff or clerk, or deputy clerk of the

court do thereof, shall not apply in a case where such person is representing the office or agency in the course of duties as an attorney. Section 2. This act shall take effect July 1, 2005. \*\*\*\*\*\*\*\*\* SENATE SUMMARY Clarifies provisions that prohibit a sheriff from practicing law in this state. Provides circumstances in which an attorney may serve with a sheriff's auxiliary.