

By Senator Geller

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A bill to be entitled

An act relating to restrictions on the practice of law; amending s. 454.18, F.S.; clarifying provisions prohibiting a sheriff or deputy sheriff from practicing law in this state; authorizing an attorney to serve with a sheriff's auxiliary; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 454.18, Florida Statutes, is amended to read:

454.18 Officers not allowed to practice.--~~A No sheriff or clerk of the any court, or deputy clerk of the court thereof, may not shall~~ practice law in this state, and nor shall any person who is not of good moral character, or who has been convicted of an infamous crime is not ~~be~~ entitled to practice law. A sheriff or deputy sheriff who is an attorney may not engage in the private practice of law or be a member of a law firm. An attorney may serve with a sheriff's auxiliary. A ~~But no~~ person may not shall be denied the right to practice law on account of gender ~~sex~~, race, or color. And any person, whether an attorney or not, or whether within the exceptions mentioned above or not, may 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, or officer. The provisions of this section restricting the practice of law by a ~~sheriff or clerk, or deputy clerk of the court do thereof,~~

1 ~~shall~~ not apply in a case where such person is representing
2 the office or agency in the course of duties as an attorney.

3 Section 2. This act shall take effect July 1, 2006.

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6 SENATE SUMMARY

7 Provides that a sheriff or deputy sheriff who is an
8 attorney may not engage in the private practice of law
9 and may not be a member of a law firm. Authorizes an
10 attorney to serve with a sheriff's auxiliary.

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