



877792

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2014	.	
	.	
	.	
	.	

The Committee on Judiciary (Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 454.23, Florida Statutes, is amended to
read:

454.23 Unlicensed practice of law; prohibition; penalties;
exceptions.-

(1) A ~~Any~~ person not licensed or otherwise authorized to
practice law in this state who ~~practices law in this state or~~
holds himself or herself out to the public as qualified to



877792

12 practice law in this state, or who willfully pretends to be, or
13 willfully takes or uses any name, title, addition, or
14 description implying that he or she is qualified, or recognized
15 by law as qualified, to practice law in this state, commits a
16 felony of the third degree, punishable as provided in s.
17 775.082, s. 775.083, or s. 775.084.

18 (2) A person not licensed or otherwise authorized to
19 practice law in this state who practices law in this state
20 commits a felony of the third degree, punishable as provided in
21 s. 775.082, s. 775.083, or s. 775.084. However, a person
22 engaging in any of the following activities is exempt from
23 prosecution under this subsection:

24 (a) Pro se representation of one's self in one's individual
25 capacity and not in any representative capacity for any other
26 person, business entity, or trust;

27 (b) Serving as a mediator or arbitrator;

28 (c) Providing services under the supervision of an attorney
29 in compliance with The Florida Bar's Rules of Professional
30 Conduct;

31 (d) Providing services authorized by court rule;

32 (e) Acting within the lawful scope of practice of a
33 business or profession licensed by the state;

34 (f) The giving of a legal notice in the form and manner
35 required by law; however, this paragraph does not apply to
36 notice required as part of a court proceeding or as required by
37 court rule; or

38 (g) Representation before a legislative body, committee,
39 commission, or board.

40 Section 2. This act shall take effect July 1, 2014.



877792

41
42
43
44
45
46
47
48
49
50
51

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to the unlicensed practice of law;
amending s. 454.23, F.S.; exempting persons engaging
in certain activities from criminal prosecution for
the unlicensed practice of law; providing an effective
date.