

By Senator Evers

2-01145A-14

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1 A bill to be entitled
2 An act relating to the unlicensed practice of law;
3 amending s. 454.23, F.S.; creating exceptions to the
4 prohibition of unlicensed practice of law; providing
5 an effective date.

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

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

11 454.23 Unlicensed practice of law; prohibition; penalties;
12 exceptions.—

13 (1) A ~~Any~~ person not licensed or otherwise authorized to
14 practice law in this state who practices law in this state or
15 holds himself or herself out to the public as qualified to
16 practice law in this state, or who willfully pretends to be, or
17 willfully takes or uses any name, title, addition, or
18 description implying that he or she is qualified, or recognized
19 by law as qualified, to practice law in this state, commits a
20 felony of the third degree, punishable as provided in s.
21 775.082, s. 775.083, or s. 775.084.

22 (2) Notwithstanding subsection (1), the following
23 activities are not prohibited by this section:

- 24 (a) Pro se representation by an individual;
25 (b) Serving as a mediator or arbitrator;
26 (c) Providing services under the supervision of an attorney
27 in compliance with the Rules of Professional Conduct;
28 (d) Providing services authorized by court rule;
29 (e) Acting within the lawful scope of practice of a

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30 business or profession regulated by the state;

31 (f) Giving legal notice in the form and manner required by
32 law; or

33 (g) Representation of another person before a legislative
34 body, committee, commission, or board.

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