

# TITLE XXXII

## REGULATION OF PROFESSIONS AND OCCUPATIONS

### CHAPTER 454

#### ATTORNEYS AT LAW

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#### **454.021 Attorneys; admission to practice law; Supreme Court to govern and regulate.—**

(1) Admissions of attorneys and counselors to practice law in the state is hereby declared to be a judicial function.

(2) The Supreme Court of Florida, being the highest court of said state, is the proper court to govern and regulate admissions of attorneys and counselors to practice law in said state.

**History.**—ss. 1, 2, 7, ch. 29796, 1955; s. 10, ch. 61-530.

**454.026 Authority of Department of Law Enforcement to accept fingerprints of, and exchange criminal history records with respect to, bar applicants.—**The Department of Law Enforcement is authorized to accept fingerprints of applicants for admission to The Florida Bar and, to the extent provided for by federal law, to exchange state, multistate, and federal criminal history records with the Florida Board of Bar Examiners for licensing purposes.

**History.**—s. 1, ch. 83-199.

**454.11 Powers of attorneys.—**Every attorney duly admitted or authorized to practice in this state shall have the right to appear before any court of the state, or any public board, committee, or officer in the interest of any client, and may appear as amicus curiae when so permitted. All attorneys shall be deemed officers of the court for the administration of justice, and amenable to the rules and discipline of the court in all matters of order or procedure not in conflict with the constitution or laws of this state.

**History.**—s. 11, ch. 10175, 1925; CGL 4189; s. 7, ch. 22858, 1945.

**454.17 Attorneys may administer oaths in open court.—**Attorneys authorized to practice law in this state may administer oaths in open court, in the presence of the presiding judge or justice thereof, and any person swearing falsely under an oath so administered shall be liable to the penalty prescribed for perjury.

**History.**—s. 17, ch. 10175, 1925; CGL 4195.

**454.18 Officers not allowed to practice.—**No sheriff or clerk of any court, or deputy thereof, shall practice in this state, nor shall any person not of good moral character, or who has been convicted of an infamous crime be entitled to practice. But no person shall be denied the right to practice on account of sex, race, or color. And any person, whether an attorney or not, or whether within the exceptions mentioned above or not, may conduct his 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 thereof, shall not apply in a case where such person is representing the office or agency in the course of his duties as an attorney.

**History.**—s. 18, ch. 10175, 1925; CGL 4196; s. 54, ch. 91-137.

**454.19 Certain partnerships prohibited.—**No judge of a court of this state who is permitted by the constitution and laws to practice law shall form any partnership with the prosecuting attorney of such court or become a partner in any firm in which he is a partner. No attorney who may be a law partner with any judge of any court who is permitted by law to practice law shall be allowed to practice before the court of which his partner is judge.

**History.**—s. 19, ch. 10175, 1925; CGL 4197; s. 1, ch. 77-119.

**454.20 Attorneys not to be sureties.—**No attorney shall become surety on the official bond of any state, county, or municipal officer of this state, nor surety on any bond of a client in judicial proceedings.

**History.**—s. 20, ch. 10175, 1925; CGL 4198.

**454.23 Penalties.—**Any person not licensed or otherwise authorized by the Supreme Court of Florida who shall practice law or assume or hold himself out to the public as qualified to practice in this state, or who willfully pretends to be, or willfully takes or uses any name, title, addition, or description implying that he is qualified, or recognized by law as qualified, to act as a lawyer in this state, and any person entitled to practice who shall violate any provisions of this chapter, shall be guilty of

a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

**History.**—s. 21, ch. 10175, 1925; CGL 8133; s. 384, ch. 71-136; s. 1, ch. 74-128.

**454.31 Practice while disbarred or suspended prohibited.**—Any person who has been disbarred and who has not been lawfully reinstated or is under suspension from the practice of law by any circuit court of the state or by the Supreme Court of the state who shall either directly or indirectly practice law in any manner or hold himself out as an attorney at law or qualified to practice law shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

**History.**—s. 1, ch. 18006, 1937; CGL 1940 Supp. 8133(2); s. 385, ch. 71-136.

**454.32 Aiding or assisting disbarred or suspended attorney prohibited.**—Any attorney at law licensed to practice in the courts of the state who either directly or indirectly aids or assists any person in carrying on the practice of law, either directly or indirectly in any manner whatsoever who has been disbarred or is under the suspension, as provided in s. 454.31, from the practice of law, shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and shall also be subject to disbarment.

**History.**—s. 2, ch. 18006, 1937; CGL 1940 Supp. 8133(3); s. 386, ch. 71-136.