

1 HB89
2 189120-2
3 By Representative England
4 RFD: Judiciary
5 First Read: 09-JAN-18
6 PFD: 01/08/2018

1 exercise of the judicial power of the state or any subdivision
2 thereof; or

3 "(2) For a consideration, reward, or pecuniary
4 benefit, present or anticipated, direct or indirect, advises
5 or counsels another as to secular law, or draws or procures or
6 assists in the drawing of a paper, document, or instrument
7 affecting or relating to secular rights; or

8 "(3) For a consideration, reward, or pecuniary
9 benefit, present or anticipated, direct or indirect, does any
10 act in a representative capacity in behalf of another tending
11 to obtain or secure for such other the prevention or the
12 redress of a wrong or the enforcement or establishment of a
13 right; or

14 "(4) As a vocation, enforces, secures, settles,
15 adjusts, or compromises defaulted, controverted, or disputed
16 accounts, claims or demands between persons with neither of
17 whom he or she is in privity or in the relation of employer
18 and employee in the ordinary sense;

19 "is practicing law.

20 "(c) Nothing in this section shall be construed to
21 prohibit any person, firm, or corporation from attending to
22 and caring for his, her, or its own business, claims, or
23 demands, nor from preparing abstracts of title, certifying,
24 guaranteeing, or insuring titles to property, real or
25 personal, or an interest therein, or a lien or encumbrance
26 thereon, but any such person, firm, or corporation engaged in
27 preparing abstracts of title, certifying, guaranteeing, or

1 insuring titles to real or personal property are prohibited
2 from preparing or drawing or procuring or assisting in the
3 drawing or preparation of deeds, conveyances, mortgages, and
4 any paper, document, or instrument affecting or relating to
5 secular rights, which acts are hereby defined to be an act of
6 practicing law, unless such person, firm, or corporation shall
7 have a proprietary interest in such property; however, any
8 such person, firm, or corporation so engaged in preparing
9 abstracts of title, certifying, guaranteeing, or insuring
10 titles shall be permitted to prepare or draw or procure or
11 assist in the drawing or preparation of simple affidavits or
12 statements of fact to be used by such person, firm, or
13 corporation in support of its title policies, to be retained
14 in its files and not to be recorded.

15 "(d) Only a person who is a citizen of the United
16 States or, if not a citizen of the United States, a person who
17 is legally present in the United States with appropriate
18 documentation from the federal government, may be licensed to
19 practice law in this state.

20 "(e) Each attorney licensed to practice law in the
21 State of Alabama, whether the license is a special or a
22 regular license, may provide pro bono legal services organized
23 through or recognized by the Alabama State Bar Association
24 unless otherwise prohibited by his or her employer, which
25 participation may not be considered the private practice law."

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Judiciary 09-JAN-18

Read for the second time and placed
on the calendar 1 amendment 01-FEB-18

Read for the third time and passed
as amended..... 15-MAR-18

Yeas 97, Nays 0, Abstains 0

Jeff Woodard
Clerk