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3 By Representative England  
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ENROLLED, An Act,

To amend Section 34-3-6, Code of Alabama 1975, relating to the practice of law, to provide that an attorney who holds a special law license may provide pro bono legal services organized through or recognized by the Alabama State Bar Association.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 34-3-6, Code of Alabama 1975, is amended to read as follows:

"§34-3-6.

"(a) Only such persons as are regularly licensed have authority to practice law.

"(b) For the purposes of this chapter, the practice of law is defined as follows:

"Whoever,

"(1) In a representative capacity appears as an advocate or draws papers, pleadings, or documents, or performs any act in connection with proceedings pending or prospective before a court or a body, board, committee, commission, or officer constituted by law or having authority to take evidence in or settle or determine controversies in the exercise of the judicial power of the state or any subdivision thereof; or

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

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

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

17           "is practicing law.

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

