

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2368

52nd Legislature
1992 Regular Session

Passed by the House March 7, 1992
Yeas 96 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate March 2, 1992
Yeas 44 Nays 1

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is HOUSE BILL 2368 as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 2368

AS AMENDED BY THE SENATE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Padden, Riley, Mielke and Paris

Read first time 01/15/92. Referred to Committee on Judiciary.

1 AN ACT Relating to the practice of law by deputy sheriffs; and
2 amending RCW 2.48.200 and 36.28.110.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 2.48.200 and 1975 1st ex.s. c 19 s 3 are each amended
5 to read as follows:

6 No person shall practice law who holds a commission as judge in any
7 court of record, or as sheriff(~~(7)~~) or coroner(~~(7 or deputy sheriff)~~);
8 nor shall the clerk of the supreme court, the court of appeals, or of
9 the superior court or any deputy thereof practice in the court of which
10 he or she is clerk or deputy clerk: PROVIDED, It shall be unlawful for
11 a deputy prosecuting attorney, or for the employee, partner, or agent
12 of a prosecuting attorney, or for an attorney occupying offices with a
13 prosecuting attorney, to appear for an adverse interest in any
14 proceeding in which a prosecuting attorney is appearing, or to appear

1 in any suit, action or proceeding in which a prosecuting attorney is
2 prohibited by law from appearing, but nothing herein shall prohibit a
3 prosecuting attorney or a deputy prosecuting attorney from appearing in
4 any action or proceeding for an interest divergent from that
5 represented in the same action or proceeding by another attorney or
6 special attorney in or for the same office, so long as such appearances
7 are pursuant to the duties of prosecuting attorneys as set out in RCW
8 36.27.020 and such appearances are consistent with the code of
9 professional responsibility or other code of ethics adopted by the
10 Washington state supreme court, but nothing herein shall preclude a
11 judge or justice of a court of this state from finishing any business
12 ((~~by him~~)) undertaken in a court of the United States prior to ((~~his~~))
13 him or her becoming a judge or justice.

14 **Sec. 2.** RCW 36.28.110 and 1963 c 4 s 36.28.110 are each amended to
15 read as follows:

16 No sheriff ((~~or deputy sheriff~~)) shall appear or practice as
17 attorney in any court, except in their own defense.