

# Committee on Disciplinary Rules and Referenda

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## *2019 Summary*

The Committee on Disciplinary Rules and Referenda (CDRR) was created by the 2017 Texas Legislature in Section 81.0872 of the State Bar Act. In 2019, the CDRR voted to recommend several rule proposals to the Board of Directors for approval. Two proposals have been approved by the Board of Directors, two are pending submission to the Board, and two additional proposals initiated by CDRR could be recommended to the Board in the upcoming months.

### **Approved by Board**

#### **Confidentiality – Ethics Advice**

Approved by Board at 4/26/19 meeting. The Board is waiting to petition Court for a referendum pending additional rule proposals.

#### **Clients with Diminished Capacity**

Approved by Board at 4/26/19 meeting. The Board is waiting to petition Court for a referendum pending additional rule proposals.

### **Pending Submission to Board**

#### **Competent and Diligent Representation**

Recommended by CDRR. Not yet submitted to Board.

#### **Conflict of Interest Exceptions for Nonprofit and Limited Pro Bono Legal Services**

Recommended by CDRR. Not yet submitted to Board.

### **Initiated by CDRR**

#### **Advertising Rules**

The CDRR is expected to vote at its 9/3/19 meeting.

#### **Assignment of Judges (Requested by Supreme Court)**

The CDRR initiated the rule proposal process on 7/23/19. Publication must occur within 6 months (possibly in October or November) and there must be a comment period of at least 30 days.

**Moving Past 2019:** Although the rule proposal process is by design a fluid process, it is tentatively expected that the Board of Directors will have voted on each item to be included in a possible fall 2020 rules vote by its April 2020 Board Meeting. The CDRR has spent much of its initial two years developing and implementing elements of the rule proposal process to maximize public feedback. It is reasonable to expect that a larger number of rule proposal requests will be received on a rolling basis in upcoming years.

To review the 2019 meeting schedule and other information on how to participate please visit

**[texasbar.com/CDRR](http://texasbar.com/CDRR)**

or contact Brad Johnson, Disciplinary Rules and Referenda Attorney,

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