



Public Hearings Scheduled On Professional Liability Insurance Disclosure

Texas Supreme Court Letter to State Bar

June 23, 2009

Mr. Harper Estes
President

Mr. Roland Johnson
President Elect

Dear Mr. Estes and Mr. Johnson:

The Court would like to commend the members of the State Bar's Task Force on Insurance Disclosure for their thorough and thoughtful study of the issue of whether Texas lawyers should be required to disclose the existence or non-existence of professional liability insurance. Under the leadership of its Chair, David Beck, the task force tackled an important and controversial issue. And as you know, the task force voted 6-5 to recommend that no insurance disclosure be required. The Grievance Oversight Committee also looked into this issue and made a recommendation to the Court in its 2009 Report, which concluded that Texas attorneys should be required to disclose if they do not have a professional liability insurance policy with limits acceptable to the Bar.

It is my understanding that the State Bar Board of Directors did not approve a final recommendation on the task force report for the Court to consider. Due to the importance of this issue to the citizens of Texas and to the legal profession, and because a decision could affect every member of the Bar, the Court believes it is important to ensure the full participation of the State Bar Board of Directors in its decision-making process. Therefore, the Court asks the Board of Directors to review the task force report and make a final recommendation to the Court on these issues before February 2010. The Court will deliberate on this matter upon receiving the Bar's recommendation.

I look forward to getting the Board of Directors' recommendation on this issue. Please let me know if the Court can be of any assistance.

Sincerely,

Wallace B. Jefferson
Chief Justice

Schedule of Public Hearings

In January, the State Bar Board of Directors will vote to recommend to the Supreme Court whether or not lawyers should be required to disclose if they have professional liability insurance and, if so, the preferred method for disclosure. To ensure that the Board is well informed and that information about the process, discussion, and issues considered be part of the report to the Court, the Board will collect information from lawyers and the public. The process will include public hearings, opportunities for written comments, and online information.

At the time the *Texas Bar Journal* went to press, the following public hearings were scheduled:

San Antonio

Wednesday, Oct. 14, noon – 2 p.m.

San Antonio Bar Association, Bexar County Courthouse

Harlingen

Thursday, Oct. 15, noon – 2 p.m.

Hampton Inn (1202 Ed Carey Dr.)

Houston

Friday, Oct. 16, noon – 2 p.m.

South Texas College of Law

El Paso

Tuesday, Oct. 27, noon – 2 p.m.

Commissioners Court Room

Dallas

Wednesday, Oct. 28, noon – 2 p.m.

Belo Mansion

Lubbock

Thursday, Oct. 29, noon – 2 p.m.

Texas Tech University School of Law

Austin

Monday, Nov. 9, noon – 2 p.m.

Texas Law Center

To read the reports of the State Bar Task Force on Insurance Disclosure or Supreme Court Grievance Oversight Committee or to provide comments, go to www.texasbar.com/plidisclosure. ✪