



## State Bar Board Meets in Houston

**O**n Oct. 1, the State Bar Board of Directors met in Houston for its quarterly meeting. The following are among the highlights from the meeting:

- **Proposed Changes to Disciplinary Rules** — After much debate, the Board voted to recommend to the Supreme Court of Texas that proposed amendments to the Texas Disciplinary Rules of Professional Conduct and interpretive comments to those Rules be approved with the exception of Rules 1.06, 1.07, 1.08, and 1.09 regarding conflicts of interest. The Board asked the Court for additional time to make recommendations on those Rules. In October 2009, the Court issued an order proposing amendments to the Rules. The amendments were the result of years of debate and consideration by a Court-appointed task force, the State Bar's standing committee on the disciplinary rules, and, ultimately, the Court. The proposed amendments were published for comment in the November 2009 *Texas Bar Journal*. In April 2010, in response to the comments and feedback it received, the Court revised the proposed amendments. Additionally, the Court asked the State Bar Board of Directors to provide it with any recommendations or comments regarding the proposed amendments by Oct. 6, 2010. The Board's Discipline and Client-Attorney Assistance Program Committee (DCAAP) studied the revised proposed amendments, the interpretive comments drafted to accompany the Rules, and the feedback the Committee received through written comments and from a series of nine public education hearings the State Bar conducted around the state in August and September. (To listen to audio recordings of the public education hearings, visit [www.texasbar.com/ethics](http://www.texasbar.com/ethics).) DCAAP recommended changes to several of the proposed amendments, which the Board voted to approve. During the Board's discussion of the combined proposed amendments to the Rules, new concerns emerged regarding the Rules regarding conflicts of interest. The Board decided that it was important to ask for additional time to solicit feedback and suggested language to address the concerns raised. As part of its recommendation to the Court, the Board asked for 30 additional days to gather input on proposed TDRPC Rules 1.06 through 1.09 so that the Board could make a final recommendation to the Court during its next meeting, which was scheduled to take place in January 2011. At that time, the Board would likely request a referendum of all Texas lawyers on the proposed Disciplinary Rules.

***Editor's note:** In a letter dated Oct. 6, 2010, Chief Justice Wallace Jefferson agreed to give the Board until Nov. 5, 2010, to consider the proposed Rules regarding conflicts of interest further and until Nov. 8 to report back to the Court with recommendations. The Board will convene a special board meeting on Friday, Nov. 5, at 10:30 a.m. at the Texas Law Center in Austin. At the time the Texas Bar Journal went to press, DCAAP had invited representatives of groups who expressed concerns about the conflicts rules to take part in a meeting on Wednesday, Oct. 20, at the Belo Mansion in Dallas. For the most up-to-date information regarding the proposed Disciplinary Rules, visit [www.texasbar.com/ethics](http://www.texasbar.com/ethics).*

- **Legislative Program** — The Board approved the State Bar's legislative program and the recommendations of the Legislative Policy Subcommittee.
- **Section Seeks to Change Name** — Dan Micciche, one of the six Section Representative to the Board, reported that the Alternative Dispute Resolution Section is seeking to change its name to the Dispute Resolution Section. Micciche outlined the Board's requirements for approving a name change (e.g., that it not cause confusion with an existing Section) and the six-part approval process. The next step is for the Section Representatives to make a recommendation to the Board.
- **Expanded Member Discount Program Launched** — Pam Gilbert, chair of the Insurance/Member Benefits Subcommittee, announced that the State Bar had launched a new member discount program. The partnership with Beneplace provides State Bar members and their employees access to discounts from hundreds of retailers and legal services providers. The State Bar is maintaining its relationships with previous member benefit providers. Users can access the new member discounts page through the State Bar website.
- **Employee of the Quarter** — State Bar Executive Director Michelle Hunter presented the employee of the quarter award to Hedy Bower, senior program attorney with TexasBarCLE. 🌟

### Board to Meet in Austin on Nov. 5

The State Bar of Texas Board of Directors will meet on Friday, Nov. 5, at 10:30 a.m. at the Texas Law Center in Austin to finalize recommendations to the Supreme Court of Texas regarding proposed amendments to the Texas Disciplinary Rules of Professional Conduct.