

# COMMITTEE ON DISCIPLINARY RULES AND REFERENDA

## Texas Rules of Disciplinary Procedure

### Rule 13.04. Voluntary Appointment of Custodian Attorney For Cessation of Practice

Below is the timeline for proposed Rule 13.04 of the Texas Rules of Disciplinary Procedure, relating to the voluntary appointment of a custodian attorney to assist with the cessation of practice.

**INITIATED – January 16, 2020**

**PUBLICATION** – A proposed rule is withdrawn if it is not published in (1) the Texas Register and (2) the Texas Bar Journal within six months of initiation of the rule proposal process.

- **Texas Register – February 28, 2020 (Complete)**
- **Texas Bar Journal – March 2020 (Complete)**

*NOTE: Publications will include details on dates and participation methods for the comment period and the public hearing.*

**COMMENT PERIOD** – The Committee shall give interested parties at least 30 days from the date a proposed rule is published to submit comments on the rule to the Committee.

The Committee accepted public comments through **April 10, 2020**.

**PUBLIC HEARING** – The Committee held a public hearing by teleconference on **April 7, 2020**.

**FINAL VOTE BY COMMITTEE** – The Committee shall vote on whether to recommend a proposed rule to the Board of Directors not later than the 60th day after the final day of the comment period. This vote must be held at a meeting open to the public and with notice to the public.

The Committee voted at its **May 6, 2020**, meeting to recommend the proposed rule to the Board of Directors (with amendments).

**VOTE BY BOARD OF DIRECTORS** – The Board of Directors shall vote on each proposed disciplinary rule recommended by the Committee not later than the 120th day after the date the rule is received from the Committee. The Board shall vote for or against the rule or return the rule to the Committee for additional consideration.

At its **June 24, 2020**, meeting, the Board voted to approve the proposed rule. The Board also voted to hold the proposed rule for submission to the Supreme Court of Texas at a later date with other rule proposals, as deemed appropriate by the Board. At a future date, the Board will petition the Supreme Court to order a vote by Bar membership on the rule proposals.

**VOTE BY BAR MEMBERSHIP** – On September 25, 2020, the Board of Directors approved the submission of a petition to the Supreme Court of Texas for a rules vote by Bar membership. On September 29, 2020, the Supreme Court ordered a membership vote to take place from **February 2 to March 4, 2021**, on this and other rule proposals. For more information, go to [texasbar.com/rulesvote](https://texasbar.com/rulesvote).