

COMMITTEE ON DISCIPLINARY RULES AND REFERENDA

Texas Disciplinary Rules of Professional Conduct

Rule 1.05. Confidentiality of Information (Confidentiality and Clients Contemplating Suicide)

Below is the timeline for proposed changes to Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct, relating to the disclosure of confidential information and clients contemplating suicide.

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PUBLICATION – A proposed rule is withdrawn if it is not published in (1) the Texas Register and (2) the Texas Bar Journal within six months of initiation of the rule proposal process.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 – March 27, 2020 (Complete)**
- **Texas Bar Journal – April 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 **June 20, 2020** (as well as any additional comments received before its July 8, 2020, meeting).

PUBLIC HEARING – The Committee held a public hearing by teleconference on **June 18, 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.

At its **July 8, 2020**, meeting, the Committee voted 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 **September 25, 2020**, meeting, the Board voted to approve the proposed rule and to petition the Supreme Court of Texas for a rules vote by Bar membership on this and other rule proposals approved by the Board.

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.