

COMMITTEE ON DISCIPLINARY RULES AND REFERENDA

Texas Disciplinary Rules of Professional Conduct

Rule 1.09. Conflict of Interest: Former Client

Below is the timeline for proposed changes to Rule 1.09 of the Texas Disciplinary Rules of Professional Conduct, relating to the duties of a lawyer to a former client.

INITIATED – October 6, 2021

PUBLICATION – A proposed rule is withdrawn if it is not published in (1) the Texas Register and (2) the Texas Bar Journal within six months of initiation of the rule proposal process.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 4, 2022 (Complete)**
- **Texas Bar Journal – March 2022 (Complete)**

NOTE: Publications include details on dates and participation methods for the comment period and the public hearing(s).

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 5, 2022**.

PUBLIC HEARING – The Committee held a public hearing by teleconference on **April 6, 2022**.

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 **May 4, 2022**, meeting, the Committee voted to recommend the proposed rule to the Board of Directors.

SUBMISSION TO BOARD OF DIRECTORS – The Committee shall submit a proposed disciplinary rule that is recommended by the Committee to the Board of Directors for review and consideration.

The proposed rule was submitted to the Chair of the Board of Directors on **October 19, 2022**.

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 **January 27, 2023**, meeting, the Board voted to approve the proposed rule. At a future date, the Board will petition the Supreme Court of Texas to order a vote by Bar membership on the proposed rule (as well as on other rule proposals approved by the Board).