

BILL ANALYSIS

Senate Research Center
77R11645 QS-D

H.B. 1712
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Jurisprudence
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Engrossed

DIGEST AND PURPOSE

Currently, some consumers experience difficulty finding certain information that is necessary in order to make informed decisions about the selection of an attorney for legal representation. H.B. 1712 requires the State Bar of Texas to compile a list of attorney profiles that would be made available to the public.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the State Bar of Texas in SECTION 1 (Section 81.115, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 81H, Government Code, by adding Section 81.115, as follows:

Sec. 81.115. ONLINE ATTORNEY PROFILES. (a) Requires the State Bar of Texas (state bar) to create a profile of each attorney licensed by the state bar. Sets forth criteria for the profile.

(b) Sets forth information on each attorney that a profile is required to contain.

(c) Requires the profile to contain certain information on an attorney if the attorney provides the information to the state bar.

(d) Requires information included under Subsection (b) or (c) that is not maintained by the state bar in the ordinary course of the state bar's duties to be requested from an attorney annually. Requires the state bar, in requesting information from the attorney, to take certain enumerated actions.

(e) Provides that this section does not require the state bar to disclose confidential information.

(f) Requires the state bar to annually provide to each attorney licensed by the state bar a copy of the attorney's profile or provide to an individual attorney a copy of the attorney's profile on request. The state bar shall provide an attorney one month from the date a copy of the attorney's profile is provided to the attorney to correct factual errors in the attorney's profile.

(g) Requires the state bar to annually update the information contained in an attorney's profile. Requires the state bar to adopt a form that allows an attorney to update information contained in the attorney's profile. Requires the form to be made available on the Internet and in other formats as prescribed by rules adopted by the state bar. Authorizes the state bar to adopt rules relating to the type and content of additional information that may be included in an attorney's profile.

(h) Authorizes the state bar, for purposes of administering this section, to collect from each member of the state bar an annual fee of not more than \$10.

(i) Requires the state bar to adopt rules as necessary to implement this section.

SECTION 2. (a) Effective date: September 1, 2001.

(b) Requires the state bar to adopt the rules required under Section 81.115, Government Code, as added by this Act, not later than April 1, 2002. Requires the state bar to make the initial attorney profiles required under this Act available to the public not later than September 1, 2003.

(c) Authorizes the state bar, notwithstanding Section 81.115(h), Government Code, as added by this Act, to collect from each member of the state bar a fee of not more than \$20 for each fiscal year in the 2002-2003 biennium.