

Implementing the 2024 Changes to the Texas Disciplinary Rules: **Modernize your Ethics Practices**

Presenter:

Claude E. Ducloux, Austin

Board Certified – Civil Trial & Civil App. Law

Former Member 2018-2023

Committee on Disciplinary Rules & Referenda

UTCLE- 33rd Annual LLCs, LPs, and Partnerships Course

Austin, Texas July 11-12, 2024

LAWPAY[®]
AN AFFINIPAY SOLUTION



1

Part I: **Overview of the 2024 Rules Process and Vote**

2

2

2024 Rules Vote:

Question: Who Initiated the Proposed Rules we Voted on in April 2024?

Answer: The CDRR Proposed and Initiated the Rules included in 2024. And, to accomplish that, the CDRR:

- Reviewed rules in other jurisdictions
- Found and addressed Issues of ambiguity requiring clarification
- Modernized Terminology
- Conflicts Rules and developed and explained "Screening"
- Addressed Terminating "Custodianship"



3

3

How Did the Vote Come Out?



The 12 propositions passed as follows:

| | |
|--------------------------------------|---------|
| A —1.00 Terminology | 85.11 % |
| B —1.08 Conflicts with Client | 80.94 % |
| C —1.09 Conflict-former Client | 80.86 % |
| D —1.10 Imputation Conflicts | 80.36 % |
| E —1.18 Prospective Client | 78.21 % |
| F —3.09 Special Duties of Prosecutor | 85.93 % |



4

4

How Did the Vote Come Out? (Cont'd)



The 12 propositions passed as follows:

| | |
|--|---------|
| G —4.03 Dealing with Unrep Person | 77.48 % |
| H —5.01 Resp. of Supervisory Lawyer | 75.66 % |
| I —5.05 Unauthorized Law Practice | 82.63 % |
| J —8.05 Jurisdiction | 81.52 % |
| K —8.06 Choice of Law | 82.55 % |
| L —RDP 13.05 Termination Custodianship | 85.89 % |



5

5

What Comes Next?

- Election Results are certified and sent to the Texas Supreme Court.
- Texas Supreme Court holds hearing to discuss rules and comments.
- CDRR responds as necessary in editing or drafting new comments.
- Supreme Court Orders Adoption of the New Rules.

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 21-9061

FINAL APPROVAL AND ADOPTION OF AMENDMENTS TO
THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT AND
THE TEXAS RULES OF DISCIPLINARY PROCEDURE



6

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Integrating the New Texas Disciplinary Rules and Changes Into Your Practice

Also available as part of the eCourse

[2024 LLCs, LPs and Partnerships eConference](#)

First appeared as part of the conference materials for the
33rd Annual LLCs, LPs and Partnerships session

"Integrating the New Texas Disciplinary Rules and Changes Into Your Practice"