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AN AFFINIPAY SOLUTION

Part I: Overview of the 2024 Rules Process and Vote

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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"



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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 %



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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 %



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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



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

Also available as part of the eCourse 2024 eConference on State and Federal Appeals

First appeared as part of the conference materials for the 34th Annual Conference on State and Federal Appeals session "2024 Ethics Referendum: What Passed, What Didn't, and What Now?"