

BILL ANALYSIS

Senate Research Center

H.B. 792
By: Wolens (West, Royce)
Jurisprudence
6/25/2001
Enrolled

DIGEST AND PURPOSE

A grievance may be filed against an attorney with the State Bar of Texas (state bar). The grievance system is designed to sanction attorneys for misconduct, but does not provide for the award of damages or civil or criminal remedies. The grievances are investigated for a violation of the Texas Rules of Disciplinary Procedure. If a violation of professional misconduct is not proven, the matter is classified as an inquiry and dismissed. H.B. 792 sets forth provisions for the membership and voting disclosure of a panel of a district grievance committee of the state bar and requires the state bar to conduct a study of disciplinary and disability procedures.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 81.072, Government Code, by adding Subsections (h)-(o), to add provisions regarding certain procedures involving disciplinary action against an attorney and regarding a district grievance committee of the State Bar of Texas.

SECTION 2. Requires the State Bar of Texas, not later than September 1, 2002, to study the state bar rules governing attorney disciplinary and disability procedure and the Texas Rules of Disciplinary Procedure to determine the extent to which the rules conform to the requirements of state law governing attorney disciplinary and disability procedure and submit to the lieutenant governor and the speaker of the house of representatives a report of the study, including recommendations for revisions to the state bar rules and the Texas Rules of Disciplinary Procedure that conflict with the requirements of state law.

SECTION 3. Effective date: September 1, 2001.