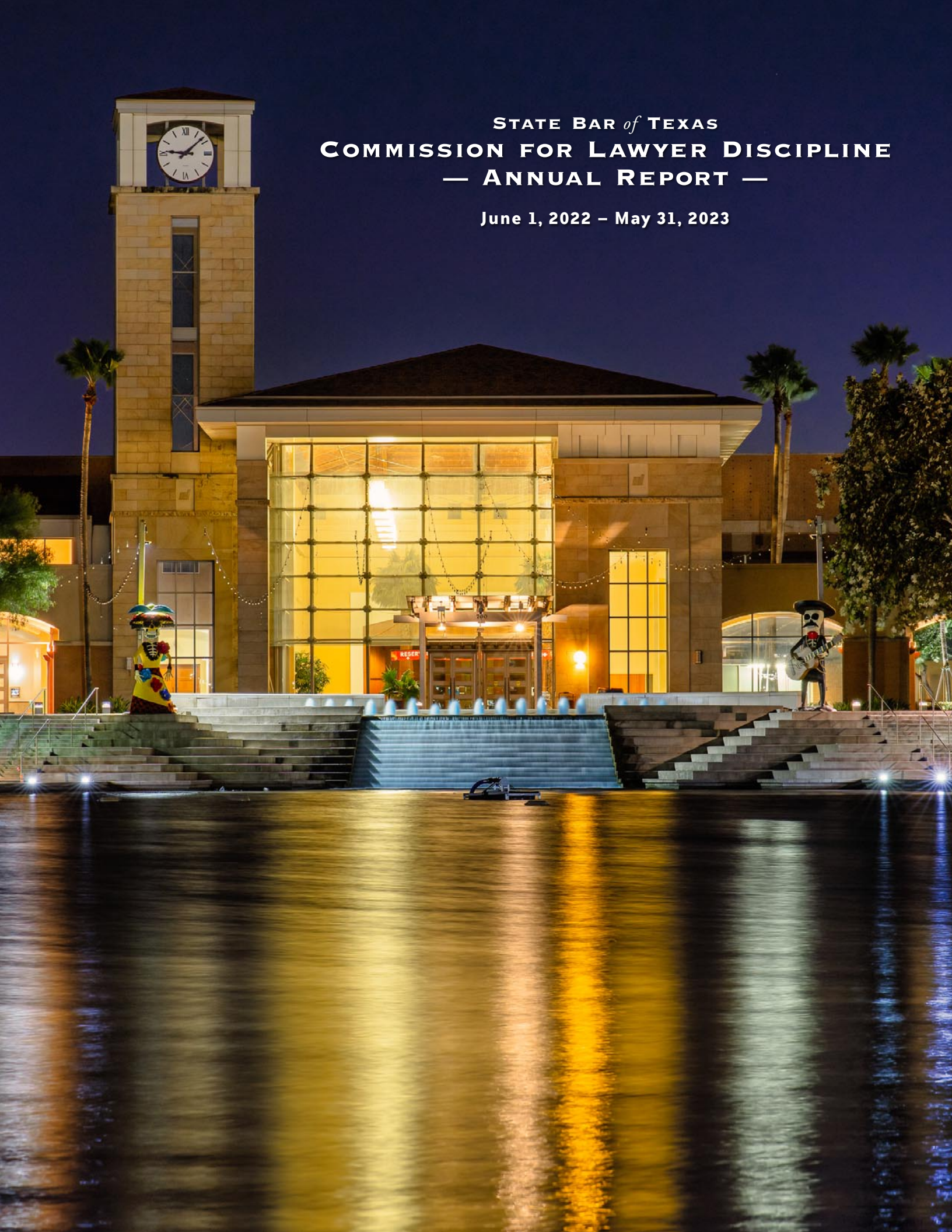


STATE BAR *of* TEXAS
COMMISSION FOR LAWYER DISCIPLINE
— ANNUAL REPORT —

June 1, 2022 – May 31, 2023



The Lawyer's Oath

“I do solemnly swear that I will support
the Constitutions of the United States,
and of this State; that I will honestly demean myself
in the practice of law; that I will discharge my duties
to my clients to the best of my ability;
and, that I will conduct myself with integrity
and civility in dealing and communicating
with the court and all parties.
So help me God.”

FROM THE CHAIR OF THE COMMISSION FOR LAWYER DISCIPLINE

August 31, 2023

As chair of the Commission for Lawyer Discipline, I am pleased to present our 2022-2023 Annual Report, covering the period of June 1, 2022, through May 31, 2023. This report showcases the important work of the Office of Chief Disciplinary Counsel, the Commission for Lawyer Discipline, and the many volunteers who serve on grievance committees across the state.



Some of the highlights from the past year include:

- The commission successfully resolved 397 complaints through the imposition of 316 sanctions and collected \$265,620 in attorneys' fees;
- The commission continued its efforts to combat professional misconduct in the area of immigration. The Office of Chief Disciplinary Counsel, or CDC, obtained 12 immigration-related sanctions, consisting of four private reprimands, five public reprimands, one suspension, and two disbarments.
- This past year, 16 barratry-related grievances were filed. There were no barratry-related sanctions during that time period, as one grievance resulted in a referral to the Grievance Referral Program, two remain under investigation, and the remainder were either dismissed or resulted in sanctions that did not include a finding of barratry-related activity.
- CDC assisted the Client Security Fund Subcommittee in approving 137 applications and \$892,449.72 in grants; and
- CDC held 335 investigatory hearings.

It continues to be a great honor to serve with the other volunteers on the commission and to work with the Office of Chief Disciplinary Counsel toward the goal of improving the Texas attorney grievance system so that it remains a fair, effective, and efficient process of self-regulation of the legal profession, while ensuring the public will be protected from the unethical conduct of Texas lawyers.

A handwritten signature in black ink, appearing to read "Roberto Ramirez". The signature is stylized with a large, circular flourish at the beginning and a long, horizontal stroke extending to the right.

Roberto "Bobby" Ramirez
Chair of the Commission for Lawyer Discipline

COMMISSION FOR LAWYER DISCIPLINE

The Commission for Lawyer Discipline is a standing committee of the State Bar of Texas and serves as the client in the Texas attorney discipline system. The commission provides oversight to the Office of Chief Disciplinary Counsel, which administers the attorney discipline system. Professional responsibility and public protection are priorities of the State Bar of Texas. Oversight, funding, and support of the disciplinary system are in the best interest of all Texas attorneys as they provide ethical representation to their clients. The commission is composed of 12 members: six attorneys appointed by the president of the State Bar and six public members appointed by the Supreme Court of Texas.

ATTORNEY MEMBERS



Roberto "Bobby" Ramirez, chair, practices law in McAllen as a member of the Ramirez Law Firm. He is certified in personal injury trial law by the Texas Board of Legal Specialization, and he previously served as chair for the District 12 Grievance Committee and as a member of the Texas Board of Legal Specialization.



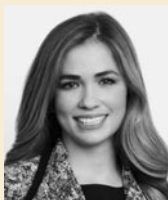
Magali Suarez Candler, vice chair, is certified in immigration and nationality law by the Texas Board of Legal Specialization and is a member of the American Immigration Lawyers Association, or AILA. She serves on the AILA Executive Office for Immigration Review Liaison Committee. She is a past chair of the Texas Chapter of AILA and served in the Houston Executive Office for Immigration Review, on the State Bar of Texas Laws Relating to Immigration and Nationality Committee, and on the University of Houston Law Foundation Board.



Lee D. Cox has been in private practice focusing on criminal defense in Fort Bend and surrounding counties since 2002. He was appointed as a special prosecutor in Harris and Brazoria counties to handle cases in which the District Attorney offices had a conflict. He is a member of the Fort Bend County Bar Association, the Fort Bend County Criminal Defense Attorneys Association, the Texas Criminal Defense Lawyers Association, the National Association of Criminal Defense Lawyers, the Texas Bar College, and the National College for DUI Defense.

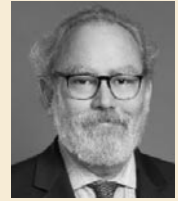


Judge Monica A. Gonzalez is a retired county court at law judge who presided over family violence cases and was a municipal court judge for 12 years. She previously served as a prosecutor for the Bexar County Criminal District Attorney's Office. She also practiced law in the private sector and served on the State Commission on Judicial Conduct and on the District 10A Grievance Committee. She served on the Supreme Court of Texas Committee on the Revision of the Texas Code of Judicial Conduct, the Texas Judicial Council Committee, the Bexar County Bail Bond Board, and the Mayor's Commission on the Status of Women — San Antonio.



Sally Lynn Pretorius is a shareholder in KoonsFuller and a past president of the Texas Young Lawyers Association. She is certified in family law by the Texas Board of Legal Specialization. Pretorius worked on TYLA projects including *Compassion Fatigue Awareness* and *Strength in Unity*, which received the Outstanding Public Service Project Award from the American Bar Endowment.

Michael S. Truesdale is an appellate lawyer with experience in prosecuting and defending appeals. In trial courts, he focuses on error identification and briefing/arguing issues with appellate implications. He has worked on cases before the Supreme Court of Texas and appeals in nearly all Texas intermediate appellate courts. Truesdale has led appeals in other states' courts and in the 5th, 6th, and 7th U.S. Circuit Courts of Appeals and has authored briefs before the U.S. Supreme Court. He also advocates for the developmental expansion of appellate pro bono programs across the nation.

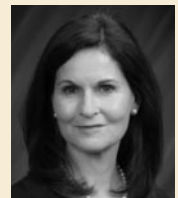


PUBLIC MEMBERS

Sheri Roach Brosier of Amarillo is a third-generation rancher, helping operate T.L. Roach & Son Allen Creek Ranch near Clarendon. She loves serving her community and volunteering for various civic organizations. She served on the District 13 Grievance Committee from 2001 to 2007.



Valery Frank of San Angelo was appointed to the commission in 2018. Frank is a registered nurse and worked in critical care before retiring. A longtime advocate of health care, children's issues, education, and the arts, she has served on numerous boards, leading nonprofits and raising money for worthy causes. Prior to her appointment to the commission, she served on the District 15 Grievance Committee for eight years.



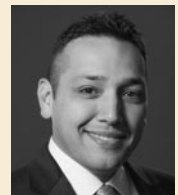
Steven J. Herman was appointed to the commission in 2021 after serving six years on the District 6 Grievance Committee. He is active in his health insurance brokerage business. In his free time, he enjoys attending programs offered by the World Affairs Council of Dallas/Fort Worth, the John Goodwin Tower Center for Public Policy and International Affairs and the Center for Presidential History at Southern Methodist University, and the Federal Reserve Bank of Dallas. A former Marine, he volunteers with Vet to Vet, an organization dedicated to enriching the lives of veterans at the Dallas Veterans Hospital Campus.



Omar Peña is a managing director at Accenture in the Public Service group. He previously served as president of the Pflugerville Community Development Corporation Board, a member of the Pflugerville City Council, and as the Pflugerville City Council's mayor pro tem.



James P. Quintero is a researcher, writer, and advocate at the Texas Public Policy Foundation. He has served at the foundation since 2008. He is currently seeking a Ph.D. in public policy from Liberty University.



Joe David "J.D." Villa has been a maintenance services specialist at the Corpus Christi Army Depot since 2016. He previously was a leading petty officer in the U.S. Navy Reserve. From 1998 to 2011, Villa served honorably in the U.S. Navy, with stints aboard the USS Enterprise and the USS Harry S. Truman. He was also a city council member for the city of Rockport and served on the District 11 Grievance Committee for six years.



Attorney Ethics Helpline — 800-532-3947

The Attorney Ethics Helpline returned 5,290 phone calls from Texas attorneys seeking advice regarding conflicts, confidentiality, safekeeping property, termination of representation, candor to the tribunal and fairness in adjudicatory proceedings, communicating with represented persons, fee-splitting or engaging in business with non-lawyers, advertising and solicitation, and the duty to report misconduct.

PROTECTING THE PUBLIC 2022-2023 SNAPSHOT

Total Disciplinary Sanctions: 316

***Total Complaints Resolved: 397**

Disbarments: 24

Public Reprimands: 35

Resignations in Lieu of Discipline: 17

Private Reprimands: 92

Suspensions: 90

Grievance Referral Program: 58

- \$265,620 in attorneys' fees were collected from respondent attorneys as part of a sanction
- \$892,449.72 in grants were approved for victims of attorney misconduct by the State Bar of Texas Client Security Fund, with 137 applications approved by the subcommittee
- Approximately 5,290 phone calls were returned by the State Bar of Texas Attorney Ethics Helpline

* Each sanction entered may have involved complaints filed by more than one complainant.

GENDER AND RACE 2022-2023 SNAPSHOT

Total Disciplinary Sanctions: 316

GENDER:

Male Respondents: 73%

Female Respondents: 27%

RACE:

White/Caucasian: 57%

Black/African American: 12%

Asian: 2%

Hispanic/Latino: 13%

Other/Not Specified: 16%

The information regarding race and gender is based on information voluntarily provided by bar membership in the attorney profiles maintained by the State Bar of Texas and is therefore not a complete picture of gender and racial statistical information.

“I do believe the GRP process will help me be a better attorney and run a better practice, which is always worth the time. Finally, I do appreciate the courtesy and professionalism of the Bar staff and I am grateful for the opportunity to fulfill the GRP Plan in lieu of litigating the underlying complaint.” — GRP Participant

Recognizing Volunteers

*Currently, approximately 380 Texans serve
on local grievance committees.*

Two-thirds are attorneys.

*One-third are public members. Collectively,
they volunteer thousands of hours each
year to protect the public.*

SPOTLIGHT ON THE CLIENT-ATTORNEY ASSISTANCE PROGRAM

The Client-Attorney Assistance Program, or CAAP, is a voluntary, confidential dispute resolution service of the State Bar of Texas. The objective is to facilitate communication and foster productive dialogue to assist Texas lawyers and their clients in resolving minor concerns, disputes, or misunderstandings within the context of the attorney-client relationship.

CAAP takes a holistic approach to public protection by managing client expectations while empowering consumers of legal services to take a productive, proactive interest in their own legal matters. CAAP coaches clients on communication techniques and methodologies and provides information on various resources and procedures to help clients navigate a complex legal system. Launched statewide in 2003, CAAP helps more than 25,000 clients per year understand the legal process and communicate respectfully and professionally with their attorneys.

CAAP STATISTICS FOR 2022-2023

CAAP calls: 18,643

CAAP Email/Correspondence: 7,622

CAAP Dispute Resolution Files: 1,026 (83.5% successfully completed)

CAAP Discretionary Grievance Referrals: 844 (86.09% successfully completed)

JOHN NEAL, 1946-2023

Former Chief Disciplinary Counsel and former Chair of the Commission for Lawyer Discipline John Neal died on February 10, 2023. He spent many years as an elected district attorney and a prosecutor and served as chief disciplinary counsel from 2005 to 2009. In 2013, the State Bar president appointed Neal to the Commission for Lawyer Discipline, where he served for six years, including as chair from 2015 to 2017. The legal community will miss him greatly, but above all else, Neal was a loving husband, father, and friend. One CDC staff member put it perfectly when she said, “Such a great human. What a loss.”



CDC staff member Shelly Hogue and John Neal

OFFICE OF CHIEF DISCIPLINARY COUNSEL

The Texas attorney discipline system is administered by the Office of Chief Disciplinary Counsel, whose work is overseen by the Commission for Lawyer Discipline. CDC represents the Commission in disciplinary litigation. Professionalism is directly tied to the public's perception of the ability of the State Bar of Texas to discipline its own lawyers and protect the public from unethical practitioners.

In addition to its headquarters in Austin, CDC has regional offices in San Antonio, Dallas, and Houston. Each regional office is responsible for the investigation and prosecution of disciplinary matters within its region and is managed by a regional counsel.

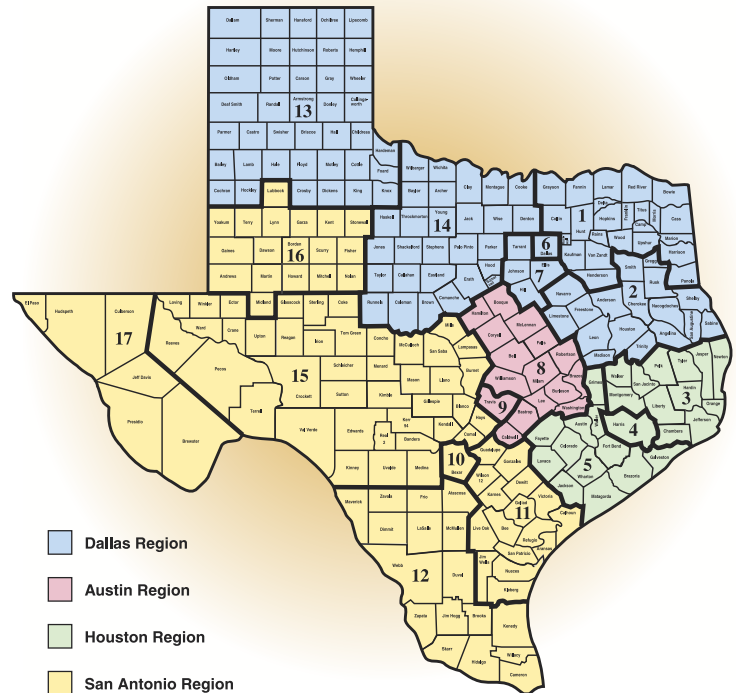
ATTORNEY ETHICS HELPLINE

CDC maintains, as a service to the members of the bar, a toll-free Attorney Ethics Helpline, operated from 8 a.m. to 5 p.m. Monday through Friday.

The helpline is designed to assist Texas attorneys who have questions about their ethical obligations to clients, courts, and the public under the Texas Disciplinary Rules of Professional Conduct. The service is intended to give attorneys access to rules, ethics opinions, and caselaw so that an attorney can make an informed decision about an ethics issue.

The information provided is informal and not binding on any district grievance committee or court. The Attorney Ethics Helpline does not provide legal assistance to the general public and cannot address questions concerning pending grievances.

During the 2022-2023 bar year, ethics attorneys returned 5,290 calls to the Attorney Ethics Helpline. These calls ranged from simple inquiries to complex ethical questions that involved hours of research and discussion.



San Antonio Office
CDC staff





Swearing in of grievance committee member James Quintero.



Swearing in of grievance committee member Omar Peña.



From left: Grievance committee member James Quintero, Supreme Court of Texas Justice Jimmy Blacklock, and grievance committee member Omar Peña.

THE ATTORNEY ETHICS HELPLINE NUMBER IS 800-532-3947.

STATEWIDE COMPLIANCE MONITOR AND GRIEVANCE REFERRAL PROGRAM

Disciplinary judgments often require that respondents refund all or part of the attorneys' fees paid to them by clients harmed by misconduct and pay for the attorneys' fees and costs incurred in prosecuting the disciplinary action. Terms of license suspension may also contain requirements directed toward changing lawyer behavior, for example, completing additional continuing legal education in the area of law practice management, assigning of a law practice monitor, auditing of the lawyer's trust account, or participating in treatment programs for mental health or substance use disorders. This results in frequent referrals to programs such as continuing legal education and the Texas Lawyers' Assistance Program.

At the close of the 2022-2023 bar year, the compliance program had 544 active cases and had resolved 380 cases. The compliance monitor collected \$1,119,552.66 in restitution in cases involving agreed judgments, non-agreed judgments, respondent defaults, and cases in which respondents were seeking reinstatement. The centralized compliance process contributed to \$265,620 in attorneys' fees collections.

**MEDIA INQUIRIES REGARDING
THE DISCIPLINARY SYSTEM
SHOULD BE DIRECTED TO:**

**Claire Reynolds
Public Affairs Counsel
Office of Chief Disciplinary Counsel
512-427-1354
creynolds@texasbar.com**

CLIENT SECURITY FUND

As part of the State Bar’s public protection mission, the Client Security Fund is available to eligible clients from whom their attorney stole money or failed to return an unearned fee.

Applications to the fund are reviewed and acted upon by the Client Security Fund Subcommittee, a standing subcommittee of the State Bar Board of Directors. CDC, through its public affairs counsel, serves as the administrator and legal counsel to the fund. In the 2022-2023 bar year, the administrator presented 234 applications to the subcommittee. Of the 234 considered, 137 were approved, resulting in grants totaling \$892,449.72.

Time Period	Applications Presented	Applications Approved	Total Grants Approved
2022-2023	234	137	\$892,449.72
2021-2022	122	61	\$147,385.14
2020-2021	135	79	\$483,699.91
2019-2020	230	149	\$871,782.89
2018-2019	178	115	\$664,143.78
2017-2018	222	148	\$901,718.68
2016-2017	157	113	\$976,114.94
2015-2016	171	115	\$814,616.72
2014-2015	138	102	\$639,581.09
2013-2014	134	118	\$1,232,355.00

BARRATRY

CDC continues to partner with State Bar leadership, local bar associations, prosecutors, and members of law enforcement to combat and educate the public and the profession about the problem of barratry and improper solicitation. There were no barratry-related sanctions during the 2022-2023 bar year, as one grievance resulted in a referral to the Grievance Referral Program, two remain under investigation, and the remainder were either dismissed or resulted in sanctions that did not include a finding of barratry-related activity.

Two consistent difficulties faced by CDC in investigating barratry-related grievances are the need to rely on co-conspirator testimony and the fact that monies paid for the soliciting of clients are often made in cash and cannot be tracked. However, CDC coordination and cooperation with criminal barratry prosecutions has proven fruitful in those rare instances where the crime has been prosecuted. Likewise, the grievance process remains available to members of the profession who are pursuing civil remedies for improper solicitation under Chapter 82 of the Government Code.

“I will say that the review of these materials has been helpful, insightful, and I appreciate you making these materials known to me.”
 – GRP Participant

DISTRICT GRIEVANCE COMMITTEES

Currently, approximately 380 volunteer grievance committee members serve on 17 committees throughout the state. Members are nominated by State Bar directors and appointed by the State Bar president.

The district grievance committees are composed of two-thirds attorney members and one-third public members, serve three-year staggered terms and are eligible to serve two consecutive terms.

ROLE OF GRIEVANCE COMMITTEES

The district grievance committees perform two critical roles in the discipline system: (1) review complaints presented by CDC and determine whether the case should be dismissed, resolved with an agreed sanction, or proceed to litigation; and (2) sit as a tribunal in the litigation stage to determine whether professional misconduct was committed and assess an appropriate sanction.

TRAINING

Grievance committee members are provided an annual comprehensive training on the structure of the Texas attorney discipline system, the committees' role in the grievance process, and the substantive and procedural rules.

DIVERSITY OF GRIEVANCE COMMITTEE MEMBERS

Acknowledging the importance to the public and the attorneys of Texas for the members of the district grievance committees to fairly represent the racial, ethnic, and gender makeup of the districts they serve, the State Bar directors work with CDC to make appointments that maintain this diversity in membership, including the goal that attorney members reflect various practice areas and law firm sizes.

2022-2023 DIVERSITY SURVEY OF GRIEVANCE COMMITTEE MEMBERSHIP COMPARED WITH STATE BAR MEMBERSHIP

Gender	Committee	Attorney Committee Membership	SBOT Membership
Male	59%	59%	62%
Female	40%	39%	38%
Not Specified	1%	2%	–

Ethnicity	Committee	Attorney Committee Membership	SBOT Membership
White	66%	70%	77%
Asian/Pacific Islander	2%	3%	4%
Black/African - American	6%	6%	6%
American Indian/Alaska Native	1%	1%	<1%
Hispanic/Latino	10%	13%	11%
Other	15%	7%	2%

OVERVIEW OF THE ATTORNEY DISCIPLINE PROCESS

The Texas attorney discipline system is governed by the Texas Disciplinary Rules of Professional Conduct (ethics rules) and the Texas Rules of Disciplinary Procedure (procedural rules). The ethics rules define proper conduct for purposes of professional discipline. The procedural rules provide the mechanism by which grievances are processed, investigated, and prosecuted.

The Texas Rules of Disciplinary Procedure and Texas Disciplinary Rules of Professional Conduct are available at [texasbar.com/ethics](https://www.texasbar.com/ethics).

“The panel believed that this program would be appropriate and beneficial. I agree, it has given me additional resources to improve the “system” of managing my practice... Thank you for working with me in the GRP program. It really has been beneficial.”
– GRP Participant

GRIEVANCE PROCEDURE

CLASSIFICATION

The filing of a written grievance initiates the disciplinary process. Attorneys are subject to discipline only if they have violated the ethics rules (Texas Disciplinary Rules of Professional Conduct). Upon receipt of the grievance, CDC determines whether the grievance alleges professional misconduct. This determination is referred to as classification of the grievance and is made within 30 days of the filing of the grievance. During the 2022-2023 bar year, 8,472 grievances were filed. Not every grievance filed during the bar year is classified during that same bar year, but of the grievances considered during the 2022-2023 bar year, 5,562 were dismissed as inquiries and 2,520 were classified as complaints.

WHY ARE GRIEVANCES DISMISSED?

Grievances are dismissed for various reasons, including the following:

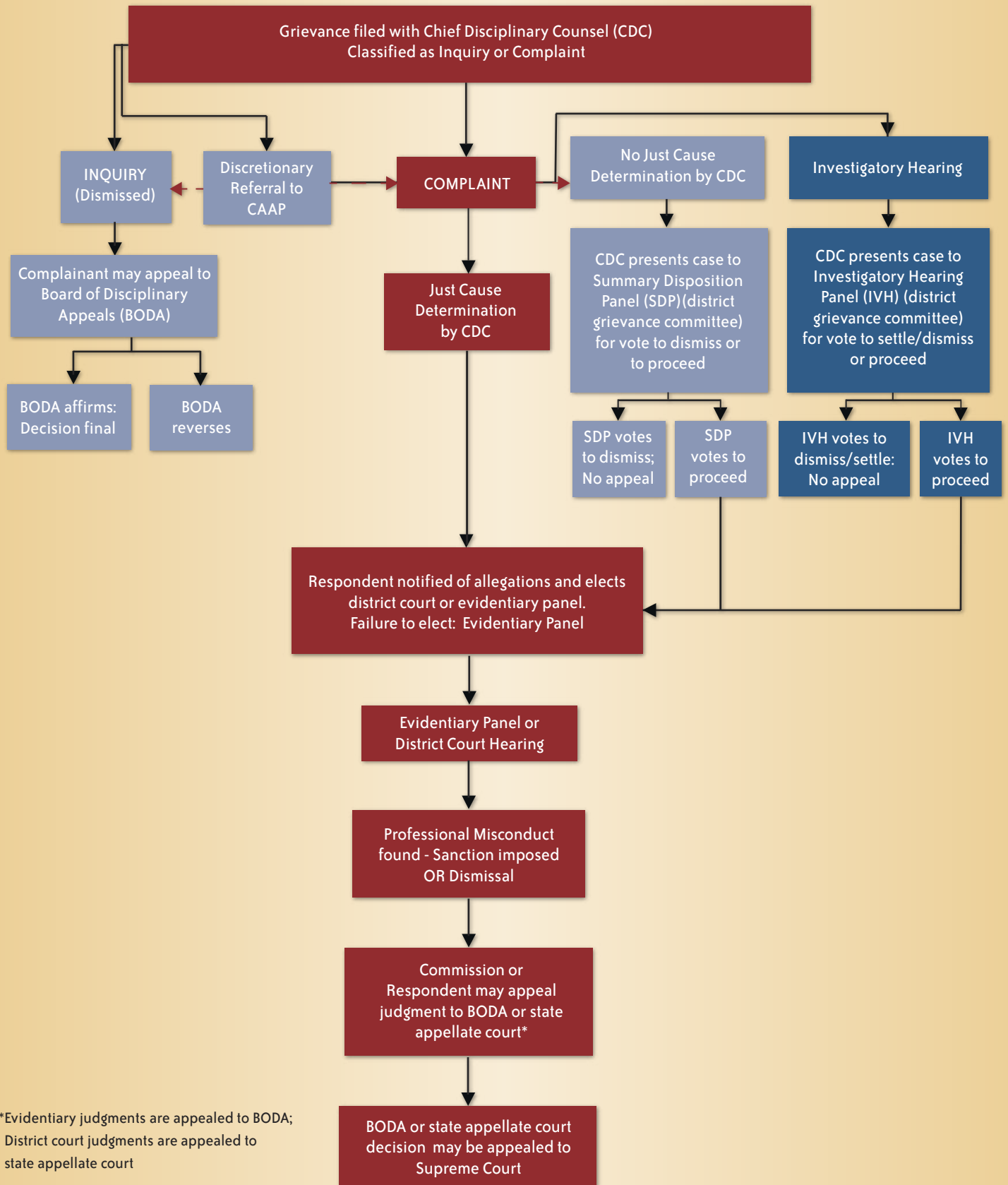
- The grievance concerns the outcome of a case but does not specify a violation of an ethics rule.
- The grievance does not involve an attorney's conduct in his or her professional capacity.
- The grievance is filed too late.
- The grievance is duplicative or identical to a previous filing.
- The grievance concerns an attorney who has been disbarred, has resigned, or is deceased.
- The grievance concerns a person who is not licensed as an attorney (handled by the Unauthorized Practice of Law Committee).
- The grievance is filed against a sitting judge (handled by the State Commission on Judicial Conduct).

CHECK IN THE SYSTEM — AN APPEALS PROCESS

The person who filed the grievance has the right to appeal CDC's classification decision to dismiss the grievance as an inquiry to the Board of Disciplinary Appeals. BODA is an independent 12-attorney tribunal, appointed by the Supreme Court of Texas.

During the 2022-2023 bar year, there were 1,169 appeals by complainants from classification decisions. Of those appeals, BODA reversed 70 classification decisions, resulting in an overall reversal rate of 5.9%.

— PROCESSING A GRIEVANCE —



*Evidentiary judgments are appealed to BODA;
District court judgments are appealed to
state appellate court

INVESTIGATION AND DETERMINATION OF JUST CAUSE

Once the grievance is classified as a complaint, it is sent to the respondent attorney, who has 30 days from receipt to respond. Within 60 days of the response deadline, CDC, through its investigation, must determine whether there is just cause to believe that professional misconduct occurred. If CDC decides to proceed with an investigatory subpoena or investigatory hearing, that deadline is extended to 60 days after completion of the hearing or the date of compliance in the subpoena.

SUMMARY DISPOSITION PANELS (SDP):

If CDC determines that there is no just cause to proceed on the complaint, the case is presented as an SDP to a panel of local grievance committee members composed of two-thirds attorneys and one-third public members. Information and results regarding CDC's investigation are presented to the panel at a docket hearing without the presence of either the complainant or respondent. If the panel accepts CDC's determination, the complaint will be dismissed. If the panel rejects CDC's determination, the panel votes to proceed on the complaint. During the 2022-2023 bar year, 1,661 cases were presented for consideration as an SDP by local grievance committees. The panels voted to dismiss 1,654 of those cases.

INVESTIGATORY HEARINGS (IVH)

During an investigation, the CDC may set a complaint for a non-adversarial investigatory hearing before a local grievance committee panel. During such hearing, the panel may hear testimony from the complainant, respondent, and witnesses. Based on the IVH panel's recommendations, the complaint may be dismissed or, if the panel finds just cause, the respondent may enter into an agreed judgment or proceed to litigation. In the 2022-2023 bar year, 335 cases were resolved after an IVH, with 189 cases ending with an agreed sanction.

TRIAL OF THE COMPLAINT

If CDC finds just cause or the summary disposition panel votes to proceed on the complaint, the respondent attorney is given written notice of the allegations and rule violations. The respondent has 20 days to notify CDC whether he or she chooses to have the case heard before an evidentiary panel of the grievance committee or by a district court, with or without a jury. This choice is referred to as the respondent's election. A respondent who fails to elect will have the case tried before an evidentiary panel of the grievance committee.

2022-2023 BAR YEAR		2021-2022 BAR YEAR	
Elected Evidentiary	43	Elected Evidentiary	52
Defaulted into Evidentiary	116	Defaulted into Evidentiary	135
Elected District Court	19	Elected District Court	64

Evidentiary panel hearings are confidential. District court proceedings are public. In both types of proceedings, the parties are the Commission for Lawyer Discipline, represented by CDC, and the respondent attorney.

If no professional misconduct is found, the case is dismissed. If professional misconduct is found, a separate hearing may be held to determine the appropriate discipline.

During the 2022-2023 bar year, CDC resolved 397 complaints before grievance committee panels, district courts, and the Board of Disciplinary Appeals and disposed of more than 1,600 cases before summary disposition panels of the local grievance committees.

GRIEVANCE REFERRAL PROGRAM

The Grievance Referral Program was designed to help identify and assist lawyers who have impairment or performance issues and who enter the disciplinary system as a result of minor misconduct. In exchange for a dismissal of the underlying complaint by the commission, the respondent lawyer agrees to complete a program individually tailored to the respondent lawyer’s needs. If the lawyer does not fully complete the terms of the agreement in a timely manner, the underlying complaint moves forward through the usual disciplinary process.

During 2022-2023, the GRP administrator successfully resolved 58 cases.

“Thanks so much for all you do. The lawyers of Texas are so fortunate to have a program like this.”
 — GRP Participant

STATE BAR OF TEXAS PUBLIC PROTECTION DOLLARS ACTUAL EXPENDITURES (UNAUDITED) FY 2022-2023

Commission for Lawyer Discipline	\$49,586
Office of Chief Disciplinary Counsel	\$9,987,209
UPL Committee	\$99,341
Grievance Oversight Committee	\$36,328
Professional Ethics Committee	\$6,854
Board of Disciplinary Appeals	\$499,899
Advertising Review	\$141,675
Minimum Continuing Legal Education	\$648,910
Texas Lawyers’ Assistance Program	\$488,665
Client-Attorney Assistance Program	\$555,347
Total General Fund	\$12,513,814
Client Security Fund - Claims Paid *	\$889,574
Total State Bar Public Protection Dollars	\$13,403,388

** Claims paid does not include all claims approved from the same fiscal year and may include claims approved from prior fiscal years.*

OVERSIGHT AND OPINIONS

GRIEVANCE OVERSIGHT COMMITTEE

The Grievance Oversight Committee is charged to study, review, and advise the Texas Supreme Court regarding the structure, function, and effectiveness of the discipline system. The GOC is composed of six attorneys and three public members appointed by the Supreme Court of Texas. The committee is not part of the State Bar disciplinary process and neither considers nor resolves individual complaints involving attorney-client issues.

PROFESSIONAL ETHICS COMMITTEE

The Professional Ethics Committee is a nine-member committee appointed by the Texas Supreme Court pursuant to Texas Government Code Section 81.091. The committee is charged with the responsibility of expressing opinions to questions regarding the propriety of professional conduct, which arise either upon a request for opinion by a State Bar member or upon the committee's own initiative. These opinions are published in the *Texas Bar Journal*. During the 2022-2023 bar year, the PEC issued two opinions, which can be found online at legalethicstexas.com.

OPINION 694 JULY 2022

Under the Texas Disciplinary Rules of Professional Conduct, a plaintiff's lawyer should not enter into an agreement that requires the lawyer to personally indemnify or hold harmless the defendant, the defendant's lawyer, or the defendant's insurer from any contractual or statutory reimbursement claims arising from the medical treatment made the basis of the suit. Likewise, a defendant's lawyer may not knowingly induce a plaintiff's lawyer to enter into such an agreement.

OPINION 695 OCTOBER 2022

A lawyer employed by a nonprofit agency that provides legal services to low-income clients may not allow a funding organization or its monitor to review a client's confidential information unless the client provides effective consent after consultation or another exception to the lawyer's duty of confidentiality applies. A blanket consent obtained during the intake process is unlikely to be effective.

"I was pleased to find out there was a grievance referral program, and believe this is an equitable and effective method of dealing with low-level / semi-serious infractions. I think a program like this works because it does get the license holder's attention, but does not create an undue or unjust hardship. It has the effect of taking a punitive measure that is also actually rehabilitative. It gave me an opportunity to be reassured of what I am doing right at my firm, from an ethic standpoint, and gave me some ideas about what I can do better from a business and practitioner standpoint."

– GRP Participant

STATE BAR OF TEXAS — A FEW STATS

111,412	All Active Members
96,82	In-State Attorneys
49	Median age of in-state attorneys
1:310	Ratio of all in-state attorneys to Texans
1:646	Ratio of in-state private practitioners to Texans
64	Percentage of in-state attorneys who are private practitioners
10	Percentage of in-state attorneys who are government lawyers
11	Percentage of in-state attorneys who are corporate/in-house counsel
84	Percentage of in-state attorneys in the four largest metropolitan areas (Houston-The Woodlands-Sugar Land MSA 32%, Dallas-Fort Worth-Arlington MSA 31%, Austin-Round Rock MSA 14%, San Antonio-New Braunfels MSA 8%)
12	Percentage of in-state attorneys who work as private practitioners in firms with 200 or more attorneys
37	Percentage of in-state attorneys who work as private practitioners in firms with five or fewer attorneys
\$125,202	Median income for full-time Texas attorneys
\$112,755	Median income for full-time solo practitioners

NOTE: Texas attorney data in this report is based on the State Bar of Texas membership records as of December 31, 2022, of each of the cited years. Texas general population data is based on April 2022 Census population estimates.

A TOOL FOR CONSUMERS

*The State Bar of Texas website includes a
“Find-a-Lawyer”*

*function that allows consumers to
access information about Texas lawyers.*

*More than 306,373 searches are
conducted each month,*

by about 152,923 unique visitors.

*Each attorney profile lists public disciplinary
actions in which there was a final
judgment. Users are directed to contact
the Office of Chief Disciplinary Counsel
for more details on the sanction.*



STATE BAR of TEXAS
Commission For Lawyer Discipline

P.O. Box 12487
Austin, Texas 78711-2487