

**MEETING OF THE
COMMITTEE ON DISCIPLINARY RULES AND REFERENDA**

September 4, 2024
By Teleconference

MINUTES

CALL TO ORDER OF THE MEETING AND ROLL CALL

Chair Kinard called the meeting to order at 10:00 a.m. CDT. Ms. Low called the roll, and a quorum was present.

Members Present: Chair M. Lewis Kinard; Timothy D. Belton; Amy Bresnen; Scott Brumley; Robert Denby; Judge Phyllis Gonzalez; Jennifer Hasley; April Lucas; and Karen Nicholson.

State Bar of Texas Staff Present: Ray Cantu, Deputy Executive Director; Seana Willing, Chief Disciplinary Counsel; and Andrea Low, Disciplinary Rules and Referenda Attorney.

COMMENTS FROM THE CHAIR

Chair Kinard welcomed everyone to the meeting and thanked all who called in for their participation. He explained the Committee's purpose and mandate, directed the public to the Committee's website to find information about the Committee, and encouraged the public to participate in the process.

APPROVAL OF THE MINUTES OF THE LAST MEETING

Judge Gonzalez moved to approve the Minutes of the June 5, 2024, and August 7, 2024, meetings. Ms. Bresnen seconded the motion. The motion carried unanimously.

**SUPREME COURT OF TEXAS MISC. DOCKET NO. 24-9054:
FINAL APPROVAL AND ADOPTION OF AMENDMENTS TO THE
TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT (TDRPC) AND
TEXAS RULES OF DISCIPLINARY PROCEDURE (TRDP)**

Chair Kinard stated that, on August 27, 2024, the Supreme Court of Texas issued its order adopting nine (9) and rejecting three (3) of the twelve (12) rule proposals that the Bar membership had voted to approve in April 2024. The adopted rules take effect on October 1, 2024.

After discussing the order, Committee members expressed their appreciation for the time and effort the court devoted to drafting the interpretive comments and for the participation of the former members of the Committee who contributed to the rule proposal process.

**SUPREME COURT OF TEXAS MISC. DOCKET NO. 24-9050: PRELIMINARY
APPROVAL OF RULES GOVERNING LICENSED LEGAL PARAPROFESSIONALS
AND LICENSED COURT-ACCESS ASSISTANTS**

Chair Kinard stated that, on August 6, 2024, the Supreme Court of Texas issued an order that invites public comments on proposed new and amended rules that allow licensed legal paraprofessionals and licensed court-access assistants to provide certain limited legal services to low-income individuals.

Chair Kinard appointed a subcommittee of Amy Bresnen, Robert Denby, Judge Phyllis Gonzalez, and Jennifer Hasley to outline the issues for the Committee to consider.

The Committee took no action on this matter.

GUIDANCE ON ARTIFICIAL INTELLIGENCE (AI)

The Committee agreed that the current disciplinary rules are sufficient for application to the use of AI.

The Committee took no action on this matter.

CHANGES TO THE TRDP

A subcommittee of Jennifer Hasley, April Lucas, and Karen Nicholson has been meeting with the Chief Disciplinary Counsel (CDC), Seana Willing, to consider whether the existing rules of disciplinary procedure are adequate or need further review. The subcommittee stated that it continues to meet regularly with the CDC.

Ms. Hasley stated that the subcommittee is identifying the most important rules to consider. Ms. Lucas offered that the subcommittee could update the Committee at each monthly meeting before completing its final recommendations.

The Committee took no action on this matter.

AGENDA ITEMS FOR FUTURE MEETINGS

Committee members had no agenda items for the October 2, 2024, meeting.

ADJOURNMENT

Mr. Brumley moved to adjourn the meeting. Ms. Nicholson seconded the motion. The motion carried unanimously. The meeting was adjourned at 10:31 a.m. CDT.