

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

October 2, 2024  
By Teleconference

**MINUTES**

**CALL TO ORDER OF THE MEETING AND ROLL CALL**

Chair Kinard called the meeting to order at 10:01 a.m. CDT. Ms. Low called the roll, and a quorum was present.

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

Members Absent: Amy Bresnen.

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.

Chair Kinard thanked Ray Cantu upon his retirement for his meritorious service to the Committee.

Chair Kinard announced that Karen Nicholson was reappointed by Steve Benesh, President of the State Bar of Texas, for the term of January 1, 2025, to December 31, 2027.

**APPROVAL OF THE MINUTES OF THE LAST MEETING**

Mr. Brumley moved to approve the Minutes of the September 4, 2024, meeting, as amended to reflect that he was present. Judge Gonzalez seconded the motion. The motion carried unanimously.

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

The subcommittee of Amy Bresnen, Robert Denby, Judge Phyllis Gonzalez, and Jennifer Hasley identified issues for the Committee to consider. The subcommittee discussed the proposed comments approved by the board of directors of the State Bar of Texas at its September 27, 2024, meeting for submission to the supreme court. Committee members discussed the history of action

by the supreme court and the Texas Access to Justice Commission and agreed to seek more information from the Chief Disciplinary Counsel, the Texas Board of Law Examiners, the Unlicensed Practice of Law Committee, and disciplinary authorities of other jurisdictions.

Chair Kinard suggested that each member of the Committee submit comments as an individual while the Committee monitors developments that may relate to the purpose and authority of the Committee in the future.

Committee members agreed to continue consideration of the issues at the next meeting. The subcommittee agreed to meet before the next meeting of the Committee.

The Committee took no action on this matter.

### **CHANGES TO THE TEXAS RULES OF DISCIPLINARY PROCEDURE**

Ms. Lucas reported that the subcommittee of Jennifer Hasley, April Lucas, and Karen Nicholson continues to meet regularly with the Chief Disciplinary Counsel (CDC), Seana Willing. The subcommittee did not have a formal report but requested that this item be placed on the agenda for the next meeting.

The Committee took no action on this matter.

### **APPROVAL OF DATES OF MEETINGS IN 2025**

Ms. Nicholson moved to approve the dates of the meetings in 2025. Mr. Brumley seconded the motion. The motion carried unanimously.

### **AGENDA ITEMS FOR FUTURE MEETINGS**

Mr. Denby suggested that the agenda include discussion and possible action on a rule on the sale of a law practice at the next meeting. After some Committee members and State Bar of Texas staff recounted the history of the Committee's consideration of the issue, Committee members stated that they preferred to add this item to the agenda only if staff were to indicate new issues have arisen for the sale of a law practice.

Committee members had no agenda items for the November 6, 2024, meeting.

### **ADJOURNMENT**

Mr. Denby moved to adjourn the meeting. Judge Gonzalez seconded the motion. The motion carried unanimously. The meeting was adjourned at 10:53 a.m. CDT.