

BILL ANALYSIS

Senate Research Center

S.B. 129
By: Nixon
Jurisprudence
1-17-97
As Filed

DIGEST

Currently, an attorney may not appear in a professional capacity before a judge or justice in a civil case if the attorney is related to the judge or justice in the first degree of consanguinity, which includes parental and sibling relationships as determined by Chapter 573, Government Code. S.B. 129 prohibits certain affinity or consanguinity relationships with respect to criminal cases. This bill also changes the degree of relation by affinity or consanguinity to the third degree rather than the first.

PURPOSE

As proposed, S.B. 129 prohibits certain relationships with respect to the appearance of an attorney in civil and criminal cases.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 82.066, Government Code, to prohibit an attorney from appearing before a judge or justice in a civil or criminal case if the attorney is related to the judge or justice by affinity or consanguinity within the third degree, rather than the first degree, as determined by Chapter 573, Government Code.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.