

BILL ANALYSIS

Senate Research Center
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S.B. 1369
By: Van de Putte
Jurisprudence
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DIGEST AND PURPOSE

Currently, participants in the Texas Young Lawyers Association (TYLA) child support enforcement project serve under the program for one year and appear in court once every quarter for a full day of service. In return, a participant receives 6.25 hours of continuing legal education. As proposed, S.B. 1369 allows TYLA to credit a participant with the full continuing legal education requirement, currently at 15 hours, and applies to the participant the same immunity from liability that is granted to an assistant attorney general in the courtroom when arguing a case.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the attorney general in SECTION 1 (Section 402.010, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 402A, Government Code, by adding Section 402.010, as follows:

Sec. 402.010. PRO BONO COMMUNITY SERVICE PROGRAMS; LIMITATION ON LIABILITY. (a) Authorizes the attorney general to develop pro bono community service programs to provide legal services to the public. Requires a program developed under this section to be administered by the attorney general.

(b) Authorizes the attorney general to adopt rules governing a program under this section.

(c) Provides that an attorney who in good faith participates as a volunteer in a program under this section is not liable for damages in a civil action for an act performed during that participation unless the act is wilfully or wantonly negligent.

SECTION 2. Amends Section 81.113, Government Code, by amending Subsection (b) and adding Subsection (c), to require an attorney credited for continuing legal education under Subsection (a) or (c) to meet the continuing legal education requirements of the state bar in legal ethics or professional responsibility. Requires the state bar, except as provided by Subsection (b), to credit an attorney licensed in this state with meeting the minimum continuing legal education requirements of the state bar for a reporting year if, for the entire reporting year, the attorney participates in a pro bono community service program developed by the attorney general under Section 402.010.

SECTION 3. Effective date: upon passage.

Makes application of this Act prospective.