

## **BILL ANALYSIS**

Senate Research Center  
77R11049 KLA-D

C.S.S.B. 1369  
By: Van de Putte  
Jurisprudence  
4/24/2001  
Committee Report (Substituted)

### **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. C.S.S.B. 1369 allows TYLA to credit a participant with the full continuing legal education requirement, currently at 15 hours, and requires the State Bar of Texas, using funds other than state-appropriated funds, to provide legal malpractice insurance coverage to a participant.

### **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 facilitate proceedings involving child support. 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) Requires the State Bar of Texas, using funds other than state-appropriated funds, to provide legal malpractice insurance coverage for attorneys who participate as volunteers in a program under this section for acts performed during that participation.

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 or September 1, 2001.  
Makes application of this Act prospective.

### **SUMMARY OF COMMITTEE CHANGES**

Differs from the original by amending the relating clause.

SECTION 1. Differs from the original by amending previously proposed provisions regarding pro bono community service programs and the limitation on liability of the attorneys who participate as volunteers in the program.

SECTION 2. No change.

SECTION 3. Differs from the original by amending the previously proposed effective date of this Act.