

By: Gervin-Hawkins

H.B. No. 2707

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of certain legal
paraprofessionals; requiring an occupational license; imposing
fees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Subtitle G, Title 2, Government
Code, is amended to read as follows:

SUBTITLE G. ATTORNEYS AND LEGAL PARAPROFESSIONALS

SECTION 2. The heading to Subchapter E, Chapter 81,
Government Code, is amended to read as follows:

SUBCHAPTER E. ATTORNEY DISCIPLINE

SECTION 3. Chapter 81, Government Code, is amended by
adding Subchapter E-3 to read as follows:

SUBCHAPTER E-3. LEGAL PARAPROFESSIONAL DISCIPLINE

Sec. 81.0891. DISCIPLINARY JURISDICTION AND RULES. (a)
Each legal paraprofessional admitted to practice in this state is
subject to the disciplinary and disability jurisdiction of the
supreme court and the Commission for Lawyer Discipline, a committee
of the state bar.

(b) The Committee on Disciplinary Rules and Referenda
established under Subchapter E-1 shall propose and the supreme
court shall adopt rules of professional conduct applicable to legal
paraprofessionals under Subchapter E-1.

(c) In furtherance of the supreme court's powers to

1 supervise the conduct of legal paraprofessionals, the court shall
2 establish disciplinary and disability procedures for legal
3 paraprofessionals licensed by the court.

4 SECTION 4. The heading to Chapter 82, Government Code, is
5 amended to read as follows:

6 CHAPTER 82. LICENSING OF ATTORNEYS AND LEGAL PARAPROFESSIONALS

7 SECTION 5. Chapter 82, Government Code, is amended by
8 adding Subchapter E to read as follows:

9 SUBCHAPTER E. LICENSING OF LEGAL PARAPROFESSIONALS

10 Sec. 82.151. SUPREME COURT RULES. (a) The supreme court
11 may adopt rules relating to an individual's eligibility for
12 examination for issuance of a legal paraprofessional license in a
13 specialty described by Section 82.154 and to the manner in which the
14 examination is conducted.

15 (b) The supreme court shall adopt rules necessary to
16 administer its functions relating to the licensing of legal
17 paraprofessionals under this subchapter.

18 Sec. 82.152. BOARD OF LAW EXAMINERS DUTIES. (a) In
19 addition to its duties under Section 82.004, the Board of Law
20 Examiners, acting under the instruction of the supreme court, shall
21 examine the qualification of each candidate for licensure as a
22 legal paraprofessional in a specialty described by Section 82.154.

23 (b) The Board of Law Examiners may not recommend any
24 individual for any legal paraprofessional license unless the
25 individual demonstrates to the board, in the manner the supreme
26 court prescribes, that the individual has the moral character and
27 proper capacity and qualifications for licensure as a legal

1 paraprofessional.

2 Sec. 82.153. ELIGIBILITY REQUIREMENTS. To be eligible for
3 licensure as a legal paraprofessional, an applicant must:

4 (1) be at least 18 years old;

5 (2) hold a high school diploma or high school
6 equivalency certificate;

7 (3) be authorized to work in the United States;

8 (4) satisfy at least one of the following
9 qualifications:

10 (A) hold a paralegal certificate issued by:

11 (i) the Board of Law Examiners;

12 (ii) the National Association of Legal
13 Assistants; or

14 (iii) the National Federation of Paralegal
15 Associations;

16 (B) have successfully completed a paralegal
17 education program approved by the American Bar Association or the
18 supreme court;

19 (C) have at least five years' employment
20 experience as a paralegal with at least 50 percent of the
21 applicant's workload consisting of substantive legal work; or

22 (D) hold a bachelor's degree or a graduate or
23 professional degree conferred by an accredited institution of
24 higher education;

25 (5) be of good moral character and fitness;

26 (6) have successfully completed an examination
27 administered by the Board of Law Examiners for a legal

1 paraprofessional license; and

2 (7) pay appropriate application, licensing,
3 examination, and enrollment fees.

4 Sec. 82.154. SPECIALTY LICENSURE. (a) An applicant for a
5 legal paraprofessional license may apply for issuance of one or
6 more of the following specialty licenses:

7 (1) a legal paraprofessional license in family law;

8 (2) a legal paraprofessional license in estate
9 planning and probate law;

10 (3) a legal paraprofessional license in consumer debt
11 law;

12 (4) a legal paraprofessional license in
13 administrative law;

14 (5) a legal paraprofessional license in civil law; or

15 (6) a legal paraprofessional license in criminal law.

16 (b) An applicant may not apply for issuance of a general
17 legal paraprofessional license.

18 Sec. 82.155. PROBATIONARY PERIOD. An attorney licensed in
19 this state shall supervise a licensed legal paraprofessional for a
20 period not to exceed one year after the issuance date of the
21 paraprofessional's initial license. The supreme court shall adopt
22 rules regarding the supervisory requirement under this section.

23 Sec. 82.156. LIMITED PRACTICE OF LAW BY LEGAL
24 PARAPROFESSIONAL LICENSED IN FAMILY LAW. (a) Except as provided by
25 Section 82.155 and Subsection (c), a license holder who holds a
26 legal paraprofessional license in family law may represent a client
27 without attorney supervision in a proceeding as authorized under

1 Subsection (b) by:

2 (1) advising the client about completing and filing
3 necessary official forms; and

4 (2) communicating with the court, an opposing party,
5 or an attorney or legal paraprofessional representing an opposing
6 party.

7 (b) A license holder who holds a legal paraprofessional
8 license in family law may represent a client only in the following
9 proceedings:

10 (1) an uncontested suit for dissolution of a marriage
11 that does not involve the sale or title transfer of real property
12 and does not involve children born or adopted of the marriage who
13 are under 18 years of age or who are otherwise entitled to support
14 as provided by Chapter 154, Family Code;

15 (2) an uncontested application for a protective order
16 under Subtitle B, Title 4, Family Code; or

17 (3) an uncontested suit affecting the parent-child
18 relationship, including a suit joined with an uncontested suit for
19 dissolution of a marriage but excluding a suit filed by a
20 governmental entity under Subtitle E, Title 5, Family Code, that
21 involves only standard conservatorship provisions, standard
22 possession schedules, and child support payments in an amount
23 established by the child support guidelines under Subchapter C,
24 Chapter 154, Family Code.

25 (c) Notwithstanding Subsection (a), a license holder who
26 holds a legal paraprofessional license in family law may not advise
27 a client about preparing a qualified domestic relations order or

similar order or form required for the disposition of retirement and employment benefits and other plans under Section 7.003, Family Code.

Sec. 82.157. LIMITED PRACTICE OF LAW BY LEGAL PARAPROFESSIONAL LICENSED IN ESTATE PLANNING AND PROBATE LAW.

Except as provided by Section 82.155, a license holder who holds a legal paraprofessional license in estate planning and probate law may represent a client without attorney supervision by:

(1) advising the client about completing and filing the following forms:

(A) an authorization to disclose protected health information under the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.);

(B) a medical power of attorney under Chapter 166, Health and Safety Code;

(C) a directive to physicians and family or surrogates under Chapter 166, Health and Safety Code;

(D) a declaration for mental health treatment under Chapter 137, Civil Practice and Remedies Code;

(E) an annual report by a guardian of a person or a declaration or affidavit for the filing of the report under Subchapter C, Chapter 1163, Estates Code;

(F) a supported decision-making agreement under Chapter 1357, Estates Code;

(G) a statutory durable power of attorney as provided by Subtitle P, Title 2, Estates Code;

(H) a transfer on death deed under Chapter 114,

Estates Code;

(I) a small estate affidavit under Chapter 205,

Estates Code;

(J) an application for muniment of title under

Chapter 257, Estates Code; or

(K) any other official estate planning or probate forms;

(2) communicating with a court on matters related to the annual report by a guardian of a person, a small estate affidavit, or an application for muniment of title; and

(3) communicating with an opposing party or an attorney or legal paraprofessional representing an opposing party on matters related to the limited legal services described by Subdivisions (1) and (2).

Sec. 82.158. LIMITED PRACTICE OF LAW BY LEGAL PARAPROFESSIONAL LICENSED IN CONSUMER DEBT LAW. Except as provided by Section 82.155, a license holder who holds a legal paraprofessional license in consumer debt law may represent a client without attorney supervision by:

(1) advising the client about completing and filing official forms related to consumer debt; and

(2) communicating with the court, an opposing party, or an attorney or legal paraprofessional representing an opposing party on matters related to the service described by Subdivision (1).

Sec. 82.159. LIMITED PRACTICE OF LAW BY LEGAL PARAPROFESSIONAL LICENSED IN ADMINISTRATIVE LAW. Except as

provided by Section 82.155, a license holder who holds a legal
paraprofessional license in administrative law may represent a
client without attorney supervision in certain administrative law
matters, as determined by the supreme court by rule.

Sec. 82.160. LIMITED PRACTICE OF LAW BY LEGAL
PARAPROFESSIONAL LICENSED IN CIVIL LAW. Except as provided by
Section 82.155, a license holder who holds a legal paraprofessional
license in civil law may represent a client without attorney
supervision in a civil suit, other than a family law case or
proceeding or a probate matter or proceeding, in which the matter in
controversy exceeds \$200 but does not exceed \$15,000, including by:

- (1) preparing, litigating, and settling the suit;
- (2) communicating with the court, an opposing party,
or an attorney or legal paraprofessional representing an opposing
party;
- (3) perfecting an appeal of a court judgment; and
- (4) administering post-judgment collections,
discovery, and receiverships.

Sec. 82.161. LIMITED PRACTICE OF LAW BY LEGAL
PARAPROFESSIONAL LICENSED IN CRIMINAL LAW. (a) In this section,
"nonviolent misdemeanor" means an offense punishable by fine only.
The term does not include an offense under:

- (1) Chapter 20, 21, 22, 25, 42, 43, 46, or 71, Penal
Code;
- (2) Section 49.04(d), Penal Code; or
- (3) Section 49.06, Penal Code.

(b) Except as provided by Section 82.155, a license holder

1 who holds a legal paraprofessional license in criminal law may
2 represent a client who is charged with a nonviolent misdemeanor
3 without attorney supervision by:

4 (1) advising the client about completing and filing
5 necessary official forms;

6 (2) advocating for the client in pretrial proceedings;
7 and

8 (3) communicating with the court or the prosecuting
9 attorney.

10 Sec. 82.162. RULES AUTHORIZING ADDITIONAL SERVICES UNDER
11 SPECIALTY LICENSE. The supreme court by rule may authorize a legal
12 paraprofessional to provide additional services under the license
13 holder's specialty license to engage in the limited practice of law
14 under this subchapter.

15 Sec. 82.163. REQUIREMENTS OF REPRESENTATION. To represent
16 a client under Sections 82.156 through 82.162, a legal
17 paraprofessional licensed under this subchapter must:

18 (1) obtain a self-certification affidavit or unsworn
19 declaration under Chapter 132, Civil Practice and Remedies Code,
20 signed by the client indicating the client has low income;

21 (2) execute a written agreement with the client
22 explaining the licensed legal paraprofessional is not an attorney
23 and describing the limited scope of the paraprofessional's
24 representation, including, as applicable, an explanation of the
25 limitation related to the amount in controversy in a civil suit, as
26 provided by Section 82.160; and

27 (3) provide the client with a brochure approved by the

1 state bar explaining the steps for reporting potential concerns
2 with the legal paraprofessional's representation or violations of
3 rules governing the paraprofessional's professional conduct.

4 Sec. 82.164. CONSTRUCTION OF SUBCHAPTER. Nothing in this
5 subchapter may be construed to limit a person's ability to provide
6 information related to the state legal system as otherwise
7 permitted by law.

8 SECTION 6. As soon as practicable after the effective date
9 of this Act:

10 (1) the Texas Supreme Court shall adopt the rules
11 necessary to implement this Act; and

12 (2) the State Bar of Texas shall approve a brochure as
13 required under Section 82.163(3), Government Code, as added by this
14 Act.

15 SECTION 7. This Act takes effect September 1, 2025.