

By: Dutton

H.B. No. 3679

A BILL TO BE ENTITLED

AN ACT

relating to internships for certain attorneys before engaging in certain trial work in civil matters.

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

SECTION 1. Subchapter H, Chapter 81, Government Code, is amended by adding Section 81.116 to read as follows:

Sec. 81.116. REQUIRED INTERNSHIP FOR TRIAL WORK IN CIVIL MATTERS. (a) An attorney who is licensed in this state may not have primary responsibility for representing a party in a trial in a civil matter, including a family law case or proceeding, unless the attorney has completed an internship that complies with requirements adopted by the supreme court.

(b) The supreme court shall adopt rules prescribing the requirements for the internship. The rules must:

(1) require that the internship be:

(A) for a period of two years; and

(B) under the supervision of a judge in this state or another attorney who has been licensed in this state for at least five years;

(2) allow the internship to be paid or unpaid; and

(3) prescribe procedures by which an attorney may provide proof to the state bar of having completed the internship.

(c) An attorney who has primary responsibility for representing a party in a trial in a civil matter, but who has not

1 completed the internship required by this section, is subject to
2 disciplinary action by the state bar to the same extent the state
3 bar may take disciplinary action for conduct that constitutes
4 professional misconduct under the Texas Disciplinary Rules of
5 Professional Conduct.

6 SECTION 2. The Texas Supreme Court shall adopt rules as
7 required by Section 81.116, Government Code, as added by this Act,
8 not later than September 1, 2007.

9 SECTION 3. The change in law made by Section 81.116,
10 Government Code, as added by this Act, applies only to an attorney
11 to whom a license to practice law in this state is issued on or after
12 September 1, 2007.

13 SECTION 4. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2007.