

By: Gervin-Hawkins

H.B. No. 1528

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the licensing and regulation of certain legal  
3 paraprofessionals; requiring an occupational license; imposing  
4 fees.

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

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

8 SUBTITLE G. ATTORNEYS AND LEGAL PARAPROFESSIONALS

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

11 SUBCHAPTER E. ATTORNEY DISCIPLINE

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

14 SUBCHAPTER E-3. LEGAL PARAPROFESSIONAL DISCIPLINE

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

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

24 (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 RULEMAKING. (a) The supreme  
11 court may adopt rules relating to an individual's eligibility for  
12 examination for issuance of a legal paraprofessional license and to  
13 the manner in which the examination is conducted.

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

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

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

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

3           (1) be at least 18 years old;

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

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

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

9                   (A) hold a paralegal certificate issued by:

10                           (i) the Board of Law Examiners;

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

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

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

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

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

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

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

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

3           Sec. 82.154. PROBATIONARY PERIOD. An attorney licensed in  
4 this state shall supervise a licensed legal paraprofessional for a  
5 period not to exceed one year after the issuance date of the  
6 paraprofessional's initial license. The supreme court shall adopt  
7 rules regarding the supervisory requirement under this section.

8           Sec. 82.155. LIMITED PRACTICE OF LAW BY LICENSED LEGAL  
9 PARAPROFESSIONAL. (a) Except as provided by Section 82.154, a  
10 legal paraprofessional licensed under this subchapter may  
11 represent a client without attorney supervision in a civil suit  
12 filed in a justice court in this state, including by:

13                   (1) preparing, litigating, and settling the suit;

14                   (2) communicating with an opposing party or with an  
15 attorney representing an opposing party;

16                   (3) perfecting an appeal of a court judgment; and

17                   (4) administering post-judgment collections,  
18 discovery, and receiverships.

19           (b) The supreme court by rule may authorize a legal  
20 paraprofessional licensed under this subchapter to engage in  
21 additional duties relating to the limited practice of law.

22           Sec. 82.156. REQUIREMENTS OF REPRESENTATION. To represent  
23 a client under Section 82.155, a legal paraprofessional licensed  
24 under this subchapter must:

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

1           (2) execute a written agreement with the client  
2 explaining the licensed legal paraprofessional is not an attorney  
3 and describing the limited scope of the paraprofessional's  
4 representation; and

5           (3) provide the client with a brochure approved by the  
6 state bar explaining the steps for reporting potential concerns  
7 with the legal paraprofessional's representation or violations of  
8 rules governing the paraprofessional's professional conduct.

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

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

13           (2) the State Bar of Texas shall approve a brochure as  
14 required under Section 82.156(3), Government Code, as added by this  
15 Act.

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