

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 95 - 9011

ORDER OF THE COURT APPROVING AMENDMENTS TO THE
STANDARDS FOR CERTIFICATION IN LABOR LAW
OF THE
TEXAS BOARD OF LEGAL SPECIALIZATION

WHEREAS, the Texas Board of Legal Specialization have caused to be published Standards for Certification in Labor Law, and

WHEREAS, those amendments to those aforementioned Standards were accepted and approved by the members of the Texas Board of Legal Specialization on December 8, 1994, and presented to this Court, and

WHEREAS, it appears to this Court that said Standards will advance the administration of justice,

IT IS THEREFORE ORDERED by the Court that the aforementioned amendments to the Standards be adopted and that the Standards for Certification in Labor Law be amended so as to hereafter read as follows:

NAME CHANGED TO "LABOR AND EMPLOYMENT LAW"

I. GENERAL REQUIREMENTS AND DEFINITIONS

G. Labor and employment law is the practice of law dealing with the relationships among employers, employees and their labor organizations, except worker's compensation. It includes, by way of definition not limitation, matters involving the ~~National Labor Relations Act, the Fair Labor Standards Act; Title VII of the Civil Rights Act of 1964; Occupational Safety and Health Act; Labor Management Reporting and Disclosure Act; Railway Labor Act; collective bargaining; labor contract administration and arbitration; discrimination in employment and union membership; and labor relations administration.~~ laws regulating or involving labor relations, occupational safety and health, equal employment opportunity, wage and hour, employment-related torts and contracts, and whistleblowers and retaliation for exercise of statutory rights. The practice of law dealing with

~~ERISA, alleged retaliation under Vernon's Article 8307C, bankruptcy and non-statutory employment rights cases may~~ and administrative proceedings may, under the proper circumstances, constitute the practice of labor and employment law within the meaning of this Section. For the specific requirements in this area please refer to Section II(B).

II. MINIMUM STANDARDS FOR CERTIFICATION

B. SUBSTANTIAL INVOLVEMENT AND SPECIAL COMPETENCE

Applicants must show substantial involvement and special competence in a broad labor and employment law practice during the 3 years immediately preceding application by providing such information as may be required by the Board.

1. Applicants must show that during the ~~2~~ 3 years immediately preceding application they have devoted a minimum of 25% of their time practicing labor and employment law as defined in Section I(G).
2. Applicants must show they have engaged directly and substantially in the practice of labor and employment law in at least 3 of the areas within the definition of labor and employment law as set forth in Section I(G), one of which must be practice involving the National Labor Relations Act; and has engaged in practice in the federal or state courts in matters involving areas within such definition of labor and employment law. Applicants shall give required information concerning such practice, the frequency of the work, the jurisdictions involved and the nature of the issues involved. In lieu of actual experience through practice involving the National Labor Relations Act, applicants may demonstrate, over and above the continuing legal education submitted to satisfy Section II(C), a minimum of 24 hours of continuing legal education in COMPREHENSIVE COURSES on the National Labor Relations Act, as amended, within the 3 years immediately preceding the application or by December 31 of the year in which application is made by attendance at and completion of programs of study approved by the Board.

and that Article XII of the Texas Plan for Recognition and Regulation of Specialization in the Law be amended so as to hereafter read as follows:

XII.

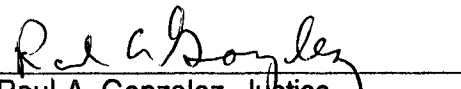
Retained Jurisdiction of the Supreme Court


The jurisdiction of the Board shall be limited to fourteen fields of law: Criminal Law, Family Law, Labor and Employment Law, Estate Planning and Probate Law, Personal Injury Trial Law, Civil Trial Law, Immigration and Nationality Law, Tax Law, Real Estate Law, Bankruptcy Law, Oil, Gas and Mineral Law, Civil Appellate Law, Administrative Law, and Consumer Law and to the development and operation of the program in recognition

and regulation of specialization in the law, provided, however, that the number and types of fields included in the program and the jurisdiction of the Board may be enlarged, altered, or terminated from time to time by the Supreme Court of Texas."

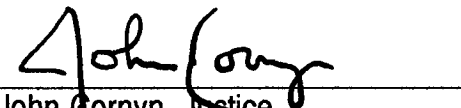
Signed and entered this 6th day of January, 1995.

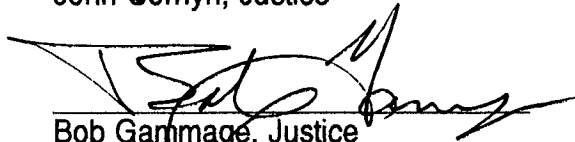

Thomas R. Phillips, Chief Justice



Raul A. Gonzalez, Justice



Jack Hightower, Justice


Nathan L. Hecht, Justice


John Cornyn, Justice


Bob Gammage, Justice


Craig Enoch, Justice


Rose Spector, Justice


Priscilla Owen, Justice