

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 00-9011

ORDER OF THE COURT APPROVING AMENDMENTS TO THE
STANDARDS FOR ATTORNEY CERTIFICATION OF THE
TEXAS BOARD OF LEGAL SPECIALIZATION

The Texas Board of Legal Specialization approved amendments to the Standards for Attorney Certification on December 15, 1999, and it appears to this Court that these Standards will advance the administration of justice.

IT IS THEREFORE ORDERED that the Standards for Attorney Certification be amended to read:

PART II -- SPECIFIC AREA REQUIREMENTS FOR CONSUMER LAW
SECTION I -- SUBSTANTIAL INVOLVEMENT AND SPECIAL COMPETENCE
B. SUBSTANTIAL INVOLVEMENT FOR CERTIFICATION

Certification applicants must show substantial involvement and special competence in Texas consumer law during each of the 3 years immediately preceding application by providing such information as may be required by the TBLS.

1. Certification applicants must show that during each of the 3 years immediately preceding application they have devoted a minimum of 30% of their time practicing (consisting of at least 1,200 hours during the 3 year period) in Texas consumer law as defined in Section I,A of the Specific Area Requirements for Consumer Law. Certification applicants must show significant involvement in the practice of Texas consumer law, including the following:
 - a. Counseling of clients regarding claims and defense of claims in the area of consumer law;
 - b. Representation of clients in preparation, prosecution and defense of consumer claims;
 - c. Representation of clients in alternative dispute resolution procedures as defined by Tex. Civ. Prac. & Rem. Code, Chapter 154; and
 - d. The advising and counseling of persons or business entities in areas involving the establishment, revision or maintenance of procedures, practices, forms or programs to comply with consumer laws.

2. a. Certification applicants must show that during the 5 years immediately preceding application they have represented clients as lead counsel in at least 24 contested consumer matters in Texas. "Contested consumer matters" means law suits filed in a court of record in which an answer is filed and which has been resolved other than by "No Answer Default" or "Dismissal for Want of Prosecution". Applicant must have been counsel from initiation through resolution of the suit and representation completed. Contested consumer matters may also include cases involving issues of consumer law submitted to binding arbitration either before or after suit is filed, however, these will be considered on a case by case basis.
- b. Certification applicants must show that during the 10 years immediately preceding application for certification they have ~~either: submitted issues to the finder of fact of a court of record in Texas for determination in at least 5 contested matters, at least 2 of which must have been conducted by applicant as lead counsel.~~
- (1) Submitted issues to the finder of fact in a court of record in Texas in at least 5 contested consumer law matters, with the applicant having been lead counsel in at least 2 of those matters.
- OR
- (2) Submitted issues to an arbitrator (or arbitration panel) in 5 binding arbitration proceedings, tried to conclusion, on contested consumer law matters which either (i) involve in excess of \$5,000 in controversy, or (ii) are referred to arbitration by a county court at law, district court, or federal court, with the applicant having been lead counsel in at least 2 of those matters.
- OR
- (3) A combination of 5 matters as described in I,B,2,b,(1) or (2) above.

Signed this 10th day of January, 2000.

Thomas R. Phillips
Thomas R. Phillips, Chief Justice

Nathan L. Hecht
Nathan L. Hecht, Justice

Craig T. Enoch
Craig T. Enoch, Justice

Priscilla R. Owen
Priscilla R. Owen, Justice

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James A. Baker
James A. Baker, Justice

Greg Abbott
Greg Abbott, Justice

Deborah G. Hankinson
Deborah G. Hankinson, Justice

Harriet O'Neill
Harriet O'Neill, Justice

Alberto R. Gonzales
Alberto R. Gonzales, Justice

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