

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 9177

AMENDED ORDER OF PROMULGATION AND
ADOPTION OF DISCIPLINARY RULES

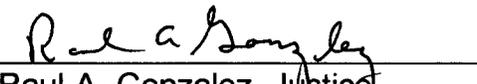
WHEREAS, this Court has previously promulgated amendments to Parts VII and VIII, the adoption of Part IX, and Rule 7.07 of the Texas Disciplinary Rules of Professional Conduct, as revised by the Court, in its Orders of November 4, 1994 and November 15, 1994 under Miscellaneous Docket Number 94-9167; and

WHEREAS, the State Bar of Texas and certain parties involved in litigation over these rules have petitioned the Court to extend the effective date of the rules promulgated from February 1, 1995 until April 1, 1995;

THEREFORE, the Court hereby modifies its Order in this matter dated November 15, 1994 and ORDERS that the rules referenced herein be made effective on April 1, 1995.

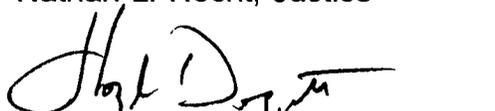
In Chambers, this 28th day of November, 1994.

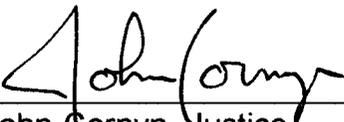

Thomas R. Phillips, Chief Justice

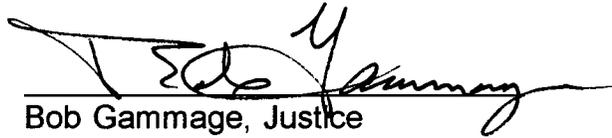

Raul A. Gonzalez, Justice


Jack Hightower, Justice


Nathan L. Hecht, Justice


Lloyd Doggett, Justice


John Cornyn, Justice


Bob Gammage, Justice


Craig Enoch, Justice


Rose Spector, Justice

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 94-_____

PETITION FOR AMENDED ORDER OF PROMULGATION AND
ADOPTION OF DISCIPLINARY RULES

TO THE HONORABLE CHIEF JUSTICE AND JUSTICES OF SAID COURT:

COME NOW, the State Bar of Texas and Texans Against Censorship, Inc. and respectfully request that the Court amend its Order of Promulgation and Adoption of Disciplinary Rules dated November 15, 1994 for the reasons set out below:

I.

Texans Against Censorship and other parties have filed suit against the State Bar of Texas, James M. McCormack, and the 1A Grievance Committee of the State Bar of Texas in the United States District Court for the Eastern District of Texas seeking declaratory and injunctive relief, as well as presenting claims under 42 United States Code Section 1983, with respect to the lawyer advertising disciplinary rules promulgated by this Court.

II.

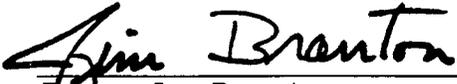
The parties to this litigation have consulted with the Honorable William Wayne Justice, United States District Judge, who has been assigned to hear this case concerning a date for trial on the merits of this litigation. That trial is presently scheduled for January 30, 1995. In order to achieve one trial date which dispenses of the necessity for multiple hearings on Plaintiffs' Application for Preliminary Injunction and various other claims, the parties seek a brief extension of the effective date for the new disciplinary rules concerning lawyer advertising.

III.

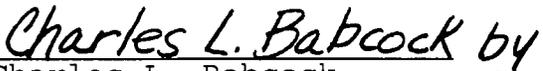
THEREFORE, for purposes of judicial economy and efficiency, the parties respectfully request that this Court amend its Order dated November 15, 1994 solely with respect to the effective date of February 1, 1995 and order that the new disciplinary rules related to lawyer advertising take effect April 1, 1995.

Respectfully submitted,

THE STATE BAR OF TEXAS


James L. Branton
President
State Bar No. 00000069

TEXANS AGAINST CENSORSHIP,
INC., JIM S. ADLER, PAUL
WEINSTEIN, J.M. (MICK) BANDY,
MELISSA FOWLER, CHARLES
NEWTON, AND WYNNE L.
CREEKMORE, JR.


Charles L. Babcock
State Bar No. 01479500
Kenneth Poland
State Bar No. 16088550
Counsel for Plaintiffs

PERMISSION


STATE BAR OF TEXAS



November 22, 1994

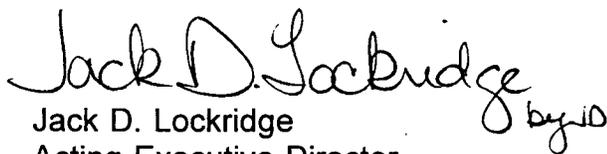
The Honorable Raul A. Gonzalez
The Supreme Court of Texas
Supreme Court Bldg., Ste. 303A
Austin, Texas 78711

Dear Judge Gonzalez:

Enclosed for your review and the Courts consideration, is a Petition and Order requesting that the Court amend their Order dated November 15, 1995, changing the implementation date of the new advertising rules from February 1, 1995 to April 1, 1995.

If you have any questions or need additional information, please give me a call.

Sincerely,


Jack D. Lockridge
Acting Executive Director

JDL/jb



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK
JOHN T. ADAMS

EXECUTIVE ASST.
WILLIAM L. WILLIS

ADMINISTRATIVE ASST.
NADINE SCHNEIDER

JUSTICES
RAULA GONZALEZ
JACK HIGHTOWER
NATHAN L. HECHT
LLOYD DOGGETT
JOHN CORNYN
BOB GAMMAGE
CRAIG ENOCH
ROSE SPECTOR

November 28, 1994

Office of the
Secretary of State
Statutory Filings Division
Rudder Building
Austin, Texas 78701

Please find enclosed for filing, a copy of the order of the Supreme Court of Texas of November 28, 1994 that modifies the previous order of the Court of November 15, 1994.

Sincerely,

John T. Adams
Clerk

Encl.



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

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JOHN CORNYN
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CRAIG ENOCH
ROSE SPECTOR

November 28, 1994

Mr. Charles L. Babcock
Jackson & Walker, L.L.P.
Post Office Box 4771
Houston, Texas 77210-4771

RE: Proposed Rules on Lawyer Advertising (my letters of 11-7-94
and 11-15-94.)

Dear Mr. Babcock,

Please find enclosed for your information, an order that modifies
the order of this Court of November 15, 1994 under Miscellaneous
Docket Number 94-9167.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Mr. James M. McCormack
Gen. Counsel, State Bar

Mr. Antonio Alvarado
Exec. Dir., State Bar