

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 95 - 9012

ORDER OF THE COURT APPROVING AMENDMENTS TO THE
STANDARDS FOR CERTIFICATION IN ESTATE PLANNING
AND PROBATE LAW OF THE
TEXAS BOARD OF LEGAL SPECIALIZATION

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

WHEREAS, those amendments to those aforementioned Standards were accepted and approved by the members of the Texas Board of Legal Specialization on September 9, 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 Estate Planning and Probate Law be amended so as to hereafter read as follows:

II. MINIMUM STANDARDS FOR CERTIFICATION

B. SUBSTANTIAL INVOLVEMENT AND SPECIAL COMPETENCE

Applicants must show substantial involvement and special competence in estate planning and probate 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 each of the 3 years immediately preceding application they either have devoted a minimum of 25% of their time practicing estate planning and probate law as defined in Section I(G) or that during all or a proportionate part of that time they have served as a judge of a statutory probate court.
2. Applicants must show their substantial involvement and special competence in estate planning and probate law during each of the 3 years immediately preceding application by providing such

information as may be required by the Board regarding both of the following categories:

a. Estate Planning

Requires, to the satisfaction of the Board, an adequate involvement in a substantial portion of the activities described in each of the following paragraphs:

- (1) Counseled persons in estate planning, including giving advice with respect to gifts, life insurance, wills, trusts, business arrangements and agreements and other estate planning matters.
- (2) Prepared or supervised the preparation of estate planning instruments, e.g., simple and complex wills, including provisions for testamentary trusts, marital deductions and elections; revocable and irrevocable inter vivos trusts, including short-term and minors trusts; business planning agreements, including stock agreements, health and accident plans, and employment contracts; powers of attorney and other estate planning instruments; and gift tax returns including representation before the Internal Revenue Service in connection with gift tax returns.

b. Estate Administration

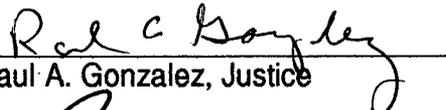
Requires, to the satisfaction of the Board, an adequate involvement in a substantial portion of the activities described in each of the following paragraphs:

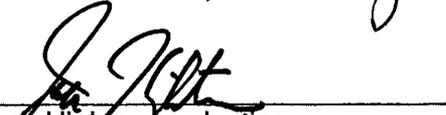
- (1) Handled or advised with respect to the probate and/or administration of decedents' estates, including dependent and independent administration and muniments of title; trusts; guardianships; determinations of heirships; will contests; construction suits; and equity proceedings;
- (2) Prepared, reviewed or supervised the preparation of Federal Estate Tax Returns, Texas Inheritance Tax Returns, and U.S. Fiduciary Income Tax returns, including representation before the Internal Revenue Service, state taxing authorities, or the courts in connection with such tax returns and related tax controversies.

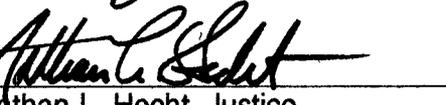
3. The Texas Board of Legal Specialization may permit an applicant who has served as a judge of a statutory probate court within the 3 years immediately preceding application to substitute such service for 1 or more of the requirements set forth in Section II(B)(2)(a-b) above.

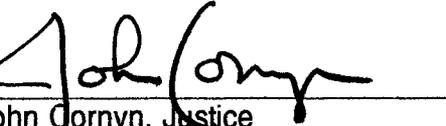
Signed and entered this 6th day of January, 1995.

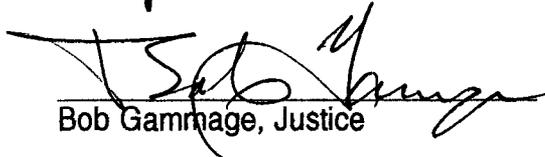

Thomas R. Phillips, Chief Justice


Raul A. Gonzalez, Justice

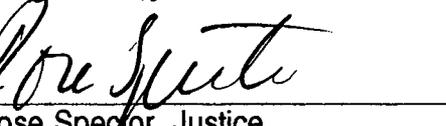

Jack Hightower, Justice


Nathan L. Hecht, Justice


John Cornyn, Justice


Bob Gammage, Justice


Craig Enoch, Justice


Rose Spedtor, Justice


Priscilla Owen, Justice