



The Supreme Court of Texas

CHIEF JUSTICE
NATHAN L. HECHT

201 West 14th Street Post Office Box 12248 Austin TX 78711
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK
BLAKE A. HAWTHORNE

JUSTICES
DEBRA H. LEHRMANN
JEFFREY S. BOYD
JOHN P. DEVINE
JAMES D. BLACKLOCK
J. BRETT BUSBY
JANE N. BLAND
REBECA A. HUDDLE
EVAN A. YOUNG

GENERAL COUNSEL
NINA HESS HSU

EXECUTIVE ASSISTANT
NADINE SCHNEIDER

DIRECTOR OF PUBLIC AFFAIRS
AMY STARNES

October 24, 2022

Ms. Harriet Miers
Chair, Texas Access to Justice Commission
Locke Lord LLP
By email

Dear Chair Miers:

The Texas Commission to Expand Civil Legal Services recommended in its December 2016 report that a primary objective of future rulemaking projects should be to foster access to the civil justice system by Texans who cannot afford traditional legal representation. Many Texans have incomes low enough to qualify for assistance from legal aid and volunteer attorney organizations, but resource and staffing constraints allow these organizations to serve only a small fraction of qualified applicants. Often, the only option for Texans who cannot be served is to attempt to represent themselves.

To help address this civil justice gap and expand access to justice for low-income Texans, the Supreme Court requests that the Commission examine existing rules and propose modifications in the following areas:

- Modifications that would allow qualified non-attorney paraprofessionals to provide limited legal services directly to low-income Texans. Among other things, the Commission should consider: qualifications, licensing, practice areas, and oversight of providers; eligibility criteria for clients; and whether compensation for providers should be limited to certain sources, such as government and non-profit funds.
- Modifications that would allow non-attorneys to have economic interests in entities that provide legal services to low-income Texans while preserving professional independence. The Commission should consider whether to recommend that these modifications be studied through a pilot program or regulatory sandbox and whether modifications should focus on certain services for which there is a particular need.

The Court understands that the Commission will seek input from the bar and a range of other relevant constituencies in developing these proposals, which the Court would appreciate receiving by fall 2023. The Commission should work with the State Bar of Texas to provide periodic updates to bar members regarding its work on the proposals.

The Court is grateful for the Commission's service and your leadership.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Brett Busby", with a stylized flourish at the end.

J. Brett Busby
Justice

cc: Access to Justice Commission Members and Staff
State Bar of Texas