

# Supreme Court of Texas

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Misc. Docket No. 25-9012

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## Approval of Amendments to Texas Disciplinary Rules of Professional Conduct 1.05 and 3.05

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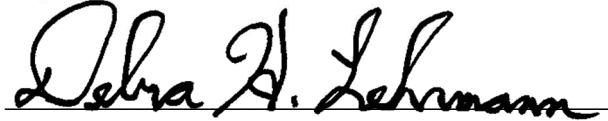
### **ORDERED** that:

1. The Texas Disciplinary Rules of Professional Conduct 1.05 and 3.05 are amended as follows, effective immediately.
2. The Clerk is directed to:
  - a. file a copy of this Order with the Secretary of State;
  - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this Order to each elected member of the Legislature; and
  - d. submit a copy of this Order for publication in the *Texas Register*.

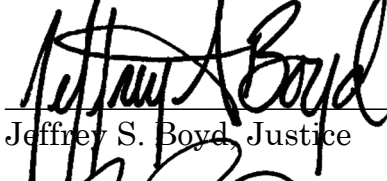
Dated: March 7, 2025.

A handwritten signature in black ink, appearing to read 'J. Blacklock', written over a horizontal line.

James D. Blacklock, Chief Justice

A handwritten signature in black ink, appearing to read 'Debra H. Lehrmann', written over a horizontal line.

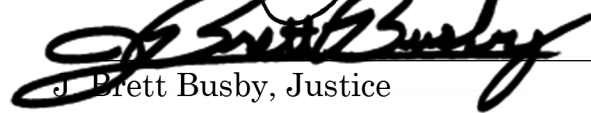
Debra H. Lehrmann, Justice

A handwritten signature in black ink, appearing to read 'Jeffrey S. Boyd', written over a horizontal line.

Jeffrey S. Boyd, Justice

A handwritten signature in black ink, appearing to read 'John P. Devine', written over a horizontal line.

John P. Devine, Justice

A handwritten signature in black ink, appearing to read 'J. Brett Busby', written over a horizontal line.

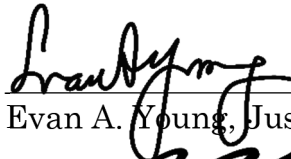
J. Brett Busby, Justice

A handwritten signature in black ink, appearing to read 'Jane N. Bland', written over a horizontal line.

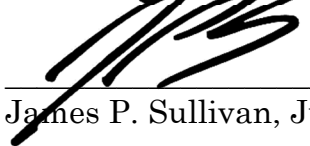
Jane N. Bland, Justice

A handwritten signature in black ink, appearing to read 'Rebeca A. Huddle', written over a horizontal line.

Rebeca A. Huddle, Justice

A handwritten signature in black ink, appearing to read 'Evan A. Young', written over a horizontal line.

Evan A. Young, Justice

A handwritten signature in black ink, appearing to read 'James P. Sullivan', written over a horizontal line.

James P. Sullivan, Justice

# TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT

## I. CLIENT-LAWYER RELATIONSHIP

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### Rule 1.05 Confidentiality of Information

(a) Confidential information includes both privileged information and unprivileged client information. Privileged information refers to the information of a client protected by the lawyer-client privilege of Rule ~~5.03~~503 of the Texas Rules of Evidence or of Rule 5.03 of the Texas Rules of Criminal Evidence or by the principles of attorney-client privilege governed by Rule ~~5.01~~501 of the Federal Rules of Evidence for United States Courts and Magistrates. Unprivileged client information means all information relating to a client or furnished by the client, other than privileged information, acquired by the lawyer during the course of or by reason of the representation of the client.

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## III. ADVOCATE

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### Rule 3.05 Maintaining Impartiality of Tribunal

A lawyer shall not:

(a) seek to influence a tribunal concerning a pending matter by means prohibited by law or applicable rules of practice or procedure;

(b) except as otherwise permitted by law and not prohibited by applicable rules of practice or procedure, communicate or cause another to communicate ex parte with a tribunal for the purpose of influencing that entity or person concerning a pending matter other than:

(1) in the course of official proceedings in the cause;

(2) in writing if he promptly delivers a copy of the writing to opposing counsel or the adverse party if he is not represented by a lawyer;

(3) orally upon adequate notice to opposing counsel or to the adverse party if he is not represented by a lawyer.

(c) For purposes of this rule:

(1) Matter has the meanings ascribed by it in Rule ~~1.10(f)~~1.11(f) of these Rules;

(2) A matter is pending before a particular tribunal either when that entity has been selected to determine the matter or when it is reasonably foreseeable that that entity will be so selected.

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