

## Mandatory client notification of grievance process - Comment

1.	<p>The Texas State Bar Act, effective January 1, 2004, requires all attorneys that practice law in Texas to notify their clients of the grievance process. A client may file a grievance against an attorney if the client believes the attorney has committed actionable conduct. The Act requires attorneys to notify clients of the grievance process by one of the four following methods:</p>								
	<table border="1" style="width: 100%;"> <tr> <td style="width: 10%;">a.</td> <td>Making grievance brochures prepared by the state bar available at the attorney's place of business. The brochure must be available to the clients.</td> </tr> <tr> <td>b.</td> <td>Posting a sign prominently displayed in the attorney's place of business describing the process.</td> </tr> <tr> <td>c.</td> <td>Including the information on a written contract for services with the client.</td> </tr> <tr> <td>d.</td> <td>Providing the information in a bill for services to the client.</td> </tr> </table>	a.	Making grievance brochures prepared by the state bar available at the attorney's place of business. The brochure must be available to the clients.	b.	Posting a sign prominently displayed in the attorney's place of business describing the process.	c.	Including the information on a written contract for services with the client.	d.	Providing the information in a bill for services to the client.
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	<p>The State Bar Office of Chief Disciplinary Counsel has developed both procedures and model language for all four methods of notifying clients. Attorneys are required to comply with one of the four methods described. They are not required to comply with two or more. Therefore, you would not be required to post a sign and hand out the brochures.</p>								
2.	<p>The State Bar website provides a grievance process notice containing language that complies with the act. The notice can be printed from the website and posted prominently in your law office, preferably in the reception area.</p>								
3.	<p>The State Bar suggests that the following notification language may be used in legal services contracts or incorporated in billing statements to clients:</p> <p style="text-align: center;"><b>Notice to Clients: The State Bar of Texas investigates and prosecutes professional misconduct committed by Texas attorneys. Although not every complaint against or dispute with a lawyer involves professional misconduct, the State Bar's Office of Chief Disciplinary Counsel will provide you with information about how to file a complaint. Please call 1-800-932-1900 for more information.</b></p>								

4.	The Chief Disciplinary Counsel's Office has prepared a brochure which describes the grievance process. You may order the brochure in limited quantities by calling the toll-free number 1-800-932-1900, or you can download the brochure from the State Bar website. The brochures must also be displayed prominently in your law office. The State Bar recommends the brochures be placed in your reception area.
5.	Questions about the public notification requirements should be addressed to Public Notification Questions, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711-2487, or call toll-free 1-800-204-2222.
6.	For research information regarding the notification requirement see the Texas Government Code 81.079.
7.	Attorneys are also required to keep records of any client solicitation for four years. The attorney is advised to review the appropriate government code section to ascertain that he or she is in compliance.