

# Supreme Court of Texas

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Misc. Docket No. 25-9007

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**Order Amending Texas Plan for Recognition and Regulation of  
Specialization in the Law; Amending Part I of the Texas Board of Legal  
Specialization Standards for Attorney Certification; and Amending  
Standards for Attorney Certification in Judicial Administration**

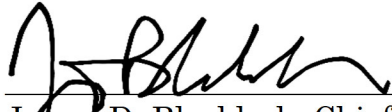
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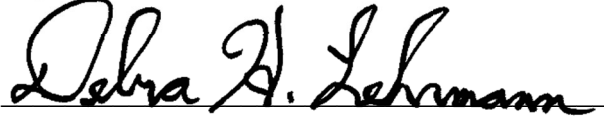
**ORDERED** that:

1. Section XII of the Texas Plan for Recognition and Regulation of Specialization in the Law is amended as follows, effective immediately.
2. Part I of the Texas Board of Legal Specialization Standards for Attorney Certification is amended as follows, effective immediately.
3. The Standards for Attorney Certification in Judicial Administration are amended as follows, effective immediately.
4. 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*.

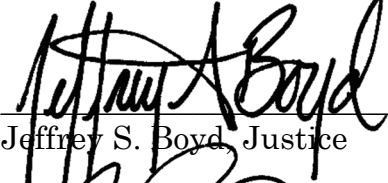
Dated: January 31, 2025.



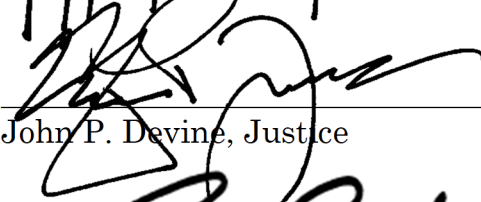
James D. Blacklock, Chief Justice



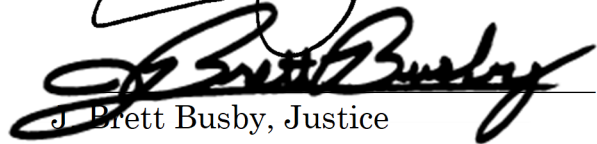
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John P. Devine, Justice



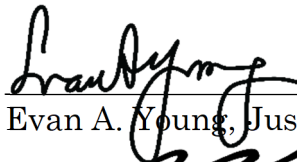
J. Brett Busby, Justice



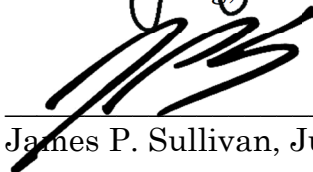
Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice



James P. Sullivan, Justice

**TEXAS PLAN FOR RECOGNITION AND REGULATION OF  
SPECIALIZATION IN THE LAW**

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**SECTION XII  
RETAINED JURISDICTION OF SUPREME COURT**

The jurisdiction of the TBLS shall be limited to twenty-~~four~~eight areas of law: Criminal Law; Labor and Employment Law; Family Law; Estate Planning and Probate Law; Civil Trial Law; Personal Injury Trial Law; Immigration and Nationality Law; Commercial Real Estate Law; Farm and Ranch Real Estate Law; Residential Real Estate Law; Tax Law; Consumer Bankruptcy Law; Oil, Gas and Mineral Law; Civil Appellate Law; Business Bankruptcy Law; Administrative Law; Consumer and Commercial Law; Juvenile Law; Health Law; Workers' Compensation Law; Criminal Appellate Law; Construction Law; Property Owners Association Law; Child Welfare Law; Legislative and Campaign Law; Aviation Law; Insurance Law; and Judicial Administration; and to the development and operation of the program in the recognition and regulation of specialization in the law, provided, however, that the number and type of areas included in the program and the jurisdiction of the TBLS may be enlarged, altered, or terminated from time to time by the Supreme Court of Texas.

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**TEXAS BOARD OF LEGAL SPECIALIZATION  
STANDARDS FOR ATTORNEY CERTIFICATION**

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**PART I  
GENERAL REQUIREMENTS**

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**SECTION IV  
REFERENCES**

**A. REFERENCE REQUIREMENTS.**

1. Except as provided in paragraph 2, Aan applicant must submit names and addresses of persons to be contacted as references to attest to the applicant's competence in the specialty area. For the types of references required for each specialty area, refer to the appropriate Specific Area Requirements. These persons must be:
  - a. individuals who are not partners of or associates of the applicant;
  - b. with respect to a certification applicant, individuals with whom the applicant has had dealings in the 3 years immediately preceding application; and
  - c. with respect to a recertification applicant, individuals with whom the applicant has had dealings since certification or the most recent recertification.
2. References for an applicant currently serving as a judge must be selected by TBLS rather than submitted by the applicant.
- ~~23.~~ TBLS may, at its option, request references from other attorneys, judges, or both.
- ~~34.~~ A Confidential Statement of Reference Form approved by TBLS will be submitted by TBLS directly to the selected references and must be returned directly to TBLS.

**B. EVALUATION OF REFERENCE INFORMATION.** In evaluating reference information on an applicant, TBLS must consider the knowledge and experience of the references in the applicant's specialty area and the nature of the dealings between the references and the applicant.

**C. CONFIDENTIALITY.** All Statements of Reference received by TBLS are confidential.

**D. DENIAL.** TBLS may deny certification or recertification based on information received through the reference process. General information concerning the

denial must be provided to the applicant subject to the confidentiality rule.

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## SECTION VI SUBSTANTIAL INVOLVEMENT

- A. **PERCENTAGE OF PRACTICE OR YEARS OF SERVICE REQUIREMENT IN THE SPECIALTY AREA.** An applicant's or board certified attorney's failure to meet the percentage of practice or years of service requirements set forth in the Specific Area Requirements may be grounds for denial or revocation.
- B. **SPECIFIC TASKS REQUIREMENTS.** An applicant must provide information as required by TBLS concerning specific tasks the applicant has performed in the applicable specialty area. In evaluating experience, TBLS may take into consideration the nature, complexity, and duration of the tasks handled by an applicant in the specialty area.
- C. **EXCEPTIONS.** A certification applicant is expected to meet the specific tasks requirements listed in the Specific Area Requirements in the specialty area. TBLS may permit exceptions for an applicant who does not meet the specific task requirements specified in an individual specialty area.
1. **Judicial Experience.**
    - a. **Certification Applicant.** TBLS may permit a certification applicant to substitute judicial experience appropriate to each specialty area. In making this determination, TBLS may take into consideration the nature, complexity, and duration of the matters the certification applicant has handled in the specialty area. The judicial experience must be at least equivalent to the specific task requirements of the specialty area, and the determination of equivalency is in the sole discretion of TBLS.
    - b. **Board Certified Attorney and Recertification Applicant.**
      - (i) TBLS may exempt a board certified attorney or recertification applicant who is serving as a **full-time** judge from all requirements during his or her judicial service except for the requirement to:
        - (A) pay the annual fee;
        - (B) disclose conduct under Section III; and
        - (C) for the judicial administration specialty area, complete CLE under Section V and any requirements in the Specific Area Requirements.
      - (ii) With the exception of those certified in the judicial administration specialty area, if a board certified attorney desires to continue certification after December 31 of the calendar year which he or she ceases to serve as a **full-time**

judge, he or she must timely complete the recertification process with TBLS and must comply with the TBLS Rules. A board certified attorney whose certification was extended by reason of service as a ~~full-time~~ judge must satisfy all the requirements for recertification except that, for purposes of the initial recertification only, the substantial involvement requirement will be waived and the CLE requirement will be prorated based on the year in which the board certified attorney ceased judicial service.

2. Unusual or Exceptional Experience. TBLS may permit a certification applicant to substitute unusual or exceptional experience for one or more of the specific area requirements in the specialty area. In making this determination, TBLS may take into consideration the nature, complexity, and duration of the matters that the certification applicant has handled in the specialty area. The unusual or exceptional experience must be at least equivalent to the Specific Area Requirements of the specialty area, and the determination of equivalency is in the sole discretion of TBLS.

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## **PART II SPECIFIC AREA REQUIREMENTS**

These are specific requirements that apply to the specialty area listed below. The specific requirements include the definitions, substantial involvement, reference, and other certification and recertification requirements for the specialty area. You will also need to refer to the Standards for Attorney Certification, Part I – General Requirements for requirements that apply to all specialty areas.

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### **SECTION XXIV JUDICIAL ADMINISTRATION (Area ID: JA / Year Started: 2025)**

- A. **DEFINITION.** Judicial administration is the proper administration of justice in cases and controversies before Texas courts. The courts covered by these standards are Texas appellate courts, district courts, the business court, statutory county courts, statutory probate courts, county courts performing judicial functions, and municipal courts of record. The proper administration of justice includes:
  - upholding the rule of law, including by following the Texas constitution, statutes, rules of procedure, rules of evidence, the Texas Code of Judicial Conduct, and other applicable ethical rules;

- protecting the fair administration of justice and assuring fair hearings;
- managing cases and workflow with consistency and predictability to ensure the court's work is performed efficiently and to promote the fair and timely resolution of all cases, including setting hearings and trials expeditiously;
- giving preference to hearings and trials as provided by law;
- ruling timely;
- setting trials with reasonable notice and within a reasonable time;
- taking reasonable steps to reduce the litigants' costs;
- being mindful of the time commitment of jury service on jurors;
- considering court processes to ensure that all litigants—whether self-represented or represented by counsel—have meaningful access to the court;
- responsively coordinating with other governmental entities;
- effectively measuring and managing court performance using available statistical data;
- using technology to expand access to courts;
- promoting judicial education, training, development, and leadership;
- overseeing the budget and fiscal management of the court;
- managing and supporting court staff;
- enhancing public trust and confidence by maintaining a culture that fosters integrity, transparency, and accountability for all court processes and proceedings;
- promoting and protecting the independence of the judiciary; and
- adhering to and promoting established purposes and responsibilities of the judiciary.

**B. SUBSTANTIAL INVOLVEMENT.** To demonstrate substantial involvement and special competence in judicial administration, the applicant must meet the following minimum requirements:

1. **Certification.**

- a. **Years of Service Requirement.** The applicant must have served for at least 4 years as a judge—or an assigned judge under Chapters 74 or 75 of the Government Code—of a Texas appellate court, district court, business court, statutory county court, statutory probate court, a county court performing judicial functions, or a municipal court of record.
- b. **Task Requirements.** The applicant must provide information as required by TBLS concerning the applicant's judicial administration experience. The applicant must show that, during the applicant's entire service as a judge, the applicant presided over at least 20 jury trials to a verdict; at least 75 non-jury trials that involve oral testimony, presentation of evidence, findings of fact and conclusion of law if applicable, and rendition of a final judgment, excluding default and agreed judgments; or authored at least 30 appellate opinions, including concurring and

dissenting opinions. In evaluating experience, TBLS may take into consideration the nature, complexity, and duration of the proceedings presided over by the applicant and data from the Office of Court Administration relating to the applicant's court.

2. **Recertification.** The applicant must have devoted 20% of the applicant's time serving as a judge—or an assigned judge under Chapters 74 or 75 of the Government Code—of a Texas appellate court, district court, business court, statutory county court, statutory probate court, a county court performing judicial functions, or a municipal court of record or as a member of an adjudicative tribunal during each year of the five-year period of certification.

C. **REFERENCE REQUIREMENTS.** ~~The applicant must submit~~ **TBLS must select** a minimum of five names and addresses of individuals to be contacted as references to attest to the applicant's competence in judicial administration.

1. **Certification.** The ~~applicant must submit names of~~ individuals ~~who are~~ **selected must be** familiar with the applicant's judicial administration practice.
2. **Recertification.** The ~~applicant must submit names of~~ individuals ~~who are~~ **selected must be** familiar with the applicant's judicial administration practice since certification or the most recent recertification.
3. **Reference Types.** The ~~applicant must submit the following~~ **reference types of references selected by TBLS must be:**
  - a. four Texas attorneys who have appeared before the applicant in a hearing, trial, or oral argument; and
  - b. one Texas judge of any court of record.