

Proposed Bill - HB 3915

Posted 3/13/09 Brandy Wingate,

Proposed Bill Requires Disgorgement of Attorneys Fees and Double Damages for Contingent Fee Contracts Procured by Barratry, the Unauthorized Practice of Law, or in Violation of the Texas Disciplinary Rules of Professional Conduct:

Representative Fletcher (R-Tomball) proposed HB 3915, which would allow a client who entered into a contingent fee agreement that was procured by barratry, by a person falsely representing themselves to be a lawyer, by a person engaging in the unauthorized practice of law, or in violation of Texas Disciplinary Rule of Professional Conduct 8.04 (lawyer misconduct) to recover any fees received by the attorney plus two times the amount of those fees, attorney's fees, court costs, prejudgment and post-judgment interest. <http://www.legis.state.tx.us/tlodocs/81R/billtext/pdf/HB03915l.pdf> (last visited Mar. 13, 2009)