

CODE OF ETHICS AND PROFESSIONAL RESPONSIBILITY OF THE PARALEGAL DIVISION OF THE STATE BAR OF TEXAS

Preamble

Fundamental to the success of any professional organization are the integrity of its members and a high standard of conduct. This Code of Ethics and Professional Responsibility is promulgated by the Paralegal Division of the State Bar of Texas and accepted by its members to accomplish these ends.

The paralegal profession is by nature closely related to the legal profession. Although the Code of Professional Responsibility of the State Bar of Texas does not directly govern paralegals except through a supervising attorney, it is incumbent upon the members of the Paralegal Division to know the provisions of the attorneys' code and avoid any action which might involve an attorney in a violation of that code or even the appearance of professional impropriety.

The canons set forth hereafter are intended as a general guide, and the enumeration of these canons does not exclude others of equal importance although not specifically mentioned.

Canon 1. A paralegal shall not engage in the practice of law as defined by statutes or court decisions, including but not limited to accepting cases or clients, setting fees, giving legal advice or appearing in a representative capacity in court or before an administrative or regulatory agency (unless otherwise authorized by statute, court or agency rules); the paralegal shall assist in preventing the unauthorized practice of law.

Canon 2. A paralegal shall not perform any of the duties that attorneys only may perform or do things which attorneys themselves may not do.

Canon 3. A paralegal shall exercise care in using independent professional judgment and in determining the extent to which a client may be assisted without the presence of any attorney, and shall not act in matters involving professional legal judgment.

Canon 4. A paralegal shall preserve and protect the confidences and secrets of a client.

Canon 5. A paralegal shall not solicit legal business on behalf of an attorney.

Canon 6. A paralegal shall not engage in performing paralegal functions other than under the direct supervision of an attorney, and shall not advertise or contract with members of the general public for the performance of paralegal functions.

Canon 7. A paralegal shall avoid, if at all possible, any interest or association which constitutes a conflict of interest pertaining to a client matter and shall inform the supervising attorney of the existence of any possible conflict.

Canon 8. A paralegal shall maintain a high standard of ethical conduct and shall contribute to the integrity of the paralegal profession.

Canon 9. A paralegal shall maintain a high degree of competency to better assist the legal profession in fulfilling its duty to provide quality legal services to the public.

Canon 10. A paralegal shall do all other things incidental, necessary or expedient to enhance professional responsibility and the participation of paralegals in the administration of justice and public service in cooperation with the legal profession.

Paralegal Division/ State Bar of Texas
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