

Resolution #1

Texas Legal Consumer Protection and Attorney Accountability Act

Background

Many professions serving the public require professional liability insurance. Physicians must maintain malpractice coverage for hospital privileges, and contractors or real estate professionals frequently carry insurance to work in their field. Attorneys are held to similarly high professional standards, yet many lawyers are not required to maintain legal malpractice insurance.

When clients hire an attorney they often invest significant financial resources and trust the lawyer to competently manage important legal matters. If an attorney mishandles a case or causes financial harm through professional negligence, the client may suffer serious losses.

Problem

When attorneys do not carry malpractice insurance, even clients who prove negligence may be unable to recover damages if the attorney lacks sufficient assets. This leaves injured clients without meaningful recourse.

Solution

Require attorneys licensed in Texas to maintain legal malpractice insurance of at least \$500,000 or an amount commensurate with the value of the legal matters they undertake. Attorneys without such insurance must disclose that fact in writing before representation begins, and attorneys whose coverage is materially less than the value of the client’s case must disclose that limitation.

Formal Resolution

WHEREAS, the legal profession occupies a position of trust and responsibility in society;

WHEREAS, clients rely on attorneys to competently handle matters involving significant financial and personal consequences;

WHEREAS, malpractice insurance provides accountability and financial recovery when negligence occurs;

WHEREAS, transparency regarding malpractice coverage helps the public make informed decisions when selecting legal counsel;

NOW, THEREFORE, BE IT RESOLVED, that the Republican Party of Texas urges the Texas Legislature to enact the Texas Legal Consumer Protection and Attorney Accountability Act requiring attorneys licensed in Texas to maintain legal malpractice insurance of not less than \$500,000 or an amount commensurate with the value of the legal matters they undertake;

BE IT FURTHER RESOLVED, that attorneys who do not maintain malpractice insurance must disclose that fact to clients in writing prior to engagement, and attorneys whose coverage is materially lower than the potential value of the client’s case must disclose that limitation;

BE IT FURTHER RESOLVED, that the Republican Party of Texas support policies promoting consumer protection and transparency in the legal profession.

Adopted this 7th day of March, 2026, at the Precinct Convention of Precinct # 133 of the Republican Party of Texas.

Submitted by:

Caroline Allison

Signature:

Caroline Allison

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03/13/26 11:15 AM CDT
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Date:

03/07/2026