Question 12

In 2015, Alex and Bert, licensed Texas lawyers, formed Alex & Bert LP to practice law in Texas. They did not file any documents with the Texas Secretary of State, but did draft and sign a written partnership agreement containing the following provisions:

Alex will be the General Partner. We will split profits equally. Bert will not be personally liable for any of the debts or obligations of Alex & Bert LP.

Six months later, Alex and Bert asked Cathy to join their practice. Cathy and Bert were law school classmates, but Cathy never took the bar exam. Instead, she went to medical school and is now a licensed physician. Alex and Bert have proposed that they form a professional limited liability company in which all three licensed professionals will be members, sharing equally in the profits from Alex and Bert’s law practice, and from Cathy’s medical practice. Cathy is considering their proposal.

(1) Is Alex & Bert LP a limited partnership or a general partnership? Explain fully.

(2) Can Alex, Bert, and Cathy lawfully form a professional limited liability company? Explain fully.

This concludes the Texas Bar Examination.

Write the Honor Pledge on the back of this question booklet before turning in your exam materials.