



The College Bulletin

News for Members of the College of the State Bar of Texas

Summer 2013

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The Joy of Lifelong Learning

Essential For a Happy Balanced Life



From
the
Chair



Leta Parks

Is there a correlation between education and happiness?

The question goes back to Aristotle – perhaps even earlier. Of course there have been many more recent studies and articles about the topic undertaken in universities and published in popular periodicals. The New York Times published one on the day I'm writing this called Does Education Make You Happy? The answer is yes, although education is no guarantee. We can all point to educated people who aren't happy. But in general, the more educated a person is, the happier they are. Some of the reasons are obvious.

Educated people generally have more satisfying jobs. They have a greater degree of control over their vocational choices and feel a greater sense of accomplishment from their work than those with little education. Because most of us spend so much time at work, this leads to an overall sense of fulfillment. But I think it goes beyond this. People who continue their education continue to be the happiest members of society in general. I cringe when I hear about someone "completing their education." Education should be a lifelong pursuit, and that has never been more critical than it is now. No one can afford to "complete their education" in today's rapidly changing world.

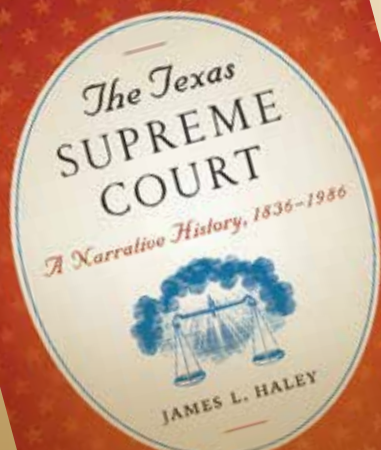
Fortunately, as lawyers it is impossible for us to complete our education. If we want to stay licensed, we have to continue to educate ourselves. It should be so for every job and profession. Most would agree that the world would be a much better place if people were more educated. There would be more tolerance and understanding – less conflict. That would lead to greater harmony and thus, happiness.

So why is education such a low priority? Most people do it begrudgingly at best. It's a chore. About as much fun as brushing your teeth

or getting your car's oil changed. It has to be done, but not many get excited about it. Kids can't wait to get out of school. Many don't even earn a high school diploma, almost certainly dooming them to a life of drudge work. Most people who aren't required to get CEU's never take another course in their lives. Many lawyers rush to squeeze their 15 MCLE hours in right before their birthdays. But members of the College willingly do twice the number of required hours – often many more. Why?

Is it because we understand the inherent joy of learning? That we realize the more we know the more interesting life is? The more we understand about our profession and the world around us the happier we are? What is it that sets us apart that we voluntarily do what others must be pushed to do? I don't know. What I do know is that I have enjoyed my time as Chair of this wonderful organization and believe the members are very special people.

I hope to see many of you in Galveston at Moody Gardens where we can learn about a variety of topics, see old friends and make new ones, and generally have a good time. Have a great summer and happy learning! ■



An Excerpt From *The Texas Supreme Court: A Narrative History, 1836–1986*

By James L. Haley

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THE DEFINITIVE HISTORY of the state's highest civil appellate court was published in February by the University of Texas Press. Written by award-winning Austin-based author James L. Haley, the book tells the story of the Texas Supreme Court from its origins in the Republic of Texas to the political and philosophical upheavals of the mid-1980s. Here is an excerpt.

CHAPTER 4 – THE FRONTIER COURT

[Chief Justice John] Hemphill's applied vision of Texas as a country that charted its own jurisprudential course, melding the certainty of the civil law with the safeguards of personal liberty found in the common law, excited the most controversy about legal development in the Republic of Texas. However, during its ten-year existence the Court also issued opinions on numerous cases that, while they did not reach such a high level of legal philosophy as the debate over contending legal systems, deeply affected the lives of ordinary Texans even as they carved out more of the country's unique legal identity. The cases also offer a vivid glimpse of a society at the edge of wilderness, both in geography and in antisocial behavior, and of a society struggling to bring both into some civilized harness.

* * * * *

One area of law in which Texas could not in any case have escaped the entanglements of Spanish and Mexican law was land. In a republic whose population largely comprised the cash-poor and land-rich, possession of the vast land grants, both from Spanish and Mexican days and those even then being awarded, was avidly sought by heirs, former spouses, children of former spouses, creditors, and sundry relations of the original holders. Moreover, attempts by wall-eyed individualists to assert that their might made right were not limited to such piddling actions as shooing away one's neighbor's horse. During the years of Anglo colonial settlement in Mexican Texas, one of Brazoria County's most prominent landowners, Warren D. C. Hall, had cast a covetous eye on a thousand-acre tract of his neighbor, James A. E. Phelps. Phelps had received the one-league grant (equivalent to 4,438 acres in English measure) in 1824, and lived on and developed the property. In 1831 Phelps and his wife left for the United States to visit one of their children, leaving their plantation in the care of an overseer and numerous slaves. In their absence, Hall invaded their property, displaced the overseer and slaves, and forcibly occupied the land. When Phelps returned the following spring, Hall compelled him to deed the thousand-acre tract to him, for the "consideration" of being allowed back onto

the remainder of his league. Phelps sued Hall in July of 1838 for damages and to recover his lost land. The jury found for Phelps in all respects, and Hall appealed on several grounds. It was Anderson Hutchinson who delivered the lengthy and occasionally outraged opinion of the Court in 1841.¹

Alluding to the maxim under the civil law that where one compels a price for abstaining from an act that he was bound by law not to commit anyway, the price should be restored, Hutchinson found this to be simply "sound morals." He also noted that the common law, while not controlling in this case because the land originated as a Mexican grant, embraced the same principle. Of Hall's contention that Phelps had made the conveyance knowingly and for good consideration, Hutchinson found "no shadow of a valid consideration to support it." Moreover, even if Phelps "had acted . . . in a compromise, Equity, which is derived from the Civil Law and the fountains of universal justice, would have relieved him." Hall's contention that the suit was not filed in a timely manner—seven years had elapsed between the episode and filing the suit—was brushed aside with equal brusqueness. "The Court considers . . . the distracted state of Texas from 1832, to 1835, and the revolution that occurred," as abundant reason to allow the suit.² Hall's other contention regarding jury instructions also failed, but it was the unsavory aspect of the whole transaction that incensed the Court. Hall, "in the spirit and with the hand of rapacity . . . in his own audacious words, *reigned sole possessor* of the usurped manor and premises, affecting all the power . . . of a successful marauder of the dark ages."³ The Court restored Phelps's thousand acres, and in so doing announced with unmistakable clarity to the would-be land barons in land-rich Texas that their strong arms would not prevail against the law.

* * * * *

Bringing ambitious, and audacious, landowners under the control of justice was only one aspect of bringing order to the fringe of settlement. Being a frontier people, Texans expected their courts to vindicate actions that seemed, to them, perfectly in keeping with the nature of their society. During the vivid electioneering that accompanied the Texas national election

of 1841,⁴ Joseph Thompson and two other citizens of Red River County were moved to bet eight hundred dollars on the outcomes with one William Walker. Thompson lost but declined to pay up, and Walker endorsed the note over to Wiley Harrison, who sued and won before a jury of their peers to collect the debt. Betting was an everyday occurrence throughout the Republic, and as much a part of daily life as tobacco and whiskey. Thompson appealed to the Texas Supreme Court, on the basis that no consideration had ever passed between the parties—an essential element of completing a contract that was needed to render the wager enforceable. The trial judge felt otherwise, and his instruction to the jury was that “betting upon an election was an exercise of judgment, and not so manifestly contrary to public policy” as to void the wager. Of all the associate judges on the Supreme Court, none had more proved himself a man of the people than Anahuac firebrand Pat Jack. But charged now with the solemnity of setting judicial precedent, Jack spoke for the concurring judges that, quite simply, “contracts of this kind are contrary to good morals, and against public policy.”⁵

The following year, however, the high bench reached a different result on similar facts, a wager on a horse race from Matagorda County. The opinion by Associate Judge William Ochiltree in *Cavenah v. Somervill* criticized “that sort of Judicial Legislation” that led courts to have the arrogance to declare “what is and what is not contrary to public policy,” and further announced that the Court would view “with strictest scrutiny” the appeals of those who lost their case in

law and appealed in equity.⁶ He did not, however, actually reach the moral or public policy question of betting on horse races, finding instead that the holders of the assigned notes, having come to them innocently, were entitled to collect. It was an odd result, but in historical perspective one that was uniquely Texan, for in the earliest days of his colony, Stephen F. Austin had outlawed gambling, but made an exception for horse racing as an incentive for the acquisition and breeding of improved stock.

* * * * *

¹ *Hall v. Phelps*, Dallam 435-41 (1841).

² Dallam 435, at 441.

³ Dallam 435, at 438; emphasis in original.

⁴ The presidential contest that year between Sam Houston and David Burnet, mirrored down-ballot by their partisans, reached a level of ferocity scarcely equaled at any other time in Texas politics. See Haley, *Sam Houston*, 224-26.

⁵ *Thompson v. Harrison*, Dallam, 466 (1842).

⁶ Dallam 532 (1843).



JAMES HALEY is an independent writer and historian based in Austin. He has authored fifteen books, including several award-winning histories of Texas.



The Endowment Fund for Professionalism

The College of the State Bar of Texas P. O. Box 12487 Austin, Texas 78711-2487

As a member of the State Bar College for five consecutive years, I hereby accept my invitation to The Endowment Fund for Professionalism. Enclosed is my **tax-deductible** contribution of \$1,000 to fulfill my commitment as an Honored Endowment Fund Scholar or my minimum initial contribution of \$200 as an Endowment Fund Scholar (exact amount indicated below). I recognize that my gift supports professionalism of lawyers through education and contributes to the betterment of the legal profession in Texas.

Please make my **tax-deductible** contribution in ☐ honor of or ☐ memory of _____.

Amount of contribution: ☐ \$1,000 ☐ \$200 ☐ Other \$_____

Payment by enclosed ☐ check payable to The Endowment Fund for Professionalism of The State Bar College.

Charge my credit card ☐ \$1,000 ☐ \$200 now, with a commitment to pay \$200 annually the next 4 years ☐ Other \$_____

Credit Card No. _____ Exp. Date _____ ☐ American Express ☐ Visa ☐ MasterCard ☐ Discover

Signature Authorizing Payment _____ Date _____

If paying by credit card, you may fax this form to 512-427-4292 or scan and email it to mgaston@texasbar.com, or you may pay online at www.texasbarcollege.com.

Member Name: _____ Bar Card Number: _____

Firm: _____ Email: _____

Address: _____ City/State _____ Zip _____

Office Phone: (_____) _____ Office Fax: (_____) _____

College Members who wish to contribute or pledge less than \$1,000 or who have not achieved five consecutive years of College membership and non-College members may make tax deductible contributions and become a Friend of the Endowment Fund for Professionalism by completing and returning this form.



The Texas Paralegal's Creed

By Kay Redburn

IN 1995 MIKE MCCURLEY AND I CO-WROTE an article, “Ethics, What Does It Mean and Why Should You Care?”, for a local CLE seminar. In preparing for the presentation, I read over the Texas Disciplinary Rules of Professional Conduct and the Texas Lawyer’s Creed. The last line of the first paragraph of the Texas Lawyer’s Creed is: “**I AM COMMITTED TO THIS CREED FOR NO OTHER REASON THAN IT IS RIGHT.**” That commitment is based on one’s personal moral compass — not on what organization you happen to belong to or what license you hold. It occurred to me that not only should lawyers adhere to the highest ethical standards, but paralegals (back then, legal assistants) should also. After all, if an ethical attorney had an unethical paralegal working in the firm, what havoc could that wreak?

So, I took the Texas Lawyer’s Creed and modified it to conform to the paralegal’s role in providing legal services alongside a supervising attorney. I included my “unsponsored” Creed in subsequent papers and presentations, and I hoped that it—or something like it—would someday be approved by the State Bar of Texas.

Last year, I asked the State Bar’s Standing Committee on Paralegals, chaired by Chief Justice Linda Thomas (Ret.), to review the Texas Paralegal’s Creed, make any revisions it deemed necessary, and consider presenting it to the State Bar Board of Directors for its approval. On January 25, 2013, the State Bar Board of Directors did just that!

Please read the Texas Paralegal’s Creed that follows and pass a copy on to your paralegals and other attorneys in your firm, as well as to your clients as a declaration of your commitment to professionalism.

TEXAS PARALEGAL’S CREED

I work with, and under the supervision of, a lawyer who is entrusted by the People of Texas to preserve and improve our legal system. I realize that unethical or improper behavior on my part may result in disciplinary action against my supervising attorney. As a Paralegal, I must abide by the Texas Disciplinary Rules of Professional Conduct, but I know that Professionalism requires more than merely avoiding the violation of laws and rules. I am committed to this Creed for no other reason than it is right.

I. OUR LEGAL SYSTEM

A Paralegal owes to the administration of justice personal dignity, integrity, and independence. A Paralegal should always adhere to the highest principles of Professionalism.

1. I am passionately proud of my profession. Therefore, “My word is my bond.”
2. I will work with my supervising attorney to educate clients, the public, and other lawyers and Paralegals regarding the spirit and letter of this Creed.
3. I will always be conscious of my duty to the judicial system.

II. PARALEGAL TO CLIENT

A Paralegal owes to the supervising attorney and the client allegiance, learning, skill, and industry. A Paralegal shall not be deterred by any real or imagined fear of judicial disfavor or public unpopularity, nor be influenced by self interest.

1. With, and under the direction of, my supervising attorney, I will endeavor to achieve the client’s lawful objectives in legal transactions and litigation as quickly and economically as possible.
2. I will be loyal and committed to the client’s lawful objectives, but I will not permit that loyalty and commitment to interfere with my ability to be objective.
3. I will inform the client that civility and courtesy are expected and not a sign of weakness.
4. I will inform the client of proper and expected behavior.
5. I will treat adverse parties and witnesses with fairness and due consideration. A client has no right to demand that I abuse anyone or indulge in any offensive conduct.
6. I will inform the client that my supervising attorney and I will not pursue conduct which is intended

primarily to harass or drain the financial resources of the opposing party.

7. I will inform the client that my supervising attorney and I will not pursue tactics which are intended primarily for delay.

III. PARALEGAL TO OPPOSING LAWYER

A Paralegal owes to opposing counsel and their staff, in the conduct of legal transactions and pursuit of litigation, courtesy, candor, cooperation, and scrupulous observance of all agreements and mutual understandings. Ill feelings between clients shall not influence a Paralegal's conduct, attitude, or demeanor toward opposing counsel or their staff. A Paralegal shall not engage in unprofessional conduct in retaliation against other unprofessional conduct.

1. I will be courteous, civil, and prompt in oral and written communications.
2. I will identify for other counsel and parties all changes made by my supervising attorney in documents submitted for review.
3. I will attempt to prepare drafts for my supervising attorney's review which correctly reflect the agreement of the parties and not arbitrarily include provisions which have not been agreed upon or omit provisions necessary to reflect the agreement of the parties.
4. I will notify opposing counsel, and, if appropriate, the Court, Court staff, or other persons, as soon as practicable, when hearings, depositions, meetings, conferences, or closings are canceled.
5. I can relay a disagreement without being disagreeable. I realize that effective representation by my supervising attorney does not require antagonistic or obnoxious behavior. I will not encourage or knowingly permit the client to do anything which would be unethical or improper if done by me or my supervising attorney.
6. I will not, without good cause, attribute bad motives or unethical conduct to opposing counsel, nor bring the profession into disrepute by unfounded accusations of impropriety. I will avoid disparaging personal remarks or acrimony toward opposing counsel, opposing counsel's staff, parties, and witnesses. I will not be influenced by ill feelings between clients. I will abstain from any allusion to personal peculiarities or idiosyncrasies of opposing counsel or other Paralegals.
7. I will not attempt to gain an unfair advantage by sending the Court or its staff correspondence or copies of correspondence.

8. I will assist my supervising attorney in complying with all reasonable discovery requests. I will not encourage the client to quibble about words where their meaning is reasonably clear.

IV. PARALEGAL AND JUDGE

Paralegals owe judges and the Court respect, diligence, candor, and punctuality. Paralegals share in the responsibility to protect the dignity and independence of the Court and the profession.

1. I will always recognize that the position of judge is the symbol of both the judicial system and administration of justice. I will refrain from conduct that degrades this symbol.
2. I will conduct myself in Court in a professional manner, and demonstrate my respect for the Court and the law.
3. I will treat counsel, opposing parties, the Court, and members of the Court staff with courtesy and civility.
4. I will be punctual and will assist my supervising attorney in being punctual.
5. I will not engage in any conduct which offends the dignity and decorum of proceedings.



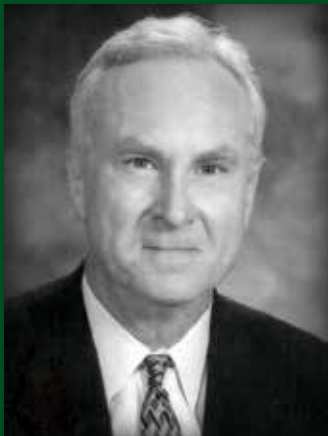
KAY REDBURN is a Board Certified Paralegal in Family Law by the Texas Board of Legal Specialization and is a Charter Associate Member of the State Bar College. She is a paralegal with the Webb Family Law Firm in Dallas.

Paralegal Membership in the College

Beginning in 2003, qualifying paralegals could apply to become associate members in the College. A paralegal may become, or may maintain his or her status as an associate member by

- (1) completing 12 hours of accredited CLE in the preceding or current calendar year which must include 2 hours of ethics,
- (2) paying the required fee,
- (3) submitting an application form on which a licensed Texas attorney verifies the applicant's good character and qualifications as a paralegal, and
- (4) submitting a report identifying the sponsor of the CLE programs attended, the specific topics included, the names and firms of speakers on the programs.

Annual Awards



ROBERT PELTON



LAWRENCE M. DOSS



JEREMY C. MARTIN



CHRIS NICKELSON

Each year, the College presents three awards to persons who demonstrate an exceptional commitment to education or professionalism.

Jim D. Bowmer Professionalism Award for Outstanding Contributions to the Profession

Given annually since 1994, the award is named for Jim D. Bowmer of Temple, the originator of the idea of the State Bar College and a co-founding father of the College. A plaque is given to the recipient and an award of \$1,000 in the recipient's name to the Texas Equal Access to Justice Foundation or the law school of the recipient's choice.

For 2012 the award goes to **Robert Pelton**, who practices criminal law in the Houston branch of the Pelton Law Office. Since 2007 he has also served as the City Attorney for Impact, Texas. Certified to handle indigent defense cases of all kinds, early in his career Robert assisted in the defense of David Owen Brooks, a defendant in the largest mass murder case in U.S. history. He is admitted to practice in the Fifth Circuit Court of Appeals, as well as the Southern, Western and Eastern District of Texas. A member of the Texas Criminal Defense Lawyers Association, the National Criminal Defense Lawyers Association, and the Criminal Law Institute, he is also a former president of the Harris County Criminal Lawyers Association.

Franklin Jones, Jr. CLE Article Award for Outstanding Achievement in Continuing Legal Education

The award is named for Franklin Jones, Jr., a co-founding father of the College. A plaque is awarded to an author of an outstanding CLE article presented during the year.

For 2012 the award is shared by **Lawrence M. Doss, Jeremy C. Martin, Chris Nickelson, Georganna L.**

Simpson, Rebecca Tillery, and Jimmy Vaught for their article, "Appellate Practice From Every Angle," presented at TexasBarCLE's 38th Annual Advanced Family Law Course.

Lawrence M. Doss joined the Lubbock office of Mullin Hoard & Brown, L.L.P. in 2001 following two years as a briefing attorney for the Honorable Sam R. Cummings, U.S. District Judge for the Northern District of Texas. A member of the State Bar College, he has since been named four times by *Texas Monthly* as a "Texas Rising Star." Besides representing clients in complex disputes, he is also dedicated to the success of students at Texas Tech School of Law, where he coaches moot court teams and provides instruction in courtroom advocacy. During law school at Texas Tech, Larry was awarded Order of Barristers, was a member of the Texas Tech Legal Research Board, and earned awards for outstanding achievement in the classroom and intraschool advocacy competitions.

Jeremy C. Martin clerked for former Chief Justice Marilyn Aboussie of the Austin Third Court of Appeals before joining Gardere Wynne Sewell, LLP as an associate in the firm's Dallas office appellate section. He subsequently practiced appellate law as a sole practitioner and a partner in Simpson Martin LLP. He has been selected a "Texas Rising Star" by *Texas Monthly*. A member of The College of the State Bar of Texas and The Texas Supreme Court Historical Society, he has served as an officer and as chair of the Dallas Bar Association Appellate Section.

Chris Nickelson began his legal career as Law Clerk to Justice Ann McClure of the El Paso Court of Appeals, then served as Staff Attorney to Justice David Wellington Chew also of the El Paso Court of Appeals. In 2001, he became an associate with Shannon, Gracey, Ratliff & Miller, LLP, and in 2005 became a partner. In 2008, he left Shannon Gracey to work with his father, Gary L. Nickelson. Chris serves on the Family Law Council and is Chair of the Membership



GEORGANNA L. SIMPSON



REBECCA TILLERY



JIMMY VAUGHT



JESSICA L. MIKELL

and Membership Services Committee of the Family Law Section. A member of the State Bar College, he is a past Chair of the Tarrant County Bar Association's Appellate Section and a past Secretary of the Eldon B. Mahon Inn of Court. Board Certified in Civil Appellate Law, he has been named a "Rising Star" in *Texas Monthly* Magazine since 2004 and a "Top Attorney" in Fort Worth Magazine since 2007.

Georganna L. Simpson has her own firm in Dallas, Georganna L. Simpson, P.C., practicing family and civil appellate law. Named a Texas "Super Lawyer" for each of the past ten years, she has also been honored as a Top 50 Woman Lawyer in Texas and a Top 100 Lawyer in the Dallas/Ft. Worth area for 2012. She is an Editorial Advisor to the Family Law Council, a Master of the Annette Stewart American Inn of Court, a sustaining member of the Texas Family Law Foundation, a Sustaining Life Fellow of the American Bar Foundation, a member of the State Bar College, and (surprise!) a registered nurse.

Rebecca Tillery joined the firm of KoonsFuller in 2007 as an Associate in the Dallas office. She has built a thriving appellate practice, which gives her a special edge in family law. "Working on an appeal allows me the chance to help shape the law in our state while also honing my persuasive writing and speaking skills," she says. Board Certified in Family Law in 2012, she has been a "Rising Star" twice, as voted on and published in Texas Super Lawyers magazine. Selected for the 2012 Dallas Association of Young Lawyers Leadership Class, she also serves on the Dallas Bar Association Legal Lines Committee and as the 2012 Co-Chair of the Dallas Bar Association Admissions and Membership Committee.

Jimmy Vaught is a shareholder in the Vaught Law Firm, P.C., in Austin. A member of the State Bar College, he is board certified in Civil Appellate Law and in Family Law,

and has been named a "Super Lawyer" in family law by *Texas Monthly* on three occasions. A past President of the Texas Chapter of the American Academy of Matrimonial Lawyers, he is certified by that organization as a Matrimonial Advisor. He has served in various capacities for State Bar Family Law Section committees, the Family Law Council, the Family Law Pattern Jury Charge Committee, the Judicial Committee on Information Technology, and the Collaborative Law Institute of Texas.

Steve Condos Most CLE Hours Award

The award is named for Steve Condos, an influential and hardworking member of the first College Board for a brief period before his untimely death. It is given annually to the College member who, in his or her initial year of membership, attends the most CLE, with not more than 25 hours counted for any one CLE course.

According to the State Bar's MCLE department, the most hours earned by a new member to the College in 2012 is **Jessica L. Mikell**, with 181.25 hours earned. Jessica is the managing partner of the Mikell Law Firm, PLLC in Houston. Her practice primarily handles family law matters, including divorces, adoptions, terminations, child support issues, and CPS cases. Jessica is a 2011 graduate of the South Texas College of Law. A Florida native, she received her undergraduate education from the University of Florida. She is a member of the State Bar of Texas Family Law Section, Houston Bar Association Family Law Section, Texas Young Lawyers Association, and the Houston Young Lawyers Association. Jessica is very grateful to her previous employer and mentor, Mary Ramos of the Ramos Law Firm in Houston, for promoting the importance of continuing legal education courses.

Please join us in congratulating our award winners! ■

TexasBarCLE presents the
STATE BAR COLLEGE

15th Annual

Summer SCHOOL

LIVE

Galveston Island

Moody Gardens Hotel

July 18-20, 2013

MCLE HOURS

18.5 HOURS (3.5 ETHICS) MCLE COURSE NO: 901261970

Applies to the College of the State Bar of Texas and the Texas Board of Legal Specialization in the following areas and amounts:

Administrative.....	4.5
Bankruptcy.....	7.25
Civil Appellate.....	8.75
Civil Trial Law	9.75
Consumer and Commercial.....	10.75
Criminal Law	11
Criminal Appellate.....	11.5
Estate Planning and Probate	7.75
Family Law.....	15.25
Health	8
Immigration and Nationality Law.....	7.5
Juvenile Law.....	11.5
Labor and Employment Law.....	10.25
Oil, Gas and Mineral Law.....	6.25
Personal Injury Trial Law	8
Real Estate Law	6.75
Tax	6.5
Workers' Compensation.....	8

Thursday July 18

7.5 hours including 1.5 hours ethics

8:00 **Registration**
Coffee and Pastries Provided

8:45 **Welcoming Remarks**
Course Director
Veronica F. Jacobs, *Houston*
Houston Volunteer Lawyers Program

E. Douglas (Doug) McLeod, *Galveston*
Board Chairman
Moody Gardens, Inc.
Attorney at Law

UPDATES

8:55 **State Bar College Update**
J. Morgan Broaddus III, *El Paso*
Vice-Chair, College of the State Bar
Gordon Davis Johnson & Shane

9:00 **State of the State Bar Address**
.25 hr
Lisa M. Tatum, *San Antonio*
President-Elect, State Bar of Texas
LM Tatum, PLLC

9:15 **U.S. Supreme Court Update** .5 hr
Moderator
Caren Ka-Pik Lock, *Lewisville*
Regional Vice President and
General Counsel
TIAA-CREF
Chad Baruch, *Dallas*
Law Office of Chad Baruch
Edward D. Dawson, *Baton Rouge, LA*
Teaching Fellow and Asst. Professor of
Professional Practice
LSU Paul M. Hebert Law Center

Daniel L. Geyser, *Dallas*
McKool Smith

9:45 **Texas Supreme Court Update** .5 hr
Hon. Scott A. Brister, *Austin*
Former Justice
Supreme Court of Texas
Andrews & Kurth

10:15 **Break**

10:30 **Legislative Update** .5 hr
Jennifer Cawley, JD, *Austin*
Executive Director, Texas Association of
Life and Health Insurers

LITIGATION

11:00 **How to Advocate Before
a Judge** .5 hr
Hon. John K. Dietz, *Austin*
Judge, 20th District Court

11:30 **Evidence** .5 hr
George (Tex) Quesada, *Dallas*
Sommerman & Quesada

12:00 **Break - Lunch Provided**

ETHICS

12:15 **Luncheon Presentation: Lessons
from Guantanamo Bay**
.75 hr ethics
Lt. Colonel Colby Vokey, *Dallas*
United States Marine Corp., Retired
Fitzpatrick Hagood Smith & Uhl

1:00 **Break**

1:15 **State Bar College Awards
Presentation**

1:30 **Using Demonstrative Aids with
a Jury** .5 hr
Francisco Guerra, *San Antonio*
Watts Guerra Craft

2:00 **Social Media at Trial** .5 hr
John G. Browning, *Dallas*
Lewis Brisbois Bisgaard & Smith

2:30 **E-Discovery** 1 hr (.25 ethics)
Hon. Martin J. Hoffman, *Dallas*
Judge, 68th District Court
Michael K. Hurst, *Dallas*
Gruber Hurst Johansen Hail Shank

Angelina Lapenotiere, *Dallas*
Carrington Coleman Sloman &
Blumenthal

Paul K. Stafford, *Dallas*
Carter Stafford Arnett Hamada &
Mockler

Rachel R. Womack, *Dallas*
Stroz Friedberg

3:30 **Break**

ETHICS

3:45 **Ten Mistakes and the Lessons I
Learned** .5 ethics
Scott Rothenberg, *Houston*
Law Office of Scott Rothenberg

CRIMINAL

4:15 **Criminal Law Update** .5 hr
Betty Blackwell, *Austin*
Law Office of Betty Blackwell

4:45 **Handling DWI Cases** .5 hr
Randy T. Leavitt, *Austin*
Law Offices of Randy T. Leavitt

5:15 **Juvenile Law** .5 hr
Hon. Patrick J. Garza, *San Antonio*
Associate Judge, 386th District
Court

5:45 **Adjourn**

7:00-9:00 **Party by the Pool!**
**Bring your family for food and
refreshments.**

Friday July 19

8 hours including 1.75 hours ethics

8:00 **Coffee and Pastries Provided**

CONSUMER LAW

8:30 **Debt Collection Practices**

.5 hr (.25 ethics)

Manuel H. Newburger, *Austin*
Barron & Newburger

9:00 **DTPA** .5 hr

Richard M. Alderman, *Houston*
Associate Dean for Academic Affairs
Director, Center for Consumer Law
University of Houston Law Center

GENERAL

9:30 **Legal Writing Lessons from the Best Seller List** .75 hr

Chad Baruch, *Dallas*
The Law Office of Chad Baruch

10:15 **Break**

ESTATE PLANNING

10:30 **Basic Estate Planning** .5 hr

Helen Bishop Jenkins, *Missouri City*
Executive Vice President
South Texas College of Law

11:00 **Elder Law – Top Ten Things an Estate Planner Should Know** .5 hr

Molly Dear Abshire, *Bellaire*
Wright Abshire

11:30 **Use of Checklists for Estate Planning and Probate Matters** .5 hr

Laura Upchurch, *Brenham*
Moorman, Tate, Urquhart, Haley,
Upchurch & Yates

12:00 **Break - Lunch Provided**

ETHICS

12:15 **Luncheon Presentation: How to Practice Law Without Selling Your Soul** .5 hr ethics

Thomas H. Watkins, *Austin*
Brown McCarroll

12:45 **Break**

REAL ESTATE

1:00 **Negotiating a Real Estate Contract** .67 hr (.25 ethics)

J. Cary Barton, *San Antonio*
Barton East & Caldwell
Sara E. Dysart, *San Antonio*
Sara E. Dysart, P.C.

1:40 **Texas Homestead Law** .33 hr

Steven C. Haley, *Brenham*
Moorman, Tate, Urquhart, Haley,
Upchurch & Yates

2:00 **Hot Topics in the Real Estate Market** .75 hr

Brian C. Rider, *Austin*
Adjunct Professor
University of Texas School of Law
Richard L. Spencer, *Houston*
Johnson DeLuca Kurisky & Gould

EMPLOYMENT

2:45 **Employment Law Update** .75 hr

Katrina Grider, *Cypress*
Law Office of Katrina Grider

3:30 **Break**

APPELLATE

3:45 **Preservation of Error** .5 hr

Stephen M. Orsinger, *Dallas*
McCurley, Orsinger, McCurley,
Nelson & Downing

LAW PRACTICE MANAGEMENT

4:15 **Attorney's Fees** .5 hr

Robert L. Tobey, *Dallas*
Johnston ♦ Tobey

4:45 **Safeguarding Client Information** .75 hr ethics

Al Harrison, *Houston*
Harrison Law Office

5:30 **Adjourn**

Saturday July 20

3 hours including .25 hour ethics

8:30 **Coffee and Pastries Provided**

FAMILY LAW

9:00 **Family Law Legislative Update** .5 hr

Hon. Meca L. Walker, *Houston*
Assoc. Judge, 247th District Court

9:30 **Enforcements** .5 hr

Stephen J. Naylor, *Fort Worth*
The Law Office of Stephen J. Naylor

10:00 **Family Violence** .5 hr

Hon. Judy L. Warne, *Houston*
Judge, 257th District Court

10:30 **Client Expectations** .5 hr
(.25 ethics)

Sarah Springer Valentine, *Houston*
Burgower & Rainwater

11:00 **Child Protective Services** .5 hr

Rhonda F. Hunter, *Dallas*
Law Office of Rhonda F. Hunter

11:30 **Protective Orders** .5 hr

Sally H. Emerson, *Amarillo*
Underwood Law Firm

12:00 **Adjourn**

View the course brochure or register at TexasBarCLE.com.

Click on **Live Courses / Video Replays**, then search for the keywords "summer school."
Or call TexasBarCLE M-F 8a-5p at 512-427-1574. See you on the island!

New College Fellows

We are pleased to publish the names of those College members who qualify as Fellows for having achieved **10 consecutive years of membership**. For those that would like a new certificate indicating their Fellow status, please contact Merianne Gaston at merianne.gaston@texasbar.com or 512-427-1819.

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Rowe Jack Ayres, Jr.

Amarillo

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Austin

Mark E. Bentley
J. Gordon McHaney
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Charles Miller Elkins

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Brownfield

Allen James Hammons, Jr.

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Richard C. Jaramillo
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John Paul Kelly
David Downes Kelton
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Sally A. Longroy
Timothy D. Matheny

Joseph McElroy III

William R. Neil
R. Michael Northrup
Donna Cole Tipotsch
Jay Keith Webb
Paul A. Wehrmann
Philip D. Weller

Denton

Kimberly Cawley McCary
Theodore Dean Ogilvie
Dena Adams Reecer

Driftwood

J. Raymond Schiflett III

Edinburg

Hon. Rose Guerra Reyna

El Paso

Darryl Scott Vereen

Fort Worth

Raul A. Canez
Phillip Wayne McCrury
Mary Brabson Thornton

Fredericksburg

Thomas Paul Carnes

Frisco

Christine Grace Albano

Harker Heights

Thomas John Baker
Gary M. Manuele

Houston

Hunter Mac Barrow
Adrienne Randle Bond
Haroen Calehr
Patricia Nellenbach Carter
Kevin Magdiel Chavez
Keith Edward Coulter
Katherine G. Crain
Jeffrey Dinerstein
Liinda Marie Dunson
Bradley S. Fishman
Lisa Michelle Frenkel

George B. Green

Jennifer A. Hasley
Charles L. Henke, Jr.
Tot Kim Le
Monica Fekete Markovich
Judy Polise Mingledorff
John S. Orton
David Michael Patton
Jerry L. Spence
Michael Patrick Springer
Virgil E. Vickery

Irving

Herbert W. Treger

Jersey Village

Debra Suzanne Mergel

Lake Dallas

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Lindale

Kyle Gene Waggoner

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Matthew Laird Finch
Norbert J. Hart
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Tyler

Buck Files
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Uvalde

John Patrick Dodson

Waxahachie

Martha Montgomery-Moran

Wichita Falls

Gregory John King

25+ Year Fellows

We also wish to recognize those College Fellows who have achieved **25 or more years of membership**. For most of you, this means you have been College members for virtually all of your career as an attorney. We appreciate your commitment!

Abilene

Thomas W. Choate
James Edward Sartain
Bobby Chad Williams
O. Henry Young, Jr.

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Fred C. Head

Austin

Rick M. Albers
Thomas L. Ausley
Loren David Brunke
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Claude E. Ducloux
Hon. Craig Trively Enoch
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Thomas A. Peterson
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John E. Lawhon
Hon. Don R. Windle

Dumas

Rayford Allen Ratliff

El Paso

Duane O. Juvrud
Sam Snoddy

Fischer

John Hugo Engelhardt

Fort Worth

R. Timothy Evans
Hon. David E. Keltner
Steven C. Laird
Hon. Thomas Wilson
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Graham

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Granbury

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Harlingen

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Hewitt

Wesley Eugene Peyton

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Charles David Towery
Norma Levine Trusch
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Hon. Alvin L. Zimmerman

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Gerry W. Beyer
Carolyn F. Moore
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McAllen

Joseph A. Connors III
Robert G. Jarvis

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The College Bulletin

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Olmito

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Terrell

Rothwell B. Pool

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Karen Gray Hughes
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