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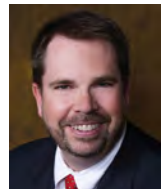
The College Bulletin

News for Members of the Texas Bar College • Fall 2017

Keeping *Secrets*



From
the
Chair



John Charles Grace

As lawyers, we have been taught to keep things “secret.” We live and die by our privileges...the attorney / client privilege, the work product privilege, etc. For some of us, the idea of keeping confidences is something we had to learn as part of thinking like a lawyer. For me, keeping secrets was part of my upbringing.

My parents were part of the “Greatest Generation.” My mom was born in rural Kentucky, during the Great Depression. Dad was born in Alabama and grew up in Mobile and Birmingham. Neither of my parents came from poverty... but neither of them grew up anywhere close to the middle class. It was hand-to-mouth, paycheck-to-paycheck. When WWII broke out, they both jumped at the chance to join the war effort and serve their country. It was also a way to raise themselves up on the economic ladder.

Mom left college and followed many women of her age to take a job with the Clinton Engineering Works at a research complex being built in Oak Ridge,

Tennessee. My mom was told that the research was part of the mysterious “Manhattan Project,” and she knew it had something to do with military research, but did not know any details beyond that. It was also one of the few ways that women of her generation could help the war effort. Oak Ridge was hiring young women and they offered free room and board. She packed her suitcase and took the train to Oak Ridge, TN and took up residence in a newly-built dormitory with hundreds of other young women.

As I was growing up in the 1960’s, my mom shared some stories about her time at Oak Ridge...but there was always something vague about them. She told us about the women she lived and worked with...but she never mentioned any of them by name...and she told us that she got to meet Enrico Fermi. But Mom never really talked about what she “did.” If pressed, she just said she was a stenographer. The closest she ever got to talking about what she had done was to say that she used to sit in with the engineers and scientists and take shorthand notes.

When Mom was in her 80’s, I asked her one time if she and the other women in the dorms ever discussed what they had seen or heard. She looked at me, aghast. “No! We were at war and everything we saw was secret.” She was steadfast that they did not talk about what they did during the day. So, I asked her if she could tell me anything interesting. “No...we swore to keep it secret.” I pressed her. “But, Mom...we all know what you were working on! We all know the Manhattan Project built the first atomic bomb. And it’s been 70-something years! Surely now have some stories to tell.” But she kept her tongue. She swore not to tell...and she went to her grave with the details of what she did at Oak Ridge locked in her memory. Except that she met Enrico Fermi.



Betty Lou Grace, Clinton Engineering Works,
Oak Ridge, TN 1944.

My dad was also tight-lipped about his service during WWII. He did tell us that he had joined the Navy and that he was deployed to China. He talked about flying “over the hump” from India to China, over the Himalayan Mountains. Like my mother’s stories, Dad’s war stories always seemed a little short on details. He would tell us he was a photographer, that he spent time in China, and that he got to meet some very interesting people. But why he went to China, what he was photographing, and who he met were always left a little fuzzy. Dad gave the impression that he sat out the war in the mountains of China, taking pictures of his Navy comrades.

After 25 years, the SACO mission was finally declassified and Dad started going to reunions with his Navy buddies. He slowly told us some details about his time in China, finally explained to us that he was part of a mutual intelligence gathering mission between the United States and the nationalist Chinese

military. In exchange for military training and support to Chiang Kai-shek and the Chinese Army in their civil war against the Communists lead by Mao Tse Tung, the Chinese nationalists gave the United States access to the coast to monitor and harass the Japanese. SACO rescued downed Allied pilots and mapped the coastline in preparation for an invasion of Japan. (An invasion that never came, because the atomic bombing of Japan ended the war.) My dad kept the details to himself until he was officially released from his secrecy oath. Sadly, my dad suffered from Alzheimers, and there was only a brief window before the disease stole his war-time memories.



Robert M. Grace, Photographer's Mate 3rd Class, USN,
Shanghai, China 1944.

I tell these stories to illustrate the seriousness that my parents gave to their sworn oaths to keep secrets. My parents gave their word that they would keep a secret. They made these solemn promises when they were each in the early twenties. They witnessed things that form a part of our nation's history. The circumstances surrounding these events later became public, but they honored their old promises. They held these secrets for all of their adult lives. They inspire me to take my clients' confidences just as seriously.

As lawyers, we are entrusted with our client's most personal and intimate secrets. We take a vow to keep these things secret. As tempting as it may be, from time to time, to share some juicy tidbit with someone that we may trust, it is imperative that we resist the temptation to divulge client confidences. When I am tempted, I remember my parents, and the lessons they taught me about honoring one's promises. I hope their stories can inspire you, as well.

To learn more about the women of Oak Ridge, I suggest you read *The Girls of Atomic City: The Untold Story of the Women Who Helped Win World War II* by Denise Kiernan.

For the story of the Sino-American Cooperative Organization (SACO), you should read *The Rice Paddy Navy: U.S. Sailors Undercover in China* by Linda Kush or *SACO, the Rice Paddy Navy* by Roy Olin Stratton.



2017 Legislative Update TOP 20 (In No Particular Order)



By Parker County Assistant District Attorney Jeff Swain

1. **Blue Lives Matter Bill** (HB 2908)

Assault on a peace officer (or judge) is now a 2nd degree felony.

Unlawful restraint on a peace officer (or judge) is now a 2nd degree felony.

Terroristic threat against a peace officer (or judge) is now a SJF

- Doesn't matter if officer/judge was acting in official capacity/retaliation.

Intox. Assault on a peace off/judge actively discharging duties is now a 1st degree felony.

Hate Crime finding for a Title 5 offense, arson, crim. mischief, graffiti = increased 1 degree if committed against officer/judge because of their status of an officer/judge.

2. **Knives** (HB 1935)

"Illegal knife" was repealed, legalizing knives/swords/spears/bowie knives/daggers/throwing star.

"Location restricted knife" is a knife with a blade over 5 ½ inches.

New UCW offense applying to <18 YOA only: Class C to carry a location restricted knife unless on the person's premises, in a car/boat or going to/from, under direct supervision of a parent

Places weapons prohibited now only applies to location restricted knives.

This offense is now only a Class C except at schools, where it's still a 3rd degree felony.

3. **Sandra Bland Act** (SB 1849)

Jails will be required to have 24/7 medical & mental health consults available.

New rules for continuity of prescription medication after incarceration.

Jails will be required to identify intellectually disabled persons within 12 hours and PR bond them unless good cause exists.

4. **Texting While Driving** (HB 62)

Offense to read, write, or send an electronic message while operating a moving motor vehicle.

"To be prosecuted" the conduct must be committed in the presence or view of a peace officer or "established by other evidence."

Affirmative defenses: (1) Use of a hands free device (2) Use of GPS/Navigation system; (3) Reporting illegal activity/calling for help; (4) Entering real-time traffic/road condition info into an app; (5) Reading a text concerning something the operator reasonably believes to be an emergency; (6) Activating a function that plays music; (7) Emergency/LE Officials acting in official capacity; (8) Trucker to dispatcher comms with a device attached to the vehicle.

Fine: \$25-\$99 1st offense; \$100-\$200 2nd offense.

Prohibition against officer who stops a vehicle taking/inspecting the driver's phone (unless otherwise authorized by law).

5. Timothy Cole Commission Legislation (HB 34)

Prosecutors must track jailhouse informants & provide discovery of entire criminal history, any benefits received for testimony, & details of any other cases for which the informant testified or offered to testify.

Impeachment of jailhouse informants about their priors is permitted if they received a benefit, even if they weren't convicted.

Custodial interrogation in a place of detention must now be video and audio recorded on certain cases (murder, kidnapping, human trafficking, child sex offenses, improper educator/student offenses).

Good cause exceptions apply – some are enumerated (equipment malfunctions or is unavailable, user error, etc.).

Lineups – requirements that fillers be consistent with the suspect's appearance & photo style, a statement that the suspect may not be in the lineup, a statement immediately after the lineup of the witness' confidence level.

For admissibility of an in-court ID, if the witness made an out-of-court ID, details of that ID must be admitted first.

6. Sexual Coercion ("Sextortion") - PC §21.18

New state Jail Felony offense to intentionally threaten to commit:

Prostitution, human trafficking, child sex offenses, sexual assault, student/teacher offense, invasive visual recording, voyeurism, unlawful disclosure of intimate visual material, homicide, kidnapping/unlawful restraint/human trafficking.

To obtain, in connection with or in lieu of not committing said offense any of the following benefits:

Intimate visual material, act of sexual conduct causing arousal/gratification, and, for some sex offenses, monetary benefit or other value.

7. Aggravated Sexual Assault – PC §22.021

"Date rape" drug language was modified to include ANY substance capable of "impairing the victim's ability to appraise the nature of the act or resist the act."

8. Child Erotica – New PC §43.262 (Possession/ Promotion of Lewd Visual Material Depicting Child)

State Jail Felony to possess, access, or promote material that depicts the lewd exhibition of the

genitals or pubic area of someone under 18, even if the child is fully / partially clothed, if the visual material appeals to the prurient interest in sex and has no serious literary, artistic, political, or scientific value.

9. Bestiality – New offense under PC 21.09

State Jail Felony with lifetime sex offender registration criminalizing the following:

- Mouth / anus / genital contact with an animal
- Fondling or improperly touching an animal's anus / genitals, even thru the clothing
- Causing an animal to contact a person's semen
- Inserting a object / genitals into an animal's anus / genitals
- Buying / selling animals for the above, promotion or participation as observer of the above, aiding another, or permitting above to occur on a premises under person's control
- Exceptions for generally accepted & otherwise lawful animal husbandry / vet practices

10. Convictions = Loss of retirement - SB 7, SB 500

CCP Art. 42.0192 will now remove retirement benefits for TRS beneficiaries (teachers) who are convicted of the improper student / educator offense or child sex offenses committed during their employment.

CCP Art. 42.0196 will remove retirement benefits from some state / local officials if convicted of bribery, theft of public money, perjury, coercion of public servant / voter, tampering with a govt. record, misuse of official information, conspiracy to commit any of these, or abuse of official capacity.

11. Revenge Porn under PC 21.16 was moved up from a Class A to a SJF.

12. Criminal mischief of 1 horse, 1 head of cattle / bison is now a 3rd degree felony. CCP 28.03(b)(5)

13. Burglary of a building where controlled substances are stored or a vehicle owned / operated by a wholesaler of prescription drugs with intent to steal a C.S. is now a 3rd degree. Theft from a building where C.S. are stored is a 3rd degree. (HB 1178).

14. Forgery – PC 32.21(e-1)

If committed to obtain or attempt to obtain property / service, the offense is now subject to the standard value ladder. (Other forgeries remain the same level).

15. Protective orders – Family Code §85.025

They can now be issued for longer than 2 years against a respondent who committed felony level family violence.

Respondent can only challenge the protective order 2 times. Once at least a year after it's granted, and again at least a year after the order is rendered on the first challenge.

16. Non-disclosure is now permitted for DWI offenses without (1) BAC of 0.15+; (2) Accident involving any other person (including passenger in defendant's vehicle); or (3) Defendant having any prior convictions or deferred for anything but traffic. (HB 3016, Govt Code §411.0731).

17. Inability to pay fines & costs HB 351, SB 1913

CCP Art. 42.15 requires Courts to inquire into a defendant's ability to immediately pay fines/ costs/ fees during or after sentencing a person who pled guilty/ nolo. If not, determine whether they should be paid in intervals, discharged by community service, waived, or satisfied by some combination thereof.

Capias pro fine can't be issued without first having a hearing. If defendant doesn't show up, warrant can be issued. If defendant shows up and gets the issue resolved by payment, payment plan, or community service, the capias must be withdrawn. CCP Art. 43.05 and 45.045.

Working off fines via CSR: Rate at which fines/ CC are worked off was increased from \$50 to \$100 per 8 hours. Places fines can be worked off were expanded greatly and now include job skills, prep class for GED, drug/ alcohol abuse program, rehab, counseling programs. CSR can be supervised "remotely" CCP Art. 43.09 and 45.049.

Judges can now waive fines/ CC for nearly any reason ("does not have sufficient resources or income to pay all or part of the fine or costs") CCP Art. 43.091 and 45.0491.

18. Basic conditions of probation under CCP Art. 42A.301: Judge must consider the results of a validated risk & needs assessment in setting probation conditions; may not impose duplicative conditions; must consider the extent to which conditions will impact the defendant's work, education, & community service schedules, ability to meet financial obligations.

Drug/ alcohol treatment – Judge must determine the type and level of treatment based on the results of a drug/ alcohol dependency evaluation before requiring treatment in a state-funded substance abuse treatment program.

19. Drugs: SB 2671, SB 227

H&S Code 481.103: Adderall and Vyvanse were added back into PG2.

H&S Code 481.104: Carisoprodol (Soma) and Tramadol (Ultram) were added to PG3.

H&S Code 481.102: Phenazapam ("Bonsai"), "Pink" and "U4" added to PG1.

20. Slambulances!! H&S Code §773.017

Problem: Retired ambulances being repurposed into party buses with stripper poles & wet bars may be mistaken for real ambulances.

Solution: Now a Class C misdemeanor if you don't change the markings.



JEFF SWAIN is a career prosecutor, serving as a felony prosecutor since 1997 with the Parker County District Attorney's Office and a misdemeanor prosecutor with the Parker County Attorney's Office from 1995 to 1997. He has taught legislative update classes to Parker County law enforcement after each legislative session since 2003 and is a frequent speaker for the Parker County Bar Association and other criminal justice-related organizations. Jeff attended law school at the University of Houston Law Center and completed his undergraduate work at Texas Christian University.

Texas Rules of Evidence

Rule 602 - It Begins Here



By Judge Graham Quisenberry

Do you go to Texas courthouses? Do you actually try cases? If so, you might say your journey there and ultimately, through the case evidence begins with this mostly common-sense rule, Rule 602 Texas Rules of Evidence:

“A witness may testify to a matter only if evidence is introduced sufficient to support a finding that the witness has personal knowledge of the matter. Evidence to prove personal knowledge may consist of the witness’s own testimony. This rule does not apply to a witness’s expert testimony under Rule 703.”

Simply, most fact issues in any litigated matter (including criminal prosecutions) are resolved with the assistance of live, human witnesses. Whether you round them up or your opponent rounds them up, it is virtual second nature to assume these folks are at the courthouse because someone thinks they have first-hand knowledge of something relevant to the fact issues in the case. When these people take the witness stand, a party is then allowed to assure himself and, more importantly, the judge first, then the jury if present, the facts related are actually from personal knowledge. Common sense, right? This common sense must be functionally applied under the rules of evidence.

Perhaps an appropriate illustration of this point is the common fact affidavit. Generally, the opening paragraph of an affidavit contains language to the effect that the affiant has personal knowledge of the facts therein and those facts are true and correct. Does that settle the personal knowledge inquiry? Obviously not. The affiant (or in a trial, the live witness) is not qualified as a matter of law to make the finding of personal knowledge; that is up to the reader of the affidavit or, if a live witness in trial, the judge. The proffered testimony of the witness is admissible only after a finding the witness has personal knowledge; there must be testimony of sufficient detail to allow the listener (or reader of an affidavit) to conclude the witness actually has personal knowledge.

Another way to understand Rule 602 is to realize it effectively contemplates two sets of facts—those supporting (or perhaps disproving) personal knowledge of the witness and those facts the witness provides that are probative of the issues in the case. A mere conclusory statement of personal knowledge from a witness is wholly insufficient to allow the testimony and, from an advocate’s perspective, deficient in convincing the audience the witness actually knows of what he speaks.

This rule of evidence says nothing about the source of the information available to the witness. While sources of information can certainly be subject to testing through examination of the witness, the rule does not qualify or disqualify a personal knowledge finding because of the source of information. This means a “hearsay” or “based on hearsay” objection to a witnesses’ testimony is insufficient as a matter of law to disqualify a witness, notwithstanding there is nothing in the law stating a person cannot acquire knowledge from readings, pictures, or verbal statements of others. In reality, these are the sources of most of what we learn in life, not to mention the basis of our expertise as lawyers!

Another technical point about the oft-stated “based on hearsay” objection is the objecting party’s

claimed basis for the witness's knowledge is not hearsay at all. An out-of-court statement is not hearsay *unless offered in evidence* to prove the truth of the matter asserted. Simply, under Rule 602, the source of a witness's knowledge is just one of the facts that may be considered toward determining whether a witness has personal knowledge.

Rule 602 states in plain language what we instinctively require of people before we tend to believe them. The language of the rule does not connect it to another rule of evidence; in fact, it disconnects its requirements from expert testimony with respect to sources of information allowed for experts. Basically, Rule 703 specifically allows experts to rely on out-of-court statements as a basis for ultimate opinions. This does not mean that experts are not required to have personal knowledge of some things, just as any other witnesses but primarily, the focus here is on lay witness testimony which is the bread and butter of most litigated matters.

In that light, Rule 602 is the threshold over which most trial evidence must pass. This includes witnesses appearing in person, by deposition, and by affidavit. It should be attended to diligently, for it forms the basis for most of what determines the ultimate issues in any given court case. ■



HON. GRAHAM QUISENBERRY is judge of the Parker County Court at Law, where he has served since 1995. A graduate of Texas A&M University, he received his law degree from St. Mary's University School of Law. He is a fellow of the College of the State Bar of Texas, a sustaining life fellow of the Texas Bar Foundation, and a past president of the Texas Association of County Court at Law Judges.

Time to Renew...

We greatly value your College membership and hope that you will renew. Along with the pride and prestige of belonging to an elite group of lawyers that strives to promote professionalism and legal education, with your membership you also gain free access to TexasBarCLE's Online Library, an ongoing database of over 20,000 CLE articles. An annual Library subscription is \$295, but free to College members! You also receive a \$25 discount to most TexasBarCLE live and video seminar presentations.

While the fee is not due until December 31, you can submit it any time between now and then. Consider renewing by credit card online at TexasBarCollege.com; you'll help us save time, paper, and postage! If you'd like an e-mailed invoice, let us know.

Consider, too, making a year-end tax deductible donation to the Endowment Fund (see last page of this *Bulletin*).

If you have questions about your College membership record, please call the office at 800-204-2222 ext. 1819 or 512-427-1819.

...and Time to Move On

To the wonderful members of the Texas Bar College, I bid you farewell on December 31, 2017!

It has been my pleasure to work for such a distinguished group of lawyers, some of the best in Texas and many whom I am honored to call "friend"! One of the things I am most proud of as I leave is recruiting my replacement as Managing Director, Katherine Korrodi. Some of you will recognize her from her current position as a Senior Program Coordinator with TexasBarCLE for the last five years. You will be in great hands and I have no doubt that you will all love working with her, as I do.

Keep up the good work on behalf of the Texas Bar College!



Merianne Gaston
Executive Director, Texas Bar College

A photograph of a man driving a car, viewed from the passenger side. He is holding a smartphone in his left hand, looking at the screen. The car is on a highway with other vehicles in the distance. The sun is setting or rising, creating a warm glow. The text is overlaid on the image.

A CLE WEBCAST

Driving While Distracted: The New DWI

Tuesday, November 14, 2017 2:00 – 3:00pm CT
Sponsored by the TEXAS BAR COLLEGE and TEXASBARCLE
Presented by TODD CLEMENT

Can you handle a distracted driving case? Todd Clement, of The Clement Firm in Dallas, will share his insights and experience in this informative and enlightening hour of CLE.

For over twenty-five years, Todd has successfully represented victims of catastrophic injuries and wrongful death, primarily in the areas of trucking and commercial vehicle collisions. Years ago, he represented a family who lost two loved ones due to a texting commercial driver. During the litigation, Todd retained leading distracted driving experts and spent many hours in self-study. After a successful resolution of the case, he committed to use his expertise as an agent for positive change. Todd has become the featured legal liability speaker for the National Safety Council, the National Highway Transportation Safety Administration, the Texas Department of Transportation, and at distracted driving summits nationwide influencing employers to ban cell phone use while driving on the job. His safety crusade has been highlighted in the *Dallas Morning News*, the *Washington Post*, on *NBC Nightly News* and in many industry safety publications.

Todd has been named among the Best Lawyers in Dallas in *D Magazine* every year they have been named since 2009. He has also been named a Superlawyer every year since 2009. In 2014, 2015 and 2016 he was named to the Superlawyer Top 100 DFW list for all lawyers regardless of specialty. Todd is a lifetime member of both the Million Dollar and Multi-Million Dollar Advocates Forum, and a former president of the Dallas Trial Lawyers Association.

Attend this webcast November 14 at 2pm at [TexasBarCLE.com](http://www.texasbarcle.com). College members receive a \$20 discount. Register now: <http://www.texasbarcle.com/CLE/AABuy0.asp?sProductType=EV&IID=16503>. ■



Great CLE Articles from TexasBarCLE.com's Online Library

FREE access to these and many more is included with your College membership. Check 'em out!

Criminal law isn't just for criminal lawyers. "Navigating the Minefield - Criminal Issues in Civil Cases." July 19, 2017 by David Keith Isaak and Karima Geraldine Maloney.

<http://www.texasbarcle.com/cle/OLViewArticle.asp?a=191057&t=PDF&e=15492&p=1>

Open carry is the new normal — what to tell your clients. "When The Gun Breaks Leather." September 15, 2017 by Larry P. McDougal.

<http://www.texasbarcle.com/cle/OLViewArticle.asp?a=194832&t=PDF&e=15733&p=1>

Facebook and Instagram can be your best friend in family law litigation...right? "Social Media Dos and Dont's: Divorce in The Digital Age." February 17, 2017 by John G. Browning.

<http://www.texasbarcle.com/cle/OLViewArticle.asp?a=190924&t=PDF&e=15130&p=1>

How to protect your firm and your license in 2017. "Managing Your Firm's Cybersecurity Risks: The Intersection of Cybersecurity and Lawyer Ethics." September 14, 2017 by William Reid Wittliff.

<http://www.texasbarcle.com/cle/OLViewArticle.asp?a=195705&t=PDF&e=15590&p=1>

What happens when the virtual world and physical world meet? "IP Issues with Augmented and Virtual Reality: The Pokemon Effect." February 23, 2017 by Chad Huston.

<http://www.texasbarcle.com/cle/OLViewArticle.asp?a=187890&t=PDF&e=15118&p=1>

When water becomes more valuable than oil, it is important to understand your water rights. "Who Owns The Rain? Diffused Surface Water, State Water, and Rainwater Harvesting in Texas." February 23, 2017 by Ross William Crow.

<http://www.texasbarcle.com/cle/OLViewArticle.asp?a=187708&t=PDF&e=15117&p=1>

Staying current on new rules & tricks. "Cutting Edge Evidence Issues" July 20, 2017 by Quentin Brogdon.

<http://www.texasbarcle.com/cle/OLViewArticle.asp?a=191097&t=PDF&e=15492&p=1>

Building walls and other executive orders. "Understanding U.S. Immigration and Nationality Laws" February 8, 2017 by Paul Parsons.

<http://www.texasbarcle.com/cle/OLViewArticle.asp?a=186464&t=PDF&e=15115&p=1>

Biggest companies in the world with even bigger IP issues. "Impact of *Apple v. Samsung* on Design Patent Enforcement" July 21, 2017 by Nicholas Guinn.

<http://www.texasbarcle.com/cle/OLViewArticle.asp?a=191939&t=PDF&e=15478&p=1>

What to know and how to use emerging cellphone capabilities in your practice. "Hacking and Tracking: Cell Phones for Lawyers" July 18, 2017 by Frank Sellers and Robert Aguerro.

<http://www.texasbarcle.com/cle/OLViewArticle.asp?a=191806&t=PDF&e=15489&p=1> ■

Texas Bar College Brings CEU to Galveston

Texas Bar College is committed to promoting professionalism through education in its community service projects. Two examples from this past summer demonstrate that commitment.

For the fourth consecutive year, the College co-sponsored a Continuing Education Unit (CEU) for the members of the Galveston County Mutual Assistance Partnership (GC-MAP), a non-profit organization that connects, strengthens and supports non-profit agencies in the Galveston Bay Area. As in prior years, the CEU was held simultaneously with the Texas Bar College's Summer School CLE program at Moody Gardens in Galveston on July 13, 2017. A video of Katrina Grider's engaging HR Related Policies presentation was viewed by an audience of approximately 30 attendees, followed by an extremely informative Q&A session with Texas Bar College board member and employment law practitioner Arnold Aguilar. Attendees were also provided with a comprehensive article written by Katrina Grider to accompany her presentation, which included recurring hot topics amongst non-profit organizations such as best interview questions, off-limit interview questions, and a checklist for counseling/disciplinary

issues. The presentation was very well received by the attendees, and GC-MAP is already looking forward to partnering once again with Texas Bar College for next summer's CEU.



Left to right: College Board Member Natalie Cobb Koehler, Executive Director of the Galveston Crisis Center Selah Tacconi, Carson Koehler, and College Vice-Chair Cori Harbour-Valdez.

Also during the Summer School program, members of the Texas Bar College Board of Directors Cori Harbour Valdez and Natalie Cobb Koehler, along with federal judge Hon. George Hanks, presented "Ethics Jeopardy" at the Resource and Crisis Center of Galveston County. Attorneys, paralegals and law-enforcement personnel were in attendance. Each attendee received CLE credit or TCOLE credit for their attendance. Hopefully this will be an ongoing project with the center in the future. It was very well received and the participants asked if the presenters could come back next year. ■



Back row, left to right: Robert Butler, College Board Member Hon. George C. Hanks, Jr., Ari Hutchison, College Board Member Natalie Cobb Koehler. Front row, left to right: Marie Mark, Megan Aguirre, Amber Wilhelm, Laura Amaro, College Vice-Chair Cori Harbour-Valdez.



Left to right: College Board Member Jessica Phillips, Executive Director of the Galveston County Mutual Assistance Program Rob Ruffner, Corlie Jackson, College Immediate Past Chair Patsy Yung Micale, College Board Member Arnold Aguilar.

Profiles of New Members

The College's membership committee sent a short questionnaire to some of our newest members, asking about the member's education, employer, practice area(s), professional honors, hobbies, and—most important to the committee—why the member joined.



Kenneth Krohn is a senior trial attorney with Ford + Bergner LLP in Houston, concentrating in estates, trusts, and guardianship litigation. He earned a B.A. in Economics from the University of Texas at Austin and a J.D. from the Dedman School of Law at Southern Methodist University. He has represented both plaintiffs and defendants in a wide variety of civil litigation cases, including contract disputes, civil rights litigation, trust and estate litigation, controversies among joint owners of businesses, lawsuits alleging fraud and breach of fiduciary duty, disparagement and defamation claims, and personal injury matters. He has participated in over 30 appeals before the Texas and federal appellate courts which have resulted in a number of published opinions. A former member of the El Paso Bar Association Board of Directors, he enjoys travel, cooking, entertaining, jogging, and volunteering for local community groups.

"I joined The College because it demonstrates a commitment to professional development and education," Kenneth says. "Many of the lawyers and judges I respect and admire are members of The College, and I always saw membership as a mark of distinction."



Lauren Renee Sepulveda is a felony prosecutor with the Hidalgo County Criminal District Attorney's Office in Edinburg. Her duties include the prosecution of felony offenses, including violent and capital felonies, as well as serving as the specialty court prosecutor for the Hidalgo County Veterans Treatment Court. Lauren earned her Bachelor of Arts in Political Science from Texas A&M University's Bush School of Government & Public Service in 2007 and her Juris Doctor from Baylor Law School in 2011. Since joining the District Attorney's Office in 2013, her extracurricular focus has been on veterans' treatment courts and substance abuse treatment and prevention.

A member of the LeadershipSBOT Class of 2017, she began speaking that year at CLEs for the Texas District & County Attorneys Association about the intersection of immigration and criminal law in regards to prosecuting crime when the victims or witnesses are undocumented. For 2016 she was honored as Prosecutor of the Year by the RGV Friends & Families of Murdered Children. She has been recognized as a Rising Advocate by the State Bar of Texas Government Law Section. She is a member of the UNIDAD (Uniting Neighbors in Drug Abuse Defense) Coalition and the District 13 Director of the Texas Young Lawyers Association.

"Best \$60 I spend every year."

— David E. Chamberlain on his annual Texas Bar College membership dues.



Audra B. Smith is an associate attorney at the Wharton firm Wadler, Perches, Hundl & Kerlick. Admitted to practice in the Southern District of Texas, Audra spends a significant portion of her time on real estate matters with a focus on mortgage lending, farm and ranch transactions, and oil and gas title examination. Her practice also includes a range of agricultural law, particularly in areas involving cattle. In addition, Audra continues to assist clients with civil litigation cases, estate planning, probate and business transactions. A 2006 graduate of El Campo High School, she received her Bachelor of Science in Agricultural Science from Texas A&M in 2009, and received her Doctor of Jurisprudence from South Texas College of Law in 2014. A member of the Wharton County Bar Association, she served as its president in 2016. Audra lives in Wharton County with her husband, Kyle, where they enjoy hunting, cooking, barbecue cookoffs, and raising cattle.

Why did she join the College? "I enjoy learning and expanding my knowledge in the areas of law I currently practice as well as learning new areas of the law," Audra says. "Being a part of the College allows me to do that and bring the knowledge back to my practice and the representation of my clients."

... and a Returning Member



G. Thomas Vick, Jr. is a partner in Vick Carney LLP in Weatherford and the current President of the State Bar of Texas. Board certified in family law, he has published dozens of works on various aspects of the law and lectured widely. He chaired the Texas Bar Foundation Board of Trustees in 2013-2014. He served on the State Bar of Texas Board of Directors from 2005 to 2008 and the Texas Access to Justice Commission from 2006 to 2009. A former mayor of Weatherford, Tom has served as president of both the Texas Academy of Family Law Specialists and the Texas Chapter of the American Academy of Matrimonial Lawyers, as a chair of the State Bar of Texas Family Law Section, and as chair of the Supreme Court Task Force to Expand Legal Services Delivery. He was named the 2008 State Bar of Texas Family Law Section Outstanding Family Lawyer, given the Texas Academy of Family Law Specialists Judge Sam Emison Award, and named

the American Academy of Matrimonial Lawyers' Fellow of the Year in 2009. He received presidential citations for service to the State Bar in 2008 and 2012. He holds a bachelor's degree from Austin College in Sherman and a J.D. from South Texas College of Law.

Why did he join The College? "I am committed to being a lifetime learner," Tom says. "The College is a great vehicle to support legal education and to reward excellence in legal writing and professionalism. Membership in the College lets the world know of your engagement in Continuing Legal Education and your support for scholarship beyond the minimum required." ■

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