

STATE BAR COLLEGE

You Can Enroll Now!

By Jim Bowmer, Board Chairman, State Bar College
And J. Chrys Dougherty, Board Vice-Chairman, State Bar College

Throughout the years Texas lawyers have been attending State Bar institutes and lawyer seminars without recognition.

Now the Bar plans to recognize those who expend that effort regularly by offering them membership in the College of the State Bar of Texas, and by an appropriate membership certificate to be issued under the aegis of the newly formed "State Bar College" established by the Supreme Court. Each Texas lawyer is, of course, eligible to participate and enroll. To qualify for membership, the lawyer completes a total of 80 hours' study over a three year period, by seminar attendance or other study, as set forth in the rules following this article. He or she then receives a certificate, suitable for framing, recognizing such fact. Twenty-seven (27) hours' study per year in future years qualifies the member for continued membership, with the membership certificate updated to show the total number of years of membership in the program.

Each lawyer basically sets his or her own curriculum, within the framework of those lectures offered by the Bar in its regular institutes and other forms of training sessions and those offered by other professional organizations whose programs are approved by the Bar for such purpose.

As indicated, the program contemplates that most of the work will be done by institute attendance. For example, a lawyer attending a two-day institute of six hours per day gets credit for 12 hours. Any combination totalling 80 hours over the 36-month period will qualify that lawyer for membership and the membership certificate.

There is no penalty for not completing the 80 hours of work in the prescribed time, but when and if the lawyer reaches that total both the lawyer and the Bar will have a rec-

ord of it, and members will be recognized both by the certificate and by publication of membership lists in the *Bar Journal*.

So much for the program — but what is the College? The program is conducted under the name "State Bar College" — a name carefully chosen to recognize the educational process and the members' role in it.

Perhaps one way to describe the program is to say what it is not. It is not designed to be compulsory or to add a layer of bureaucracy to the Bar's training programs. It will not require an additional staff of experts or paid professors. There is no extra cost to the lawyer, and State Bar expense is minimal, consisting mainly of simplified and streamlined record-keeping. The institute program will remain as it is, and a lawyer in the College program and one who is not may both participate in the same manner as before.

But more important than what it is *not* is what the College *is*. It is a method both of encouraging lawyers to participate on a regular, organized basis in our fine institute and study programs and of recognizing that participation.

No examinations are required for membership; yet attaining the required hours of organized study, particularly year after year, requires real self-discipline and evidences a sincere desire to keep abreast of our profession. It is neither easy, on the one hand, nor impossible on the other, for any busy practitioner to achieve. Further, it offers a Bar-approved method of measuring achievement in study.

Moreover, while the College program does not conflict with the Bar's fine specialization program, and a person may be both a specialist and a member of the College, it does fill a gap for those lawyers who, like most of us, have such varied practices that we would be hard pressed to show that we "specialize" in anything (and we frequently prefer it that way). In short, the Bar will now recognize that lawyer's diligence and learning by admitting him or her to membership in the College.

Our State Bar College is a College without a campus, but it has the finest student body in the world.

Rules for the College are on the next page and an enrollment application is below. Enroll now!

State Bar College
State Bar of Texas
P.O. Box 12487
Austin, Texas 78711

To the Board of the College:

Please enroll me as a candidate for membership in the State Bar College. I will keep you advised of my attendance at legal education programs.

Name _____

Last

First

Address _____

City/State/Zip _____

Phone _____ Bar Card Number _____

The College of the State Bar of Texas Regulations

I. PURPOSE

The purpose of the College of the State Bar of Texas is to recognize lawyers who maintain and enhance their professional skills and the quality of their service to the public by significant voluntary participation in continuing legal education.

II. ADMINISTRATION

- A. The president of the State Bar of Texas shall serve as president of the College.
- B. The director of the Professional Development Program shall serve as dean of the College.
- C. The board of the College shall supervise its operation and accredit sponsors and programs.
- D. The Professional Development staff of the State Bar shall be responsible for the administration of the College.

III. ELIGIBILITY

All members of the State Bar of Texas in good standing shall be eligible to become members of the College upon satisfying the membership requirements.

IV. MEMBERSHIP REQUIREMENTS

A. Initial Requirements

1. A lawyer may become a member of the College by attending 80 hours of CLE over a period of three or less calendar years. At least three hours must be in the field of professional responsibility. As many as 20 of the 80 hours may be completed by self-study. Self-study credit may be given only for viewing videotapes, listening to audiotapes, or attending an organized in-office educational program.

2. Upon qualifying, applying and being accepted, a lawyer shall become a member of the College for the calendar year immediately following the last calendar year of the initial qualifying period.

B. Maintaining Membership

A lawyer may maintain membership by attending 27 hours of continuing legal education during the membership year. At least one hour must be

in the field of professional responsibility. As many as seven of the 27 hours may be completed by self-study. If a lawyer so qualifies during the membership year, the membership shall be renewed for the following year. Membership may be renewed annually as long as the lawyer satisfies the requirements.

C. Reinstating Membership

A lawyer who fails to satisfy the requirements during a calendar year may reinstate membership by satisfying the requirements during the following or any succeeding calendar year.

V. SPONSORS

A. Programs sponsored by the following organizations shall qualify for credit:

1. Law schools accredited by the American Bar Association or the Association of American Law Schools.
2. District and local bar associations in Texas.

CRIMINAL DEFENSE PRACTICE MATERIALS, 1982 Revised Edition

The Criminal Defense Lawyers Project is pleased to announce the 1982 revised edition of the *CRIMINAL DEFENSE PRACTICE MATERIALS*. Kerry P. FitzGerald, Dallas criminal lawyer, edited this manual, which contains contributions from other noted criminal lawyers and 700 pages of articles, forms, and sample motions. Beginning lawyers and experienced practitioners will find materials for every phase of the criminal practice: initial client interview, obtaining release from custody, pre-trial investigation, and totally revised chapters devoted to pre-trial motions, challenges to the indictment, and discovery; guilty pleas, trials before the court, trial motions, the trial, the court's charge, punishment alternatives, and jury argument; and post-trial matters, including probation revocation hearings, writs of habeas corpus, and the parole process. The impact of the 67th Legislature was especially significant in the area of criminal appeals; accordingly, this chapter of the book has been completely reworked to provide a practical approach to new timetables and appellate procedures. The cost of the *CRIMINAL DEFENSE PRACTICE MATERIALS* is \$78.50, including tax, and may be ordered through the Criminal Defense Lawyers Project, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

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3. State Bar of Texas.
4. Texas Center for the Judiciary.
5. Texas Criminal Defense Lawyers Project.
6. Texas Trial Lawyers Association.
7. Texas Association of Defense Counsel.
8. Texas District and County Attorneys Association.
9. Texas Criminal Defense Lawyers Association.
10. Texas Association of Bank Counsel.
11. Southwestern Legal Foundation.
12. American Law Institute-American Bar Association.
13. American Bar Association.
14. Practising Law Institute.
15. National College of District Attorneys.
16. National College for Criminal Defense.

B. Sponsors not named above may apply to the board of the College for recognition for their programs.

VI. CREDIT COMPUTATION

- A. Credit for attending programs shall be based on net actual instruction time, which may include lecture, panel discussion, question-and-answer periods, and video or film instruction in an organized presentation. Self-study credit shall be based on actual time of self-study in the manner and subject to the limits set out in section IV.
- B. Sponsors are encouraged to calculate the number of hours of credit which should be given for any program offered, using the above guide, and indicate the number on the program brochure.
- C. If the board of the College is of the opinion that the credit computations of a sponsor are inaccurate, it may notify the sponsor and require appropriate modification.
- D. Program participants may receive credit for actual prepara-

tion time, not to exceed four times the presentation time of an initial presentation and not to exceed eight hours preparation time in any one year. Program participants may also receive credit for actual presentation time, including credit for repeated presentations.

E. Authors of written material published by an accredited sponsor may receive credit for actual composition time not to exceed eight hours in any one year.

VII. ATTENDANCE RECORDS

A lawyer who desires to qualify for membership shall execute an affidavit following each program attended stating the date, location, title, sponsor and number of hours of the program. The affidavit should be mailed promptly to the College of the State Bar of Texas, P.O. Box 12487, Austin, TX 78711, and the lawyer should keep a copy.

VIII. APPLICATION

During any December, a lawyer who wishes to apply for membership may submit an application listing each program attended during the qualifying period, including date, location, title, sponsor and number of hours. The application may list the number of hours spent in self-study, specifically identifying the videotape or audiotape or in-office program for which credit is claimed. The application may list hours claimed by program participants for preparation credit or by authors for composition credit. The application should be sworn to and mailed to the College of the State Bar of Texas, P.O. Box 12487, Austin, TX 78711.

IX. CERTIFICATE ISSUANCE

As soon as the applications have been processed, certificates of membership in the College will be mailed to those applicants who have satisfied the membership requirements.