

STATE BAR *of* TEXAS

EXECUTIVE DIRECTOR'S REPORT

September 2, 2009

State Bar Initiatives Receive National Awards — During the National Association of Bar Executives Annual Meeting in Chicago, the State Bar received a LexisNexis Community and Educational Outreach Award for its efforts to educate Texans about the importance of voting. The State Bar was recognized for three projects: the Election Law Toolkit, public service announcements created as part of the *Let's Do Justice for Texas* public education initiative, and the TYLA video *Vote America! Honor the Fight, Exercise Your Right*. During the American Bar Association Annual Meeting, the State Bar received an ABA Partnership Award for Minority Attorneys at the Podium, a joint project of the State Bar Office of Minority Affairs and TexasBarCLE. In addition, the Houston Bar Association received a LexisNexis Partnership Award; Houston lawyer **Linda Addison** received the ABA's Margaret Brent Women Lawyers of Achievement Award; and Galveston lawyer **Kelly-Ann Clarke** was sworn in as chair of the ABA Young Lawyers Division.

Texas Bar Foundation, TCLEP Name New EDs — **Andrea Stone** is the new executive director of the Texas Bar Foundation. Stone, who has 25 years' experience in accounting and bar work, previously served the Bar Foundation as administrator. **Jonathan Smaby** is the new executive director of the Texas Center for Legal Ethics and Professionalism. Smaby, a longtime member of the State Bar Advertising Review Committee, previously practiced law in Dallas.

In Memoriam — **Emily C. Jones**, former executive director of the Texas Access to Justice Commission, died after a five-year battle with multiple myeloma, a form of blood cancer. In May, the Texas Access to Justice Commission honored her advocacy on behalf of low-income Texans with the inaugural Emily C. Jones Lifetime Achievement Award. Amarillo lawyer **Pedro "Pete" Serrano**, a member of the inaugural class of LeadershipSBOT, died in a car accident after returning from the Bar Leaders Conference in Houston. Serrano was a dedicated lawyer committed to professionalism and public service with a bright future ahead of him. Emily and Pete will be missed dearly.

Second LeadershipSBOT Class Announced — The members of the State Bar's second leadership academy have been selected: **Cynthia Benavides, Sonya Bible, Marcus Brown, Harley D. Caudle, Emily Dawson, Arturo Errisuriz, Sara Foskitt, David M. Gonzalez, Soraya Yanar Hanshew, Marianne Ibrahim, Goran Krnaich, Karla "Becky" Mata, Andrew Morrison, Giana Ortiz, Carlos M. Quinonez, Rico Reyes, Anthony Ed Robles, Marc A. Stroope, W. Kent Walston, and Alesha Williams**. If you know any of these lawyers, congratulate and encourage them throughout the year.

Internet Scam Targets Attorneys — An email scam continues to target collections attorneys across the country. In the scam, an attorney is contacted by a purported overseas company that needs help collecting a debt in the United States. A fictional "debtor" sends a check to the attorney, which later bounces, leaving the attorney responsible for the amount disbursed to the company. The U.S. Treasury Department recommends businesses contact the issuing bank if they ever have doubts about the authenticity of a check. Do not contact the phone number listed on the instrument because it will be associated with the scam artist. For fraud alerts, visit www.occ.treas.gov/altlst09.htm.

FTC Delays Enforcement of Red Flags Rule — The Federal Trade Commission has delayed until Nov. 1 the enforcement of the Red Flags Rule, which requires many businesses and organizations to implement a written Identity Theft Prevention Program designed to detect warning signs (“red flags”) of identity theft in their day-to-day operations. The ABA has sought to prevent the rule's application to law firms, and at press time the FTC was expected to provide additional guidance on how to determine whether the rule applies to a particular business. For details see www.ftc.gov and www.abanet.org/media. The State Bar will monitor this issue and update the board and membership as warranted.

Potential Federal Regulations Regarding Terror Funding/Money Laundering — Austin attorney Duncan Osborne has alerted the State Bar to guidelines by the Financial Action Task Force, on which he serves, which include non-binding recommendations for lawyers on detecting transactions of their clients that might involve terror funding or money laundering. There is some movement by the Treasury Department to make these guidelines mandatory. We will monitor this issue and provide updates as needed. To download a paper on the guidelines that Osborne presented at the recent Advanced Estate Planning Course, visit www.texasbar.com/fatf. You may also call Osborne at (512)542-2010.

Texas Gavel Awards — The Freedom of Information Foundation of Texas and the State Bar presented the 2009 Texas Gavel Awards to nine Texas journalists during the FOIFT John Henry Faulk awards luncheon in Austin. The journalists were awarded for their efforts to further the public's understanding of the legal system. In addition, FOIFT honored Texas Sen. Rodney Ellis (D-Houston) and Rep. Todd Hunter (R-Corpus Christi) for their work in passing a journalist shield law, the Free Flow of Information Act.

Voluntary Access to Justice Contribution — The economic downturn has led to a critical decrease in funding for civil legal services to the poor. Access to justice contributions are accepted anytime, not just during dues season. (Since June, \$611,000 has been collected, an increase of \$70,000 over last fiscal year.) If you or your firm have paid your dues and want to make a contribution, please visit www.texasbar.com/atjcontribution.

Legislative Update Survey — According to a survey of subscribers to *The Friday Update*, the State Bar's free legislative e-newsletter, 93.7 percent said the e-newsletter met expectations; 96.2 percent said it contained useful information; and 98.7 percent said it should be continued during future legislative sessions.

New Graduates — As a benefit to employees and an investment in professional development, the State Bar offers a tuition assistance program. Two participants recently completed degree programs. Kevin Priestner, managing editor of the *Texas Bar Journal*, received an M.P.Aff. from the LBJ School of Public Affairs at the University of Texas at Austin with a specialization in Public Management and Leadership. Joanna Herzik, web content specialist with TexasBar.com, graduated from St. Edward's University with a B.A. in English Writing and Rhetoric and a minor in English Literature. Congratulations to both!

MISSION STATEMENT

The mission of the State Bar of Texas is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, support and provide services to its members, enable its members to better serve their clients and the public, and educate the public about the rule of law and promote diversity in the administration of justice and the practice of law.

