

2012-2013 State Bar of Texas  
SECTION REPORTS

Section reports are included in the July issue of the Texas Bar Journal to keep Texas lawyers updated on State Bar section activities. The reports do not necessarily reflect the official policy of the State Bar of Texas. State Bar policy is formulated by the State Bar Board of Directors or by the membership through referendum. For more information or to join sections, visit [texasbar.com/sections](http://texasbar.com/sections) or call (800) 204-2222, Ext. 1420.

ALTERNATIVE DISPUTE RESOLUTION

*Alvin Zimmerman, Chair*

The ADR Section's year was an active one. We gained 300 members, bringing our membership to more than 1,700. Justice Linda Thomas is chairing the committee that is editing the Texas ADR Manual, which will be the second edition the section has published. We consummated a royalty and storage agreement with William S. Hein & Co. to be the permanent depository of the section's newsletters to ensure that future generations will have a permanent library of these fine publications. Thanks to Professor Stephen Huber and Wendy Trachte-Huber (now a minister), who have done an outstanding job as editors of the section's newsletter.

The State of Texas and the ADR movement lost a dedicated member of our council with the passing of former Texas Supreme Court Justice Bob Gammage.

Robert Prather and his By Laws Committee revamped the section's bylaws, which were adopted by the council. One of the changes included renaming "public members," who will now be "non-attorney members." The council continues to examine the issue of non-attorney members being permitted to be members of this section.

Don Philbin and Joey Cope led their committee in revamping, for the first time, the section's website. It is now much more user-friendly and provides a 21st-century look. Their committee is considering developing an app for the section.

On Jan. 18, 2013, Ronnie Hornberger chaired the section's successful and well-attended eight-hour CLE in Houston, which featured the highly renowned Nina Meierding, who led an interactive seminar on advanced concepts for more successful mediations. At our June 2012 State Bar Annual Meeting four-hour CLE, we partnered for the first time with the Civil Litigation Section to a standing-room-only crowd and other attendees outside. Thanks to Talmage Boston, who was one of our featured speakers, and Paula Hinton, co-chair of the Civil Litigation Section. Prior to the commencement of this program, our section awarded the prestigious Frank Evans Award for exemplary efforts in ADR to Lonnie Schooler and John Fleming.

Our section supported the efforts of the Collaborative Law Section by appearing before the State Bar Legislative Committee in support of the Civil Uniform Collaborative Law Act, and we were at the forefront of petitioning the Texas Supreme Court to modify its proposed Rule 169, which, if not changed, would have negatively impacted mediations. Thanks to a groundswell of opposition and the very

special effort of Mike Amis along with many other concerned practitioners, the Supreme Court did more favorably revise the original proposed rule.

I express my appreciation for the privilege of being able to serve as the chair for ADR Section this year.

#### AMERICAN INDIAN LAW

*Ray Thomas Torgerson, Chair*

The American Indian Law Section has been busy and productive in the 2012-2013 State Bar year. The section held its annual conference on Feb. 8, 2013, at the Texas Law Center in Austin, which was well attended. Topics discussed included gaming, a federal case law update, ethics in the context of tribal justice, current repatriation issues, and federal laws related to obtaining and possessing eagle feathers. The section was pleased to host members of Sia, the Comanche Nation Ethno-Ornithological Initiative, who brought a male golden eagle, Nuepi (which means "tornado" in Comanche), and a female White Medicine Bird (a white red-tailed hawk), Wakiyah (which means "carries medicine talk").

At the conference, the section's Lifetime Achievement Award was presented to Jay Hurst, an assistant attorney general with the Texas Attorney General's Bankruptcy and Collections Division in Austin, a co-founder and longtime officer of the section, and a member of the Chickasaw Nation. The section's Tom Diamond Award of Excellence was presented to Ronald Jackson, general counsel for the Tigua Ysleta del Sur Pueblo in El Paso. The awards presentation was followed by a ceremony featuring traditional Na-tive American singing, drumming, and dancing.

The American Indian Law Section met all goals of increasing membership, especially among young attorneys, and increasing attendance and participation at conferences.

The section held its annual business meeting June 21 at the State Bar Annual Meeting in Dallas. Additional programming on native legal issues also was presented. The section's website is [texasindianbar.org](http://texasindianbar.org).

#### ANIMAL LAW

*Fran Ortiz, Chair*

The Animal Law Section continued a number of programs instituted in the section last year. The education committee held the second annual student writing competition, which is open to all students attending a Texas law school. The authors of the top three papers were presented with checks at the annual Animal Law Institute in March. The winning papers will appear in the section's Texas Animal Law Journal, which will be published this spring with the assistance of students from South Texas College of Law. The journal provides practitioner-oriented articles, including an annual survey of Texas animal law cases.

The Animal Law Institute was held in Houston this year. The institute was well attended and included speakers addressing various issues, including emergency and legal response to disasters, the intersection of animal law and environmental law, and the Texas Dangerous Wild Animal Act. The section also presented the Donald D. Feare Animal Advocacy Award to section Vice Chair Randy Turner.

The section's legislative committee also continued its work to amend Texas's dangerous dog statute, which currently limits appeals to certain jurisdictions. Passage of the bill was unsuccessful during this year's legislative session.

The section's annual meeting was held in June and included four CLE presentations on the following topics: animal law issues for agriculturalists, estate planning involving pets, the link between domestic violence and animal abuse, and a legislative overview.

## APPELLATE

*Heidi Bloch, Chair*

The Appellate Section's year began at our annual meeting last September, where we announced the winners of our Twitter Brief competition and the induction of former Texas Supreme Court Chief Justice John Hemphill into the Texas Appellate Hall of Fame. We started the year with three new committees—amicus brief, local bar liaison, and law school liaison—and also reconvened a court staff committee to investigate scholarship opportunities. The section approved a scholarship program to help defray travel costs for staff attorneys to attend the advanced civil appellate practice course, which will be held Sept. 12-13, 2013, in Austin.

The section's Corporate Counsel Committee hosted a CLE event in San Antonio at the end of June. Other CLE programs included Handling Your First Appeal and an Exceptional Legal Writing course held on April 26.

In March, the section was pleased to participate in a happy hour held jointly with three minority bar associations in Dallas, and we continue to work toward improving minority involvement and opportunities in the section.

One of our section's achievements continues to be the Appellate Pro Bono Program, which has expanded to five intermediate appellate courts and the Texas Supreme Court. This program helps not only the clients but also attorneys who might not otherwise have an opportunity to first-chair an appeal.

The section's most significant effort this year has been in planning for the section's new website launch, which should occur later this year. We are excited about making the website more informative and user-friendly.

## ASIAN PACIFIC INTEREST

*Bill S. Richmond, Chair*

The Asian Pacific Interest Section for the State Bar of Texas put a unique spin on its 17th Annual Conference and Retreat by co-hosting it with the Southwest Region of the National Asian Pacific American Bar Association (NAPABA) on April 5-6, 2013, in Austin. A full slate of professional development events and CLE was capped off by a keynote panel featuring Wendy Shiba, former general counsel of KB Home and current NAPABA president; Larry Tu, current general counsel of Dell Inc.; and Ivan Fong, current general counsel of 3M Company. More than 125 guests attended the two-day event held at the Four Seasons Hotel on Lady Bird Lake in downtown Austin. APIS proudly awarded its annual Chief Justice D. Wellington Chew Award for outstanding service to attorney Michele Wong Krause of Dallas.

APIS continues to serve its membership—from law students to 50-year legal veterans—through coordination with Asian bar organizations across Texas.

#### AVIATION LAW

*Jack Welge, Chair*

This was an unprecedented year for the Aviation Law Section of the State Bar of Texas. We have numerous section benefits to keep you informed, including our website at [aviationlawtx.com](http://aviationlawtx.com); the Aviation Law Section Newsstand, a daily email of case alerts and white papers for the aviation law practitioner; and the Aviation Law Section LinkedIn forum, a professional social network. In the event you haven't taken advantage of these tools, here is a quick review of what has transpired.

Our year began at the 2012 State Bar of Texas Annual Meeting Aviation Law Section Meeting and CLE. With standing room only, speakers Stuart McClung of NASA discussed "Orion: NASA's Newest Human Exploration Vehicle—A Project Update and Review of Contract Mechanisms"; John Yodice of Yodice Associates spoke on "Representing Pilots and Aviation Companies in FAA Enforcement"; and Kenneth Quinn kept us up-to-date on "The Revamping of Airline Passenger Protection Rules." Our CLE was launched with a cocktail reception and dinner at La Griglia in Houston co-sponsored by the Lawyer Pilots Bar Association and William Harger and Associates, with much networking and great food enjoyed by all.

Then, at the Southern Methodist University Air Law Symposium, Judge William R. Mullins of the National Transportation and Safety Board presented "Rules Implementing the Pilots Bill of Rights" after our complimentary breakfast. Next, our First Annual Texas Aviation and Space Lawyers Scholarships were awarded to Dale Fresch, editor-in-chief of the Journal of Air Law and Commerce, Southern Methodist University Dedman School of Law, and Jessica Haseltine of Texas Tech School of Law, a 2006 summer researcher, NASA Astrobiology Institute, and 2005 lead presenter, American Astronomical Society Division of Planetary Sciences Meeting, Cambridge, U.K. Both Fresch and Haseltine were honored at our cocktail reception and annual meeting during the State Bar Annual Meeting in Dallas. Our annual meeting CLE included preeminent speakers William O. Grimsinger of Chamberlain Hrdlicka and John Ransom of Porter Hedges, L.L.P., discussing "Aircraft Acquisition Structures and Texas Sales Tax"; John Yodice of Yodice Associates presenting "How the Pilots Bill of Rights has Changed Representing Pilots and Aviation Companies in FAA Enforcement"; and Pamela Hicks of Beirne, Maynard & Parsons, L.L.P., presenting "Accessibility for Disabled Passengers and the Air Carrier Access Act." Our meeting and CLE kicked off with a cocktail reception at Dentons US, L.L.P., in the Texas Capital Bank Building, co-sponsored by the Lawyer Pilots Bar Association, and a dinner at Perry's Steakhouse & Grille. Join us for future Aviation Law CLE and social opportunities this year.

#### BANKRUPTCY LAW

*Tom A. Howley, Chair*

The section continued its upward trajectory during the 2012-2013 year, and the section surpassed the 2,000-membership milestone for the first time. 2013 is the 10-year anniversary of the section, and our group celebrated this achievement at

the Fifth Biennial Bench/Bar Conference in June in San Antonio. Approximately 250 members were expected to attend this event along with almost every bankruptcy judge in the state of Texas. The event was chaired by Charles Beckham and the Honorable Brenda T. Rhoades. Debbie Langehennig and Michelle Mendez also helped coordinate the planning for this marquis event.

The section continues to devote resources to the MoneyWise program. Historically, this program has been geared toward educating young Texans on money management skills through presentations at local high schools. However, we are excited to announce that an adult version of MoneyWise has been launched under the leadership of Jermaine Watson. The section is also proud that it donated meaningful amounts of money to three important legal aid groups: Rio Grande, Lone Star, and Legal Aid of NorthWest Texas. In January, the section hosted a festive and well-attended retirement party for Judge Leif Clark.

A key group within the section is the Young Lawyers Committee. First, it serves as a feeding ground for future council leadership. Second, the young lawyers group handles a lot of activities for the section, from social gatherings to educational programs such as the Starting Out Right program for younger attorneys. In May, the section organized another international consumer bankruptcy attorney trip—this time a safari in Africa. Julianne Parker has once again taken this member benefit to a new level.

Finally, the section sponsored our annual Elliot Cup Bankruptcy Moot Court Competition for law schools. The Elliot Cup is a great stand-alone event, but it is also training ground for the prestigious national Conrad B. Duberstein Bankruptcy Moot Court Competition in New York sponsored by the American Bankruptcy Institute. One of our own teams, Southern Methodist University Dedman School of Law, emerged as the victorious team in New York. To learn more about our section, please visit [statebaroftexasbankruptcy.com](http://statebaroftexasbankruptcy.com).

## COLLABORATIVE LAW

*Lawrence R. Maxwell Jr., Chair*

The Collaborative Law Section was created in 2009. The mission of the section is to educate legal and client communities about collaborative law, to identify practitioners of collaborative law for the benefit of the public, and to provide a forum for interaction among collaborative law practitioners from all disciplines of law. As collaborative practice expands beyond family law, the membership of the section continues to grow.

Each spring the section, Collaborative Law Institute of Texas, and TexasBarCLE jointly sponsor a collaborative law course. Throughout the year, members of the section make presentations on collaborative law to business and trade organizations in Texas and at legal conferences, nationally and internationally. During the State Bar of Texas Annual Meeting, the section maintains a booth and conducts its annual meeting, which includes a continuing education program.

In 2010, Southern Methodist University Dedman School of Law established a three-hour course in collaborative law, which is taught by Sherrie R. Abney, a charter member of the section. The section's Education Committee is in discussions with other Texas law schools regarding a course in collaborative law.

The Outreach and Public Education Committee maintains relations with other sections and other state and local collaborative law organizations. The section's website is updated to highlight activities of the section. This year the section established a memorial to Gay Ellen Cox, a pioneer in the collaborative movement, who died from injuries received in a tragic accident in January 2013.

Members of the Legislative Committee were actively involved in the enactment of the Texas Collaborative Family Law Act in 2011, and there is continuing interest in codifying the Uniform Collaborative Law Act as a new Chapter 161 in the Civil Practices & Remedies Code.

## COMPUTER AND TECHNOLOGY

*Jason Smith, Chair*

This year has been another incredible year of growth for our section. Since 2009, our section membership has increased more than 74 percent. And in 2013, we surpassed the 3,000-member mark for the first time in the section's 23-year history, securing our place firmly among the large sections. In addition, one of our own council members was elected to become a large-section representative to the State Bar Board, another section first.

On the heels of continued popularity of our mobile device apps, we are planning to develop more apps, both for our own section members as well as in partnership with other sections and groups, in and outside of Texas. Stay tuned to our website and social media sites for details.

We have launched an educational initiative on the hot topic of data privacy, and our encryption presentation has been requested by local bar associations, law schools, and conferences around the nation. The presentation has been approved for one hour of ethics credit and includes a hands-on component where attendees are provided an eight-gigabyte thumb drive preloaded with mobile apps and encryption software and taught how to use it.

Our social media presence has also garnered national attention, with members of other state bar associations seeking our council's advice on adopting their own social media presence. We launched a YouTube channel this year for product reviews and other informative videos related to legal technology.

The section partnered with the State Bar to produce the Adaptable Lawyer Legal Innovation Track at this year's Annual Meeting, and the track included the ever-popular 60 Apps in 60 Minutes and our new data privacy/encryption presentation on both days of the conference given by our own council members.

We also partnered with the Law Student Division to provide access to our apps, encouraging future generations of tech-savvy lawyers.

For more information on our section, our apps, or our Data Privacy Education Initiative, please visit [sbot.org](http://sbot.org), follow us on Twitter (@TXBarCompTech), join our LinkedIn group, or like us on Facebook.

## CONSTRUCTION LAW

*William K. Andrews, Chair*

The Construction Law Section added more than 400 new members this year and currently has more than 2,500 members. More than 680 members attended the

section's outstanding CLE program and golf tournament at the 26th Annual Construction Law Conference on Feb. 28 and March 1 in San Antonio, making it the highest-attended annual conference yet. The section's other signature CLE event, the Basic Course in Texas Construction Law, was held Oct. 4-5, 2012, in Austin, and the 2013 Basic Course is planned for Houston this fall. The section's Construction Law Journal continues to publish articles on various Texas construction law topics, keeping members up to date on the latest developments in the field, and our Young Lawyers Committee has been busy providing our members with case updates from the Texas Supreme Court.

The section, through the overwhelming support of section members, was again able to make substantial charitable donations to the Texas Access to Justice Foundation and the University of Texas Center for Public Policy Dispute Resolution. In addition, the section was able to give a generous donation to Operation Finally Home, helping to provide custom-made, mortgage-free homes to wounded and disabled veterans and the widows of our fallen soldiers. On the higher education front, the section provided scholarship funds to construction management and construction sciences students at the University of Texas and Texas A&M University. Thank you, Construction Law Section members, for making these contributions possible through your continued support and involvement.

#### CONSUMER AND COMMERCIAL LAW

Chad Baruch, Chair

Continuing its tradition of offering the highest-quality CLE, the Consumer and Commercial Law Section again hosted its two-day CLE program on Advanced Consumer & Commercial Law, as well as a half-day program at the State Bar Annual Meeting. Each program featured presentations on a variety of topics by many of the leading practitioners of consumer law. In cooperation with the University of Houston Law Center, the section also continues to publish the acclaimed Journal of Consumer & Commercial Law, and to operate its website and Listserv. Finally, the section again supported legal services for the poor in Texas by purchasing a table at the annual Access to Justice Gala and donating it for the use of legal aid attorneys who could not otherwise afford to attend the event.

#### CORPORATE COUNSEL

*Jane Mallor McBride, Chair*

The Corporate Counsel Section continued to expand upon the section benefits provided to our growing section membership (now 3,750+) over this past bar year.

The section serves the in-house bar as well as law firm attorneys who work with corporate counsel. This past year, the section added a non-voting associate membership category that will allow in-house attorneys who are living in Texas and working full-time at companies in Texas and who are licensed in other states to become associate members of the section. Professors at Texas law schools can also become associate members.

The section is particularly proud of its ongoing contribution to pro bono activities in Texas. For the second year in a row, the section bestowed grants of

approximately \$35,000 to pro bono organizations, bringing the total pro bono contributions made by the section over the past 15 years to more than \$350,000.

The section kept its members apprised and up to date on a wide variety of topics of importance to section members. The Corporate Counsel Section newsletter expanded to six editions with more than 50 articles this past bar year. The Corporate Counsel Newsstand, which allows section members to receive a daily or weekly customizable email that keeps them up to date on subject areas of specific interest to corporate counsel, was provided to section members as a free benefit for the second year. And the Corporate Counsel Review, a law journal containing in-depth articles of interest to our membership and published semi-annually in conjunction with the South Texas College of Law, was again provided to all section members.

The section also continued its ongoing project to expand and modernize its website. Client alerts and other substantive materials will be aggregated on the website for easy searching and viewing, and the new website will have both public information and a members-only section. Section members can now also participate in a LinkedIn group.

CLE was provided to our members in various live formats around the state. The Corporate Counsel Institute, a program jointly provided with the University of Texas School of Law, allowed attendees to fulfill their annual CLE requirements at this two-day event held in both Dallas and Houston. The section also continued to provide CLE in programs held jointly with the Business Law Section, including a one-and-a-half-day program at the 2012 State Bar Annual Meeting in Houston and the 2012 Advanced In-House Counsel CLE program in Dallas. Additionally, four free networking and CLE programs for section members were held throughout the state. These well-attended evening programs were followed by cocktails or dinner and were held in Dallas, Houston, San Antonio, and Austin.

## CRIMINAL JUSTICE

*David L. Botsford, Chair*

During the past year, the CJS has implemented a number of changes that had previously been put into motion by the CJS Council. Significantly, the CJS modified its bylaws to move the annual meeting to the time frame corresponding to the State Bar of Texas Advanced Criminal Law Course. Thus, instead of meeting during the State Bar Annual Meeting in June of the year, we now hold our annual meeting in July during the Advanced Criminal Law Course. This modification makes it far easier for our members to attend our annual meeting, since far more of our members attend the Advanced Criminal Law Course. The council encourages and invites all of our members to attend our annual meeting at 5 p.m. Tuesday, July 23, 2013, in Dallas.

The increase in our membership dues previously approved (from \$10 to \$20) has not had a negative impact on our total membership, which has grown each of the past four years (from 2,660 in May 2010 to 3,370 in May 2013).

The council of the CJS is fully staffed, and our website, [txbarcjs.org](http://txbarcjs.org), reflects the current officers. It also contains useful research materials.

Finally, the CJS Council voted to donate \$3,500 to the Kaufman County Crime Stoppers fund to support the efforts of law enforcement to apprehend the suspect(s)

who had murdered Assistant District Attorney Mark Hasse, District Attorney Mike McLelland, and McLelland's wife, Cynthia. However, before the check could be cut, authorities arrested the prime suspect. Accordingly, the council redirected the funds for a contribution to the American Red Cross in support of the victims of the West, Texas, tragedy.

## ENTERTAINMENT AND SPORTS LAW

*Shannon Jamison, Chair*

The purpose of the Entertainment and Sports Law Section (TESLAW) is to promote and enhance the practice of law by all lawyers who concentrate or have an interest in entertainment and sports law. TESLAW members are entitled to: 1) receive the Texas Entertainment and Sports Law Journal, 2) receive the TESLAW bimonthly e-newsletter, 3) join the TESLAW Listserv and searchable attorney database, 4) receive a discount on the cost of the annual Entertainment Law Institute (ELI), and 5) become part of the growing Texas-based entertainment and sports law community. The section's website, [teslaw.org](http://teslaw.org), is new and improved, and we hope it will be the first place that members as well as out-of-state attorneys visit to retrieve Texas, national, and international entertainment and sports lawyer information.

This past fall, the section once again sponsored the 22nd annual ELI at the Mansion at Judges' Hill in Austin. ELI is the premier CLE event for Texas entertainment lawyers. Please join us for the 23rd annual ELI, which will be held Sept. 26-27, 2013, at the Doubletree Hotel in Austin. In March, the section hosted its third annual mixer at South by Southwest in Austin. This was a huge success and a great networking opportunity for our members.

Visit [teslaw.org](http://teslaw.org) to learn more about TESLAW, the Entertainment Law Institute (ELI), to access our online journal database or searchable attorney database, or to become a TESLAW member. We'd love to add you to our roster of "rock star" attorneys!

## ENVIRONMENTAL AND NATURAL RESOURCES LAW

*Cynthia J. Bishop, Chair*

Our Law School Committee had an active year, funding internships for law students at several Texas agencies and continuing to award scholarships to the highest-ranking students in the introductory environmental law courses at each of Texas's nine law schools. Members of the section attended law school events to speak with students about careers in environmental law.

In August 2012 we sponsored the 24th Annual Texas Environmental Superconference, a very successful and entertaining conference. The two-day conference sold out at 500-plus attendees and provided a great resource for continuing legal education and networking. In February 2013 we co-sponsored the Changing Face of Water Rights in Texas, an important conference for water rights practitioners.

The section is also working to update *The Essentials of Texas Water Resources*. This book, a project of the section, is an invaluable resource for everyone who is interested in wa-ter topics. To purchase a copy, visit [texasbarcle.com](http://texasbarcle.com).

The section is updating its website to make it faster and more modern. The new website is on track to launch this summer.

Other section-sponsored activities include publication of the Texas Environmental Law Journal, which is distributed electronically and available online, as well as online access to a series of judicial interviews. The judicial interviews include discussions with judges serving on the Texas Supreme Court and other state and local courts, as well as administrative law judges and hearings examiners. This unique resource is available through the section's website, [texenrls.org](http://texenrls.org): "From the Bench: Judicial Perspectives on Environmental/Administrative Cases."

## FAMILY LAW

*Diana S. Friedman, Chair*

The Texas Access to Justice Commission awarded our Pro Bono Committee the 2012 Pro Bono Service Award. The committee conducts pro bono seminars in medium-size cities across the state that train attorneys on how to handle a pro bono family law case. The lawyers attending the CLE receive seven hours of CLE credit in exchange for volunteering to take two pro bono cases.

As a new project, the Family Law Section created an initiative named Family Law Cares whose mission statement is to organize and coordinate pro bono legal services in divorce and other family law cases for indigent Texans. The section has hired a public relations firm to help create a logo, website, and marketing plan. On the calendar in July is a CLE program co-sponsored with TYLA to help train young lawyers on how to handle a pro bono divorce. In November, the section is sponsoring a Fun Run in Dallas to raise awareness for Family Law Cares.

The 2013 legislative session was busy, and the section worked closely with the Family Law Foundation to promote the section legislative package.

Membership in the section has ballooned to more than 6,400 in the past year. As a benefit for joining the section, members receive the "Family Law Toolkit," a handy booklet that includes child support guidelines, predicates, and often-used case citations. The quarterly Section Report, featuring a case law update, is another popular perk of membership.

For more information about the Family Law Section, visit [sbotfam.org](http://sbotfam.org).

## GENERAL PRACTICE, SOLO, AND SMALL FIRM

*James Mosley, Chair*

The GPSolo Section continues its advocacy for the interests of our membership in a variety of ways. We are vigilant in expressing our opposition to what we believe are misguided efforts regarding the Texas Supreme Court's promulgation of pro se family law litigation forms and will continue to oppose future attempts to promulgate forms in other areas of the law as well. We also continue to act as a watchdog regarding our membership's concerns with the allocation of the budget of the State Bar of Texas and will oppose any attempts to burden our membership with increasing dues or mandatory pro bono requirements. Along with our outstanding Digest that covers a variety of topics in the law, our annual General Practice Institute in Waco, our annual CLE presentations at the

Annual Meeting, and law school outreach, we have begun a new partnership with the law schools of the State of Texas regarding succession planning to link new and recent graduates with seasoned attorneys who are working on succession plans for their practice. For more information regarding the succession planning program, I urge you to contact Suzanne Patrick, director of career services at St. Mary's University School of Law, at [spatrick@stmarytx.edu](mailto:spatrick@stmarytx.edu) or (210) 436-3511. She will be happy to discuss your individual needs with you and coordinate communication to all Texas law schools. Please contact any member of our council at any time to express your concerns and ideas on how to make our section more relevant and beneficial to your practice.

## GOVERNMENT LAW

*Judy Speer Gamino, Chair*

The membership and services to members of the Government Law Section continue to expand. Having updated the name of the section, we decided that continuing to expand our services necessitated an increase in the amount of our dues. For many years we have had the lowest dues for any section. Although we have slightly increased our dues from \$10 to \$20, our dues are a very cost-effective investment.

The section continues to co-sponsor the annual Suing and Defending Governmental Entities seminar and to present the annual Boot Camp seminar the day before the Suing and Defending course. This year, the Boot Camp will provide seven hours of CLE, including 2.75 hours of ethics CLE. The Suing and Defending Governmental Entities seminar will provide 13.25 hours of CLE, including 2.25 hours of ethics CLE. The section actively recruits individuals for scholarships to attend these seminars. The section also is a co-sponsor of the Open Government Seminar at the Annual Meeting of the State Bar of Texas. The discounts provided to members for CLE events make membership in our section both a tremendous benefit as well as a bargain.

We are continuing to enhance our website and to expand our utilization of the newest technology.

The section has presented an annual award for the past two years and continues to solicit nominations for this honor.

The section also continues to expand its efforts in the areas of mentoring, pro bono opportunities for government lawyers, and collaboration with other sections.

## HEALTH LAW

*Hilary Young, Chair*

The Health Law Section planned and presented its annual Texas Health Law Conference in collaboration with the Texas Hospital Association. Held Oct. 14-16, 2012, the conference included a fundamentals session for new health lawyers, a legislative forecast, and updates in key areas of compliance by and enforcement against health care providers. The section continued its practice of providing complimentary attendance at the conference and travel stipends to Texas law students interested in health law, and of having a luncheon at the end of the

conference where the students could spend more time talking with council members and former section chairs.

The section continues to maintain its website, which includes posting of articles and newsletters published by law firm health care groups. The section also provides members with a weekly email update on key regulatory action appearing in the current Texas Register. Outreach efforts included sponsoring a free cancer legal rights conference presented by the Cancer Legal Resource Center in Houston in March 2013, co-sponsoring a cancer rights workshop at the State Bar Annual Meeting in June 2013 with Women and the Law, and offering stipends to law schools in four major cities to help law students obtain internships and experience.

Finally, the section presented at the Annual Meeting in June a legislative update on health care laws passed during the 2013 legislative session. The section plans to follow up on that presentation with a webinar covering key new legislation.

## HISPANIC ISSUES

*Dahlia M. Gutierrez, Chair*

The Hispanic Issues Section had a successful year. On Feb. 28, 2013, the section hosted, in conjunction with the University of Texas, Chicano/Hispanic Law Students' Association (CHLSA), a full-day CLE seminar on general practice principles, which was well attended and received great reviews. We were fortunate in having great speakers from around Texas and hope to repeat the seminar in a different city, in order to better network with attorneys and law students around the state.

Additionally, our section proposed legislation in the form of an amendment to the Texas Code of Criminal Procedure, Art. 15.17, which provided a uniform statement by all magistrates in the state to people accused of misdemeanors, advising them of potential adverse "immigration consequences" to a plea of nolo contendere or guilty. The legislation would further due process by providing a uniform and consistent instruction of all magistrates in the state, which would be beneficial to clients, attorneys, and judges.

This proposed legislation was approved by the State Bar and adopted as part of its legislative packet. It was sponsored in the Senate by Sen. Kirk Watson of Austin, and a companion bill was sponsored by Rep. Rafael Anchia of Dallas. Although the Senate bill successfully passed through the Senate, the House bill failed in the third House reading. A valiant effort was made, and the section sincerely thanks all persons involved in the process of promoting this legislation, especially the offices of Sen. Kirk Watson and Rep. Rafael Anchia for their efforts and hard work.

The section invites everyone to review our improved website, courtesy of the work of attorney Manuel Escobar and Lily Hewgley with the State Bar staff. We hope to continue improving the website with the goal of providing more information to and about our members. Additionally, we hope in the future to provide additional information on the membership to allow prospective employers and/or clients the opportunity to easily access our membership roster and promote networking and job opportunities.

The Hispanic Issues Section hopes to continue its work in promoting competency through legal education and providing networking and leadership opportunities to young attorneys around the state, as well as to students interested in the profession. We encourage all section members to contact the section and to become more active in the section.

Muchisimas gracias a todos.

#### IMMIGRATION AND NATIONALITY LAW

*Leigh N. Ganchan, Chair*

We started the bar year with hope for immigration solutions for undocumented young people and discouragement at the lack of H-1B numbers. We now find ourselves amidst a flurry of meaningful immigration reform that promises to address these issues and more under our current system. The section supported numerous legal education events this year, including seminars co-hosted by law students in Houston, Fort Worth, Austin, and San Antonio as well as the advanced immigration law course held in Houston. Topics included cutting-edge issues such as “Corporations and Human Trafficking” and “Employment Based Immigration: Can Our Immigration Policy Foster Business?” The section announced its first grant awards totaling \$18,000 to four Texas organizations for projects that impact the immigrant community. We are now reviewing the numerous requests submitted this year and look forward to another year of robust Immigration and Nationality Law Section leadership in Texas legal education, advocacy, and community support. It has been my honor to serve as chair of this dynamic section.

#### INSURANCE LAW

*Vince Morgan, Chair*

This was another strong year for the Insurance Law Section. Membership growth continued to a record high, helping us transform our section into one of the State Bar’s largest.

The editorial team at the Journal of Texas Insurance Law maintained its high standard of publishing useful content across a broad spectrum of topics.

Our co-sponsorship of several CLE programs continued this year, including the Insurance Law Institute presentation with the University of Texas School of Law and the advanced insurance law course with TexasBarCLE. Because we sponsor many of these programs, we formed a CLE subcommittee this year to study ways to improve CLE programming on insurance law issues in Texas. This yielded valuable insights, and you should start seeing some of the results from that effort in the coming year. We hope you like the changes we will be working to implement, such as more frequent rotation of speakers, topics, and locations for the various seminars we sponsor.

Insurance law continues to be an active area with significant developments on a number of fronts, so our “Right Off the Press” weekly email update on new cases remains one of the most valuable resources we provide to our members.

The council wishes to express its gratitude to our membership as well as the bar for helping us make this a successful year.

## INTELLECTUAL PROPERTY LAW

*Scott Breedlove, Chair*

IP law has not been sitting still, and neither has the IP Section.

With multiple newsletters this year, a one-day IP course at the State Bar Annual Meeting, a two-and-a-half-day advanced IP course in Austin, and a two-day advanced patent litigation seminar at the Four Seasons Resort in Las Colinas, not to mention a dynamic website, the section has kept its members informed and connected. At the advanced IP course this year, there was a dedicated slot for committee meetings and the now-traditional breakfast hosted by the Women in IP Committee.

This summer, we offered the one-day IP course at the Annual Meeting in Dallas and in July will offer the advanced patent litigation seminar, this time in the mountains around Albuquerque, N.M.

In conjunction with the annual meeting, we have raised the financial prize for the Inventor of the Year and for the winners of our Women and Minorities Scholarships. We will also be giving our first-ever Tom Arnold Lifetime Achievement Award.

For more information about the section, visit our website, [texasbariplaw.org](http://texasbariplaw.org).

## INTERNATIONAL LAW

*Timothy Tyler, Chair*

By the numbers, the section's strong year reflects the hard work done over the past years. Over the past three years, membership has increased 68 percent, to the current 1,335 members. Our 25th Annual Institute's revenues from ticket sales, higher than they have been ever, have more than doubled. These numbers show that more and more attorneys practicing law in Texas confront international law. But the numbers also reflect the extraordinary efforts of our active and past council and committee members.

Chief among the new initiatives this year has been an active partnership with the Texas Young Lawyers Association. Two programs with TYLA, in November and in March, discussed the importance of the rule of law in a diverse world and introduced about 60 young lawyers to the nuts and bolts of transnational practice.

Outreach to law students continued unabated, with five law school visits this year.

The efforts, and more, will continue under incoming Chair George Goolsby, who knows that transnational law reaches across substantive law fields. As we did this year, next year's leadership will continue to thrive and grow as we reach out to other sections of the bar and our members. Please visit our website at [ilstexas.org](http://ilstexas.org) and send us your ideas. It is your section.

The year has been rewarding for me, and I appreciate the support of my council and committee members in their efforts to strengthen our section, promote international law, and provide meaningful programs to our members and our community.

## JUVENILE LAW

*Richard Ainsa, Chair*

In February, the State Bar put on the 26th Annual Robert O. Dawson Juvenile Law Institute in San Antonio. This is the first time since the section's inception that it did not arrange and put on the conference itself. Nevertheless, the conference was well received, with its group of excellent speakers and topics. Attendance continues to grow, with more than 550 participants in attendance. During the conference, the section continued its long-standing tradition of conducting a silent auction to raise funds for college scholarships and financial aid for deserving youth who were originally committed to the Texas Juvenile Justice Department. This project allows young people to attend a college or university of their choice where they would not otherwise be able to attend. Next year's conference is scheduled from Feb. 24 to Feb. 26, 2014, at the Omni Corpus Christi Hotel.

The section also continues its collaboration with a number of organizations, such as the Juvenile Justice Roundtable and Texas Lawyers for Children. Through these collaborations we are able to network with other juvenile practitioners to share expertise and current information from around the state regarding specific delinquency issues and trends.

As always, the section continues its strong collaboration with the Texas Juvenile Justice Department. The section offers its support to TJJD so that the critical needs of our youth and the safety of our communities are addressed through the juvenile justice system. TJJD will again provide its invaluable assistance in planning and coordinating the section's annual conference coming up in February 2014.

With the Legislature in session this year, the section encourages all juvenile practitioners to attend TJJD's Post Legislative Conference to learn about all the changes affecting delinquency cases. The conference will be held July 30-31 at the Crown Plaza Austin.

Please visit [juvenilelaw.org](http://juvenilelaw.org) to learn more about the section.

## LABOR AND EMPLOYMENT LAW

*Robert Sheeder, Chair*

The Labor and Employment Law Section continued its strong tradition of sponsoring pro bono awards and internships. The section awarded a total of \$29,200 in connection with these programs this year. Of that total, \$20,000 was distributed to four organizations for pro bono internship stipends, and the remaining \$9,200 was awarded to three other organizations for pro bono grants, all to be used with respect to labor and employment law issues.

The section continues to provide quality continuing legal education to its members. In the fall of 2012, the section provided its annual Employment Law Update in San Antonio. In the fall of 2013, this update will be held in the Houston area. The section also conducts a shorter CLE activity at the State Bar Annual Meeting. To promote interest in the labor and employment law field, the section further sponsors an award for the best labor and employment law student article published in a law review or journal of a Texas law school.

This year, the section launched a new and improved website, [laborlaw.org](http://laborlaw.org), that provides to section members a jury charge database of employment law cases, access to the section's regularly published newsletters that summarize recent labor and employment law cases that are of interest to Texas practitioners, and highlights

the many other activities the section undertakes on behalf of its growing membership.

## LGBT LAW

*Jacqueline M. Houlette, Chair*

The section reached an all-time high membership level with more than 400 members in 2013. It continues to offer its members a variety of benefits including updates on cases affecting LGBT law, CLE opportunities, and networking opportunities.

The section had a productive and eventful year. In 2012, the section worked with the State Bar of Texas to secure bereavement leave for State Bar employees with same-sex partners. In addition, the section drafted and submitted a proposed bill for the State Bar's legislative package that would repeal Texas Penal Code Section 21.06, a law that declares homosexual conduct illegal. The board of the State Bar voted unanimously to include the proposal bill in its legislative package. For the first time, the bill was filed in the Senate as well as the House, and for the first time, hearings were held in both the House Criminal Jurisprudence Committee and the Senate Criminal Justice Committee. Though ultimately the bills were not passed during the 2013 session, Senate Bill 538 was voted out of committee, which also constitutes a first.

The section is pleased to report that for the first time, the Texas Minority Counsel Program included in its program a panel focusing on LGBT Law, which proved to be very well received. The section looks forward to expanding its participation in that program, as well as co-sponsoring several CLEs in the upcoming year.

## OIL, GAS, AND ENERGY RESOURCES

*Timothy R. Brown, Chair*

2013 marks the 75th anniversary of the section, making it the senior section of the State Bar. To mark this milestone, a celebration gala will be held on the evening of Oct. 3, 2013, in Houston in connection with the 2013 State Bar advanced oil and gas course, at the Westin Galleria, Consort Ballroom. Dr. Daniel Yergin, author of the Pulitzer prize-winning *The Prize*, and the follow-up to that work, *The Quest*, has agreed to deliver the keynote address for the evening.

The section continues to offer quality CLE courses, with record-level attendance at its two largest CLE conferences, the one-day Ernest E. Smith Oil, Gas, and Mineral Law Institute, and the two-day Advanced Oil, Gas and Energy Resources Law Course in the fall. The section also continues to participate in UT Law CLE offerings such as Gas and Power, International Upstream Energy Transactions, and Renewable Energy Institutes. A high-quality Section Report continues to be published four times a year, both in print and electronic versions, including hyperlinks to cited cases.

Outreach efforts to law students continue by sponsorship of academic awards to the top students in oil and gas courses at Texas law schools, as well as sponsorship of internships at four energy-related state agencies. The section continues its support of young professionals through the newly formed Young

Professionals Program. Efforts also continue to make updates and improvements to the section website, oilgas.org, and to increase the content of the website and enhance search-engine capability for online resources.

#### PARALEGAL DIVISION

*Joncilee M. Davis, ACP, President*

The Paralegal Division had an amazing year, boasting more than 1,700 members, consisting of active, associate, emeritus, subscribing, student, and sustaining categories.

The division sponsored its Texas Advanced Paralegal Seminar in Dallas Oct. 3-5, 2012, with 220 attendees. The theme was "A First Class Flight to CLE" with more than 60 presenters in over 10 different specialty areas, allowing members to accrue a possible 14 hours of CLE. One evening, attendees assembled tricycles and bicycles for the Texas Scottish Rite Hospital for Children. Throughout the state, individual districts offered 42 hours of CLE and 18 charity or pro bono events.

The division expanded its social media usage with daily posts to Facebook (Paralegal Division of the State Bar of Texas) and Twitter (@TXPD). The Paralegal Division blog (blog.txpd.org) was reactivated.

The Texas Board of Legal Specialization has allowed the division to create a Helpful Hints Guide to taking the TBLS examination for paralegals. This guide was due to be released in June during the Annual Meeting. The 20th anniversary of the creation of the paralegal examinations for TBLS occurs in 2014. The division hopes this guide helps paralegals prepare for the examination and helps to increase the number of test applicants across the state.

As a way of allowing our members to show their pride in their membership in the division, the board of directors adopted the following template to be used on email correspondence, subject to their employers' approval: Please visit our website at [www.txpd.org](http://www.txpd.org) for more information.

#### REAL ESTATE, PROBATE, AND TRUST LAW

*Robert "Doc" Watson, Chair*

The Real Estate, Probate, and Trust Law Section is providing a new benefit for our section members beginning with the 2013-2014 bar year. The section has arranged to fund an additional \$25 discount for members attending selected CLE programs provided by TexasBarCLE. This is in addition to the \$25 discount that members currently receive. Please watch for the TexasBarCLE program advertisements for more details. The discount will not apply to all programs provided by TexasBarCLE.

The section's Public Service Committee selected five programs this year to receive almost \$40,000 in grants. They are the Texas Access to Justice Commission, Texas Rio Grande Legal Aid, Texas Community Building with Attorney Resources (Texas C-BAR), Legal Aid of NorthWest Texas, and the Randall O. Sorrels Legal Clinics-South Texas College of Law. These grants will fund worthwhile services across the state to assist low-income residents and pro bono projects in the real estate, probate, and trust law areas.

The Real Estate Division proposed legislation of technical corrections to the Texas Assignment of Rents Act, and the Probate and Trust Division proposed legislation concerning amendments to the Texas Trust Code and the probate and guardianship provisions of the Estates Code. Both divisions monitored other proposed legislation that could affect our areas of law and that would be of interest to our section members.

Awards were made this year in our law school writing competition and many other activities were accomplished, but space limitations prohibit their publication.

## SCHOOL LAW

*S. Anthony Safi, Chair*

The School Law Section hosted its 26th Annual School Law Retreat at the Hyatt Regency Lost Pines Resort on July 13-14, 2012. The annual retreat presents quality CLE in an informal setting, in which school law practitioners from across the state congregate. The membership amended the section bylaws to provide for the Kelly Frels Lifetime Achievement Award. The inaugural award was presented to Kelly Frels of Houston, a pioneer of modern school law in Texas, a mentor to many school law practitioners, a chair of the section during its formative years, and a past president of the State Bar.

The section's 27th Annual School Law Retreat is scheduled for July 19-20, 2013, at the Hyatt Regency Hill Country Resort west of San Antonio. The retreat will include two mornings of continuing legal education, along with the annual Tom Garner Memorial Golf Tournament, named after one of the founding members of the section. This year's Lifetime Achievement Award will be presented to Jefferson K. "Jay" Brim of Austin, a former section chair who has distinguished himself over the years in his representation of school employees and by mentoring section members and contributing significantly to their continuing legal education.

The section's website, [schoollaw.section.org](http://schoollaw.section.org), features the section's newsletter, date book, membership roster, and various useful links. Additional features are scheduled to be added to the website during 2013-2014 under the leadership of the incoming section chair, Michael J. Currie of Austin.

## TAXATION

*Tina R. Green, Chair*

This year has been another productive and eventful year for the Taxation Section. The section graduated its first inaugural class of 19 participants in the Leadership Academy. The purpose of the program is to assist young tax lawyers in the development of leadership skills and provide an opportunity to network with other tax lawyers throughout the state.

The section's committee on government submissions prepared and submitted five significant comment projects addressing changes to the Internal Revenue Code, Treasury Regulations, and U.S. Tax Court Rules with four additional pending comments in process. In addition, three comments were submitted to the Texas Comptroller of Public Accounts concerning various state and local tax issues.

The section continued its award-winning pro bono program of assisting pro se litigants during U.S. Tax Court Calendar Calls throughout Texas.

The section continues to add to its 24/7 online CLE webcast library, available on the section's website, [texassection.org](http://texassection.org). See the recently added Texas Tax Legends videotaped interviews with Emily Parker and Professor Stanley Johanson, now posted on the website.

The section continues its long-standing live CLE events, including an outstanding lineup for the Tax Section Annual Meeting that will include former IRS Commissioner Douglas Shulman and Kathryn Keneally, assistant attorney general to the Department of Justice Tax Division. In addition, the 2013 advanced tax law course is scheduled to be held in August in Houston.

The section's electronically published newsletter, *The Texas Tax Lawyer*, is available on the section's website and includes articles of interest, as well as a practitioner's corner with forms and other useful information.

The section's law school outreach program holds luncheons each year at law schools throughout Texas, which this year included Southern Methodist University Dedman School of Law, University of Texas School of Law, University of Houston Law Center, and Texas Tech University School of Law. The section also sponsors a law school student paper competition each year.

Finally, the section selected Professor Emeritus Ira Shepard as the recipient of the 2013 Outstanding Texas Tax Lawyer Award. Professor Shepard is the 10th lawyer selected to receive this prestigious award.

## WOMEN AND THE LAW

*Alison Colvin, Chair*

The section continues to grow, and we are now classified as a medium-size section. Congratulations to our chair, Alison Colvin, who was elected as a section representative to the board of directors of the State Bar. We held our annual CLE and reception at the Annual Meeting in June 2013. Of interest to all women was the CLE on Finding Balance: Strategies for an Ethical Law Practice. We also continued to participate in the Diversity Forum and for the first time the Health Law Section Breast Cancer Awareness Workshop at the Annual Meeting. The Healthcare Roundtable is ready to go on the road. The section's newsletter has continued to offer articles of interest to women. The section's website is getting an update. This year our Sarah T. Hughes Award goes to Justice Nancy Atlas and the Ma'at Justice Award (renamed this year in memory of Louise B. Raggio) goes to the Human Rights Initiative. A Chair's Award has been established and will be named the Barbara Culver Clack Award, honoring the first chair of our section. As always, we are working with other State Bar sections to promote the interests and causes of women.

## WORKERS' COMPENSATION

*Joe R. Anderson, Chair*

The Workers' Compensation Section continues to roll along this year by increasing its membership and publishing its newsletter. Ken Wrobel, a hearing officer with the Texas Department of Insurance, Division of Workers' Compensation, in Fort Worth, has graciously and valiantly served as the newsletter editor. Also, John Gibson, a claimant's attorney of Lubbock, and LeeAnna Gainer Mask, a carrier's

attorney of San Antonio, have stepped up to the plate as associate editors. Also, Maggie Knott is into her first year of serving as a website editor. The membership continues to use the section's Listserv to communicate on a variety of topics.

The section co-sponsored the State Bar's 2012 advanced workers' compensation seminar. In connection with the seminar, the annual golf tournament was held. The funds that were raised were donated to charities that have a direct connection to our section members. This year, for a change of pace and due in part to the Texas heat, we will be doing an indoor activity. In conjunction with the 2013 advanced workers' compensation seminar, which is Aug. 15-16, 2013, the section will be co-sponsoring a casino night. Finally, we have listened to those section members who were wise enough not to join those of us who baked in the sweltering Texas sun while playing golf.

My term as chair of the section is drawing to a close, and the torch will be passed to the talented and capable Michael Sprain, a claimant's attorney of Houston.  
TBJ