

From: [Royal Furgeson](#)
To: [Joe Longley](#); 552.1176 ; 552.1176 ; 552.1176 ; trey.apfell@texasbar.com
Subject: US Supreme Court Ruling in Janus Case
Date: Friday, December 14, 2018 5:52:53 PM

Dear Friends:

I wasn't sure who to write, so I am writing all of you.

First, thanks for your work for the lawyers of Texas. It matters. I appreciate your stewardship and the stewardship of those who have come before you.

Second, I am a big believer in the unified, organized bar and have become concerned that our own Texas Bar may soon face a stiff challenge to our present structure, in light of the Janus case that was recently handed down by the US Supreme Court. Its ramifications are unclear, but it may foreshadow significant difficulties ahead for us as an organization. I urge you to analyze the case and our bar structure to determine if we need to get ahead of the curve, to be proactive in our planning, so that we are ready for whatever comes.

Third, and to that end, I respectfully recommend that you commission our General Counsel Ross Fischer to undertake all steps necessary to provide legal advice to you about how to get the State Bar ready for all eventualities that might flow from possible changes in the law in this area, to include (1) submitting amicus briefs to lower courts and (2) possibly restructuring certain impacted portions of our organization.

I hope that you do not view my suggestion as presumptuous. You may already be ahead of me on this issue, and if so, I am grateful. You may have also decide to proceed in another way. Regardless, I see this as an important looming challenge for us and look forward to your response.

With best wishes,

Royal

Judge (Ret) Royal Furgeson
552.1176