



2020-2021 STATE BAR OF TEXAS

SECTION REPORTS

Section reports are included in the July/August issue of the *Texas Bar Journal* to update Texas lawyers on State Bar section activities. Section membership and dues are voluntary. These reports do not necessarily reflect the position or official policy of the State Bar of Texas, which is formulated by the State Bar Board of Directors or by the membership through referendum. For more information or to join a section, go to texasbar.com/sections or call 800-204-2222, ext. 1420.

ADMINISTRATIVE AND PUBLIC LAW

Bill Dugat, Chair

The section dealt with the COVID-19 pandemic by conducting its flagship programs in a virtual fashion. First, an all-virtual 2020 Advanced Texas Administrative Law Seminar, co-sponsored by the University of Texas School of Law Continuing Legal Education, was held September 3-4, 2020, via live webcast. The 2021 Annual Seminar will be September 9-10, 2021. The seminar will be a live webcast. The preliminary agenda includes 12.75 hours of CLE credit with two hours of ethics. Please check the UTCLE website for any changes in plans. Like the seminar, the section conducted its annual Mack Kidd Administrative Law Moot Court Competition in a virtual manner. The moot court competition introduces students from Texas law schools to administrative law and provides experience in brief writing and oral argument before higher court justices and experienced administrative law practitioners. In 2020, nine teams participated with Baylor Law School providing the winning team in a championship round argued before Justices Thomas Baker, Chari Kelly, and Edward Smith of the 3rd Court of Appeals in Austin. The 2021 competition is scheduled October 22-23.

AFRICAN-AMERICAN LAWYERS

Rudolph "Rudy" Metayer, Chair

COVID-19. A recession that wiped away 40% of Black-owned businesses. George Floyd's murder. All three framed the bar year for the African-American Lawyers Section. Consequently, the council members hit the ground running to address issues that didn't just disproportionately impact Black Texas lawyers, but Black Texans as a whole. AALS engaged and formed a relationship with the Texas Municipal Police Association, Dallas and Houston police associations, and Texas State Troopers. A weekly Facebook Live event was forged about the issues affecting law enforcement and the communities they serve. AALS responded to the

comments of State Bar of Texas President Larry McDougal concerning the Black Lives Matter movement. This response caused a ripple effect across the bar, which led to honest dialogue regarding the bar's role in addressing biases that many were unconscious of. AALS then held a town hall for lawyers to speak about the issues. Finally, AALS held an event with Austin Black Physicians Association about the facts and myths regarding COVID-19 vaccines. In extraordinary times, AALS went through extraordinary means to serve the citizens of our great state.

ALTERNATIVE DISPUTE RESOLUTION

Gene Roberts Jr., Chair

The ADR Section continued its active mission of educating the public about alternative forms of dispute resolution. For 2020-2021, the ADR Section:

- Revised its website;
- Hosted its annual Advanced ADR CLE with topics including an arbitration law update, civility, family law mediation, personality-driven approaches to mediation, the Conciliation and Arbitration Board, consumer arbitrations, and practice tips for remote mediations and arbitrations;
- Named Elaine Roberts, the executive director of the Dispute Resolution Center of Montgomery County, as the recipient of the Justice Frank G. Evans Award, the section's highest award;
- Participated in the State Bar of Texas' financial audit with success;
- Elected a talented and diverse group of ADR professionals for leadership positions;
- Developed several videos as a public service on ADR-related matters in an era of remote delivery, with topics including child protective services mediations, family law mediations, the soft underbelly of mediating online, and online summary jury trials;
- Published two newsletters with

- substantive issues devoted to arbitration and mediation; and
- Implemented a legislative monitoring program.

ANIMAL LAW

Eric Torberson, Chair

The purpose of the Animal Law Section is twofold. First, to promote and assist members of the profession in the study and understanding of the laws, regulations, and court decisions dealing with legal issues involving animals. Secondly, the section provides a forum for members of the profession to consider and discuss the legal issues involved in human relationships with animals and improving how we coexist. The 2020-2021 officers and council come from a broad range of legal backgrounds. Their interest and dedication to animal law continues to keep the Animal Law Section aware of key issues. As of the writing of this summary, the section has a successful online CLE about service animals. Another CLE is scheduled and will cover animal law bills filed during the 2021 legislative session. Free online video CLEs will be available to section members on animallawsection.org. Most importantly, the Listserv is a tremendous asset to Animal Law Section members. Animal law issue deadlines can approach quickly and many times need a rapid response. The listserv helps lawyers handle local animal matters across the vast state of Texas. Being a voice for the voiceless is a privilege and an obligation to the section.

ANTITRUST AND BUSINESS LITIGATION

Thomas York, Chair

The Antitrust and Business Litigation Section is an organization of Texas lawyers who focus on antitrust law compliance, enforcement, and complex litigation affecting Texas. This year, the section continued its tradition of supporting initiatives promoting pro bono legal services, lawyer assistance, and antitrust-focused legal education. The section carried out this tradition by making donations for a scholarship at Baylor Law School, charitable gifts to the Texas Access to Justice Foundation and

the Sheeran-Crowley Trust, and a paid internship for a law student to work at the Antitrust Division of the Office of the Texas Attorney General. The section also awards its annual Distinguished Counselor Award to recognize service to the section, excellence in antitrust and business litigation, and high professionalism and ethical standards, to be given at the Annual Meeting.

APPELLATE

Jerry D. Bullard, Chair

The section happily reports that, even in the midst of a pandemic, it used remote technology in new and creative ways to serve members and reach practitioners in diverse practice groups and geographical areas. For example, the section co-sponsored webcasts with the Texas Supreme Court and the Texas Court of Criminal Appeals that generated the most views of any single event on their respective YouTube channels. The Diversity Committee hosted outstanding virtual CLE events that attracted participants from across the state. The section also continued to provide benefits to section members free of charge, such as more than 17 hours of online CLE videos, hundreds of online appellate CLE articles, the *Appellate Advocate*, and dozens of video interviews with former appellate justices. Members also take part in the section's pro bono initiative and the multitude of section committees. The section's success is due to the hard work of many volunteers participating in a range of projects. If you are not already involved in the section, visit the website to see all that the section does and to join: tex-app.org.

ASIAN PACIFIC INTEREST

Jim Thomas, Chair

The Asian Pacific Interest Section, or APIS, continued to advocate and promote the professional interests of the Asian-Pacific American community in the midst of the pandemic. Though hosting virtual events have been challenging, APIS has used the virtual environment as an opportunity to include panelists from across the country. APIS panels have included APA Women Charting Successful Career Paths, Law Firm and In-House Interview

Tips, Review of Attempts to Disenfranchise Mail-In Votes in Texas, Conducting Hearings and Trials During a Pandemic, and Supporting Your Clients in the Age of COVID-19. APIS has also formed a partnership with Asia Society Texas Center to cohost cultural events in 2021. The section appreciates the continued support of its sponsors and encourages its members to monitor the section's website that features published newsletters highlighting accomplishments of its members and other notable events in the community. Additionally, APIS has cosigned statements with other affiliate groups in recognizing the increased verbal assaults, physical attacks, and threats to the Asian American community. APIS will continue to stand in solidarity with these organizations to stop the spread of anti-Asian violence and stand together against racism toward Asians and any other race or community of individuals. #StopAsianHate

AVIATION LAW

Peter Busher, Chair

The Aviation Law Section began the year with the Annual Meeting, held virtually via Zoom on June 25, 2020. This year the scholarship award went to Megan Greer, a student at Texas Tech University School of Law, for her brief on *Siegel v. Administrator of the Federal Aviation Administration and the National Transportation Safety Board*. Wayne Fagan was recognized for his pro bono work. Christa Hinckley's videotaped CLE presentation was made available at the State Bar of Texas Annual Meeting On Demand website. The following officers and at-large members for 2020-2021 were elected: Peter Busher, chair; Hinckley, vice chair; Greg Reigel, treasurer; Bryan David, secretary; Kerry Adams, newsletter/membership; and at-large members Derrick Hahn, Kristin Newman, Stella Dulanya, Tressie McKeon, Don Windle, and Caitlyn Goodwin. The Aviation Law Section held monthly CLE's via Zoom presented by Dulanya, Reigel, Hinckley, Glenn Vallach, Andrea Palmer, and McKeon. These are available on the section's website (AviationLawTX.com/CLE-Video-Library). On February 5, 2021, at

a meeting with the Texas Board of Legal Specialization, it was decided that the application for specialization will be redrafted and bifurcated into "aviation litigation" and "aviation regulatory and transactional."

BANKRUPTCY LAW

Judge Joshua P. Searcy, Chair

The past year was one of great changes for bankruptcy practitioners. In February 2020, the Small Business Reorganization Act became effective. SBRA created new Subchapter V of Chapter 11 of the Bankruptcy Code, streamlining Chapter 11 reorganizations for certain small business debtors. Shortly thereafter, the Coronavirus Aid, Relief, and Economic Security, or CARES, Act expanded these new provisions by temporarily increasing the debt limit in Subchapter V cases. Unprecedented economic conditions due to the COVID-19 pandemic caused a surge in business filings and a lull in consumer filings. The section continued providing value to its members, including pro bono clinics and the Elliott Cup moot court competition for law students. The section replaced its beloved Listserv, established a diversity and inclusion subcommittee, and created educational opportunities for bankruptcy lawyers and the public, such as the Bankruptcy Bench Bar conference that was held virtually on April 8-9, 2021. Another is a series of webinars offered free to members, addressing business and consumer bankruptcy topics. Bankruptcy law is an important practice area likely to become even more critical in the future. The section remains committed to bringing members the best possible benefits to support and advance the practice of bankruptcy law in Texas.

BUSINESS LAW

Frank Zane Ruttenberg, Chair

The State Bar of Texas Business Law Section has a broad reach into all aspects of commercial law in Texas. Through the involvement of its members and the leadership of its council and committee members, the section engages in robust discussion of the laws that affect business activity within our state. Through the active engagement of many members

over the past year, the section provided invaluable resources in the fields of corporate, securities, commercial, banking, and bankruptcy law for attorneys in Texas. Current committees include those that address general aspects of commercial law but also include dynamic new areas that discuss the laws on, and relating to, blockchain, virtual currencies, and social media. The section is also actively engaged in the review of the laws of other states which, like Texas, may have a significant impact on commerce in an effort to ensure our state's leadership maintains prominence as a leading jurisdiction for commerce. Members also organized and presented numerous continuing legal education programs on relevant topics that were, once again, considered among the highest quality in the country.

CHILD PROTECTION LAW

Tiffany Elizabeth Crouch Bartlett, Chair

The Child Protection Law Section keeps growing and is fast becoming one of the State Bar's most active sections. The Advanced Child Protection Law Seminar, broadcast online April 1-2, was a tremendous success. The legendary Dr. Bruce Perry kicked off the event as the keynote speaker, focusing on trauma informed care with a critical examination of the overuse of prescription medications for our state's most vulnerable children. The section and its members have worked diligently over the past year to provide more education and to open the dialogue in child welfare practice, examining the pandemic and ongoing racial disparity as well as how trauma affects children. Some of the CLE webinars included Handling Your CPS Cases During a Pandemic; Advocacy Tips: Dealing with Racial Disparities in Child Welfare Cases; Recent Supreme Court Cases Child Protection Attorneys Should Know; My Life in Foster Care: Was Race a Factor? with Zoe Jones-Walton; Prevention and Intervention Before Removal: The Role of Lawyers; and Making History with the First Termination Jury Trial by Zoom. The Child Protection Law Section hopes to build an architecture of education and critical thinking for child welfare attorneys and judges for both the

immediate and distant future.

CIVIL LIBERTIES & CIVIL RIGHTS

Jennifer Mathis Michalewicz, Chair

Despite the complications caused by COVID-19, the Civil Liberties & Civil Rights Section had another fantastic year thanks to the hard work of the section's members. The section continued its efforts to promote discussion regarding constitutional issues and civil liberties and civil rights, which are of ever-increasing importance in the nation. To that end, the section co-hosted the 15th annual Bill of Rights Course on May 14, 2021, virtually as it was last year. The section is pleased to announce that the 2021 recipient of the Patrick Wiseman Award for Civil Rights is Thomas Leatherbury, of Vinson & Elkins in Dallas. The section has two new council members, and there is an abundance of opportunities for section members to get involved. If you are not a section member yet, please join.

COLLABORATIVE LAW

Laura R. Schlenker, Chair

The Collaborative Law Section had an outstanding year thanks to the hard work and passion of its council and members. The pandemic created opportunity for innovation in online collaborative law process models. It did not stop Texas lawyers and professionals from attending the 21st Annual Collaborative Law Course in March 2021, presented virtually. The section increased member benefits by resuming publication of member newsletters and producing its first webinar CLE program in April 2021, free to members. The section began sponsoring a groundbreaking study group, the "CL/ADR Innovations Workgroup," whose mission is to design enhancements to dispute resolution processes to make them more accessible, financially feasible, and attractive to a broader range of clients, both family and civil. The new website, CollaborativeLawSection.com, debuts in the summer of 2021. Last year's highly anticipated program by The Likeable Lawyer team has been rescheduled to an interactive, virtual format in July 2021.

It will spotlight techniques from improvisational acting and expansive negotiation to equip collaborative attorneys to "further enlarge the pie," so that every stakeholder gets more of what they want. Sadly, the section mourned the loss of its beloved vice chair, colleague, and friend, Ruth L. Rickard, in December 2020.

COMPUTER & TECHNOLOGY

Shawn Tuma, Chair

The Computer & Technology Section had another outstanding year thanks to the dedication and hard work of the section's membership. The section's mission is to educate and involve the legal profession in and about the use and law of computer and information technology. With the COVID-19 pandemic, the section has been perfectly poised to help lawyers adjust to the transformation of how we live and work by leveraging technology to practice law from remote environments. For the fourth consecutive year, the section sponsored "With Technology and Justice for All CLE." The conference theme was "Vaccinating Your Technology Tools for Practice in a Pandemic" and, though it was held virtually for the first time, the presentations were excellent. The section publishes *Circuits*, a quarterly eJournal; provides speakers for live webcasts on tech-related topics; and has videos on its series titled Tech Bytes, which is available to all Texas lawyers at texasbar.com/tech-resources. Section members continue to enjoy the Texas Legal App, which provides access to Texas rules and codes with links to caselaw. The section also sponsors the Adaptable Lawyer Track and a section general membership meeting at the Annual Meeting. For more information, contact the administrator at admin@sbot.org.

CONSTRUCTION LAW

Laird Lawrence, Chair

The Construction Law Section focuses on continuing education for its 2,600 members through its CLE programs and scholarly publications. In addition to serving as a joint sponsor of two significant CLE programs, the section publishes the *Construction Law Journal* semi-annually, publishes a highly

regarded monthly caselaw update known as the “Change Order,” and provides webinars on timely topics for its members. The section proudly supports the Texas Access to Justice Foundation and will donate \$40,000 this year to provide much-needed funds for legal services to low-income Texans. The annual Basics Course in Construction Law was held virtually on December 10-11, 2020. The 138 attendees learned about a variety of introductory topics and received updated materials. Another 750 attendees at the 34rd annual Construction Law Conference, held virtually on March 4-5, 2021, heard presentations on cutting-edge legal and industry topics. The section selected the Construction Education Foundation, or CEF, as the designated charity this year and will be donating \$12,500. CEF is a nonprofit organization that has trained thousands of skilled laborers and supervisors for the construction industry.

CONSUMER & COMMERCIAL LAW

Paula Pierce, Chair

The Consumer & Commercial Law Section completed extensive upgrades to txconsumerlawyers.org this year including adding COVID-19 resources for consumers and attorneys. The section passed its financial audit thanks to the efforts of Rhonda Bridges and the 2019-2020 treasurers Gregg Stevens and Karen Neeley. The 16th annual Advanced Consumer & Commercial Law course was webcast in August 2020 and was well attended and well received. Jon Michael Smith gave the second annual Mark Kincaid Memorial Lecture on Insurance Law, and Austin attorney Carlos Soltero won the Richard Alderman Award for CLE Excellence. The 17th annual Advanced Consumer & Commercial Law course will be held September 23-24, 2021. Although the section was unable to meet in person, it presented a short virtual annual meeting CLE. Congratulations to this year’s Craig Jordan Writing Competition winner Cole F. Watson, of Texas A&M University School of Law, for his article “Protecting Children in the Frontier of Surveillance Capitalism.” Finally, section members continue to receive the

acclaimed *Journal of Consumer & Commercial Law*, edited by Richard Alderman and published by the University of Houston Law Center; the Lexology news feed; and discounted attendance at section CLE programs.

CORPORATE COUNSEL

T. Jason Smith, Chair

While this year has been unlike any other in the history of this section, membership remains one of the largest in the bar and the section continues to deliver on its mission and objectives. Since 1997, the section has awarded more than \$800,000 in pro bono grants, and the section encourages law firms to consider being a champion of pro bono to provide more opportunities for in-house counsel to support pro bono organizations throughout Texas. The section is working to increase corporate counsel pro bono efforts through the bar’s Pro Bono Working Group. Diversity, equity, and inclusion are more than just words for the Corporate Counsel Section. The section has also committed to improving diversity, equity, and inclusion by forming a new DEI Committee that will create CLEs, scholarships, and other opportunities to advance not only awareness but also actual activities that will result in tangible improvements. The first step was to become a signatory to EQUAL in LEGAL, a global community of organizations committed to learning from each other, connecting people, and making the world better for everyone. Go to the newly redesigned website at texascorporatocounsel.com for more information and consider joining the section today.

CRIMINAL JUSTICE

Dwight McDonald, Chair

The Criminal Justice Section’s mission is to promote collaboration between judges, prosecutors, and defense lawyers to benefit the criminal justice system. This past year has been difficult for everyone, including members. The section has tried to balance the needs of those incarcerated and awaiting trial while acknowledging the health risks posed by COVID-19. To support members, the Criminal Justice Section

Council provided masks to all its nearly 4,000 members last year. The section also hosted a panel discussion on Zoom regarding how the pandemic was affecting the criminal justice system in Texas as part of the State Bar of Texas Annual Meeting. To maintain the section’s commitment to providing low-cost CLE opportunities to lawyers in underserved regions, CJS had scheduled a CLE in Waco before it was canceled due to COVID-19. CJS continues to provide scholarships to its members who attend the Advanced Criminal Law Seminar, Advanced Criminal Law Boot Camp, the Texas Criminal Defense Lawyers Association Rusty Duncan Criminal Law Seminar, and the Texas District and County Attorneys Association Criminal & Civil Law Conference as well as allowing free CJS membership for lawyers in their first two years of practice.

ENTERTAINMENT AND SPORTS LAW

Melissa G. Thrailkill, Chair

TESLAW had a busy year, despite all the changes. The website committee worked to launch a new website for membership. TESLAW’s Legislative Committee successfully proposed legislation as part of the State Bar of Texas’ legislative package. The section’s proposed bill passed the Texas Legislature and was sent to the governor on June 1. The section continued to provide members a benefit with the quarterly newsletter and *Texas Entertainment and Sports Law Journal*, which highlights members and their work and provides timely content and practice documents for members’ use. The section is always looking for those who wish to publish or get involved in the section’s education and CLE efforts. Additionally, the Entertainment Law Institute continued to provide stellar education despite changing to an online format, and it also worked with the bar to provide members content during the online annual meeting last year. The section is planning more CLE content for members and is prepared to go live when the time is right. Finally, with the surplus in budget due to lack of expenses during COVID-19, TESLAW is looking

to find ways to fund grants for organizations and advocates helping artists and others affected by the pandemic.

ENVIRONMENTAL & NATURAL RESOURCES LAW

David Klein, Chair

Throughout this past year, the ENRLS has been hard at work carrying on the important work of the section. The section has not let COVID-19 or Winter Storm Uri get in the way. In August 2020, ENRLS managed to host its 32nd annual Environmental Superconference, virtually, which was once again a success, bringing in high-quality speakers and obtaining sponsorships to fund the section's Buck J. Wynne Memorial Scholarship program. The ENRLS is also proud to report that not only has the section continued to publish the *Texas Environmental Law Journal* on its regular schedule, but it also is celebrating its 50th year of issuing this important publication. Interestingly, COVID-19 has been the impetus for the ENRLS to improve upon its annual law school event, as there have been two virtual meetings that were made available to multiple law schools. These events were a success, as environmental attorneys interacted with law students who have an interest in environmental law. Last, the ENRLS has established two new committees: the Diversity, Engagement, and Inclusion Committee and the Social Media Committee. These two new committees aim to improve upon all of the excellent work that the ENRLS is already producing.

FAMILY LAW

Kristal C. Thomson, Chair

The mission of the Family Law Section is "to promote the highest degree of professionalism, education, fellowship, and excellence in the practice of family law." The section has a long history of fulfilling this mission, primarily in three areas: top-quality CLE, robust committee work, and producing practical family law publications. Despite the roadblocks presented during the past year, the section proudly continued its service to

the mission with great success. The section continued the tradition of excellent committee work, and many goals were met and exceeded by our volunteer committee members. The section also continued its invaluable partnership with TexasBarCLE to produce some of the nation's best family law CLE. All of the course directors and their committees did outstanding work transforming to the virtual CLE format. Additionally, the section continued to publish practical practice tools for family lawyers, including the *Predicates Manual*, the *Family Lawyer's Essential Toolkit*, and the original "formbook," the *Texas Family Law Practice Manual*. These are invaluable resources for family lawyers, considering the formbook was quickly updated as various needs arose during the pandemic. All of this information is available at sbotfam.org. If you are already a member, thank you. If not, please join!

GENERAL PRACTICE, SOLO AND SMALL FIRM

Ron Bunch, Chair

It has been a crazy year, but the section is still strong. Lawyers across the state are surviving and adapting to some new ways to practice law. Well over one-third of Texas lawyers in private practice are solos or in small firms (five or less). The section encompasses many areas of law, tries to stay up-to-date on State Bar activities, and works to promote policies that are helpful to solos and small firms. Among other things, the section regularly publishes a *General Practice Digest*, sponsors the Annual General Practice Institute at Baylor Law School, and hosts a popular CLE event at the State Bar Annual Meeting. The section has some other projects in the works but let the section know how it can help you.

GOVERNMENT LAW

Kuruvilla Oommen, Chair

The Government Law Section provides resources and services for its members who represent governmental entities across the state. The section continues to provide a monthly e-blast to its members with caselaw updates, a timely article, and a list of CLEs for

government lawyers. The section is continuing to work on an initiative to explore establishing legal specialization in local government law to recognize the distinct practice area and the breadth of knowledge required for practitioners. This year, the section's other initiative is to produce webinar CLEs for its members and other government lawyers. The section is cohosting the well-received Annual Advanced Government Law and Government Law 101 courses virtually on July 28-30, 2021. Speakers plan to present foundational topics for new government lawyers as well as materials for seasoned practitioners, including a legislative update and other hot topics in government law.

HEALTH LAW

Fletcher H. Brown, Chair

The Health Law Section continues to focus on creating a better understanding and cooperation among attorneys and other professions involved in the health care industry, including attorneys who represent hospitals, doctors, and life sciences industries. On January 14, 2021, the section provided a webinar titled "End of Life Update and Considerations." The section is planning the 34th annual Texas Health Law Conference. For more information, go to texhealthlaw.org. The conference, which offers an estimated 13 hours of quality health law CLE, is co-sponsored by the Texas Hospital Association and is scheduled for October 10-12, 2021, at the AT&T Hotel and Conference Center in Austin. The section is hopeful that an in-person conference will be possible but is also planning to offer a virtual option for this event. The section will be monitoring the circumstances surrounding the COVID-19 pandemic. Major initiatives of the section include recruiting and attracting future talent by offering opportunities for law school students to learn more about the practice of health law. The section also provides a weekly e-newsletter for all members that tracks proposed and adopted health law-related rules and regulations published in the *Texas Register*. Finally, the section is planning an upgrade of its website.

HISPANIC ISSUES

Judge Victor Villarreal, Chair

“Raising the Bar” was the aspirational goal for the Hispanic Issues Section, or HIS, last year. Knowing that challenges create opportunities, HIS undertook innovative programs and strategies for the benefit of section members and Hispanic communities in Texas. The results: The first statewide HIS fundraiser, “LAWteria,” that raised funds for access to justice organizations. Over \$40,000 was raised, and more importantly, access to justice was provided to people negatively impacted by COVID-19 who could not afford legal services. HIS initiated monthly CLEs via Zoom for its members. Over 1,200 people have attended, and HIS has provided just as many CLE hours. HIS has engaged with other minority State Bar of Texas sections—the “affinity groups”—including the LGBT Law Section, the Asian Pacific Interest Section, Diversity in the Profession Committee, Native American Law Section, Texas Minority Counsel Program, and Women and the Law Section. The joint collaboration resulted in focus by the State Bar of Texas Board of Directors on diversity and inclusion issues. All HIS initiatives this year are possible because of engaged, united members and strong efforts by HIS council members who are dedicated to service and innovation. Count on HIS to continue “Raising the Bar.”

IMMIGRATION & NATIONALITY LAW

Matthew Myers, Chair

The Immigration & Nationality Law Section was greatly impacted by the constant changes in immigration laws and practice associated with the government’s response to the pandemic, the restrictions on international travel, and the U.S. presidential election. The section met challenges and greatly exceeded expectations, creating new benefits for members, which may become staple benefits of section membership. Over the past year, the section has successfully implemented quarterly update bulletins, fourth Tuesday monthly lunch CLEs, and website updates to provide a CLE bank

and pro bono resources. The section partnered for the second straight year with the Family Law Section to present a joint CLE, free to members of both sections, titled “The Intersection of Immigration and Family Law.” The section welcomes the opportunity to partner with other sections and local bar associations on CLE events, and it continues to solicit opinions and guidance from members on how it can provide more value, in addition to existing writing, speaking, volunteer, and free CLE opportunities.

INSURANCE LAW

Pamella A. Hopper, Chair

The Insurance Law Section continues to improve the services it provides to members, even in the midst of the pandemic. The virtual format has allowed the council to hold more frequent meetings, along with mentoring and networking happy hours for lawyers across the state. The section continues to publish the *Journal of Texas Insurance Law*, the preeminent law journal dedicated to Texas insurance law, and the weekly “Right Off The Press” emails that provide summaries and links to the most recent Texas state and federal insurance law decisions and current listings of insurance-related employment opportunities. The section’s website, insurancelawsection.org, also continues to offer new content. The section remains dedicated to providing quality CLE through webinars on cutting-edge issues and looks forward to presenting its annual Advanced Insurance Law Course and Casino Night live at the Hyatt Regency Hill Country Resort and Spa in San Antonio September 29-October 1. The section held its inaugural Texas Insurance Law Student Writing Competition, in which students from all 10 accredited Texas law schools were asked to submit articles on insurance-related topics. The section awarded scholarships to the winners of the competition, whom it will recognize at the Advanced Insurance Law Course this fall.

INTELLECTUAL PROPERTY LAW

Leisa Talbert Peschel, Chair

This year the IP Law Section has continued to educate, connect, and serve

its members and the IP community in Texas through virtual meetings. The Advanced IP Litigation course was held October 15-16, 2020, and the Advanced IP course was held February 3-5, 2021. To celebrate the upcoming 75th anniversary of the Lanham Act, the IP Law Section planned a number of events and commissioned a documentary and traveling exhibit in collaboration with the U.S. Patent and Trademark Office and Texas Intellectual Property Law Foundation. On June 17, 2021, the IP Law Section in collaboration with the USPTO presented a virtual version of its annual Trademark Bootcamp, *Nuts and Bolts of Trademark Law and TTAB Practice*. The two-part session was held virtually and featured live oral hearings and arguments before the Trademark Trial and Appeal Board. On June 18, the IP Law Section presented a blockbuster CLE program. Over lunch, the IP Law Section held its virtual Annual Meeting, where David Gooder, U.S. commissioner for trademarks, was the IP Law Section’s keynote speaker.

INTERNATIONAL LAW

Karla Pascarella, Chair

The International Law Section more than met the challenges brought by the pandemic, sudden economic downturn, and a rapidly changing political landscape. Thanks to the engagement of a strong council and a team approach, the section completed the audit process, adopted updated standards for its recordkeeping, and quickly and successfully transitioned its benefits to the membership to a range of virtual education programs. Additionally, the International Human Rights Committee continues to provide guidance to lawyers regarding international human rights through a variety of CLE opportunities, taking advantage of virtual platforms. International Human Rights Day activities continue to draw participants from around the country and the world. This year, the section achieved a long-term goal of submitting suggestions for human rights considerations to be included in the Texas Disciplinary Rules of Professional Conduct. The section continues to be a resource for

pro bono opportunities focusing on human rights and articles on the topic through its annual writing competition (in partnership with the ILS newsletter). The section quickly made changes to allow members to continue learning, meeting, and connecting. As a result, the section kept its budget balanced, maintained membership, and evolved into an even more nimble, responsive, and relevant section.

JUDICIAL

Judge Les Hatch, Chair

My predecessor, Justice Gina Benavides, penned this update last year discussing the unknown, if not scary, world that awaited us. As she predicted, the courts rose to the occasion. The Texas Supreme Court and Court of Criminal Appeals immediately issued orders authorizing courts to change deadlines and provide for remote proceedings. David Slayton and the Office of Court Administration ramped up the acquisition of Zoom licenses for all the courts. To date, over one million Zoom hearings have transpired in Texas. As Chief Justice Nathan L. Hecht recently noted, participation rates in high-volume dockets like child custody and traffic cases flipped from approximately 80% no-shows to 80% appearances through online access. Unfortunately, the jury trial did not fare as well. The risk of infection and fear of the disease were incompatible with the mandatory component of jury service. Although some judges bravely ventured into online jury trials, most encountered parties and attorneys who preferred to wait. The result was approximately 240 jury trials from March 2020 to March 2021 compared to 9,000 in 2019. The judiciary is committed to clear this backlog, and like its reaction to COVID, I predict success.

JUSTICE OF THE PEACE COURTS

Howard M. Bookstaff, Chair

The Justice of the Peace Courts Section is continuing to work hard. Several board members have been instrumental in providing educational opportunities for section members. During the past year, the section had the

following CLE presentations Justice Court Jurisdiction Increase to \$20,000; Negligence: Auto Accident Cases; Coronavirus Conversation; COVID-19, CDC Order, Supreme Court Orders, and CARES Act; and Premises Liability. The purpose of the section is to further the administration of justice in the justice courts, provide a forum for the exchange of information on matters of practice and procedure in justice courts, provide information and educational opportunities for the membership, and cooperate closely with the State Bar of Texas and other professional organizations in developing, supporting, and promoting legal and professional activities affecting justice of the peace courts. In addition to licensed attorneys in good standing with the State Bar of Texas, membership in the Justice of the Peace Courts Section is open to all current and former Texas justices of the peace. Justices of the peace who are not licensed attorneys can become associate members of the section.

JUVENILE LAW

Patrick Gendron, Chair

The Juvenile Law Section held its 34th annual conference virtually in February 2021. The conference was a great success with over 50% more attendees than previous years. The virtual format provided challenges but opportunities as well. With the use of a special app, conference participants were able to share ideas, exchange information, and interact in ways that are not possible in a simple live session. For the coming year, the section is returning to a live format in San Antonio—February 27-March 2, 2022—but will be incorporating the best aspects of the virtual format into the normal live sessions. The pandemic presented challenges to juvenile practitioners (defense lawyers, prosecutors, probation and state agency officials, judges, and law enforcement) and to the clientele that we all serve. The section has learned some of the benefits of working remotely in a virtual setting and some of the disadvantages. As we get back to the new normal, the section hopes to take the best of the virtual practices and utilize those for the benefit

of all involved and many jurisdictions are already doing just that.

LABOR AND EMPLOYMENT LAW

Shannon B. Schmoyer, Chair

The section includes attorneys who represent employees and employers in workplace issues and is one of the largest sections. In the 2020-2021 bar year, the section provided members with quarterly updates via newsletters concerning the latest court opinions, prepared and edited by law professors who teach labor and employment law. Due to the COVID-19 pandemic, the section changed its CLE to online and provided a series of complimentary webinars on a variety of labor and employment topics. The section is looking forward to returning to a live presentation of its Labor and Employment Law Institute CLE in August 2021. All section members have access to an expanding database of jury charges and verdicts in labor and employment cases in Texas. Additionally, CLE and database materials are available to members via the website. The section hosted virtual meetings with law students around Texas to answer their questions and discuss the choice of labor and employment law as a practice area. The section also funded grants and internships for nonprofit organizations involved in labor and employment law. If you have an interest in labor and employment law, please join.

LAW STUDENT DIVISION

Michelle King, Chair

The Law Student Division met its goal of increasing access to resources for law students. The division partnered with student leaders from across the state to raise awareness about the many events and initiatives available to division members. For a \$15 annual membership fee, law students receive numerous benefits including a student bar card, exclusive scholarship opportunities, free memberships in selected State Bar of Texas sections, a monthly subscription to the *Texas Bar Journal*, and much more. Throughout the past year of trying and uncertain times, members have continued to rely on these resources to help cope with

external stressors and adapt to a unique law school experience.

LEGISLATIVE AND CAMPAIGN LAW

Royce Poinsett, Chair

In its seventh year, the Legislative and Campaign Law Section continues to be one of the fastest growing sections of the State Bar, now with about 450 members. Lawyers in this section practice at the intersection of law, policymaking, and politics. They guide their clients in navigating legal issues involving the operation of legislative institutions and governmental agencies, the regulation of professional lobbying, public integrity and government transparency, state agency appropriations and procurement, and elections and campaign finance. This year the section significantly updated its website, social media presence, newsletters, and publications. The section's LinkedIn page now has close to 200 followers. The section also celebrated the inaugural issue of *Legislative Lawyer*, the new journal of the section. The section's online CLE webinars covered topics such as "Texas Election Law 101," "the Texas Disaster Act," "Legislating During a Pandemic," "COVID and the Courts," and "Introduction to the Texas Legislative Process." The section continues to work with the Texas Board of Legal Specialization to further develop the new certification in legislative and campaign law.

LGBT LAW

Michael Debnam, Chair

The LGBT Law Section began the year at the virtual Annual Meeting in June 2020. Like other organizations, the section had to alter its goals for the year due to COVID-19. The section has a council member sitting on the State Bar's Task Force on Diversity, Equity, and Inclusion, which works to improve diversity through the bar and practice. The section has a section member and council member sitting on the 2021 Civil Rights Course Committee. The section worked with other affinity groups and has met multiple times throughout the year. Along with its sister affinity sections, the section

submitted three letters of recommendation for the open at-large board of director position. The affinity sections also formally responded and condemned State Bar of Texas President Larry McDougal's comments and asked for specific changes. The section co-hosted a free CLE titled "The Truth About Systemic Racism in Society and Understanding Our Personal and Professional Responsibility." The section worked to get its proposed legislation introduced, including House Bill 1037 and Senate Bill 129. The State Bar went through a financial audit this year, and the section's policies all passed. The section adopted the new bar-wide recommended changes to increase oversight and transparency.

LITIGATION

Xavier Rodriguez, Chair

Despite COVID-19, the section continued to excel in its mission of empowering advocates, promoting justice, and preserving the rule of law. The section sponsored two CLE presentations on implicit bias and how it affects decision-making inside and outside the courtroom. The section co-sponsored the Litigation Update Institute, which featured nationally renowned Dean Erwin Chemerinsky, of the University of California, Berkeley School of Law, and the section provided hours of free CLE to members in July, in lieu of the usual Annual Meeting program. The award-winning publication *The Advocate* covered myriad ways the pandemic has changed how we practice and offered perspectives on how practice will evolve in the future. *News for the Bar* provided bimonthly news and short legal takeaways that could be immediately used by practitioners. The legislative committee kept members informed of bills filed that could potentially affect litigators. The section added a new member benefit—a substantial discount to Write.law, an education tool designed for lawyers on every aspect of litigation writing and technology. The section's grant and scholarships continued to assist pro bono providers with much needed funds to hire law student interns and staff to continue their good work.

MILITARY AND VETERANS LAW

Jon Shelburne, Chair

The Military and Veterans Law Section, or MVLS, hosted virtual CLEs and meetings. The response to the pandemic created challenges for all of us not only in how we practice law or try our cases but in how we meet as a section. While the virtual CLEs and meetings have allowed section members to stay connected, the section looks forward to holding its 2021 fall meeting in person—time and place still TBD. MVLS hosted CLEs on updates to the Uniform Code of Military Justice, challenges the Department of Defense faces with cybersecurity, the international legal response to combating terrorism, and the challenges to prosecuting or defending war crimes. At the Annual Meeting, the section's program covered the challenges with using National Guard troops in support of border security, providing VA representation during COVID-19, updates on anticipated or proposed changes in legislation affecting servicemembers and veterans, and an overview of how the U.S. Coast Guard responds to legal challenges in current operations. MVLS welcomes its new officers, Patrick McLain as chair-elect and Julie Glover as vice chair. The section extends special thanks to Bob Goss, its longtime secretary and treasurer, who was recently selected to serve as a section representative to the State Bar Board of Directors.

MUNICIPAL JUDGES

Alan Wayland, Chair

COVID-19 continues to dominate the municipal judges landscape. Emergency orders from the president, governor, Texas Supreme Court and Court of Criminal Appeals, county judges, and mayors have emphasized masking, social distancing, and personal hygiene. With guidance from the Office of Court Administration, all but essential proceedings have become virtual instead of in person. The section also looks to the Texas Municipal Courts Education Center, which has provided excellent guidance. With traditional seminars on hold, both agencies went into overdrive by setting up opportunities not only to

learn remotely but also conduct hearings remotely. The Office of Court Administration equipped every Texas court with Zoom to conduct hearings remotely. Mandatory judicial education was received remotely. McKinney's was the first municipal court to conduct a virtual jury trial. Hopefully, in-person proceedings will resume as Gov. Greg Abbott has removed the mask mandate. Whether the annual section meeting will be conducted remotely, or in person, or some hybrid form of both, the content should be answered soon.

NATIVE AMERICAN LAW

Lisa Tatum, Chair

The Native American Law Section continues in its advocacy of the common professional interest of all those who share an interest in Native American law in Texas. The section held its Annual Business Meeting virtually on August 28, 2020. The 2020-2021 elected officers are Lisa Tatum, chair; Stephen Jon Moss, vice chair; Ruth H. Soucy, secretary; and Sandy McCorquodale, treasurer. The Native American Law Section celebrated the life of one of its founding members, Paul Shunatona, who died September 6, 2020. The section accepted a representative member appointment and is participating in President Sylvia Borunda Firth's Diversity Task Force, helping to assess where the State Bar is and where it might go in the realm of diversity, equity, and inclusion. Section members continue to monitor significant cases impacting Native Americans in Texas. As part of its efforts, the section invites its members and others who have written and are writing substantive articles on Native American law to consider sharing their work with the section through the NALS Newsletter. The Newsletter Committee is co-chaired by Daniel Gomez and Ruth Soucy. The section website is another source of information for events and resources, and it will also feature the NALS Newsletter.

OIL, GAS AND ENERGY RESOURCES LAW

Jeff Weems, Chair

OGERL demonstrated its resilience and drive by expanding its outreach and building its membership during one of the toughest years Texans have faced in a

while. OGERL planned and coordinated another year of some of the most remarkable CLE events in Texas for both the State Bar and UT Law CLE. The Advanced Oil, Gas and Energy Resources Law Course; the Oil and Gas Disputes course; and the Ernest E. Smith Oil, Gas, and Mineral Law Institute were outstanding once again. Of special note was the success of the 16th annual Renewable Energy Law conference, which was "virtually" sold out. OGERL also advances legal scholarship in the energy field by publishing three section reports that contain some of the most detailed, in-depth articles about breaking topics you can find. You can find these articles, along with many other energy-related articles, at the OGERL website, oilgas.org. One of OGERL's best activities is providing scholarships to the top performers in introductory oil and gas courses in Texas law schools and funding internships at numerous Texas agencies that regulate and address our state's energy and power issues. This year OGERL is providing a record level of such scholarships and internships.

PARALEGAL DIVISION

Edna W. Garza-Guerra, President

The June 18-19, 2020, incoming/outgoing board meeting was held via Zoom. This was the first time that officers/directors were virtually sworn in. When the Texas Advanced Paralegal Seminar Planning Committee learned that the State Bar had canceled all live events due to COVID-19, it quickly came up with "E-TAPS 2020—The Home Edition," which was held online on September 16-17, 2020. Attendees were able to enjoy two days of CLEs from home. The 2020 Virtual Annual Meeting was held on September 18 in conjunction with E-TAPS. The ethics speaker was Ellen Lockwood. Attendees received one hour for attending the free CLE. The fall board of directors meeting followed on September 18-19. The 2020 Salary Compensation Survey was completed on October 30. In January 2021, Lisa Pittman (District 12) was elected as the 2021-2022 president-elect. On February 26-27, the Paralegal Division had a winter board meeting in Dallas. The 2021 TAPS will be held at

the Wyndham San Antonio River Walk on September 22-24. The Paralegal Division will be celebrating its 40th anniversary so plans are in the works to commemorate this milestone occasion at TAPS.

POVERTY LAW

Melissa Thrailkill, Chair

The Poverty Law Section continued to work hard to serve members and the public during the pandemic. Our First Friday CLEs provided members with a wide range of education every month, from voting rights to immigration to criminal record expunctions to tenant rights. The section also issued statements condemning the words of State Bar President Larry McDougal and announcing its commitment to educating and working against systemic racism in the profession, the courts, and culture. Additionally, the section held its annual meeting virtually and honored several outstanding lawyers and advocates in the areas of LGBTQIA+ rights, family violence, and housing and economic justice. The legislative committee also actively participated in reviewing other sections' legislative proposals, providing comments and insight into how certain proposals would affect Texans living in poverty and our members' advocacy. Finally, the section announced the launch of the Bruce Bower Justice Grant, which the section will use to help provide grant(s) to nonprofits and other organizations that seek to increase access to justice.

PUBLIC UTILITY LAW

Dane McKaughan, Chair

The Public Utility Law Section provides opportunities for practitioners from all segments of the utility law bar to interact, learn from each other, and keep abreast of developments in relevant laws, government regulations, and court decisions. Despite having to move the section's 2020 Annual Conference online, members turned out in force to hear recorded and live presentations from key individuals involved in public utility law, including the past chair of the Public Utility Commission of Texas and the current chair of the Railroad Commission of Texas, in addition to

presentations regarding the security and reliability of the Texas grid, water rights, and issues affecting the telecommunications industry. Calendar year 2020 also saw members vote to expand the number of council members and to amend bylaws to allow section leadership to provide more services and increased value to members. This year, the section will be sponsoring an intern at the Public Utility Commission for the first time and has plans for more social gatherings with members once health considerations allow. The section is also working on publishing additional newsletters and potentially expanding its internship program. The section looks forward to the Annual Conference, hopefully in person, in the fall to bring together for members key leaders in the Public Utility space to speak to important topics such as the 2021 Texas winter storm and its consequences and updates from the 2021 legislative session.

REAL ESTATE, PROBATE & TRUST LAW

Reid Wilson, Chair

The Real Estate, Probate & Trust Law Section, or REPTL, one of the largest sections with over 9,200 members, is focused on its most ambitious legislative program in years with 10 bills filed on a variety of subjects: real estate, probate, and trust. Roland Love, Lauren Hunt, and Chair-elect Craig Hopper led this effort. Section volunteers have researched, drafted, and debated these proposed bills. Every bill proposed by REPTL was approved for inclusion in the State Bar legislative program. After this year's session, a summary of bills will be published. REPTL has worked with the state government on COVID-19 issues and Supreme Court committees. REPTL honored two lawyers—Bill Locke (real estate), of Austin, and Rhonda Brink (probate), of Austin—as its 2020 Distinguished Lifetime Achievement Award recipients. REPTL published the *REPTL Reporter* edited by Gerry Beyer, and sent multiple e-blasts on legal developments, section news, practice tips, and CLE. REPTL members enjoyed \$50 discounts from select TexasBarCLE events. REPTL funded and supported the Texas Title Standards Joint Editorial Board,

approving an update to its materials. REPTL is proud of its commitment to diversity in its leadership. REPTL has solid finances with adequate reserves.

SCHOOL LAW

Marianna McGowan, Chair

The School Law Section is dedicated to providing information related to legal issues arising in Texas public schools, junior colleges, and universities to a range of legal practitioners and education law-related associations. Section membership includes individuals representing the interests of parents, students, employees and employee organizations, educational institutions and their governing bodies, and state and national education-related agencies and associations. Despite an unusual year, the section did an excellent job of “rolling with the punches” as our practice changed from day-to-day with changes in legislation, federal and state orders, and administrative guidance. This year, the section is offering a new and improved website. It is the section's goal to provide members with updates, general information about the section, contacts within the section, CLE programs, and other resources. The section expects to hold the 35th annual School Law Section Retreat July 23-24, 2021. This retreat is a family-friendly event members attend to receive high-quality CLE in a setting that encourages members to meet one another and their families. We encourage all attorneys interested to join this outstanding group.

TAX

Lora G. Davis, Chair

The Tax Section remained involved in programs this fiscal year. The section's pro bono volunteers represented taxpayers across the country in virtual U.S. Tax Court hearings and trained over 60 service members at three bases on Volunteer Income Tax Assistance. Section leaders participated in online panel presentations, describing a variety of career paths and encouraging Texas law school students to become tax practitioners. The section provided comments to the IRS and U.S. Department of the Treasury on the centralized audit regime and proposed regulations relating to carried interests.

The section provided comments to the Texas comptroller on proposed draft rules relating to qualified research and margin tax research and development activities credit. The section hosted a free seminar titled “Zooming Into the Tax Court: Practice Tips for Remote Proceedings” and continued to provide free monthly tax law updates for members. Tax Law in a Day and the SALT seminar were “virtual” successes! This spring, an advanced seminar on the carried interest regulations will be held, scholarships will be awarded to law students, and an Outstanding Texas Tax Lawyer will be selected. Section benefits include a free 24/7 CLE library, *Texas Tax Lawyer*, and 22 active committees.

WOMEN AND THE LAW

Teresa Schiller, Chair

The year's accomplishments include the following: (1) redesign of monthly newsletters; (2) monthly CLE programs; (3) creation of members-only CLE video library; (4) extensive website update; (5) incentivizing Texas law school students to tackle legal and societal challenges through annual writing competition in honor of Harriet E. Miers; (6) hands-on business development workshops; (7) “Giving the Gift of Membership” drive; (8) co-hosting statewide tribute to Justice Ruth Bader Ginsburg; (9) co-sponsorship of a National Association of Women Judges program featuring four female Texas Supreme Court justices; (10) nomination of section leader to the State Bar of Texas Board of Directors and plan for supporting future diverse candidates; (11) signatory to the affinity sections and committees' July 2020 statement advocating for diversity and inclusion; (12) outreach to section, committee, and Texas women's bar association leaders for cross-promotional purposes; (13) hosting annual competitions to recognize lifetime achievement and ongoing contributions to women in memory of Sarah T. Hughes, Louise B. Raggio, and Barbara Culver Clack; (14) election of emeritus (permanent) council members with institutional knowledge; (15) adoption of internal financial controls policy; (16) favorable section audit results; and (17) development of manuals and templates for future section leaders. **TBJ**

The Workers' Compensation Section did not submit a report.