

ADMINISTRATIVE AND PUBLIC LAW • AFRICAN-AMERICAN LAWYERS • ALTERNATIVE DISPUTE RESOLUTION • ANIMAL LAW
ANTITRUST AND BUSINESS LITIGATION • APPELLATE • ASIAN-PACIFIC INTEREST • AVIATION LAW • BANKRUPTCY LAW • BUSINESS LAW
CHILD PROTECTION LAW • CIVIL LIBERTIES & CIVIL RIGHTS • COLLABORATIVE LAW • COMPUTER AND TECHNOLOGY • CONSTRUCTION LAW
CONSUMER AND COMMERCIAL LAW • CORPORATE COUNSEL • CRIMINAL JUSTICE • ENTERTAINMENT AND SPORTS LAW
ENVIRONMENTAL AND NATURAL RESOURCES LAW • FAMILY LAW • GENERAL PRACTICE, SOLO, AND SMALL FIRM
GOVERNMENT LAW • HEALTH LAW • HISPANIC ISSUES

2017-2018 State Bar of Texas

SECTION REPORTS

Section reports are included in the July issue of the *Texas Bar Journal* to update Texas lawyers on State Bar section activities. The 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.

IMMIGRATION AND NATIONALITY LAW • INSURANCE LAW • INTELLECTUAL PROPERTY LAW • INTERNATIONAL LAW
JUDICIAL • JUSTICE OF THE PEACE COURTS • JUVENILE LAW • LABOR AND EMPLOYMENT LAW • LAW STUDENT DIVISION
LEGISLATIVE AND CAMPAIGN LAW • LGBT LAW • LITIGATION • MILITARY AND VETERANS LAW • MUNICIPAL JUDGES
NATIVE AMERICAN LAW • OIL, GAS, AND ENERGY RESOURCES LAW • PARALEGAL DIVISION • POVERTY LAW • PUBLIC UTILITY LAW
REAL ESTATE, PROBATE, AND TRUST LAW • SCHOOL LAW • TAX • WOMEN AND THE LAW • WORKERS' COMPENSATION

ADMINISTRATIVE AND PUBLIC LAW

Linda Secord, Chair

The Administrative and Public Law Section saw great success on its two significant projects for the year, the 2017 Advanced Texas Administrative Law Seminar and the annual Mack Kidd Administrative Law Moot Court Competition.

The seminar—co-sponsored by the University of Texas School of Law Continuing Legal Education Department—offered access through a webinar, which will be made available again this year at a lower cost than regular registration. The seminar will be at the AT&T Executive Education and Conference Center in Austin on August 16-17 and will offer 13.75 hours of CLE credit, including 1.5 hours of ethics. All attendees are invited to a reception following the program on Thursday. Section members are eligible for a \$25 discount on registration fees.

The moot court competition is designed to introduce Texas law students to the field of administrative law and to provide experience in brief writing and oral argument judged by experienced administrative law practitioners. The winning team came from Baylor Law School, prevailing in the championship round argued before 3rd Court of Appeals justices.

Section members receive the *Texas Tech Administrative Law Journal*, which the section financially supported, and a quarterly online newsletter.

AFRICAN-AMERICAN LAWYERS

Tatiana Alexander, Chair

The African-American Lawyers Section, or AALS, is proud to assist local bars in providing legal education and services to their communities, and this year was no exception. AALS was pleased to sponsor the following, all of which raised scholarships for students ranging from high school to law school: Houston Lawyers Association Scholarship and Awards Gala; J.L. Turner Legal Association Scholarship Gala (Dallas); L. Clifford Davis

Legal Association Gala (Fort Worth); San Antonio Black Lawyers Association Scholarship Gala; and Virgil C. Lott Golf Classic (Austin Black Lawyers Association). AALS also connected with law school students when members of the board met with the Black Law Students Association, or BLSA, chapters at SMU Dedman School of Law, St. Mary's University School of Law, Texas A&M University School of Law, Texas Southern University Thurgood Marshall School of Law, and UNT Dallas College of Law. AALS also sponsored the Southwest BLSA Convention.

AALS hosted its third Texas African American Lawyers Summit at UNT Dallas College of Law, which was free to members and featured six hours of CLE and an awards ceremony. This year, AALS recognized Hon. Royal Furgeson (Trailblazer Award), Hon. Darrell Jordan (Distinguished Jurist Award), and Hon. Andrew Carruthers (Outstanding Achievement Award).

ALTERNATIVE DISPUTE RESOLUTION

John DeGroot, Chair

The Alternative Dispute Resolution Section has been busy this year—the long-anticipated *Alternative Dispute Resolution Handbook* rolls out this summer and it's sure to be a source of information for ADR professionals and advocates. Separately, the road shows—section-sponsored lunchtime CLE programs around the state—continued their successful run, and there are more to come. The section's annual all-day Advanced Alternative Dispute Resolution CLE seminar in January provided 6.5 hours of CLE, with three hours of ethics, on topics of current interest to ADR practitioners. The section's leadership remains focused on how best to meet the needs of ADR practitioners, lawyers around the state, and the clients they serve. Please pass your ideas along to the section and get involved.

ANIMAL LAW

W. Michael Murray, Chair

The Animal Law Section sent two

delegates to the 25th annual Animal Law Conference held in Portland, Oregon, on October 13-15, 2017. The delegates were selected from applications received from the membership. The section also presented its annual Animal Law Institute on April 27 at the Renaissance Austin Hotel. The topic was continued from the 2017 institute and dealt with the laws dealing with animal cruelty.

ANTITRUST AND BUSINESS LITIGATION

J. Bruce McDonald, Chair

The Antitrust and Business Litigation Section focuses on antitrust enforcement and complex commercial litigation that may affect Texas and Texas lawyers. The section's 2018 annual meeting featured a timely presentation on the most significant antitrust merger enforcement action in years, *U.S. v. AT&T* and the *Future of Antitrust Litigation*. The section also presented its Distinguished Counselor Award to Rufus W. Oliver III, a long-time leading antitrust lawyer and former section chair. The award recognizes service to the section, excellence in antitrust or business litigation, and high professionalism and ethical standards.

The section has supported initiatives promoting law school pro bono and lawyer assistance programs and sponsored interns in the Antitrust Section of the Office of the Texas Attorney General.

The section has published articles discussing antitrust and business tort developments in its *Texas Business Litigation Journal*, as well as special issues on business torts, class actions, and antitrust expert witnesses.

APPELLATE

Michael S. Truesdale, Chair

The Appellate Section continues to explore new and expand existing programs to serve members, the bar, the courts, and the public. The section offers free CLE videos on the section website and has updated the extensive library of CLE articles on a variety of

topics. The section continues to offer opportunities for members to interact with the judiciary at CLE events and “Coffees with the Court” and is working with local bar associations across the state on programs and diversity seminars to expand outreach. The section continues to work with law schools to recognize their best up-and-coming appellate advocates who will soon join the bar, and the section’s amicus program has generated briefing on matters important to members. Finally, the section continues to refine and expand its appellate pro bono program, matching lawyers with pro se litigants and working to create new programs across the state. The website, tex-app.org, highlights the continued successes attributable to the great committee chairs and members.

ASIAN-PACIFIC INTEREST

Punam Kaji, Chair

The Asian-Pacific Interest Section hosted its 23rd Annual Conference this April in Austin. In addition to CLEs and networking, the section presented the following awards: Best Under 40—Cindy Lin, Amar Raval, and Stacy Cho Hernandez; Affiliate of the Year—Houston Asian American Bar Association; Pro Bono Attorney—Sang Shin, Nickie Tran, and Albert Liou (for their joint Hurricane Harvey relief efforts); Outstanding Mentor—Vinh Ho; Champion of Diversity—Manpreet Singh; and Justice Wellington Chew—Andrea Tran. The Reception and Fireside Chat featured Karen Korematsu, of the Fred T. Korematsu Institute, and Andrew Kim, of Beck Redden. A portion of the conference’s proceeds went toward Harvey relief efforts. APIS appreciates its sponsors: Duane Morris; Haynes and Boone; Boston International Law Group; Norton Rose Fulbright; Jackson Walker; King & Spalding; Fletcher Yoder; Austin Asian American Bar Association; Hunton Andrews Kurth; Husch Blackwell; McGinnis Lochridge; Gibbs & Bruns; Vacek, Kiecke & Colmenero; Ogletree, Deakins, Nash, Smoak &

Stewart; Nguyen Jazrawi & Chen; Bell Nunnally & Martin; Beck Redden; Lateral Link; Johnson Downie; Marilyn Poole; Littler Mendelson; Locke Lord; Ben E. Keith; Foster; Texas Bar College; and Platt Cheema Richmond. The section also revamped its website, published quarterly newsletters, and co-hosted a successful Harvey Relief Legal Training in Houston, where attorneys learned how to assist with Federal Emergency Management Agency appeals.

AVIATION LAW

Mark Pierce, Chair

The Aviation Law Section exists to study recent developments of law, legislation, and regulations in the field of aviation law and to keep the members of the bar informed of significant developments in this practice area.

Creating an aviation law specialty area has been a priority of the Aviation Law Section for 2017-2018. Attorneys supporting the drive to create the new aviation law specialty area believe that board certification will give the public and potential clients confidence that the lawyers they hire have the special competence required for this highly technical and highly regulated field of law.

Texas would be only the second state to recognize aviation law as a specialty area that merits board certification. With over 100 signatures gathered to initiate the process, and a committee already hard at work to meet the strict requirements of the Texas Board of Legal Specialization for a new specialty area, momentum is building to bring this project to fruition.

BANKRUPTCY LAW

Hon. Eduardo Rodriguez, Chair

The Bankruptcy Law Section continues to fulfill its mission by offering exciting initiatives throughout the year. The section hosted its first free webinar for members featuring Stephen Sather and Professor Christopher Bradley, who discussed the 5th Circuit Court of Appeals’ *Hawk* opinion.

The section will continue to offer these one-hour webinars to members on both business and consumer bankruptcy topics. The section has worked over the past year to expand its exceedingly successful University of Texas School of Law pro bono clinic and has recently developed a new clinic at St. Mary’s University School of Law. Pro bono clinic initiatives are underway across Texas at several other law schools. The section also contributes to legal aid organizations across the state through the Bill Wallander Legal Aid Fund and sponsors pro bono clinics in correlation to continuing education conferences as well. The section actively encourages involvement from young bankruptcy attorneys through its Young Lawyers Committee. The section also sponsors the MoneyWise program, a course offered to high school students and adults to teach financial literacy in a fun and interesting way. The section also sponsors the Elliott Cup, a moot court competition that was held in New Orleans this year.

BUSINESS LAW

E. Steve Bolden II, Chair

The Business Law Section has redeveloped its website, texasbusinesslaw.org. The section proudly counts among its members and supporters many practitioners and academics who are leaders in their fields, including the Texas Business Organizations Code, Texas LLCs and partnerships, choice of entity, and other areas of business practice. The new website seeks to better impart that expertise to all section members, and the section hopes its members will use the website to share problems and solutions from their own practices with a wise network of fellow practitioners and to participate in the new mentoring program.

Launched in June, the website provides electronic access to the *Texas Journal of Business Law*, materials from section-sponsored or supported CLE programs, vetted and annotated forms commonly used in business law practice,

weekly reports regarding business-related legislation during each legislative session, and an archive of section-produced webinars. In addition to contributing to or accessing materials and interacting with fellow section members, the website is a useful portal into the section's many committees, which focus on different substantive areas of business law and welcome new members.

Check out the section and get more information at texasbusinesslaw.org.

CHILD PROTECTION LAW

Justice Debra H. Lehrmann, Chair

The Child Protection Law Section became a reality on January 26, when the State Bar of Texas Board of Directors voted unanimously to form the new section. Both the Family Law Section and the Juvenile Law Section enthusiastically supported this effort. This significant accomplishment represents decades of hard work on the part of many legal professionals throughout the state who are committed to improving the welfare of children.

The section has been busy. After just two months, the section already had 304 members and counting. The first newsletter is full of informative articles and ready for publication, and the website, childprotectionlawtx.com, is up and running. The section held its first annual Advanced Child Protection Law Course in April in Austin, a sold-out event that featured seminars from experts in the field, including moot court and mock trial presentations that took place in the courtroom of the Texas Supreme Court.

Thank you to the bar for being supportive of this section's creation. The section aims to be an invaluable resource to attorneys who tirelessly devote themselves to helping children.

CIVIL LIBERTIES & CIVIL RIGHTS

Jay Forester, Chair

The Civil Liberties & Civil Rights Section had a fantastic year. The State Bar of Texas Board of Directors approved the long-sought-after name change from

the Individual Rights & Responsibilities Section to the Civil Liberties & Civil Rights Section. The new bylaws have also been approved. The section continued its efforts to promote discussion regarding constitutional issues and civil liberties and civil rights, including co-hosting the 12th annual Bill of Rights course on May 24, 2018, which featured judges, law professors, and civil rights practitioners from across the nation. Highlights of this year's course included presentations on "Practicing Before the U.S. Supreme Court" and public monuments. The section also co-sponsored a half-day CLE at the State Bar of Texas Annual Meeting and continues to sponsor the *Texas Journal on Civil Liberties & Civil Rights*. Finally, the section is pleased to announce that the 2018 Patrick Wiseman Award recipient is Chad Baruch, a Dallas appellate lawyer, in recognition of his distinguished civil rights work. Exciting things are happening and the section looks forward to an even better 2018-2019.

COLLABORATIVE LAW

Richard C. Price, Chair

A big part of the collaborative law movement involves training. This year, the Collaborative Law Section, along with Collaborative Divorce Texas, or CDT, hosted the Collaborative Law Course in Austin, which featured two days of speakers and many opportunities for networking. Two days of basic training were held in Dallas in May. The sessions were put on by CDT but members of the section also taught some courses. While some attorneys may have difficulty getting their first collaborative cases signed up, the section expects to have some programs to help with that issue in the next few years. The section is also expanding the reach of collaborative law so that more people know about it and can work with more qualified attorneys who can help provide peaceful divorces. Many members are working with CDT on public education, which will continue, and the section continues to have

speakers for programs around the state, introducing lawyers and the public to collaborative law. The year finished with a program by Jennifer Tull and Kris Algert at the State Bar of Texas Annual Meeting.

COMPUTER AND TECHNOLOGY

Michael Curran, Chair

The mission of the Computer and Technology Section is to be a resource to the legal profession in matters involving technology. To that end, the section focuses on providing legal tech education.

The section sponsored "With Technology and Justice for All CLE," a course for pro bono and new lawyers that featured recommendations for using technology to enhance their practices. The section thanks Texas Supreme Court Chief Justice Nathan L. Hecht for his keynote and the outstanding speakers who made this event a success.

The section publishes *Circuits*, a members-only newsletter, and has added videos to its series titled *Tech Bytes*, which is available to all Texas lawyers at texasbar.com/tech-resources. Topics include encryption, privacy, data breaches, and e-discovery. Section members continue to enjoy the Texas Bar Legal app, which provides access to Texas rules and codes with links to *caselaw*.

The final event this year was the Adaptable Lawyer track—which included programming, a section general membership meeting, and a Tweet and Greet gathering—held during the State Bar of Texas Annual Meeting in Houston.

For more information, contact the administrator at admin@sbot.org.

CONSTRUCTION LAW

Richard P. Flake, Chair

The Construction Law Section had an extremely productive year. The second class of certified attorneys, numbering 17, was welcomed by the Texas Board of Legal Specialization. In December 2017, the Basic Course in Construction Law welcomed its highest number of attendees ever, 185, in Dallas. Next year the basic course will be in

Austin. After the devastation of Hurricane Harvey, the section contributed a significant amount to the Rebuild Texas Fund, whose stated purpose is to help affected communities rebuild. The section thought this was the perfect vehicle to support its fellow Texans in need. The section held its 31st annual Construction Law Conference March 1-2 in San Antonio and had a record attendance of over 800 people. The annual conference offered 13.75 hours of CLE, including 3.25 hours of ethics. The section continues its support of university scholarships and charitable causes, including contributions to the Texas Access to Justice Foundation and Helping a Hero, an organization that provides functional housing to severely wounded U.S. veterans. The section started a monthly e-blast to members called *The Change Order*, which includes recent appellate cases dealing with construction law. This has been well received and will be a continuing benefit to section members.

CONSUMER AND COMMERCIAL LAW

Andrew Sattler, Chair

The Consumer and Commercial Law Section has a long tradition of providing outstanding CLE to Texas lawyers at a fair price, and the 2017-2018 year continued with the annual Advanced Consumer and Commercial Law CLE event and a half day of CLE at the annual meeting. The 2018 advanced CLE will be held September 13-14 in Austin (with live webcast), and a social event will follow the first day's CLE.

The incredible damage to Texas' coastal communities from Hurricane Harvey had a disproportionate impact on Texas consumers, particularly those of modest means. Lone Star Legal Aid in Houston was devastated at a time when its services were needed the most. The section stepped up and donated significant money earmarked to be received quickly by legal aid to help in the aftermath of Harvey.

In conjunction with the University

of Houston Law Center, the section publishes the *Journal of Consumer & Commercial Law* under its editor-in-chief, Professor Emeritus Richard Alderman, continuing its tradition of providing relevant and insightful materials to section members.

The section is going through some changes with a bylaws update and website/group email list revisions slated for the near future to enhance services for its members.

CORPORATE COUNSEL

Sylvia A. Cardona, Chair

The Corporate Counsel Section lends support to in-house counsel and outside counsel who represent companies of all sizes. Furthering this commitment, the section delivered high-quality CLE, including the 40th Annual Corporate Counsel Institute held in conjunction with the University of Texas School of Law CLE, its State Bar of Texas Annual Meeting CLE program co-sponsored with the Business Law Section, and the 16th annual Advanced In House Counsel Course. Section members received a discounted rate at several of these CLE programs. Additional resources and information were provided to members through the section's publications—the *Corporate Counsel Review*, the *Corporate Counsel Newsletter*, and *Newsstand*, an email service from Lexology. Finally, membership included free admission to various regional meetings, CLEs, and networking opportunities throughout the state. Access to valuable research, in addition to the benefits noted here, can be accessed online at www.texascorporatocounsel.com.

The section has a proud history of supporting pro bono, and since 1997, it has contributed more than \$636,000 to deserving and qualified organizations. In 2017-2018, almost \$50,000 in grant funds were awarded to organizations that provide assistance to underrepresented men, women, and children. The section thanks its membership for its continued support of this worthy mission.

CRIMINAL JUSTICE

Hon. Sid L. Harle, Chair

Beginning on May 4 in Rockwall, "CLE Housecalls" was instituted to provide low-cost alternatives for criminal law practitioners to attend CLEs in their cities. The Criminal Justice Section also offered CLE at the State Bar Annual Meeting on June 22 in Houston.

The section anticipates exceeding the number of scholarships awarded to criminal law practitioners last year to attend criminal justice conferences throughout Texas. The section continues to offer free membership for lawyers in their first two years of practice.

Finally, in the wake of Hurricane Harvey causing massive destruction in Houston, Beaumont, Rockport, Port Aransas, and the Coastal Bend counties, the council voted unanimously to make these contributions to help the suffering legal community: \$10,000 to the Access to Justice Foundation; \$5,000 to the Texas Bar Foundation Harvey Relief Fund; \$5,000 to the Texas Criminal Defense Lawyers Association/TCDLEI Hurricane Harvey Lawyers Assistance Fund; and \$5,000 to the Texas District and County Attorneys Foundation. This truly was an example of lawyers reaching out to lawyers in need.

ENTERTAINMENT AND SPORTS LAW

Mike Farris, Chair

Texas has long been a hot spot for sports and music, and more recently, a prime location for film and television production. Texas is also home to some fantastic authors, from fiction to nonfiction. In 2017-2018, the Texas Entertainment and Sports Law Section, or TESLAW, continued its efforts to provide information about these industries and the applicable law.

At the State Bar's Annual Meeting in June 2017, TESLAW offered CLE programs spotlighting Lawyers in History, Lawyers in Pop Culture, and Lawyers in Literature, which featured a panel of bestselling authors, including Kathleen Kent, Mark Gimenez, and Jay Brandon. Additionally, in

November, the Entertainment Law Institute provided programs that ran the gamut of music, film, and books.

TESLAW's website, teslaw.org, gives members access to the section's publications: the quarterly *TESLAW Tidbits*, which provides information on the section's CLE programs and social events (such as the annual spring mixer during South by Southwest), and the semi-annual *Texas Entertainment and Sports Law Journal*.

TESLAW is a section for lawyers who actively practice in the fields of entertainment and sports law, as well as those who are simply interested.

ENVIRONMENTAL AND NATURAL RESOURCES LAW

Rebecca K. Skiba, Chair

The Environmental and Natural Resources Section, or ENRS, had a productive year, providing networking opportunities for existing and future bar members through legal education conferences, practice-related publications, law school programs, academic scholarships, and practice-based summer internships. ENRS sponsored its 29th annual Texas Environmental Superconference in August 2017—a conference that has become a tradition for many environmental and natural resource attorneys, consultants, government and regulatory officials, and scholars and students, again boasting over 500 attendees. In February 2018, ENRS co-sponsored the “Changing Face of Water Law” conference in San Antonio. ENRS engaged Texas law schools and future attorneys by coordinating practitioner panels at a number of schools to connect with law students and awarding 11 academic scholarships in memory of Buck J. Wynne to each student earning the highest grade in environmental law survey courses at each school. ENRS also awarded seven summer environmental internships at key Texas agencies and district attorney offices. In 2018, thanks to significant efforts from ENRS attorneys, the section published an important update of the

Essentials of Texas Water Resources and also published Volume 47 of the *Texas Environmental Law Journal*. As part of its commitment to philanthropic support of relevant groups, ENRS contributed to TreeFolks for tree replanting and the Galveston Bay Foundation for post-Harvey relief work.

FAMILY LAW

Cindy Tisdale, Chair

The Family Law Section is honored to have been awarded the Access to Justice Pro Bono Award in 2017. The Pro Bono Committee coordinated six free CLE seminars this year and provided a webinar of the seminar online. The seminar is free to attendees in exchange for taking two pro bono cases through the legal aid provider in their area. The section estimates that it has helped pair more than 550 indigent Texans with an attorney in the past three years alone.

Membership in the Family Law Section is a great value. For \$40 a year, you receive the *Family Lawyer's Essential Tool Kit*, a quarterly *Family Law Section Report*, and discounts on State Bar family law seminars. If you are already a member, thank you. If you or someone you know is not a member, why not?

The section has been updating existing publications and implementing new ones to help family law attorneys. *The Predicates Manual*, *Family Law At Your Fingertips*, *Client Notebook*, *Fast Guide to Family Law—Checklists for Everyday Practice*, and numerous helpful DVDs are available on the Family Law Section website at sbotfam.org.

GENERAL PRACTICE, SOLO, AND SMALL FIRM

Sonya D. Hoskins, Chair

The General Practice, Solo, and Small Firm Section had a successful bar year, which commenced with a planning retreat. The section sent an invitation to 8,000 newly licensed attorneys to join the section, and

updated its website. The section continues to publish the *General Practice Digest* three times a year, which provides a summary update of current significant developments in Texas law. A subscription to the *Digest* is available online to section members. The section also sponsors law student outreach programs to mentor law students. On April 27, the section co-sponsored the General Practice Institute at Baylor Law School in Waco, a program that covered practice areas that general practitioners deal with on a daily basis. The section provided CLE programs at the State Bar Annual Meeting, which covered current issues in evolving legal ethics. The section is also updating its *Small Law Firm Development Tips* handbook. The section plays a pivotal role in State Bar initiatives to advocate policies and practices important to its membership.

GOVERNMENT LAW

John Grace, Chair

The Government Law Section continues to provide services and resources to its members and the bar as a whole. Together with co-sponsorship from the Texas Young Lawyers Association, the section presented roadshows in Amarillo, El Paso, and McAllen, bringing high-quality speakers and presentations to government lawyers in communities that do not often receive “live” CLE.

In July, the section sponsored the 29th annual Advanced Government Law Boot Camp in Austin. These back-to-back programs presented three full days of education for lawyers whose practices focus on government, with 20 hours of CLE, including 4.25 hours of ethics. For the 30th-year seminar, the section will relocate to San Antonio and the Westin Riverwalk. The section is also updating the name of its Wednesday mini-seminar, which will now be known as Government Law 101.

The section continues to update and enhance its website with monthly

articles and e-blasts. The articles are available to everyone, but only section members have access to special members-only resources like copies of the articles presented at the Advanced Government Law seminar and Government Law 101 and Ryan Henry's monthly caselaw updates. The section continues to enhance its offerings and provide value for its members.

HEALTH LAW

Elizabeth Sjoberg, Chair

In October, the Health Law Section sponsored its annual Texas Health Law Conference in Austin. The three-day event attracted more than 250 participants. In connection with the conference, the section provided scholarships to 17 Texas law school students who expressed an interest in health law, enabling the recipients to attend the conference for free and network with practicing health lawyers. The section continues to provide an educational program at the State Bar of Texas Annual Meeting and also delivers to its members a weekly summary of proposed and adopted rules in the *Texas Register* affecting the practice of health law. At the next conference, to be held October 7-9 in Austin, the section will present the Distinguished Service Award recognizing lifelong achievement and outstanding service and leadership in health law.

HISPANIC ISSUES

Betty Balli Torres, Chair

The Hispanic Issues Section, or HIS, continues to engage in efforts to take the section to local Hispanic bar associations around the state. In August, HIS held a joint event with the Mexican American Bar Association—El Paso thanks to HIS council member Judge Maria Salas-Mendoza. In late fall, HIS held an event in conjunction with the Laredo Webb County Bar Association. The host committee was Sen. Judith Zaffirini, HIS council member Judge Victor Villarreal, Past HIS Chair Justice Patricia Alvarez, Judge Joe Lopez, Rudy Morales, and

HIS Chair Betty Balli Torres. Through the work of HIS Immediate Past-Chair Arturo Aviles in April, HIS, the Mexican Bar Association of Houston, and the Hispanic Bar Association of Houston held a membership drive and networking event at a Houston Dynamo game. HIS works on CLEs that focus on the Latino community. The section sponsored and participated in the planning of the ABA's Commission on Hispanic Legal Rights & Responsibilities' CLE in Dallas, which included panels on SB 4 and the Disappearing Mexican-American Law Student. The commission's chair is Texas lawyer Richard Pena. It also held an afternoon of CLE at the State Bar of Texas Annual Meeting headlined by Isidro Aguirre, a Latino civil rights activist.

IMMIGRATION AND NATIONALITY LAW

Susan Bond, Chair

Members of the Immigration and Nationality Law Section, along with immigration attorneys across the U.S., stepped up to bat for their clients in what has turned out to be an exceptionally challenging time for families, asylum seekers and refugees, foreign national students and highly skilled workers, and Deferred Action for Childhood Arrival recipients and "Dreamers"—all seeking the American dream.

In June, at the State Bar Annual Meeting, the section sponsored a three-hour CLE on family-based immigration, employment-based immigration, and "crimmigration." Topics included: "Legislative Updates and Proposed Rulemaking Under the Trump Administration," "Hot Topics in Family Immigration," and "the Intersection of Immigration and Criminal Law."

With the goal of encouraging academic discussion on immigration-related topics, the section will sponsor a writing contest for law students. Winners will receive stipends, along with having their articles posted on the section website.

To increase camaraderie within the State Bar of Texas community statewide, the section sponsored networking happy hours in Dallas, Austin, San Antonio,

and Houston. Membership has increased almost 10 percent this past year, up from 1,216 members in 2016 to 1,337 members in 2017.

INSURANCE LAW

Meloney Cargil Perry, Chair

The Insurance Law Section's mission is to provide high-quality educational resources to the bench, bar, and public and to promote collegiality among those with an interest in insurance law. The section accomplished this in a variety of ways this year. The section held a webinar on Hurricane Harvey and sponsored a Rio Grande Valley/South Texas seminar. The Young Lawyers Committee hosted three networking events. The section also published three editions of the *Journal of Texas Insurance Law*, which featured in-depth insurance articles. These publications, coupled with *Right off the Press* emails, provided members with weekly access to recent Texas state and federal insurance cases and other announcements so that they can be aware of up-to-the-minute developments in insurance law. The new website provides members with the ability to research past *Journals*, past conference materials, practice resources, and a caselaw database. Finally, the section held its annual meeting in conjunction with the 15th Annual Advanced Insurance Law Course and the fourth annual Casino & Networking Party, which is co-sponsored by the State Bar, at the Hyatt Regency Hill Country Resort and Spa in San Antonio. At the annual meeting, the section awarded the Ben Love Scholarship to a deserving law student with an interest in insurance law.

INTELLECTUAL PROPERTY LAW

Herbert J. Hammond, Chair

This year, the Intellectual Property Law Section has focused its efforts on educating entrepreneurs, lawyers, and startups. In September, the section held its first pro bono tour at Texas A&M University School of Law in Fort Worth, and in January its second at El Paso Community College. These

pro bono workshops provide free training on intellectual property topics throughout Texas—local inventors and entrepreneurs can learn about applying for patents and trademark registrations and receive advice on patent and trademark issues. The workshops feature small group settings where the public can consult with IP attorneys and United States Patent and Trademark Office, or USPTO, examiners.

In February, the section held the 31st annual Advanced Intellectual Property Course in Houston devoted to cybersecurity issues; updates on patent, trademark, copyright, and trade secret law; presentations on autonomous vehicles, smart contracts and blockchain technology, and cloud computing; and international design, patent, and trademark issues.

The 2018 Annual Meeting was held in Houston. In addition to presenting awards, the section offered six hours of CLE on intellectual property topics.

The section's 14th annual Advanced Patent Litigation Course will be held on July 12-13 at the USPTO's Denver, Colorado, office.

INTERNATIONAL LAW

Michelle Schulz, Chair

This year the International Law Section celebrated its 30th Annual International Law Institute in Houston. It was one of the section's most impactful and high-quality conferences to date centered on the general theme of technology, cybersecurity, and international law. Throughout the year, ILS hosted student outreach and mentorship programs at each of the 10 Texas law schools in Austin, Dallas, Fort Worth, Houston, Lubbock, San Antonio, and Waco. The International Human Rights Committee received a report from the University of Texas School of Law's Human Rights Clinic on the topic of ethics and internationally recognized human rights. The committee made presentations to other sections of the State Bar and gave a writing award to Nicola S. Hines, candidate for juris

doctor, May 2019, SMU Dedman School of Law. ILS selected Argentina for its third annual international trip, which included valuable CLE presentations on international legal issues and visits to the Supreme Court of Argentina. ILS redesigned and modernized its website to make the site more user-friendly, current, and dynamic. Section membership increased by 40 members this year for a total membership of 963.

JUDICIAL

Hon. Jennifer Rymell, Chair

The Judicial Section has had a productive year. Activities included launching a redesigned website, providing financial assistance through the Texas Bar Foundation for lawyers affected by Hurricane Harvey, and preparing for the next legislative session. The redesigned website launched this spring with improved features, such as providing keyword-searchable access to over 250 newly updated judicial ethics opinions, a legislative page with the latest updates along with the "Find a Judge" directory. Even in this non-legislative year, the section's Legislative Committee, chaired by Hon. Alfonso Charles, remains active, monitoring interim legislative charges that pertain to the judiciary and working hard on the issue of judicial compensation. The committee provided testimony during a recent Judicial Compensation Commission meeting, and the section will continue to work with the commission, legislators, and other entities involved in this important issue. Lastly, the section continued some of its annual traditions by honoring former Texas Supreme Court justice and current judge of the 5th Circuit Court of Appeals, Thomas M. Reavley, with the Lifetime Achievement Award and sponsoring the Bench Bar Breakfast at the State Bar of Texas Annual Meeting.

JUSTICE OF THE PEACE COURTS

Howard M. Bookstaff, Chair

Several of the board members of the Justice of the Peace Courts Section

have been instrumental in providing educational opportunities for the attorneys and justices of the peace members of the section. The section also had a CLE presentation at the Annual Meeting on June 21 followed by a social event that evening. The purpose of the section is to: (1) further the administration of justice in the justice courts, (2) provide a forum for the exchange of information on matters of practice and procedure in justice courts, (3) provide information and educational opportunities for the membership, and (4) 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 now 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

Kameron Johnson, Chair

The Juvenile Law Section held its 31st annual conference in February at the Horseshoe Bay Resort. Almost 400 juvenile justice practitioners attended to learn more about current trends in juvenile law and the practical aspects of juvenile law for all members of the system—lawyers, judges, probation officers, and law enforcement. The section also provided multiple opportunities for networking at the conference, including a fundraising golf tournament in memory of dear friend David Hazlewood, who died this past year. The section will sponsor its 32nd annual conference in Austin in February 2019.

The section continues to make forms available on its website. This year's focus was on updating forms related to the revised juvenile records laws, particularly sealing. The section has

continued to work to make its website more dynamic and meaningful, including by inserting contact information for section members on the website.

The section's focus for the past few years has been, and continues to be, increasing member involvement and identifying ways to give back to the membership. Section members who would like to be involved in committees for the upcoming bar year are encouraged to contact council members with their interest.

LABOR AND EMPLOYMENT LAW

John Griffin, Chair

Among the larger and more diverse sections, the Labor and Employment Law Section features attorneys who practice plaintiffs' law and defense law, as well as in-house counsel. While the section does not ordinarily take sides on legislation that affects workers and employers, it does promote more efficient litigation and conflict resolution and respects the right to trial by jury.

Reflecting the balance of interests, the section's council consists of an equal number of plaintiffs' attorneys and defense attorneys, and the chair rotates between those interests. The combination of cohesion, candor, and concern for clients works remarkably while building friendships that cross many lines.

LAW STUDENT DIVISION

Steven Traeger, Chair

The Law Student Division had another active year, and once again many students took advantage of joining the division online. For a \$15 annual membership fee, law students receive all the great benefits that are available to licensed attorneys, including a monthly subscription to the *Texas Bar Journal* and the Texas Young Lawyers Association's eNews and free access to Fastcase and Casemaker. Each student receives a student bar card, a free T-shirt, and free registration to TexasBarCLE live and video replay seminars and complimentary written materials.

Student representatives at each of the state's American Bar Association accredited law schools continued to host informational programs for their respective schools, contributing to the success of the division. The Law Student Division also offers two scholarships for members each year.

LEGISLATIVE AND CAMPAIGN LAW

Andrew Cates, Chair

The Legislative and Campaign Law Section enjoyed a fruitful fourth year as one of the fastest growing sections of the State Bar of Texas. As has become customary, the section put on a large continuing legal education event in December. The well-attended seminar covered conflict of interest requirements for Texas administrative agency employees and revolving door provisions applicable to state agencies. The CLE featured a presentation from the Texas Ethics Commission on ethics reform, a conversation with investigative journalist Jay Root from the *Texas Tribune* on how the press can track down bad behavior at the state level, and presentations by members of the section knowledgeable in the area.

The section now issues several e-newsletters throughout the year featuring analyses of recent court decisions involving elections, redistricting, and campaign finance, in addition to updates on Texas Ethics Commission meetings, rulemakings, and opinions of interest to members. Moreover, the section is still pursuing a Texas Board of Legal Specialization certification in this practice area and has begun conversations to work with law students on in-depth research papers regarding the role of lawyer-lobbyists and the myriad disciplinary and statutory rules that apply to the practice.

LGBT LAW

Claire Bow, Chair

In 2017-2018, the LGBT Law Section again worked closely with the State Bar to produce a full day of live CLE covering LGBT legal topics. The sec-

tion also provided content for the 12th annual Bill of Rights CLE course and hosted the social mixer after both events.

LITIGATION

Carlos Eduardo Cárdenas, Chair

The Litigation Section responded to the needs of its members and communities in the Gulf Coast, Harris County, and Southeast Texas areas resulting from the wrath of Hurricane Harvey. When an explosion and fire damaged the Houston office of Lone Star Legal Aid during the flooding, the section appropriated an emergency donation of \$5,000 to aid LSLA in rebuilding. The section supported nonprofit legal aid and community services by funding \$93,500 in grants and internships, with over \$50,000 of those donations earmarked for the direct relief of Harvey victims.

The section continues to empower its membership by providing quality legal publications, *The Advocate* and *News for the Bar*, and the production of over 10 hours of free CLE, all of which are accessible at litigationsection.com.

In the interest of fiscal responsibility and financial prudence, the section adopted policies on expense reimbursement and investment fund expenditures to ensure the stability and growth of the section's mission and programs.

With an eye toward its future success, the section is formulating a strategic long-term plan to ensure the relevance of the section to its membership and to study the future of litigation.

MILITARY AND VETERANS LAW

Dawn M. Laubach, Chair

The Military and Veterans Law Section provided training and materials regarding important issues impacting service members and veterans. On October 12-14, the section co-sponsored a CLE with the San Antonio Bar Association on military divorce and retirement with topics such as the Board of Corrections of Military/Naval Records, Service Members Civil Relief

Act, and the 2018 Uniformed Services Blended Retirement System and featured speakers from the Defense Finance and Accounting Service. The section worked with the Texas Criminal Defense Lawyers Association to present a CLE on February 9, in Austin, which included presentations on representing veteran clients, post-traumatic stress disorder, and the Uniform Code of Military Justice. The section also held a CLE April 27-28, in Fredericksburg that covered VA disability claims and benefits, how military and veteran law issues affect family law cases, and PTSD. On June 20, the section held an annual CLE with topics on non-combatant evacuations, being a judge advocate, and representing veterans with VA disability claims. A section business meeting was held after the October, April, and June meetings. This next year will include meetings and CLEs in fall 2018 in Houston, February 2019, spring 2019 in Salado, and the State Bar of Texas Annual Meeting in June 2019.

MUNICIPAL JUDGES

Hon. Joyce Elaine Marshall-Augustine, Chair

Many municipal courts that were in the path of Hurricane Harvey are still in the process of rebuilding and repairing. Many lost statute books, form books, law books, valuable diplomas, and certificates have been difficult to replace. Through it all, as a unified team and with the help of the Texas Municipal Courts Education Center, recovery is underway. The Municipal Judges Section was relieved to see the passage of SB 42. One of the key features is the protection that it affords to judges and their spouses as it relates to the public's ability to access their personal information. The section is excited that the Legislature specifically included municipal court judges in this bill providing safety for all judges. Many municipal courts around the state are in the process of developing homeless courts to assist and promote access to justice for indigent defendants. It has been difficult for most courts to administer justice fairly and at the same time

allow indigent defendants the ability to satisfy judgments. Larger courts such as those in Houston have a homeless docket that specializes in helping the homeless population by giving amnesty for warrants and considers community service work done in social service organizations.

NATIVE AMERICAN LAW

Gaines West, Chair

The Native American Law Section dedicated its resources to the Native American Law Conference, held January 19, at the Texas Law Center. Professor Alex Pearl, of Texas Tech University, spoke on tribal citizenship, disenrollment, and sovereignty; Paul Shunatona and Baili Rhodes provided a panel presentation on Indian Child Welfare Act issues; and William Voelker, Steve Moore, and Ray Torgerson provided a valuable update on peyote in Texas. The dean of peyote issues, Jerry Patchen, was also in attendance with artifacts relating to this ever-changing issue. The program concluded with an ethics update and tribal justice issues. Many tribal representatives were present and the conference was one of the section's best-attended. The section provided an additional two-hour ethics review at the 2018 State Bar Annual Meeting aimed at the new minimum discipline guidelines. Also, with recent decisions in the Indian Child Welfare Act area, a presentation was made to complement the panel discussion done at the Law Conference in January. The section will also be represented at the upcoming Diversity Forum, as a co-sponsor. The Native American Law Section is dedicated to highlighting Indian issues as they impact laws in Texas and nationally.

OIL, GAS, AND ENERGY RESOURCES LAW

Peter E. Hosey, Chair

The Oil, Gas, and Energy Resources Law Section is celebrating its 80th anniversary September 20, 2018, in conjunction with its annual Advanced Oil, Gas, and Energy Law Course in Houston. Our goal is to assist members through education and scholarship in

the practice of energy law. Since 1961, the section has published the quarterly *Reporter* containing useful articles and treatises. The section also sponsors CLE programs throughout the year. Last year the section published the book *Landmarks of a Century in Oil and Gas Law—Twenty Cases That Shaped Texas Oil and Gas Jurisprudence*, having previously published the *Selected Works of A. W. Walker, Jr.*, and the *Ernest E. Smith Selected Works*. Members were also instrumental in the publication of *Texas Pattern Jury Charges—Oil and Gas* and remain on the committee that updates the book.

Every summer, the section provides scholarships for law students who intern at the Railroad Commission of Texas, Public Utility Commission of Texas, Texas General Land Office, University Lands system, and the Electric Reliability Council of Texas. The section also awards scholarships each semester to the two highest-grade recipients in the oil and gas courses given at Texas law schools. The section continues to find ways to assist its members and improve the work of its predecessors.

PARALEGAL DIVISION

Mona H. Tucker, President

Beginning this year, both new and renewing membership applications are processed online. This is also the first year that members must have ethics as part of their CLE requirements for renewal. The quarterly *Texas Paralegal Journal* is now totally digital. Our division's monthly e-newsletter, the "Paralegal Pulse," keeps members up to date. View both online at txpd.org. In addition to the benefits offered by the State Bar, Paralegal Division members also enjoy participating in an e-group, mentor program, and job bank. The division's online CLE calendar lists educational offerings from across the state, and the division welcomes submitted CLE events for posting at txpd.org/calendar/cle_group.asp. The division's 2018 Annual Meeting was held June

22 in Austin with the theme “Operation: Military Legal Support.” Thomas Palladino, executive director of the Texas Veterans Commission, was the keynote speaker. The Texas Advanced Paralegal Seminar, or TAPS, will be held September 26-28 in Addison, and the theme is “Just in Time for CLE—The Magic of TAPS.” Instead of buying gifts for speakers and volunteers, the division will donate those funds to benefit military veterans.

POVERTY LAW

Alberto Mesta, Chair

The Poverty Law Section members care about providing legal assistance to those who cannot afford it. They believe in equal access to justice for all Texans. The section promotes and fosters that philosophy by providing its members with the tools necessary to further those goals. At the State Bar Annual Meeting, the section presented “Legal Needs After Disasters,” where attorneys from the three legal aid programs in the state shared their insights in navigating FEMA appeals, insurance claims, and other disaster-related needs. They also discussed best practices in providing legal assistance to disaster victims and how to prepare for future disasters. The section’s annual Poverty Law Conference is moving to the fall instead of late spring. It will be held on September 5-7 in Austin. This three-day event provides valuable training on poverty law issues affecting low-income and poor Texans. The monthly First Friday CLE series continues to provide free CLE to members on important topics. Finally, the section revealed a new logo and merchandise on its Facebook page, facebook.com/povertylawsection. Proceeds from merchandise sales will fund the section’s grants program.

PUBLIC UTILITY LAW

Lori Cobos, Chair

The Public Utility Law Section will host its annual conference on August 10 at the AT&T Executive

Education and Conference Center in Austin. The annual conference is a great opportunity to gain valuable insight into the public utility industry in Texas, network with seasoned practitioners in the state’s electric, communications, water, and natural gas industries, and earn field-specific continuing legal education. The annual conference will consist of the annual section meeting; panel discussions addressing legal, regulatory, and policy issues of interest for practitioners in the electric, communications, water, and natural gas industries; keynote speakers, such as Public Utility Commission of Texas Chairman DeAnn T. Walker, Commissioner Arthur D’Andrea, and other important regulators and stakeholders; and an ethics presentation addressing legal requirements for lobbying at the Texas Legislature and executive branch offices.

REAL ESTATE, PROBATE, AND TRUST LAW

Tina R. Green, Chair

This year has been a productive one for the Real Estate, Probate and Trust Law Section. Legislative updates for the 2017 session were posted on the website (reptl.org), and the Probate Division completed and submitted its 2019 legislative package to the State Bar Board of Directors for approval. The section honored Robert Wright (real estate) and Jim Aycock (probate) as its 2017 Distinguished Lifetime Achievement Award recipients. The section published four quarterly issues of the *REPTL Reporter* and sent e-blasts containing information relevant to members throughout the year. Section members enjoyed more than \$35,000 in discounts on registration fees for TexasBarCLE seminars. The Public Service Committee awarded approximately \$50,000 in grants, with \$25,000 going to Lone Star Legal Aid to help in its recovery after Hurricane Harvey and the fire that

destroyed a significant portion of its Houston offices and the balance going to agencies assisting underserved citizens in similar areas of practice. The Student Writing Contest winners received approximately \$4,500 in awards. The section continues its partnership with the Oil, Gas, and Energy Resources Law Section in funding the Title Standards Joint Editorial Board. The section also accepted applications for its next class of the Leadership Academy, which will begin in August.

SCHOOL LAW

Julie Leahy, Chair

The School Law Section prides itself on collegiality and mutual respect amongst its members. The section’s programs offer opportunities for high-quality continuing legal education and networking with colleagues. The section continued its tradition this year by awarding the Kelly Frels Lifetime Achievement Award to Janet Horton and Jim Walsh at the annual section retreat in recognition of their outstanding contributions to school law. Many section members faced challenges this year due to Hurricane Harvey. In response, the section donated \$10,000 to organizations that are assisting with recovery efforts. The UT School Law Conference was held February 22-23 in Austin. This event was a great success thanks to the efforts of the planning committee, the speakers, and the presenters who participated. The section’s activities focus on the annual School Law Retreat. The retreat is in its 32nd year and presents a great opportunity to get to know section members, learn about emerging topics and trends in public education, and maybe even sink a hole-in-one at the annual Tom Garner Memorial Golf Tournament. This year, the retreat will be held July 26-28 at the Hyatt Regency Hill Country Resort and Spa in San Antonio.

TAX*Stephanie M. Schroepfer, Chair*

Some of the benefits of the Tax Section include: a website (texassection.org) that features a 24/7 CLE library (free CLE hours for members), *Texas Tax Lawyer* that is published three times a year (featuring tax articles, outlines, and comments the section submitted to the U.S. Department of the Treasury, the IRS, and the Texas Comptroller of Public Accounts), and a link to join substantive committees and receive communications in practice areas of interest; CLEs during the year, such as Tax Law Day (a variety of topics), Property Tax Seminar, Federal Tax Workshop Program (untaped, in-depth, interactive seminar focusing on one topic with the Department of Treasury and IRS and prominent private practice speakers), Annual Meeting, International Tax Symposium, and a monthly tax update with Professor Bruce McGovern at noon on the first Wednesday of each month—one-hour CLE at your desk (free for members); and Leadership Academy, which helps train future tax leaders. Serve the Tax Section by writing a comment on proposed regulations, representing a taxpayer in the U.S. Tax Court with the Pro Bono Committee, or joining a committee and meeting wonderful colleagues.

WOMEN AND THE LAW*Kirby B. Drake, Chair*

The Women and the Law Section was proud to be a sponsor of the Women in the Law 2018 Forging Your Path to Success CLE in March 2018. The CLE was well-attended and included presentations on topics such as unconscious bias, sexual harassment, gender neutral writing, law office management, being successful without sabotaging your health, and trial lawyer skills, as well as a keynote by Sharon Rowen, an attorney and filmmaker who released her film, *Balancing the Scales*, where she interviewed five generations of women lawyers, in 2017.

The section also was a partnering organization of the National Association of Women Lawyers' Dallas Conference

in May 2018.

The section's free telephone CLE programs have been a huge success and have proven useful to members who receive an email invitation and then can enjoy top-quality CLE from any convenient location. The section also has focused on providing additional networking opportunities to members.

The section hosted the How #MeToo Impacts Sexual Harassment Investigations in the Workplace CLE followed by a town hall discussion at the Annual Meeting and presented the following awards: the Sarah T. Hughes Women Lawyers of Achievement Award, the Louise B. Raggio Award, and the Barbara Culver Clack Award.

WORKERS' COMPENSATION*Royce V. Bicklein, Chair*

It's been the objective since the section's founding in 2007 to provide a platform for educating and updating members on the latest developments in Texas worker's compensation law. In support of this goal, the section will have its annual conference August 23-24 in Austin. The topics at this conference will include updates on caselaw and legislative efforts, as well as medical and legal topics presented by judges and both local and out-of-state counsel. In conjunction with the conference, the section will host a golf tournament August 22 and a social the evening of August 23 to have a little fun and raise money to support Kids' Chance of Texas, which offers scholarships to the children of deceased workers of Texas. The section encourages all of its members and others to come out to these events.

The section seeks to honor and recognize a member of the State Bar of Texas every year for his or her contributions to the betterment of the Texas workers' compensation system with the Barbed Wire Award. The section would like to congratulate attorney Peter Rogers, who received the 2017 award, and thank him for his years of service and dedication to his clients and the section. **TBJ**

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