



2019-2020 STATE BAR OF TEXAS

# COMMITTEE REPORTS

Committee reports are included in the July/August issue of the *Texas Bar Journal* to update Texas lawyers on State Bar 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 complete a Committee Volunteer Interest Form, go to [texasbar.com/committees](http://texasbar.com/committees) or call 800-204-2222, ext. 1516.

## ADMINISTRATION OF RULES OF EVIDENCE

*Leslie Sara Hyman, Chair*

The Administration of Rules of Evidence Committee evaluates the rules of evidence to ensure they are internally consistent, match the actual practice of law, and track the Federal Rules of Evidence. Issues under review and the subcommittee chairpersons: Patrick Maher chairs a subcommittee considering whether the allied litigant work product protection should be extended to parallel or related cases; David Starnes chairs a subcommittee considering amendments to the ancient documents hearsay exception in Rule 803(16) and co-chairs a subcommittee with Angela Olalde considering whether to propose amendments in light of the Texas Supreme Court's *In re City of Dickinson* decision; Olalde chairs a subcommittee considering whether audit response letters should be included within the confidentiality protections of Texas Rules of Evidence Rule 503(a)(5); Judge Charles Michael Davis and Olalde co-chair a subcommittee considering an amendment clarifying the "Dead Man's Rule" in Texas Rules of Evidence Rule 601(b); Johnathan Stone chairs a subcommittee considering amendments or a comment clarifying the physician-patient and mental health information privileges in Rules 509-510; and Aamir Siddik chairs a subcommittee considering a blockchain rule. The committee voted not to proceed with creating an accountant privilege.

## ADVERTISING REVIEW

*Chuck Noteboom, Chair*

The Advertising Review Committee submitted revised advertising rules to the State Bar Board of Directors. The board submitted these to the Committee on Disciplinary Rules and Referenda, where the rule revisions have been studied and modified, to be resubmitted to the board of directors. In 2019-2020, the ARC focused on the use of accolades by lawyers ("bragging about results"), the requirements of the disclaimer "principal place of business," and "Best"/"Top" lawyer lists. The committee will publish educational information regarding their use in advertisements. The committee

continues an educational initiative encouraging lawyers to report ads that do not comply with the advertising rules (Rule 7.07 of the Texas Disciplinary Rules of Professional Conduct). The committee is advising State Bar staff on how lawyers can report noncompliance as the committee wants to avoid imposing penalties for failing to do so. The committee has met both in person and by teleconference every quarter. This year the committee met in Austin and in Fort Worth. A proposed meeting in Houston was canceled due to the coronavirus pandemic.

## ANNUAL MEETING

*Amy M. Stewart, Co-chair*

*Quentin Brogdon, Co-chair*

*Ellen L. Farrell, Co-chair*

Due to COVID-19, the 2020 Annual Meeting scheduled to be held June 25-26 in Dallas was canceled. Instead, the committee offered the first-ever virtual Annual Meeting On Demand, which included a diverse selection of quality CLE. With more than 25 informative learning sessions of up to 8 hours of video on demand CLE, this year's meeting featured programs for everyone, from the first-year associate to the seasoned professional. State Bar sections provided practice-specific programs, including Computer & Technology: Being an Adaptable Lawyer; General Practice, Solo & Small Firm; and Family Law. Friday's programming included parting remarks from 2019-2020 President Randall O. Sorrels and 2019-2020 Texas Young Lawyers Association President Victor Flores, the swearing in of 2020-2021 President Larry McDougal and 2020-2021 TYLA President Britney Harrison, a brief presentation of awards, and a 30-minute CLE on lawyer well-being led by Texas Lawyers' Assistance Program professionals. Be sure to mark your calendars for the 2021 Annual Meeting on June 17-18 in Fort Worth.

## CONTINUING LEGAL EDUCATION

*Judge Xavier Rodriguez, Chair*

The Continuing Legal Education Committee met with the State Bar Board of Directors' Professional

Development Subcommittee and bar staff to propose topics for CLE programs and to discuss issues facing TexasBarCLE and TexasBarBooks. Because of the COVID-19 pandemic, TexasBarCLE had to reschedule, cancel, or offer some scheduled live, in-person seminars online. TexasBarCLE provided free webcasts on practicing law remotely and other relevant topics. Committee members and staff continue to monitor the situation and make adjustments as needed. TexasBarCLE continues to emphasize practical consequences—how changes in law affect practice. The CLE committee continues to assist in developing programs that address technology benefits and risks. TexasBarCLE and the Computer & Technology Section created free videos addressing technology issues, listed online at [texasbar.com/tech-resources](http://texasbar.com/tech-resources). TexasBarCLE remains committed to live programs, but expanding webcasts and online classes is also a priority. TexasBarBooks published new editions of the *Texas Pattern Jury Charges—Family & Probate* and the *Essentials of Texas Water Resources*. Most titles in TexasBarBooks' catalog are available in downloadable or online form, and TexasBarBooks' customer service staff is available to help attorneys with these resources if they make the transition to work remotely. Scholarships are available for all CLE programs and TexasBarBooks publications.

## COURTS RULES

*Giana Ortiz, Chair*

Since the committee's last year-end report, the committee has transmitted a number of proposals to the Texas Supreme Court for consideration including proposed amendments to Texas Rules of Civil Procedure Rules 21a, 99, and 107 to provide that a plaintiff must serve a non-answering defendant with new citation for a more onerous amended petition before seeking a default judgment; Rule 190.3 to limit requests for production and requests for admission to 30 each absent an agreement of the parties or court order; and Texas Rules of Appellate Procedure Rule 49 to provide that motions for rehearing need not be

denied solely on the basis that there no longer is a majority of justices sitting at the court at the time the motion for rehearing is filed. Additionally, the committee has approved proposed amendments to TRAP 34.5 to provide a timeline for provision of any omitted items considered mandatory under TRAP 34.5(a) or that have been timely requested under Rule 34.5(b), as well as to add supersedeas bond to mandatory items under TRAP 34.5(a), and a suite of additional proposed amendments to the TRCP to provide that certain notices and orders from the court must be sent to parties electronically.

## DISABILITY ISSUES

*Sean Pevsner, Chair*

The Disability Issues Committee invited guests to quarterly meetings to collaborate on developments in disability rights law and create continuing education courses about the effect these developments have on those with disabilities. The committee is also creating CLE webcasts on supportive decision-making, home and community-based services, and disabled veterans' benefits. In August 2019, the committee formed the Mental Health Subcommittee to inform lawyers, judges, and the public about mental health law. The subcommittee's objective for 2019-2020 was to research intercept points of a mental health crisis, either hospitalization or imprisonment, and how lawyers can aid those with mental health conditions before, during, or after a crisis. The committee also gathered mental health resources, available on the committee's website. The committee comprises three other subcommittees: Legal Education, Public Education, and Courthouse Accessibility. The Legal Education Subcommittee has scheduled upcoming presentations with Texas law schools; the Public Education Subcommittee is developing recommendations for parents of children with disabilities in the school system; and the Courthouse Accessibility Subcommittee continues to monitor courthouse accessibility and accommodations compliance with Title II of the Americans with Disabilities Act. To learn more about the committee and view online resource lists, go to [texasbar.com/disabilityissues](http://texasbar.com/disabilityissues).

## DIVERSITY IN THE PROFESSION

*Kandace D. Walter, Chair*

The Diversity in the Profession Committee continued to enhance opportunities for attorneys from diverse backgrounds and to increase their participation in State Bar of Texas activities. A committee goal for 2019-2020 was to increase bar prep scholarship program funding and to award more recipients with these scholarships. The committee received a \$10,000 grant from the Texas Bar Foundation and obtained several vouchers from BARBRI and Themis. In 2018-2019, the committee awarded five scholarship recipients with vouchers from bar prep companies, and in 2019-2020, the committee awarded over \$20,000 to more than 20 Texas law students. The committee hosted the annual Texas Minority Counsel Program to provide continuing education, client development training, and networking opportunities. The committee conducted three outreach programs for K-12 students in Dallas, Austin, and San Antonio. The committee also submitted three articles related to diversity to be included in issues of the *Texas Bar Journal*. The committee planned to host two annual events, the Texas Minority Attorney Program and the Texas Minority Law Student Program, but they were postponed due to the coronavirus pandemic. For more information about diversity in the profession, go to [texasbar.com/minorityaffairs](http://texasbar.com/minorityaffairs).

## JURY SERVICE

*Doryn Danner Glenn, Chair*

The focus of the Jury Service Committee is improving the manner in which jurors are treated within the judicial process and developing and implementing programs to ensure broad citizenship participation and support. The committee continues to promote Jury Appreciation Week by providing activity suggestions, as well as templates for stickers highlighting one's service. The committee has also sought to collaborate with other groups to promote its mission, including the State Bar of Texas Law Focused Education

Committee and county and district clerks, by appearing at their gatherings to discuss matters pertaining to jury service. The committee continues to review the responses to the Jury Service Experience Questionnaire, which remains available online and serves as a rich source of feedback from jurors. The committee is also working to post information for citizens to review addressing some common concerns of jurors and setting forth reasonable expectations for them during their service. The committee submitted an article to the *Texas Bar Journal* to raise awareness of issues facing Texas jurors and highlight the committee's efforts to improve their overall experience. The committee continues its work to create a public service announcement promoting jury service and warning citizens of ever-present and evolving criminal scams.

## LAW FOCUSED EDUCATION

*Kevin Vela, Chair*

The Law Focused Education Committee worked with Law Focused Education Inc. to create a new webpage "Attorney Classroom Resources" on the Texas Law-Related Education website, [texaslre.org](http://texaslre.org). The page features lessons by grade level for attorneys to use in a classroom. Additionally, the "What Do Attorneys Do?" section features different scenarios that prompt discussion with students during classroom visits. A flipbook on the page provides resources for community outreach. LFE Committee members continued to meet with their local school districts, private school networks, and community groups, providing them with the latest materials developed by the Law-Related Education Department. Committee members used these web-based materials to give classroom presentations and meet with community groups and local bar associations about law-related education. In the upcoming year, committee members will continue to speak to participants at local Law Focused Education events and promote the use of the Law Focused Education Inc. website.

## LAW PRACTICE MANAGEMENT

*Penny Robe, Chair*

The Law Practice Management

Committee worked to fulfill its three purposes: (1) the implementation of programs conducive to the effective, ethical delivery of legal services; (2) the delivery of legal services at reasonable prices, with sufficient return to ensure viability; and (3) an increase in the management skills of State Bar members. The committee created new subcommittees on the different phases of a law practice: starting a practice, maintaining a practice, growing a practice, and closing a practice. The subcommittees work closely with each other to support the purposes of the committee. The committee presented a daylong seminar at the 2019 State Bar of Texas Annual Meeting in Austin, including topics about succession planning, online advertising, and navigating the new grievance rules. Committee members continued to mentor and train lawyers in the Texas Opportunity & Justice Incubator program. The committee continues to develop the Law Practice Management website. The website had an average of 1,600 visitors per month in 2019-2020 and offers how-to guides, free resources, and publications. To learn more about the Law Practice Management Program, go to [texaslawpracticemanagement.com](http://texaslawpracticemanagement.com).

### **LAWS RELATING TO IMMIGRATION AND NATIONALITY**

*Linda Brandmiller, Chair*

The LRIN Committee had another active year despite having activities crippled with the coronavirus pandemic. The fall San Antonio meeting included an update from U.S. Immigration and Customs Enforcement and the city of San Antonio immigration liaison. A tour of the welcoming center for immigrants was also provided and some members attended the Texas Immigration Convening, a daylong annual event providing updates and gaining community input on immigration issues. The winter LRIN Committee meeting in Houston included updates from the director of International Student and Scholar Services Office at the University of Houston, the legal director of the Houston Immigration Legal Services Collaborative, and EB-5 visa policy changes from a regional development center. Some members also participated in providing pro bono

immigration services at the YMCA of Greater Houston. Unfortunately, the spring El Paso meeting, which was scheduled to include a visit to the U.S. consulate in Ciudad Juárez, Mexico, was canceled due to the coronavirus. The summer meeting continues to be coordinated with the State Bar of Texas Immigration and Nationality Law Section. LRIN now has State Bar officers on the committee so coordination with the section has been greatly facilitated.

### **LAWYERS' ASSISTANCE PROGRAM**

*Vickie Mather, Chair*

The Lawyers' Assistance Program Committee comprises several subcommittees assisting the Texas Lawyers' Assistance Program in improving mental health and outreach to Texas attorneys. The Suicide Prevention and Outreach Subcommittee implemented a statewide suicide prevention campaign, which includes training and materials for lawyers. The subcommittee also advised on outreach, allowing TLAP to offer free CLE programs and participate in solo-practitioner events. The Law School and Special Populations Subcommittee attended law school orientations with the Texas Board of Law Examiners and sponsored five wellness forums during Mental Health Week. The subcommittee and TLAP coordinated with the Texas Young Lawyers Association, the State Bar Office of Minority Affairs, and minority organizations to find ways to better serve special populations. The Helping the Impaired Lawyer Subcommittee maintains a project where attorneys provide information about local mental health resources and programs. To commemorate TLAP's 30th anniversary, the subcommittee organized events statewide. The subcommittee also advised on improving accessibility to TLAP's resources, assisting TLAP in implementing a text messaging program. TLAP will continue to use videoconferencing as a way to broadcast programs. To get help with mental health and substance use issues, call the confidential TLAP line at 800-343-8527 (TLAP) or text TLAP to 555888.

### **LEGAL SERVICES TO THE POOR IN CIVIL MATTERS**

*Brian McGiverin, Chair*

The Legal Services to the Poor in Civil Matters Committee creates and implements programs such as legal aid or pro bono efforts to assure delivery of legal services in civil matters to all Texans. The committee comprises attorneys and advocates from law firms, legal aid providers, law schools, and corporations—all committed to enhancing access to justice. Again this year, the committee recognized deserving individuals, groups, and entities that perform exceptional work in the field of legal services to the poor through the Pro Bono Excellence Awards. The committee also continued its annual task of recommending topics and speakers for the access to justice, or ATJ, track of the Bar Leaders Conference. The committee is developing a response plan and guidance for local bar associations to address legal issues that may arise following mass shootings, including a list of external organizations, charities, or support groups available to victims and at-large communities. A deliverable is expected in the next committee term.

### **LEGAL SERVICES TO THE POOR IN CRIMINAL MATTERS**

*Jani Maselli Wood, Chair*

The Legal Services to the Poor in Criminal Matters Committee serves one of the State Bar's purposes by providing legal services to and combatting current legal issues of indigent defendants. The committee comprises members of the judiciary, prosecution, and public defense, as well as representatives of court administration, state agencies, and nonprofit organizations with a focus on indigent defense. In 2019-2020, the committee focused on: (1) updating State Bar performance guidelines for non-capital criminal defense representation; (2) planning the University of Texas School of Law 20th anniversary of the Texas Fair Defense Act symposium; (3) developing guidelines for the state when prosecuting indigent defendants; and (4) promoting guidelines for the representation of juvenile defendants. The committee received

excellent recommendations for its Michael K. Moore and Warren Burnett awards, and recipients were to be recognized at the State Bar Annual Meeting in June. Andrew Davies was honored with the Michael K. Moore Award and the Warren Burnett Award was given to David G. Hall and Ariel Payan. The committee will continue to study and collect information for entities involved in the provision of quality representation to indigent persons involved in criminal matters.

## LOCAL BAR SERVICES

*C. Michael Davis, Chair*

The Local Bar Services Committee enhances communication between State Bar leadership and local bar associations to assist local bar leaders in the development of their associations. Resources available from the State Bar's Local Bar Services Department include speaker coordination, membership assistance, program coordination, and guidance on creating a new association. Yearly, the committee plans the annual Law Day contest, Stars of Texas Bars Awards, and the Local Bar Leaders Conference. This year, those events were canceled due to COVID-19. The Stars of Texas Bars Awards recognize local bar associations for outstanding involvement and commitment to the legal profession. The 2020 awards will be recognized at the 2021 Annual Meeting in Fort Worth.

## MINIMUM CONTINUING LEGAL EDUCATION

*John Boyce, Chair*

The Minimum Continuing Legal Education Committee administers minimum continuing education programs established by Article XII of the State Bar Rules and the regulations and accreditation standards promulgated therefrom. In summer 2019, the committee proposed changes to the MCLE regulations to simplify the fee schedule for prospective sponsors. The State Bar of Texas Board of Directors unanimously approved the changes in September. A majority of committee work entails reviewing proposals for

accreditation of a continuing education activity. The staff presents certain proposals to the committee for review, and the committee determines whether the program consists of legal education or ethics within the definition of accreditation standards. Though not always clear, this task is intellectually challenging. It is a far larger task than most attorneys realize: The staff receives over 48,000 applications per year from non-accredited sponsors, existing accredited sponsors, and out-of-state attorneys seeking credit. It would not be possible to review such an amount without the dedication of the fabulous staff, particularly committee liaison, Nancy Smith, who retired at the end of 2019.

## PATTERN JURY CHARGES—BUSINESS, CONSUMER, INSURANCE & EMPLOYMENT

*William J. Chriss, Chair*

The PJC—Business, Consumer, Insurance & Employment Committee is finalizing updates for its new edition to be published at the end of the calendar year. This new edition includes a comprehensive update of the Piercing the Corporate Veil and Defamation chapters, as well as new jury questions in the Employment chapter. The committee participated in a cross volume taskforce and worked closely with the PJC—Oversight Committee to evaluate new caselaw affecting recovery of attorneys' fees. This work resulted in updates to the discussion on attorneys' fees to reflect significant new developments in the law. In collaboration with the other PJC volumes and the Oversight Committee, the committee revised the discussion on broad-form submission and preservation of error. The committee is working with the PJC—Oil and Gas Committee to review and update common materials. In accordance with its purpose, the committee updated its own volume to reflect developing caselaw and new statutes as needed. The committee will post new drafts online at [texasbarbooks.net](http://texasbarbooks.net) before publication and welcomes input from the bench and bar.

## PATTERN JURY CHARGES—CRIMINAL

*Wendell Odom, Chair*

The Pattern Jury Charges—Criminal Committee is responsible for maintaining four published volumes of model jury instructions for use in criminal cases. The committee recently released both the 2019 edition and a special supplement to the third volume of the series, *Texas Criminal Pattern Jury Charges—Intoxication, Controlled Substance & Public Order Offenses*. New in this edition are instructions and commentary on tampering with a governmental record, revisions to the instructions and additional commentary on the renunciation defenses to inchoate offenses, and updates to controlled-substance-offense instructions occasioned by *Beltran de la Torre v. State*, 583 S.W.3d 613 (Tex. Crim. App. 2019) (mere-presence and joint-possession instructions are comments on the weight of the evidence), and HB 1325 (excluding hemp from the definition of marijuana). The committee has also made significant progress in revising and expanding its last volume in the set, *Texas Criminal Pattern Jury Charges—Crimes Against Persons & Property*, scheduled to be released this year.

## PATTERN JURY CHARGES—FAMILY AND PROBATE

*Stewart W. Gagnon, Chair*

The committee published its 2020 edition of *Texas Pattern Jury Charges—Family & Probate*. Preparation of the new edition followed a review of caselaw and 2019 legislation. Changes include revised questions and commentary on attorneys' fee awards in both family law and probate contexts. The committee updated jury instructions relating to divorces and rights of conservators and commentary about geographic restrictions in conservatorships, disregarding corporate entities in divorces, and informal marriages. The book includes revised will contest commentary relating to the burden of proof and testamentary capacity. Additionally, the committee updated comments regarding breach of duty by a personal representative and determining whether a party offering a will for probate is in default. After publication of the 2020 edition, the

Texas Supreme Court amended Texas Rule of Civil Procedure 277 to require specific findings of fact in suits to terminate the parent-child relationship. The committee will issue a supplemental slip insert to purchasers of the volume that will reflect the final changes to Rule 277. Comments and questions, as well as suggestions for new topics for inclusion in future editions, may be sent to [books@texasbar.com](mailto:books@texasbar.com).

### **PATTERN JURY CHARGES—GENERAL NEGLIGENCE, INTENTIONAL PERSONAL TORTS & WORKERS' COMPENSATION**

*Daniel B. Linebaugh, Chair*

Pursuant to the *Crosstex v. Gardiner* opinion, the committee is retitling Chapter 12 from “Nuisance Actions” to simply “Nuisance.” The committee is also refining the definition of “intentionally” used in 12.2A and 12.3A to more clearly reflect intent under the *Crosstex* opinion. The committee is also updating the commentary to 4.1, 4.4, and 28.3 to include a discussion of UM/UIM caselaw. The committee is also updating citations appearing in the comments under PJC 3.4 (Unavoidable Accident) and PJC 28.3 (Personal Injury Damages). The committee is working with other relevant PJC publications to determine whether PJC 28.8 (Exclusionary Instruction for Other Condition) and 28.9 (Exclusionary Instruction for Preexisting Condition That Is Aggravated) should be updated to better reflect Texas law. The committee has also decided to delete references to pre-2003 law. Finally, the committee is researching how studies concerning implicit bias impact juries and ultimately hopes to work in conjunction with the Texas Supreme Court Rules Committee in determining what improvements, if any, might be made to the book’s Admonitory Instructions. The committee welcomes new ideas and may be contacted at [books@texasbar.com](mailto:books@texasbar.com).

### **PATTERN JURY CHARGES—MALPRACTICE, PREMISES & PRODUCTS**

*Jack McGehee, Chair*

The Pattern Jury Charges—

Malpractice, Premises & Products Committee continues to develop new charges and commentary addressing numerous areas of law. The committee is updating its charges and commentary on emergency medical care to reflect recent statutory changes. Additionally, the committee is drafting expanded commentary regarding inferential rebuttal instructions. Topics of ongoing study for possible additions to the volume include a potential new charge or commentary for open and obvious conditions in premises liability and possible new commentary about the legal-duty exception to the affirmative defense of plaintiff’s suicide. The committee is also studying possible revisions to the wording of jury charges for damages and commentary about negligent misrepresentation, slip-and-falls in hospitals, negligent hiring in premises liability, and tolling and the discovery rule in legal malpractice actions. The committee continues to keep a close eye on new developments in Texas law. The mission remains the same—to “get it right.”

### **PATTERN JURY CHARGES—OIL AND GAS**

*Ricardo Morales, Chair*

The Pattern Jury Charges—Oil and Gas Committee has been working on its third edition of jury charges, which will be published later this year. In collaboration with the Pattern Jury Charges—General Negligence, Intentional Personal Torts & Workers’ Compensation Committee, the committee worked on extensive updates to the charges on Improper Use of Real Property and the corresponding damages charges. The committee also participated on a cross-volume task force with the Pattern Jury Charges—Oversight Committee to draft updates to the question and discussion on attorneys’ fees based on new caselaw. The committee continued to collaborate with the Pattern Jury Charge—Business, Consumer, Insurance & Employment Committee on updates to contracts material included in both volumes. The committee’s third edition will also

include updates to charges and commentary throughout to reflect current statutory law and new caselaw. The committee will post drafts of new charges prior to publications. Comments and questions from the bench and bar, as well as suggestions for new topics, are welcome and may be sent to [books@texasbar.com](mailto:books@texasbar.com).

### **PATTERN JURY CHARGES—OVERSIGHT**

*Justice Jane Bland, Chair*

The Pattern Jury Charges—Oversight Committee supports the work of the other pattern jury charge committees. The committee strives to ensure clarity and accuracy by harmonizing jury instructions throughout the volumes and resolving inconsistent approaches. This year, the committee updated attorneys’ fees instructions throughout the volumes to reflect new case authorities. The committee also reviewed updates to Piercing the Corporate Veil, Defamation, and Employment (PJC Business), Improper Use of Real Property (PJC Oil and Gas) and EMTALA and Emergency Care (PJC Malpractice, Premises & Products). The committee began work with the malpractice and general negligence committees to consider their pre-existing conditions instruction. The committee approved revisions to the broad-form discussion in the PJC Family and Probate volume and made corresponding changes in the other civil volumes. The committee reviewed updates proposed by the PJC—Criminal Committee for its upcoming publication. PJC Oversight welcomes input from practicing trial lawyers on ways to improve all PJC publications. Comments and question should be sent to [books@texasbar.com](mailto:books@texasbar.com).

### **PROFESSIONALISM**

*Suzanne M. Duvall, Chair*

The Professionalism Committee identifies factors that influence professionalism and seeks to improve the development of new lawyers and their relationships with the judiciary and fellow members of the profession. Last July, the committee presented a

seminar at the State Bar of Texas Bar Leaders Conference in Houston that acquainted local bar leaders with the services offered by the Professionalism Committee, such as the mentorship program, tips on presenting a “Day of Civility” at their local bar association, and promoting ethics programs to their members. In October, the Law Schools Subcommittee partnered with the University of Texas School of Law to promote professionalism and civility to law students. The Mentoring Network Subcommittee is revising the mentorship program to accommodate younger attorneys who use social media as a means of communication. The ethics subcommittee maintains an online “Need Ethics?” database of speakers who are willing to speak on accredited CLE ethics to local bar associations. An ongoing goal of the committee is to provide Texas Lawyer’s Creed brochures and posters for judges and attorneys to display. In 2019-2020, the committee dispersed over 150 posters, 1,700 English language brochures, and 100 Spanish language brochures. For information about professionalism resources, go to [texasbar.com/professionalism](http://texasbar.com/professionalism).

## PUBLIC AFFAIRS

*Julie Doss, Chair*

During the 2019-2020 bar year, the Public Affairs Committee hosted the 2019 Texas Gavel Awards and worked hard to create meaningful CLE courses as part of the Open Government Seminar at the 2020 State Bar of Texas Annual Meeting. The committee’s mission is to expand public understanding of the legal system and to foster relations with the news media to advance that goal. Through the Texas Gavel Awards, the committee honored outstanding Texas journalism that enhanced public understanding of our legal system. Learn more about the awards and read the winning pieces at [texasbar.com/gavelawards](http://texasbar.com/gavelawards). The committee is saddened by the cancellation of the 2020 in-person Annual Meeting and thus its annual Open Government Seminar due to the

COVID-19 pandemic. The committee looks forward to creating stellar government transparency panels for the 2021 event.

## REAL ESTATE FORMS

*Sara E. Dysart, Chair*

The State Bar of Texas published a supplement to the third volume of the *Texas Real Estate Forms Manual* in February. The Real Estate Forms Committee reviewed the existing manual and drafted this supplement to update the commentary and forms based upon recent caselaw and legislative enactments. The supplement also provides new forms and includes references to recent State Bar CLE articles. Users who purchase an online subscription or digital download can access editable Microsoft Word and PDF forms. The digital and online versions provide links to primary research, including cases, statutes, and CLE articles. Hard copies are also available that include access to the digital download version. The manual is intended to be a starting point for recognizing issues and drafting documents for real estate transactions. Since 1970, committee members have identified and responded to changes in the law and enhanced the value of this manual. A recurring goal of the committee is to provide relevant information and resources for understanding how to handle a real estate transaction.

## TEXAS BAR JOURNAL BOARD OF EDITORS

*Miles J. LeBlanc, Chair*

The *Texas Bar Journal* is the official publication of the State Bar of Texas. In print since 1938, the magazine serves as a publication of record for the Texas Supreme Court, a scholarly legal journal, and the association magazine for the State Bar of Texas. Each month (except a combined July/August issue), the *Texas Bar Journal* is mailed to approximately 117,000 subscribers, is available in digital format, and is the only publication reaching every lawyer in Texas. The Texas Bar Journal Board of Editors reviews legal article

submissions, develops issue topics, and helps set the general editorial direction for the magazine. In 2019-2020, the *Bar Journal* examined a number of subjects of interest to Texas lawyers, including the changing practice of law, children and juveniles, wellness, forensics, international law, privacy, the judiciary, and social media. The *Bar Journal* also featured coverage of the Texas Young Lawyers Association’s project on well-being, offered an informative “Year in Review” issue, presented an overview of the 86th session of the Texas Legislature, and conducted its annual Short Story Contest. In the June 2020 issue, the *Bar Journal* debuted a fresh, clean look, which enhances content readability and enjoyment.

## WOMEN IN THE PROFESSION

*Bridget Vick, Chair*

In fall 2019, the Women in the Profession Committee set goals to identify barriers facing women in the profession and looked to the past, present, and future of women attorneys to develop new programs and make recommendations to the State Bar Board of Directors. The committee’s 2019-2020 objectives were set to evaluate “Where We Came From, Where We Are Now, and Where We Are Going.” The committee continued to promote *Rough Road to Justice: The Journey of Women Lawyers in Texas*, a TexasBarBooks publication by author Betty Trapp Chapman. The book details the many “firsts” of women lawyers in Texas: how they learned the law, established professional careers, and balanced private lives with the demands of practicing law. Additionally, the committee reviewed and commented on the parental leave rule pending before the State Bar Court Rules Committee. The committee continues to monitor parental leave issues as many committee members have experienced the need for such a rule. Finally, the committee hosted a Houston social to foster relationships and discuss issues women face in their practices. The committee will continue to promote women lawyers by strengthening relationships among women in the profession. **TBJ**