



2019-2020 STATE BAR OF TEXAS

# SECTION REPORTS

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

## ADMINISTRATIVE AND PUBLIC LAW

*Andrea Moore Stover, Chair*

The section saw great success on its significant projects, the 2019 Advanced Texas Administrative Law Seminar held August 15-16 and the annual Mack Kidd Administrative Law Moot Court Competition. The moot court competition is designed to introduce Texas law students to administrative law and to provide experience in brief writing and presenting oral arguments before higher court justices and experienced administrative law practitioners. The 2019 winning team came from St. Mary's University School of Law, prevailing in the championship round argued before the 3rd Court of Appeals in Austin's Chief Justice Jeff Rose, Justice Chari Kelly, and Justice Thomas Baker. The 2020 competition is planned for October 23-24. This year's seminar—cosponsored by the University of Texas School of Law Continuing Legal Education Department—is tentatively scheduled September 3-4 at the AT&T Hotel and Conference Center in Austin and will offer 13.5 hours of CLE credit, including 2.25 hours of ethics. All seminar attendees are invited to a networking reception following the first day's program. Section members are eligible for a \$25 discount on registration fees and the seminar will also be offered via live webcast by the law school. Please check the appropriate website for any change of plans.

## AFRICAN-AMERICAN LAWYERS

*Modinat "Abby" Kotun, Chair*

The African-American Lawyers Section is proud to assist local African-American bar associations and Black Law Students Associations, or BLSA, in providing legal education seminars, community service, and financial assistance. The section supported the J. L. Turner Legal Association Foundation Scholarship Gala in Dallas and L. Clifford Davis Legal Association Gala in Fort Worth, which raised scholarships for minority law students. The section granted sponsorship requests to BLSA chapters at SMU Dedman School of Law, the University of Houston Law Center, South Texas College of Law Houston, Texas A&M

University School of Law, and Texas Southern University Thurgood Marshall School of Law, as well as the African Law Student Association at Thurgood Marshall School of Law, to support programming, attendance at conventions, and awarding of scholarships to their members. The section hosted meet and greets across Texas, including section members, local bar leaders, and area law students, to connect minority attorneys and law students and encourage involvement in local bar associations and the section. It also hosted a Martin Luther King Jr. Day of Service in Houston. The section presented several virtual CLEs, granting over 6 hours of credit, and recognized Kimberly Cunningham (Trailblazer Award), Hon. Eric V. Moyé (Distinguished Jurist Award), and Chasity Henry (Outstanding Achievement Award).

## ALTERNATIVE DISPUTE RESOLUTION

*Linda Meekins McLain, Chair*

The Alternative Dispute Resolution Section has continued its ongoing mission to promote all forms of ADR, including arbitration and mediation. The *Alternative Dispute Resolution Handbook* is the culmination of the collective expertise and experience of the brightest stars in the dispute resolution profession and is accessible in the "members only" area of the section's website. Plans for revamping the website and employment of a web administrator are underway. The section continues to explore ADR certification with the Texas Board of Legal Specialization. The section is assisting ADR practitioners across Texas in meeting the challenges of delivering professional services during COVID-19. The section has assembled a team of ADR providers who are experienced in online models of mediation and arbitration as a resource for section members who have technical, practical, or ethical questions. On January 24, 2020, the section hosted its annual meeting and advanced ADR continuing education program. Next year's program is scheduled for January 2021. Section members across the state provided complimentary CLE through "roadshow" lunch presentations, and the section will move forward with plans for presentations in Lubbock and East Texas upon release of the pandemic restrictions.

## ANTITRUST AND BUSINESS LITIGATION

*Brad Weber, Chair*

The Antitrust and Business Litigation Section is an organization of Texas lawyers who focus on antitrust law compliance, enforcement, and complex litigation affecting Texas. This year the section awarded its annual Distinguished Counselor Award to Wm. Frank Carroll, of Dallas. The award recognizes service to the section, excellence in antitrust and business litigation, and high professionalism and ethical standards. The section also continued its tradition of supporting initiatives promoting pro bono legal services, lawyer assistance, and antitrust-focused legal education. The section carried out this tradition by making donations for a scholarship at SMU Dedman School of Law, charitable gifts to the Texas Access to Justice Foundation and the Sheeran-Crowley Trust, and a paid internship for a law student to work at the Antitrust Division of the Office of the Attorney General of Texas.

## APPELLATE

*Kent Rutter, Chair*

The Appellate Section provides members with more benefits than ever before. The section regularly updates its online library of appellate CLE videos that members can watch for free, from anywhere, to earn MCLE and ethics credit. Members also receive access to the online library of written CLE articles and forms for frequently filed appellate motions, as well as the section's outstanding electronic journal, *The Appellate Advocate*. In addition to legal education, the Appellate Section offers opportunities to meet appellate judges over coffee and sponsors diversity-related events and receptions for appellate lawyers and judges all across Texas. Many members also participate in the appellate pro bono program, which allows advocates to gain experience while helping Texans in need. In the law schools, the Appellate Section engages with the appellate lawyers of tomorrow, presenting brief-writing awards at every Texas law school including a recently presented forum at the Thurgood Marshall School of Law at Texas Southern University. To

learn more about the Appellate Section, please go to [tex-app.org](http://tex-app.org). And if you'd like to join the terrific lawyers and judges who make this all happen, please go to the website to learn more about the section's committees and contact me to get involved.

### ASIAN PACIFIC INTEREST

*Paul Yin, Chair*

The Asian Pacific Interest Section has tentatively rescheduled its 25th annual Conference to August 15, 2020, at the Hilton in downtown Austin. In addition to CLEs and networking, the section will present the following awards: Best Under 40—Kat Li, Meyling Ly Ortiz, and Sang Shin; Affiliate of the Year—Asian American Bar Association of Houston; Pro Bono Attorney—Yu-cheng “Jack” Fan; Outstanding Mentor—Alison Chen; Champion of Diversity—Warren Huang; and the Justice Wellington Chew Award—Judge George Thomas. The luncheon keynote will feature John Kuo, of Varian Medical Systems; Gina Shishima, of Norton Rose Fulbright; and Albert Tan, of Haynes and Boone, and will be moderated by Judge Ravi Sandill, of the 127th Civil District Court of Harris County. The section appreciates the continued support of its sponsors. More details regarding the rescheduled conference will be posted on the section's website and Facebook page. The website also features published newsletters highlighting accomplishments of its members and other notable events in the community.

### AVIATION LAW

*Andrea Palmer, Chair*

The Aviation Law Section began the year with a CLE and section meeting at the State Bar Annual Meeting on June 13 in Austin. At that meeting, the section elected the following officers: Andrea Palmer, chair; Peter Busher, vice-chair; Bruce Marshall, immediate past chair; Paula Knippa, treasurer; Christa Hinckley, secretary; and Bryan David, newsletter/membership. The following at-large council members were also elected: Greg Reigel, Jad Stepp, Morgan Schweinzger, Kristin Newman, Kerry Adams, and Derrick Hahn. Also at Annual Meeting, the section's

scholarship was awarded to Austin L. Turman, a rising 2L at the University of Houston Law Center. Turman gave a well-received presentation on his brief on a recent aviation case. On November 8, the section held its third annual CLE and networking event in San Antonio. The Council Retreat followed on November 9. Unfortunately, SMU Dedman School of Law's Air Law Symposium was canceled this year. Work continues on the section's application for an aviation law specialization, drafted and spearheaded by Stepp and David Norton. On March 6, the application was presented to the Texas Board of Legal Specialization in Austin, which went well.

### BANKRUPTCY LAW

*Thomas Rice, Chair*

The Bankruptcy Law Section continues to support its members, as well as the residents of Texas, by delivering exciting opportunities for education on the laws and decisions as they affect the rights of parties in the bankruptcy process, offering forums for members of the legal and financial communities to facilitate discussion about bankruptcy law, and encouraging members to give back by providing pro bono legal services to the underserved communities of Texas. The section continues to promote online education by offering free webinars to section members. These one-hour webinars address both business and consumer bankruptcy topics. The online legal forum is used by several members to support their practice and provide guidance to solve tough legal questions. Hard work over the years has expanded the pro bono clinic that has proven exceedingly successful at the University of Texas School of Law and St. Mary's University School of Law. These initiatives are underway across Texas at several other law schools. The section and its volunteers are hard at work providing legal assistance to those in need across the state. The section remains committed to bringing its members the best possible benefits for the advancement of the practice of bankruptcy law.

### BUSINESS LAW

*Stephen C. Tarry, Chair*

The Business Law Section is continuing its work to provide resources in the fields of corporate, securities, commercial, banking, and bankruptcy law to its members. The section also continually updates its website to provide information that is useful to its members. The site now contains materials for the CLEs presented by the section, including a back catalog of selected CLE papers; current and prior issues of the *Texas Journal of Business Law*, which the section continues to publish; forms (including LLC operating agreements) of use to business lawyers; and information about the section's current events, webinars, and committees. The section conducts many of its activities through its committees. Among other things, the committees continue to draft and monitor proposed legislation that affects Texas businesses, including, for example, the preparation of updates to the Texas Business Organizations Code. The section's General Practice Committee operates a mentorship program in which seasoned Texas business attorneys share experience and knowledge with new or developing Texas business attorneys. All Texas attorneys who have an interest in business law matters are welcome to join the section and to become members of its committees.

### CHILD PROTECTION LAW

*Justice Debra H. Lehrmann, Chair*

The Child Protection Law Section is in its third year and going strong. After two successful CLEs, the section's third was set to be the best yet with a record number of registrants. The section is looking forward to honoring one of its keynote speakers, Bruce Perry, with a Lifetime Achievement Award in recognition of his groundbreaking work on childhood trauma. Unfortunately, plans were interrupted by the coronavirus outbreak, and the section has postponed the conference. The section will do its best to bring Perry back to be honored when things return to normal. The section also provided a very successful Zoom CLE for members titled “Handling a CPS Case During a

Pandemic,” which had nearly 400 attendees. Please see the website, [childprotectionlawtx.com](http://childprotectionlawtx.com), for additional information regarding upcoming events and joining the section. Many thanks to the State Bar for its continued support and to section members who remain devoted to the well-being of children. Times like these serve as a stark reminder of the importance of protecting the most vulnerable among us. Section members continue to be up to the challenge.

## CIVIL LIBERTIES & CIVIL RIGHTS

*Joshua Abrams, Chair*

The Civil Liberties & Civil Rights Section had a fantastic year thanks to the hard work of the section's members. The section continued its efforts to promote discussion regarding constitutional issues and civil liberties and civil rights, which are of ever-increasing importance in the nation. To that end, the section co-hosted the 14th annual Bill of Rights Course in Austin, a full-day CLE that brings together judges, law professors, and attorneys from across the nation. The section also co-sponsored a half-day CLE at Annual Meeting and continues to sponsor the *Texas Journal on Civil Liberties & Civil Rights*, a law review published by the University of Texas School of Law and provided free to members. The section is pleased to announce that the 2019 recipient of the Patrick Wiseman Award for Civil Rights was Mark Whitburn, of Whitburn & Pevsner, in Arlington. Finally, the section website redesign is underway, with a planned launch before the end of the year. In sum, exciting things are happening. If you are not a section member yet, please join.

## COLLABORATIVE LAW

*P. Lindley Bain, Chair*

The section continued promoting collaborative law throughout all practice areas, educating colleagues and clients and supporting local bars' efforts in doing the same. The section is updating its website and social media to support and promote local bar and local practice group initiatives to become the centralized location for information and connection regarding collaborative law in Texas. The annual two-day Collaborative Law Conference took place in Austin this spring, celebrating 20 years

of growing the collaborative practice in Texas with a focus on expanding and adapting it for the future. The section originally planned a very exciting presentation for the State Bar Annual Meeting, which we look forward to presenting at a future rescheduled date. The section will present an exciting CLE that will be rescheduled due to the Annual Meeting's cancellation. The planned program is an interactive presentation building on the interest-based negotiation model, deepened by unique elements brought to the table by The Likeable Lawyer. Our presenters, Brian Hammer and Jeff Stec, will bring techniques from improvisational acting and their unique expansive negotiation model that are designed to increase creative input into the negotiation process and further enlarge the pie so that everyone gets more of what they really want. This program will leave participants with new tools to achieve more solutions in negotiations.

## COMPUTER & TECHNOLOGY

*John G. Browning, Chair*

The mission of the Computer & Technology Section is to be a resource to the legal profession in matters involving technology. This mission is especially important in light of the Texas Supreme Court's recent change to paragraph 8 of the comment to Rule 1.01 of the Texas Disciplinary Rules of Professional Conduct. That change made clear that to maintain competence in the practice of law includes knowing about relevant technology. For the third consecutive year, the section sponsored "With Technology and Justice for All CLE." This year's CLE focused on adhering to the new duty of tech competence. The section publishes *Circuits*, a quarterly members-only newsletter, provides speakers for live webcasts on tech-related topics like artificial intelligence, and has added videos to its series titled *TechBytes*, which is available to all Texas lawyers at [texasbar.com/tech-resources](http://texasbar.com/tech-resources). Section members continue to enjoy the Texas Legal App, which provides access to Texas rules and codes with links to caselaw. The section also sponsored 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 June 2019 in Austin. For more information, contact the administrator at [admin@sbot.org](mailto:admin@sbot.org).

## CONSTRUCTION LAW

*Fred Wilshusen, Chair*

The Construction Law Section focuses on continuing education for its 2,700 members through its CLE programs and scholarly publications. In addition to serving as a joint sponsor of two significant CLE programs, the section publishes the *Construction Law Journal* semi-annually, publishes a highly regarded monthly caselaw update known as the "Change Order," and provides webinars on timely topics for its members. The section proudly supports the Texas Access to Justice Foundation and will donate \$25,000 this year to provide much-needed funds for legal services to low-income Texans. The annual Basic Course in Construction Law was held on December 5-6, 2019, in Houston where nearly 200 attendees learned about a variety of introductory topics. Another 900 attendees at the 33rd annual Construction Law Conference on March 5-6, 2020, in San Antonio heard presentations on cutting-edge legal and industry topics. The section selected the Construction Education Foundation, or CEF, as the designated charity for this year's annual conference. CEF is a nonprofit organization that has trained thousands of skilled laborers and supervisors for the construction industry. Over \$20,000 was raised for CEF to continue transforming the lives of its students. For more information, go to [constructionlawsection.org](http://constructionlawsection.org).

## CONSUMER AND COMMERCIAL LAW

*Jerry J. Jarzombek, Chair*

In its continuing tradition of offering the highest quality CLE, the Consumer and Commercial Law Section hosted two well-received programs: a half-day event at the State Bar of Texas Annual Meeting and a two-day program on advanced consumer and commercial law topics. The section's next advanced

program will be August 27-28 in Austin. The section's 2019 Richard Alderman Award for CLE Excellence was awarded to Raul Noriega, of Texas RioGrande Legal Aid in San Antonio. Information about the section's activities is available at [txconsumerlawyers.org](http://txconsumerlawyers.org). The section has spent the year working with user experience company Standard Beagle Studio to overhaul the section's website and hopes the new website will go live before the annual meeting. Finally, the section continues to offer members free subscriptions to its acclaimed *Journal of Consumer & Commercial Law*, published in cooperation with the University of Houston Law Center; the Lexology news feed featuring articles on timely consumer and commercial law decisions; and discounted attendance at select CLE programs, including the annual Advanced Consumer & Commercial Law Seminar.

### CORPORATE COUNSEL

*Stephen E. Stein, Chair*

The Corporate Counsel Section serves more than 4,600 lawyers representing companies in Texas, including in-house and outside counsel. The section's many benefits include CLE programs for free or at discounted rates to section members, invitations to complimentary local and statewide networking events, and collaboration with company legal departments to provide on-site programs directed to their unique needs. Programs for this bar year included In-House Counsel 101 and Advanced In-House Counsel co-sponsored with TexasBarCLE, the SMU Corporate Counsel Symposium, and the Legal Ethics & Compliance Program. For over 36 years the section has co-sponsored the Corporate Counsel Institute with the University of Texas School of Law. Other valuable resources are provided to members through the section's publications, including the highly regarded *Corporate Counsel Review* published at the South Texas College of Law Houston, the section newsletter *Corporate Counsel Currents*, and *Newsstand*. The section has long supported pro bono organizations by awarding grants to providers and offering service opportunities in Texas.

More details and resources are available at the section's website at [texascorporatocounsel.com](http://texascorporatocounsel.com). Join us.

### CRIMINAL JUSTICE

*Dwight McDonald, Chair-elect*

The CJS's mission is to promote collaboration between judges, prosecutors, and defense lawyers to benefit the criminal justice system as a whole. As such, council members have diligently worked together this year to improve services for all section members, such as revamping the website to make it more interactive and easier to navigate for members, updating the newsletter and bylaws, as well as creating trial notebook supplements on *Evidence, Sexual Assault Crimes, and Common Objections*. The section continues to allow free membership for lawyers in their first two years of practice. To maintain the section's commitment to providing low-cost CLE opportunities to lawyers in underserved regions, CJS had scheduled a CLE in Waco and planned to host a half-day criminal law CLE at the State Bar Annual Meeting before both were canceled due to COVID-19. Finally, the section is currently looking for prosecutors and criminal defense attorneys who are interested in serving on State Bar disciplinary grievance committees. The Criminal Law Section thinks it is imperative that every grievance committee has members who are experienced in criminal law and understand the complexity of criminal law issues like *Brady*.

### ENTERTAINMENT AND SPORTS LAW

*Dena Weaver, Chair*

The Texas Entertainment and Sports Law Section, or TESLAW, continued providing members with information about the applicable law surrounding entertainment, arts, and sports. At the State Bar of Texas Annual Meeting in June 2019, TESLAW offered "When Good Festivals Go Bad and Other Legal Issues Surrounding Live Music Performances" and "Austin FC—The Inception of an MLS Franchise" CLE programs. The final program was "What Kanye Can Teach Us About Litigation," examining how Kanye West is not only a cultural

lightning rod but also a litigant whose cases can impart lessons for attorneys. In November, the Entertainment Law Institute provided programs running the gamut of music, film, art, and trademarks. A popular special boot camp, Entertainment Law 101, was held the day before ELI, providing a concise overview of entertainment law basics. All section members receive the e-newsletter *TESLAW Tidbits*, which provides summaries of recent court decisions as well as helpful practice documents. Additionally, members receive the *Texas Entertainment and Sports Law Journal*, which provides in-depth analysis of legal issues facing the entertainment and sports industries. TESLAW is a section for lawyers practicing in the fields of art, entertainment, and sports law, as well as those who are simply interested.

### ENVIRONMENTAL & NATURAL RESOURCES LAW

*Susan M. Maxwell, Chair*

ENRLS includes lawyers in private practice, government agencies, in-house counsel, and nonprofit organizations. Over the past year, the section built upon its programming in legal education, publications, and law school programs. In August 2019, ENRLS presented the Texas Environmental Superconference, a two-day CLE program now in its fourth decade. In February 2020, ENRLS co-presented with the REPTL Section the 21st annual Changing Face of Water Law, a two-day CLE program focusing on emerging water law issues. The new ENRLS website launched in 2019 and features an expanded archive of conference materials and publications. The section named Ashleigh Acevedo editor in chief of the *Texas Environmental Law Journal*. Two other sponsored publications remain primary resources for lawyers, with a sixth edition of *Essentials of Texas Water Resources* released in spring 2020 and the annual update of the two-volume Texas Environmental Law practice series. Many ENRLS members contribute to these publications. Each academic year, ENRLS sponsors career-oriented programs on Texas law school campuses and continues its practice of holding a quarterly council meeting to coincide

with a campus program. The section expanded its scholarship program in 2019 and funded eight summer internships at various governmental agencies.

## FAMILY LAW

*Chris Nickelson, Chair*

The mission of the Family Law Section is “to promote the highest degree of professionalism, education, fellowship, and excellence in the practice of family law.” The section attempts to fulfill its mission by publishing practical literature to educate and assist attorneys, by generating legislation to keep the law predictable, by working with TexasBarCLE to produce some of the best CLE in the nation, by sponsoring socials so attorneys from across the state can become better acquainted, and by promoting pro bono representation through pro bono seminars. The section’s publications include the *Family Law Checklists*, *Predicates Manual*, *Family Law At Your Fingertips*, the *Family Lawyer’s Essential Toolkit*, and *The Client Handbook*. The section updates and the State Bar of Texas publishes the *Texas Family Law Practice Manual*, an essential tool for family law attorneys. If you are interested in purchasing any of these publications, go to [sbotfam.org](http://sbotfam.org). Membership in the section is only \$40 a year, and members receive the *Family Lawyer’s Essential Toolkit*, a quarterly Family Law Section Report, and discounts on State Bar family law seminars. If you are already a member, thank you. If not, please join.

## GENERAL PRACTICE, SOLO AND SMALL FIRM

*Carmen Samaniego, Chair*

Staying up to date on State Bar activities is an important goal for the General Practice, Solo and Small Firm Section. The section represents general practitioners, and as the economy changes, it sees more firms moving toward a general practice. The section also sees a growing trend of solos and small firms across Texas. The section wants to make sure the State Bar takes into consideration solo and small firm needs and challenges that are often quite different than those of larger firms or governmental organizations. The section continues to offer relevant CLEs including a half-day seminar at the State Bar of Texas Annual Meeting. The section is also working on a statewide CLE road show presentation of *Technology: Old Dogs, New Tricks*,

highlighting free or inexpensive programs that are helpful in a practice and for court presentations. Given the current climate of remote access and use of programs such as Zoom, the section finds this CLE is most relevant. The council is working hard to produce and publish an annotation to the *Texas Disciplinary Rules of Professional Conduct*, which is anticipated to be another on-going project, just as the *General Practice Digest*, which is published three times a year.

## GOVERNMENT LAW

*Ryan Henry, Chair*

The Government Law Section provides services and resources for members working with state and local governments. One of the section’s major initiatives this year has been to explore certification of local government law as an area of legal specialization. Many standard rules and understandings apply differently when dealing with a governmental entity, and this—along with a broad understanding of other areas of law that are recognized as specialties in their own right—have driven our efforts with the Texas Board of Legal Specialization. The section provides education to help lawyers understand the unique rules in this area of law and provides a monthly newsletter to members, along with routinely emailed case summaries and changes in law related to the section. The section also continues to update its website, bringing current resources and information to readers. Finally, the section provides traveling roadshows to bring affordable, live CLE to different parts of Texas. The section plans to host the 2020 Advanced Government Law Seminar in July on the San Antonio River Walk. Speakers will present topics useful for new government lawyers as well as material that will interest those who have been practicing in government law for many years.

## HEALTH LAW

*Lisa L. Hill, Chair*

The Health Law Section continues to focus on creating better understanding and cooperation among attorneys and other professions involved in the health care industry, including attorneys who represent hospitals, doctors, and life sciences industries. The section provided a webinar on new and proposed federal and state legislation to its members in

February and is planning the 33rd annual Texas Health Law Conference: [texhealthlaw.org](http://texhealthlaw.org). The conference, which offers an estimated 13 hours of quality CLE, is co-sponsored by the Texas Hospital Association and is scheduled for October 4-6 at the AT&T Hotel and Conference Center in Austin. If an in-person gathering is not practicable, the conference will occur as a live, virtual event. We will be monitoring the circumstances surrounding the COVID-19 pandemic and will make alternative arrangements if necessary. Major initiatives of the section include recruiting and attracting future talent by offering opportunities for law school students to learn more about the practice of health law. The section also provides a weekly e-newsletter for all members that tracks proposed and adopted health law-related rules and regulation published in the *Texas Register*.

## HISPANIC ISSUES

*Valerie Ann Carrillo, Chair*

This past year has been an extremely challenging one, starting with the tragic Walmart shootings in August 2019 targeted toward people of Hispanic ethnicity and today we are in the midst of having to deal with the coronavirus pandemic in the United States and across the world. In spite of these events, the Hispanic Issues Section has been able to focus on outreach efforts to recruit new leadership to the section. Because of this, the section has a strong, diverse group of officers and council members from across the state. This year, the Hispanic Issues Section reached out to the El Paso Bar Association to offer its support and assistance in providing resources to the El Paso community following the shootings. Additionally, the section participated in the Texas Access to Justice Foundation 35th anniversary dinner fundraiser, where John Grisham was the keynote speaker. It was an extremely successful event and an important fundraiser as TAJF serves as the lead funding source for legal aid in Texas. Finally, Judge Victor Villarreal (vice-chair) hosted five mock trials and a networking event in Webb County. Stay healthy, everyone.

## IMMIGRATION AND NATIONALITY LAW

*Lisa Sotelo, Chair*

This past year was one of several “firsts” for the Immigration and Nationality Law Section as it focused on providing free CLE to its members. In Dallas, it hosted its first free, half-day CLE program titled “Mandamus & Declaratory Judgment Litigation Training,” presented by two of the country’s most well-known immigration litigators, Ron Klasko and Tammy Fox-Isicoff. In Houston, the section hosted its first annual Pro-Bono Project: Immigration Primer & Family Preparedness Training Clinic, a full-day, free CLE held at the South Texas College of Law Houston that focused on immigration and family law while also providing pro bono opportunities. Additionally, the section’s website has been updated to provide resources to members, include volunteer/pro bono opportunities, and offer options to obtain CLE related to immigration and nationality law. The section also sponsored its first annual Immigration Trivia Contest & Happy Hour at the State Bar of Texas Advanced Immigration Law Conference in Houston; it also worked with the State Bar Laws Relating to Immigration and Nationality Committee to share information related to immigration and nationality law. The section’s newsletter was revamped to provide quarterly updates on immigration news, trends in adjudication, insight to new 5th Circuit caselaw, and more.

## INSURANCE LAW

*William J. Chriss, Chair*

The Insurance Law Section continues improving services provided to members. The section began the 2019-2020 year by conducting a strategic planning retreat to develop goals and projects for the year. The Young Lawyers Committee hosted networking events across the state to involve new members and promote the exchange of ideas. The section improved its website, [insurancelawsection.org](http://insurancelawsection.org), by adding additional content and making it more user-friendly. In addition to the

printed and electronic versions of the *Journal of Texas Insurance Law*, the section issues weekly “Right Off The Press” email updates that provide summaries and links to recent Texas state and federal decisions that touch upon related issues, as well as current listings of insurance-related employment opportunities. The section continues providing quality continuing education opportunities to members by offering webinars on cutting-edge issues and by presenting its Annual Advanced Insurance Law Course, held in a virtual format. During this event, the section updated membership on the section’s activities and recognized outgoing council members. The Russell H. McMains Legend of Texas Insurance Law Award was presented to Mike Huddleston, of Dallas. Finally, this year, the section has awarded a number of scholarships to outstanding Texas law students preparing to enter the field of insurance law.

## INTELLECTUAL PROPERTY LAW

*Derrick Pizarro, Chair*

In February, the section held its 33rd annual Advanced Intellectual Property Law Course in Houston. The two-and-a-half-day course included a trademark workshop, industry-specific courses, and a patent track, along with a reception. The Women in IP Committee hosted its 10th annual breakfast. The section contributed a virtual presentation for the State Bar’s revised Annual Meeting On Demand. The section hosted well-attended pro bono events in Nacogdoches and Lubbock and has planned a pro bono event for San Antonio. The section highlighted its pro bono efforts to the Subcommittee on Courts, Intellectual Property, and the Internet of the U.S. House Committee on the Judiciary at the subcommittee’s request. Kudos to the attorney volunteers. The section has selected its 2020 Texas IP Legend—V. Bryan Medlock—for recognition. The section’s quarterly newsletter, the *Tipsheet*, features many IP Section events and topics of interest. The section’s website continues to be a resource for Texas intellectual property practitioners.

## INTERNATIONAL LAW

*Gabriela Smith, Chair*

The ILS encompasses various practice areas and its constituents are lawyers from all kinds of backgrounds, including immigration, business law, mergers and acquisitions, technology, cybersecurity, employment, and many others. For these reasons, the ILS makes efforts to provide learning and networking opportunities that touch many of these areas in the international realm. This year the ILS held CLE and networking events in Austin, Houston, and Dallas prior to the interruptions caused by the COVID-19 pandemic. Unfortunately, the Annual Institute, planned for April 2020, and the International Trip to Canada, planned for May 2020, were postponed to a future date to be announced. Fortunately, the ILS also provides opportunities to its constituents via online and digital activities. The ILS continues to publish its online newsletter (<https://ilstexas.org/resources/ils-newsletter/>) as well as a monthly e-blast with legal content and other ILS information. In response to the COVID-19 pandemic, the ILS is, as of the date of this writing, working on rolling out an online learning series on the effect of COVID-19 on international legal issues. The ILS’s International Human Rights Committee has continued with its significant efforts and contributions on the realm of international human rights.

## JUDICIAL

*Justice Gina Benavides, Chair*

Like many of you, I write this message sheltered in place and facing the pandemic of COVID-19. The judiciary has been thrust into a new world that is unknown and a little scary. But as public servants, we are rising to the occasion. The Texas Supreme Court and Court of Criminal Appeals have issued emergency orders dealing with civil procedure, family law matters, and criminal due process. Presiding judges of our trial bench are gathering troops to ensure that the wheels of justice turn by embarking on new frontiers by using technology to hold hearings. It hasn’t been easy, but we have no choice. In the

interim, the Judicial Section has begun its work with the Legislature to prepare for the next session by monitoring the work of the Texas Commission of Judicial Selection and begin addressing the lasting consequences of COVID-19 to the judiciary. The Judicial Section was instrumental in the last Legislature to ensure that the judiciary continues to be the third branch of government and retains its independence. The Judicial Section remains committed to continuing its work and remaining as a resource and advocate during these interesting times. Please stay safe and healthy. Together, we will persevere.

### JUSTICE OF THE PEACE COURTS

*Howard M. Bookstaff, Chair*

The Justice of the Peace Courts Section is continuing to work hard. Several board members have been instrumental in providing educational opportunities for section members. During the past year, the section had CLE luncheon presentations on 2019 legislation and the use of receiverships in justice courts and added material to the section website. The section looks forward to providing additional CLE presentations, including one on the jurisdictional increase in the justice court. The purpose of the section is to: (i) further the administration of justice in the justice courts, (ii) provide a forum for the exchange of information on matters of practice and procedure in justice courts, (iii) provide information and educational opportunities for the membership, and (iv) cooperate closely with the State Bar of Texas and other professional organizations in developing, supporting, and promoting legal and professional activities affecting justice of the peace courts. In addition to licensed attorneys in good standing with the State Bar of Texas, membership in the Justice of the Peace Courts Section is open to all current and former Texas justices of the peace. Justices of the peace who are not licensed attorneys can become associate members of the section.

### JUVENILE LAW

*Mike Schneider, Chair*

The Juvenile Law Section held its

33rd annual conference in Galveston in February. Over 350 people attended from all juvenile law disciplines, including judiciary, prosecution, state agency, probation, law enforcement, and defense—including a defense attorney for an exonerated juvenile defendant in the 1989 Central Park Five case. Two mothers of accused youth also presented to give parent perspectives—the mother of exonerate Yusef Salaam, who was exonerated in 2002 for the Central Park jogger case, and the guardian of an 11-year-old charged with a misdemeanor in Texas. The section continues to emphasize new ways to address resolving youthful delinquency by bringing together all stakeholders for meaningful conversation and cooperation. There is a renewed emphasis on treating the underlying causes of juvenile delinquency with a greater awareness of how adverse childhood experiences affect children. Additionally, during the current health crisis, the section has a renewed interest and awareness of those occupationally involved in the juvenile justice field with compassion fatigue and other issues. The section seeks to provide more meaningful resources to its members, such as updated forms and contact information for members. The section requests that members provide input and ideas on ways to increase member involvement.

### LABOR AND EMPLOYMENT LAW

*David L. Wiley, Chair*

The section includes attorneys who represent workers, companies, and governments in workplace issues and is among the larger of the sections. In the 2019-2020 bar year, the section provided members with quarterly updates via newsletters concerning the latest court opinions, prepared and edited by law professors who teach labor and employment law. The section subsidized and presented affordable and high-quality continuing legal education via its annual Labor and Employment Law Institute and keeps an expanding database of jury charges and verdicts in labor and employment cases in Texas. CLE and database materials are available to all members

via the website. The section reached out to law students with panels of experienced practitioners at law schools around Texas to meet with students, answer their questions, and discuss the choice of labor and employment law as a practice area. The section supported internships at nonprofit organizations involved in labor and employment law and built good relations between practitioners, who often oppose one another in practice, by providing them opportunities to meet and socialize outside the context of any specific case. The section welcomes members of other sections whose practices touch on labor and employment law to join.

### LAW STUDENT DIVISION

*Brandon Cofield, Chair*

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

### LEGISLATIVE AND CAMPAIGN LAW

*Elizabeth Hadley Ross, Chair*

The Legislative and Campaign Law Section's most exciting accomplishment this year: the new legislative and campaign law certification approved by the Texas Board of Legal Specialization and the Texas Supreme Court. The section is planning for the first certification exam later in 2020. The section hosted its annual CLE in December, featuring topics on issues related to election law, campaigns, redistricting,

updates on the Texas Ethics Commission, an update and review of the Sunset process from the Texas Sunset Advisory Commission, and a look ahead at the interim legislative year. The section has enjoyed hosting several happy hours throughout the year for members to network and communicates regularly with members through newsletters and e-blasts with updates on state and federal laws affecting legislative and campaign law, as well as court decisions and ethics commission opinions applicable to the profession. The section participated in the 2019 State Bar Annual Meeting by providing a half-day CLE that featured a legislative and ethics update and a presentation on state and federal election law.

### LGBT LAW

*Elliott Beck, Chair*

The LGBT Law Section began the 2019-2020 year at the Annual Meeting by hosting a full day of CLE, leading a local LGBT Bar Association Affiliate Congress, hosting back-to-back receptions, and participating in the State Bar of Texas Diversity Forum. The section provided financial and promotional support to local LGBT bar organizations in Austin, Dallas, and Houston, in addition to organizational and programming resources. In December, the section worked closely with the State Bar to produce another full day of live CLE covering a broad array of LGBT legal topics titled “LGBTQ Legal Issues in Changing Times: What Every Texas Practitioner Needs to Know.” Presentations included a legislative update, current LGBT issues before the Supreme Court, and LGBT immigration and asylum, followed by a networking event after the CLE for leaders in the LGBT legal community from around the state. The section also reconnected with its fellow minority bar associations by hosting a table at the 2019 Texas Minority Counsel Program, and it is assisting the National Trans Bar Association in establishing a third hub in Texas, which would be the only location in existence outside of a major coastal city.

### LITIGATION

*Jennifer Doan, Chair*

The section continued to excel in its mission of empowering advocates, promoting justice, and preserving the rule of law. Through the Litigation Champions Challenge, the section exceeded membership and participation goals, and Sustaining Membership reached historical gains. The Texas Legal Legends continued to thrive with the induction of James Sales and James Coleman—two lions of the bar who effected positive change by enforcing the rule of law, acting as gatekeepers of justice, and making a difference in countless lives. Giving back through pro bono services, numerous grants, much needed internships to nonprofit legal organizations, and CLE scholarships continued as a section hallmark. The award-winning publication *The Advocate* covered stirring symposia on pro bono, ethics, effective trial advocacy, and the Litigation Update Institute, while *News for the Bar* provided bimonthly news, pointers, and “Top 10” articles. Litigation Update Institute, the Annual Meeting, and litigationsection.com delivered exceptional CLE. The Litigation Section canceled several in-person CLEs, changing course to prepare exceptional online CLE opportunities instead. The section’s new strategic plan provides guidance into the next decade and forecasts changes for all Texas lawyers. Finally, all of these benefits and more are on litigationsection.com—a revamped, one-stop and must-have resource for all Texas trial lawyers.

### MILITARY AND VETERANS LAW

*Wade Faulkner, Chair*

Wow, what a tremendous and incredible year for the Military and Veterans Law Section and world. First, the section’s CLE for spring 2020—like many sections’ CLEs—fell victim to COVID-19 and stay-at-home orders. MVLS will be back in the fall with Chair-elect Jon Shelburne leading instructive CLE for military and VA law. MVLS, true to its name, will present CLE for those attorneys who

practice military law and/or veterans law. VA law has undergone a sweeping change since February 2019. Military law also experienced major changes in 2019, and the effects of many of those changes are starting to show up both in trial and on appeal. The MVLS plans to host two CLEs—one in the fall and another in the spring. Each will be full of important information concerning both military and veterans law. The MVLS CLEs planned will enable VA-accredited attorneys to understand and best represent their veteran clients. The MVLS invites any Texas attorney with an interest in military justice or veterans law to join the Military and Veterans Law Section.

### MUNICIPAL JUDGES

*Laura Anderson, Chair*

COVID-19, social distancing, video conferencing, court closures, essential hearings, and interpreting emergency orders from the president, governor, Texas Supreme Court, county judges, and mayors. What happens when someone violates emergency orders? Can we close our court? How do you Zoom anyway? Where do we start? First, we wash our hands. After looking at precedent, the section was somewhat prepared for court closures because two years ago at the State Bar of Texas Annual Meeting, Judge Elaine Marshall, presiding judge of the city of Houston Municipal Courts, hosted “How Houston Survived Harvey: Getting Your City Ready for Disaster.” The panel included the police chief, who spoke of building relationships prior to the disaster, planning, and being nimble. The section also looks to the Texas Municipal Courts Education Center and the Office of Court Administration for guidance. With traditional seminars on hold, both agencies went into overdrive by setting up opportunities not only to learn remotely but also conduct hearings remotely. The 2020 section meeting will host a panel called “Mental Health and Municipal Courts: How Judges Can Lead.” The question of whether or not the meeting will be conducted remotely should be answered by the time of publishing.

## OIL, GAS AND ENERGY RESOURCES LAW

*Michael D. Jones, Chair*

The Oil, Gas and Energy Resources Law Section originated in 1938 and now has over 4,000 members. During this year, OGERL elected to open its membership to individuals not licensed to practice law in Texas by establishing an associate membership category. Associate members can join for the same annual membership fee charged to Texas-licensed attorneys. However, associate members cannot vote or hold any elected or appointed office in OGERL and cannot represent themselves as Texas-licensed attorneys. Associate members have access to the oilgas.org website maintained by OGERL and OGERL's section report. This internet portal provides historical access to the continuing legal education articles and presentations sponsored by OGERL. The section report provides the most recent legal articles on developments affecting the oil, gas, and energy resources industry. OGERL provides programming and sponsorship of seven continuing legal education seminars in any given year. OGERL forms planning committees and provides speakers for the TexasBarCLE energy programs and the UT Law CLE energy programs. OGERL provides internships to five state agencies and awards scholarships to the two highest-grade recipients each semester in the general oil, gas, and mineral law survey course(s) at all of the Texas law schools.

## PARALEGAL DIVISION

*Megan Goor, President*

This year, the division focused on growth and competency in the paralegal profession. Paralegal student liaisons were appointed and reached out to students by email and visited schools. The president also reached out by videoconferencing. The division's annual meeting was held for the first time in conjunction with its annual CLE event, the Texas Advanced Paralegal Seminar, or TAPS, celebrating its 20th anniversary on September 18-20, 2019 in Austin. "There's No Place Like TAPS—20 Years of CLE Excellence" had approximately 200 attendees and 64 speakers, offering up

to 14 CLE hours. In lieu of speaker and volunteer gifts, donations were made to the Austin Bar Foundation. TAPS 2020 is scheduled to be held September 16-18 in San Antonio. The division's annual Europe trip to Budapest was postponed. The *Paralegal Ethics Handbook* 2019 edition was published by Thomson Reuters. *The Texas Paralegal Journal* made its debut president's video for the "Keep Your CLE Certificates" campaign (to view, go to <https://bit.ly/2XpA3zg>). The *Paralegal Pulse* e-newsletter transitioned into a new formal format and included information from each district. Next year, the board plans to continue its efforts to maintain competency in both legal and technological support and improve membership benefits.

## POVERTY LAW

*Melissa Thrailkill, Chair*

This year, the Poverty Law Section inducted new officers and added new council members. New officers: Melissa Thrailkill (chair), of the Law Offices of Brandy Voss; Shelby Jean (vice-chair), of Legal Aid of NorthWest Texas; Thai-Anh Nguyen (secretary), of Lone Star Legal Aid; and Cathryn Ibarra (treasurer), of the Texas Access to Justice Commission. New council members: Liana Dixon, of Texas RioGrande Legal Aid; Alma Gonzalez, of LANWT; John Grieger, of LANWT; Denise Moy, of the Texas Advocacy Project; and Tracey Whitley, of TRLA. The section honored several advocates at the 2019 Poverty Law Conference. Lucille Wood, of the University of Texas School of Law, received the Impact Award for her work delivering services to persons with disabilities and their families. Laurie Hallmark, of TRLA, also received an Impact Award for creating the first psychiatric advance directive legal clinics in Texas. Jennifer Harbury received the Noble Lifetime Achievement Award for her dedication to fighting for human rights for immigrants for over 30 years. The next Poverty Law Conference is scheduled for September 2-4, 2020, in Austin. The section is closely monitoring the current public health crisis and will announce alternate plans, if necessary. The conference offers targeted CLE with a

public interest focus and features presentations from knowledgeable poverty law practitioners and private attorneys.

## PUBLIC UTILITY LAW

*Brad Bayliff, Chair*

The Public Utility Law Section provides opportunities for utility law practitioners in Texas to interact with and learn from each other to keep its members advised on laws, decisions, and governmental regulations. The 2019 conference was a great success and included commissioners or executive staff from state agencies such as the Public Utility Commission of Texas, the Railroad Commission of Texas, and the Texas Commission on Environmental Quality who shared perspectives on issues of importance to practitioners working with regulated entities such as electric, natural gas, telecommunications, and water utilities. Speakers and attendees from private practice and the public sector interacted to make this an enriching and economical day of MCLE. The council continues to evaluate its operations and programming and may offer additional activities. This could include more, or different, MCLE programs, member mixers, or sponsoring one or more interns at state agencies. The council requests input from section members on how it can better serve PULS members.

## REAL ESTATE, PROBATE AND TRUST LAW

*Eric Reis, Chair*

The Real Estate, Probate and Trust Law Section had a particularly ambitious legislative program this year, spanning both the real estate and probate divisions of the section. Section volunteers devoted thousands of hours to exhaustively researching, drafting, vetting, and discussing proposed bills, and the section looks forward to presenting this legislation to the Texas Legislature next year. In addition to legislative work, the section also contacted the governor and Texas Supreme Court to offer assistance with possible executive or judicial actions addressing practice issues in the COVID-19 emergency. REPTL

honored two of its finest lawyers, Sharon Reuler (real estate) and Barbara Anderson (probate), as its 2019 Distinguished Lifetime Achievement Award recipients. The section published four issues of the *REPTL Reporter* under the exemplary leadership of its editor in chief, Gerry Beyer, and sent multiple e-blasts on legal developments, section news, practice tips, and CLE. Section members enjoyed more than \$65,000 in TexasBarCLE registration discounts. The section awarded \$10,000 in grants to the Access to Justice Foundation and Texas Community Building with Attorney Resources and continued its partnership with the Oil, Gas and Energy Resources Law Section in funding the Texas Title Standards Joint Editorial Board.

### SCHOOL LAW

#### *Marney Collins Sims, Chair*

The School Law Section consists of practitioners who serve schools, administrators, teachers, parents, and students. Although the section represents an array of entities and individuals, it is united in its desire to make a positive contribution to the future by supporting the education of schoolchildren in Texas. The section's clients are "first responders" in their communities; this year that has never been more evident. Schools have faced the unprecedented task of completely changing traditional education while continuing to provide meals and other support to the community during a time of crisis. School lawyers are beside their clients helping them navigate this brave new world. The section is also known for the collegiality and mutual respect between its members and its significant focus on providing superior legal education to members. The section's winter CLE conducted with University of Texas School of Law took place in February and was a great success. The section's summer CLE retreat is scheduled to take place in July. At the retreat, the section will present the Kelly Frels Lifetime Achievement Award, which was received by Wayne Haglund in 2019 in recognition of his outstanding contributions to the section.

### TAX

#### *Christi Mondrik, Chair*

As of March 2020, the Tax Section visited nine Texas law schools to conduct tax law outreach panels. In 2019, the section assisted 37 pro se taxpayers at 11 U.S. Tax Court docket calls and three pro bono days. The section also conducted Adopt-A-Base Volunteer Income Tax Assistance training sessions at five Texas military bases and presented six free webinars to members on current tax topics. The Tax Section issued comment letters on Proposed Regulations Concerning the Deferral of Gain Recognition on Amounts Reinvested in Qualified Opportunity Funds and Proposed Regulations on Certain Employee Remuneration in Excess of \$1,000,000 under Internal Revenue Code Section 162(m) and testified twice before Congress in support of its comments. Nineteen graduates successfully completed the 2019-2020 leadership academy program. The section conducted in-person CLE seminars at the International Tax Symposium and Tax Law in a Day. The Property Tax Seminar was postponed due to COVID-19. This spring, the section will grant scholarships awards to Texas law students, as well as the Outstanding Texas Tax Lawyer Award. Section benefits include [texassection.org](http://texassection.org), featuring a 24/7 free CLE library; *Texas Tax Lawyer*; and 22 active committees. Join us.

### WOMEN AND THE LAW

#### *Nicondra Chargois-Allen, Chair*

The Women and the Law Section comprises 1,200 women attorneys. Its mission is to encourage and facilitate the active and effective participation of women in the legal profession and in the community and to address the current issues affecting women. In support of its mission, the section provided free monthly telephonic CLEs to members from September until May, which were well attended. Topics ranged from "Intellectual Property Traps in Contracts and Premarital and Postmarital Agreements" to "Implications of Implicit Bias on Women in Law Practice." A CLE was

planned by the section at the Annual Meeting titled "From the Right to Own Property and Vote to Eve's Law, the Right to Control Her Body and Fertility" and the section presented the following awards: Sarah T. Hughes Women Lawyers of Achievement Award, Louise B. Raggio Award, Barbara Culver Clack Award, and the second annual Harriet E. Miers Writing Competition Award, which provided scholarships to law students. Additionally, the *Women's Advocate*, a newsletter highlighting section members, issues pertaining to women lawyers, and articles of its members, was published.

### WORKERS' COMPENSATION

#### *Robert Graves, Chair*

At the time of this writing, the Workers' Compensation Section members, including attorneys representing system participants; administrative law judges, or ALJs; and agency staff, have embraced the challenges associated with COVID-19. Members are demonstrating remarkable cooperation and ingenuity in working with the Division of Workers' Compensation to keep the Texas workers' compensation system operating. Most members are working remotely. The DWC has successfully adapted to the current environment, providing necessary services for Texas employers, employees, and insurance carriers, including incorporating telephonic legal proceedings processes and accommodating new logistical issues while ensuring everyone's safety. This past year, the section held the 2019 Advanced Workers' Compensation Seminar and hosted an event of Topgolf benefiting Kids' Chance of Texas. The recipient of the 2019 Barbed Wire Award was Ken Wrobel. The section also presented a special award in memory of Bob Lang, a longtime ALJ who served in numerous capacities and was one of the architects of the current workers' compensation benefit dispute process. The 2020 Advanced Workers' Compensation Seminar will be held virtually in August. The section anticipates a half-day presentation regarding the basics of workers' compensation and two days for the advanced course. **TBJ**