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Judge Buchmeyer Would Approve

Regarding Party Talk 2011 (December, p. 998), many years ago, a doctor attended a cocktail party in San Antonio and was accosted by partygoers with health questions. The doctor saw the late Jesse Oppenheimer, a lion of the San Antonio bar, and pleaded for help. "Jesse, how can I get all of these people to stop asking me for medical advice at parties?" "Easy answer," Jesse said. "Do what I do when I get asked a legal question. The next morning when you get to the office you send them an invoice for your services rendered in responding to their medical questions at the party." "Great idea!" said the doctor. "I will try it." A few days later, the doctor shook his head in disgust when he opened the envelope containing Jesse's invoice for the legal advice he gave the doctor at the party.

Dan C. Perry
San Antonio

More About Party Talk

In Party Talk 2011, the answer to the question about someone who just got a money judgment entered against them might lead the partygoer to incorrectly believe that they are safe until 30 days after the judgment. They aren't.

The judgment debtor is in jeopardy almost immediately after the judgment is signed because the creditor may file an application for a writ of garnishment

right away. C.P.R.C. 63.001(3) allows a garnishment if the creditor has a "valid, subsisting" judgment. Rule 657 says the judgment is deemed to be "valid, subsisting" from and after the date it is signed, unless a supercedeas bond has been approved and filed.

Also, the creditor could file an application for turnover relief, including the appointment of a post-judgment receiver, under C.P.R.C. 31.002 as soon as the judgment is signed. There is no 30-day waiting requirement and turnover relief can be had ex parte, within the court's discretion. So, if the creditor was to present a motion for turnover immediately after the judgment is signed and prove up the elements, the court could grant it.

Mike Bernstein
Garland

Words of Encouragement

Starting in 2002, the City of Port Arthur offered a unique program for the community through its legal department. The city offered classes in anger management; self-esteem; drug, alcohol, and tobacco prevention; truancy and theft prevention; and individual counseling for at-risk youth. Judges and community leaders supported the program as a means to reduce crime, and the city attorney developed the program.

The children, their parents, and the community were also given the privilege of receiving motivational and self-esteem presentations from such nationally recognized speakers as Judge Greg Mathis, Marcus Parker, Rev. Eugene Rivers, gospel singer Yolanda Adams, Lt. Col. (Ret.) Consuelo Kickbusch, Dr. Ian Smith, and Jaime Escalante. The point was to raise children's self-esteem and it was a success. Thousands of children participated in the program. In many cases, the children simply needed a word of encouragement and are now law-abiding citizens.

Money is tight and the program is no longer being offered in that community and in others. Therefore, give your children words of encouragement. It may be the best present they have ever received.

Mark Sokolow
Houston

Pro Bono Takes Many Forms

With another edition of the *Texas Bar Journal* comes yet another editorial intending to shame all attorneys into performing "pro bono" work (December, p. 978). Volunteer work, whether as an attorney or in another fashion, comes from the heart, not from hectoring editorials.

I would like to take this opportunity to remind the leadership of our mandatory bar association that many of us do "pro bono" every day. It is our very job as public servants. For many members of the bar, our work as attorneys in government service is an equally valid expression of practicing law "pro bono," or in the literal Latin translation, "for good."

I would encourage our bar to remember the "pro bono" work that is done every day by dedicated government attorneys. Such recognition of this valuable work would provide some balance to the usual recognition of large firm attorneys who receive billable hour credits and other praise for their pro bono efforts.

Further, there are many of us in the legal profession who serve the community in other fashions outside of our legal practice. Some recognition of outside volunteer work, often performed at significant personal sacrifices of both time and money, is equally deserving of our peers' accolades.

Wes Ogilvie
Austin