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More on Pro Bono

I read with dismay Wes Ogilvie's letter to the editor (January, p. 8). Having authored a couple of what he may have seen as attempts to "shame" lawyers to do good, I was concerned that either we aren't making the point or that the point is not received as intended. Then it occurred to me that Mr. Ogilvie and the Bar leadership are talking about different things. No Bar leader I know believes anything other than Texas lawyers are a great force for good in their communities, this state, and this country. However, doing good is not enough when all citizens do not have access to justice. Those of us privileged to make a living working in our justice system are obligated to do all we can to ensure that all citizens have access to that system of justice. For lawyers to suggest that volunteer service in other areas replaces this obligation would be misinformed and short sighted. Those of us who have law licenses are presented with great opportunities and with such opportunities come great responsibilities. Ensuring equal access to justice for every citizen is one such responsibility.

Perhaps we have been less than clear when we substitute the Latin phrase "pro bono" for the Bar's responsibility to provide equal access to justice; however, a careful reading of Bob Black's "President's Opinion" is pretty clear. I believe Mr. Ogilvie misses the point — it is about responsible stewardship of the system and not recognition. I believe that

Texas lawyers by and large recognize this responsibility and our leadership is simply encouraging us to keep up the good work and to do more if we can.

Harper Estes

*2008–09 State Bar President
Midland*

I wholeheartedly agree with Wes Ogilvie's recent letter to the editor in response to the December editorial regarding pro bono work. Many attorneys have trouble fitting the pro bono legal representation of indigents into their practices for various reasons. However, most attorneys that I know serve on nonprofit boards, city or county boards and commissions, church governing bodies, and in many other volunteer capacities. In those activities, they often give free legal advice in addition to their volunteer service hours. The Bar leadership continually seems to minimize that service while lauding only the legal representation of indigents.

My own personal experience is also that attorneys who are community-minded will serve without any brow-beating, and those who are not community-minded are not going to serve no matter how many reminders are given. Rather than continue with the "it's your duty" approach, I think the Bar would be better served by highlighting ways that folks can be involved (e.g., a charity of the month that has specific needs).

Christopher W. Peterson

Bryan

The Reviews Are In

I found several useful legal principles crystallized in the 2011 Year in Review (January, p. 20), so this feature is one of value to many lawyers, I feel sure.

I am sure all lawyers have their pet areas of interest, and I realize you need to make some decisions and some areas just won't get attention. I practice environmental law, and though there was a nod to water law, I was surprised to see no review of environ-

mental law. One need only read the lay press to appreciate there are several interesting legal battles ongoing between the EPA and Texas regarding air law.

I was also surprised not to see an evidence or tort topic. Anyway, you might revisit the topics the review covers.

David Frederick

Austin

You are right: "the articles and topics addressed [in the 2011 Year in Review] are not exhaustive"; but no inclusion of personal injury law?

Brad Kizzia

Dallas

Important Update

Thank you for focusing on the problem of stalking in the February "Client Page" (p. 164). As the article mentioned, until recently a stalking victim's ability to obtain a protective order was limited unless the victim had a family or dating relationship with the alleged perpetrator or the alleged perpetrator had also committed another crime against the victim.

The 82nd Legislature amended the Texas Code of Criminal Procedure to add two new protective order statutes for stalking victims. As of Sept. 1, 2011, stalking victims in Texas can seek protection against perpetrators under TCCP article 6.09 and article 7A. Relief is available to victims regardless of whether a prior familial or dating relationship existed. Under Article 7A, relief is available whether or not a criminal charge has been filed.

The *Texas Family Violence Benchmark* contains more information about these and other types of protective orders. The *Benchmark* is available on the OCA website at www.courts.state.tx.us/oca/DVRA/tfvbb.asp.

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