



Promises KEPT

AT THE SEPTEMBER QUARTERLY MEETING of the State Bar of Texas Board of Directors, I announced my action plan on issues of diversity, equity, and inclusion. Central to my plan is a series of virtual community conversations on race relations to be held for each of the 17 State Bar director districts across the state.

My goal is that every Texas lawyer will receive an email invitation to participate in at least one of these free events before my term as president ends in June 2021. The concept is based on Together We Dine, a successful project started in 2017 by the Dallas-based Project Unity initiative in partnership with the Dallas Bar Association that brings together diverse groups for facilitated conversations about race over dinner.

This is a non-confrontational listening exercise, and it allows people to openly discuss racism in a way some of us never have before. Count me in that category: For years I've regularly gone hunting or fishing or played golf with Black friends. They have stayed at my home and shared meals at my dinner table, but we never discussed racism. When I attended a virtual Together We Dine event recently, I found a safe place for everyone to discuss racism.

State Bar District Director Rob Crain, who helped launch Together We Dine as Dallas Bar Association president in 2017, is helping me spearhead this statewide initiative. Project Unity has graciously agreed to provide facilitators and run the programs for the bar.

Also as part of my plan, I want to work to increase minority representation on boards and committees by updating appointment interest forms so applicants can indicate their race/ethnicity, sex, gender identity, and sexual orientation. As president-elect last year, I was responsible for making appointments to various boards and committees, and I spent considerable time researching applicants to make sure my appointments were diverse. We should make it easier on future presidents-elect to pursue diversity by changing these forms to provide more information upfront.

I also plan to produce new implicit bias CLE courses—possibly including a free non-mandatory course—to be made available to all Texas lawyers.

Update on Presidential Task Forces

I focused my October column on the great work of the Presidential Task Force on Criminal Court Proceedings and its 14 recommendations to help ensure our courts balance public health and safety with the constitutional rights of the accused when resuming operations. The Office of Court Administration included almost all of the task force's suggestions in its recommendations to the Texas Supreme Court.

At its September 25 meeting, the State Bar board approved my requests to create a grievance review task force and a work group on courthouse access badges for Texas lawyers.

Chaired by former Judge Michael Fields, of Houston, the 21-member Task Force on Public Protection, Grievance Review, and the Client Security Fund will study the grievance process and the Office of Chief Disciplinary Counsel with the mindset of ensuring the grievance process remains fair to the lawyers of Texas while ensuring the public is protected from lawyers who may take advantage of them. A recommendation will then be presented to the board of directors, hopefully by the April 2021 board meeting. The board can then take action to implement procedural issues and to refer any rule changes to its Discipline and Client-Attorney Assistance Program Committee and the Committee on Disciplinary Rules and Referenda. Please send any concerns or recommended changes to larry.mcdougal@texasbar.com.

The 14-member Courthouse Access Badge Workgroup is chaired by State Bar District Director David Sergi, of San Marcos. The goal of this group is to work with state and county officials to seek a mutual agreement on the courthouse access issue.

At the January 22 board of directors meeting, I will ask the board to approve another work group. This group will focus on lawyer advertising and the changes necessary to make it more user friendly and to recommend any rule changes to the State Bar board.

I look forward to providing additional updates as the work of these groups continues.

LARRY MCDUGAL

President, 2020-2021

State Bar of Texas