Tuesday, August 27

9:45 am - 11:00 am

The Ethics of Unbundled: Important considerations for providing assisted pro se services in Texas  
Location: Salon D (1.25 hrs. ethics)

Earlier this year, Justice Hecht wrote, “Justice for only those who can afford it is neither justice for all nor justice at all.” Whether you call it Assisted Pro Se, Unbundled Legal Services, or Limited Scope Representation, it is a controversial subject and yet many believe, the future of our profession…and the future of access to justice. Change is coming! After the ABA updated their model rules on this topic in 2011, 41 states, including Texas adopted substantially similar rules…but how is Texas’s rule different? Leading practitioners suggest that “legal services organizations [in particular] need to recognize unbundling as an alternative to full-service representation where appropriate.” When exactly is it appropriate? We will answer these ethical questions and more.

*Presenters: Bronwyn Blake, Texas Advocacy Project; Allison Neal, Texas Advocacy Project*

11:00 am - 12:15 pm

Paralegals: Your Partners in Pro Bono  
Location: Salon D (0.5 hrs. ethics)

Paralegals and legal assistants are integral partners in delivering quality pro bono services. Caitlin, one of the co-founders of the CANLAW Clinic, and her sister/colleague Amber, the current Pro Bono Chair of the Capital Area Paralegal Association, discuss how paralegals have been an integral part of CANLAW’s success and other central Texas pro bono projects in improving efficiency and serving more clients. Attendees will learn where to find paralegal volunteers and how to recruit and effectively coordinate them for projects. Attendees will also learn how paralegals can ethically provide valuable services, such as creating forms and screening clients, to increase the overall reach of your pro bono projects.


1:15 pm - 2:30 pm

Working Alongside Faith Based Community Partners and Advocacy  
Location: Salon D

Description to come.

*Presenters: Michael Bates, Legal Aid of NorthWest Texas*

2:45 pm - 4:00 pm

Automation Can Supercharge Your Pro Bono Efficiency  
Location: Salon D

Pro bono attorney hours are a valuable resource. So why waste time on having attorneys draft routine documents from scratch? Document automation can free up attorney time to give advice, represent clients, and draft more demanding documents. This session will address how to build automated documents designed to help pro bono attorneys more efficiently assist clients in a clinic or office setting. Topics of discussion will include the types of documents that lend themselves to automation, how to triage client intake with legal
expert interviews, the differences between automated interviews and documents aimed at attorneys vs. those aimed at pro se litigants, and the different automation platforms available.

Presenters: Teresa Benitez, Texas Legal Services Center; Chanita Chantaplin-McLelland, Texas Legal Services Center; Michael Hofrichter, Houston Volunteer Lawyers

Wednesday, August 28

8:30 am - 9:45 am

Driver's License Clinic Models: Discussing Different Clinic Models to Assist Texas Drivers Restore Their Driver's License

Location: Salon D

Presentation will focus on two clinic models implemented by Legal Aid of NorthWest Texas (LANWT) Abilene office and the Texas Fair Defense Project (TFDC). Cornelia Alvarez, Staff Attorney with LANWT will discuss the in-house Abilene clinic model designed to provide different levels of service to help income eligible clients resolve their driver’s license issues. The LANWT Abilene office holds a monthly in-house driver’s license clinic to assist applicants, resolve their driver’s license issues and obtain occupational licenses. Karly Jo Dixon, Staff Attorney, with TFDP will discuss their clinic model that include volunteer lawyers and law students. Both attorneys will discuss their experience with their respective clinic models and provide materials and tools on how to start your own clinic following either or both models, how to aid clients with driver license recovery and stay within your organizations LSC guidelines, and the role that pro bono lawyers can play in the process. Discussion will also include qualitative information and highlight the impact a driver’s license clinic has in helping applicants restore their driver’s license.

Presenters: Cornelia Alvarez, Legal Aid of NorthWest Texas; Karley Jo Dixon, Texas Fair Defense Project

10:00 am - 11:15 am


Location: Salon D (0.5 hrs. ethics)

This interactive session will explore how law schools, legal aid organizations, and community partners can create psychiatric advance directive and supported decision-making clinics that meet the needs of their communities. Law student organizers, legal aid attorneys, and pro bono coordinators will describe the clinic-planning process from start to finish. Volunteer recruitment and training, cultural competency, and day-of needs will be covered. Attendees will have the opportunity to begin to develop their own plans and troubleshoot frequently-encountered challenges so that they are prepared to launch similar projects in their own communities.

Presenters: Leslie Alvarez, Student Organizer, 3L St. Mary’s School of Law; Hannah Cramer, Texas RioGrande Legal Aid; Welsey Hartman, Medical-Legal Partnership Fellow at Texas Legal Services Center; Sydney Keller, Student Organizer, 3L UT School of Law
Wednesday, August 28

11:30 am - 12:45 pm

**Putting Your Oxygen Mask On First: Recognizing Trauma & Planning for Resiliency**

**Location:** Salon D *(1.25 hrs. ethics)*

First, we’ll give attendees tools to recognize stress, anxiety, and secondary trauma in ourselves and our colleagues. Then, we’ll focus on how to incorporate self care strategies into an already over-packed schedule. When we successfully care for ourselves, we are better able to respond to and care for others.

*Presenters:* Laura Arguijo, Beacon Law; Adriana Rodriguez, Texas RioGrande Legal Aid

**Here and there: transnational custody disputes from both sides**

**Location:** Salon E

A close look at the legal issues when a child custody dispute involves parties that reside, or have recently resided in, a country outside the United States. From the perspectives of both the Petitioner and Respondent, practical tips, signposts, and red flags for both state court filings and Hague proceedings in federal court.

*Presenters:* Kim Ashworth, South Texas College of Law; Elliott Tucker, South Texas College of Law

**Tiny Homes, Big Problems: A Closer Look at the Pitfalls of Alternate Affordable Housing**

**Location:** Room 406

Tiny homes are not just for well-to-do wanderlusts or reality TV. They are also marketed as low-cost alternatives to traditional home ownership for low-income people, including those in disaster recovery. However, a tiny home can come with huge problems from a legal perspective. In this session we will use client stories as a case study for the various ways their tiny homes have jeopardized their stability. Various issues addressed include: structures not in compliance with zoning code; contractual clauses preventing clients from actually living in their tiny homes and excluding clients from federal consumer protections; and repossession and risk of immediate homelessness without legal recourse.

*Presenters:* Sascha Rips Stremler, Texas RioGrande Legal Aid; Eva Sikes, Texas RioGrande Legal Aid

**Maximizing Benefits for Seniors**

**Location:** Room 408

This session will provide information attorneys can use to actively assist senior clients they interview to insure the clients are are receiving all benefits they are entitled to and not just those benefits they are aware of or know to ask about. The panel will discuss various benefits: food stamp programs, eligibility requirements, how to increase benefits and determine benefit amounts for applicants; Medicare Savings Programs, related eligibility requirements, benefits provided, and how to meet requirements and access benefits; and benefit programs available through the Social Security Administration, specific medical benefits attached to each program and what is offered, requirements of the SSI program, how to determine when an applicant might be eligible for a SSI payment added to the benefit already received, and how to access it.

*Presenters:* Celeste Herron, Lone Star Legal Aid; Maria Pantoja, Lone Star Legal Aid; Gloretta Thornton, Lone Star Legal Aid
Community Benefits Agreements: What’s All the Buzz About?

Location: Room 410

Community benefit agreements (CBAs) are a critical tool that every lawyer representing community groups should have in their back pocket to mitigate harms to a community, give residents a voice in shaping development projects, and bring much-needed amenities to a community. Attendees will review draft CBA agreements and walk away understanding: (1) the range of opportunities for using CBAs; (2) how to create leverage for CBAs; (3) techniques for negotiating and drafting a strong, community-supported, and legally-enforceable agreement; and (4) best practices for working with communities on developing a CBA.

Presenters: Stephanie Champion, Legal Aid of NorthWest Texas; Kelly Haragan, University of Texas School of Law; Heather Way, University of Texas School of Law

Waiting for U: Protecting Crime Victims

Location: Room 412

This nuts-and-bolts presentation will walk through the basics of assisting undocumented applicants, who have been victims of domestic violence, obtain a U-Nonimmigrant Visa. As a pathway to Lawful Permanent Residency, the U-Nonimmigrant Visa is a great tool to add to your tool belt. We will discuss proper issue spotting, analyzing any bars to obtaining a U-Visa, or alternatively, the need for a Waiver to get around the bars in order to apply for the U-Visa. You’ll learn what evidence to collect, and how you can achieve evidence collection in an efficient way. We’ll also explain how a “Trauma-Informed Approach” will help attorneys gather the proper documentation without re-traumatizing their clients. Next, with examples shown, we’ll go through the process of filling out the applications, special questions to pay attention to, and where to file it. Finally, we will explain what to do during the waiting periods, including being employed.

Presenters: Cornelia Alvarez, Legal Aid of NorthWest Texas; Paul Friener, Legal Aid of NorthWest Texas; Juan Rosales, Legal Aid of NorthWest Texas

1:00 pm - 2:15 pm

Access to Justice Through Mediation

Location: Salon D (0.25 hrs. ethics)

Presentation regarding how Texas Dispute Resolution Centers and poverty law attorneys can work together to bridge the Access to Justice gap through mediation.

Presenters: Kris Donley, Austin Dispute Resolution Center; Jacquelyn Flynt, DRS North Texas, Inc.

Part 1: Is the Connection between Poverty and Child Abuse Unbreakable?
Part 2: CPS Wants to Come See my House. Should I let them?

Location: Salon E

Description to come.

Presenters: LeeAnne Hill, Attorney at Law; Michelle Latray, Law Office of Michelle Latray; Donna Owen, Lone Star Legal Aid

They Did What Now? A Review of 2019 Legislative Changes for Housing Advocates

Location: Room 406

From lemonade stands to late fees, and from brass knuckles to apartment parking permits, the Texas Legislature came up with many creative ways to change the laws of Texas in 2019. This presentation will cover significant legislative changes in housing laws from the Texas 86th Legislative Session, with an emphasis on additions and deletions to landlord-tenant laws.

Presenters: Nelson Mock, Texas RioGrande Legal Aid
Privacy Rights of Victims  
**Location:** Room 408 *(0.25 hrs. ethics)*  
This session will discuss the importance of victim privacy and why it matters, it will also explain the different laws that protect victim privacy, and finally participants will learn practical skills to legally protect victim privacy in a variety of legal settings and legal proceedings.  
*Presenters: Maricarmen Garza, Texas RioGrande Legal Aid*

Microenterprise Development and Economic Stability in Distressed Communities  
**Location:** Room 410  
Microenterprises are economic engines of rural and low-income communities; providing economic opportunity, jobs, and community infrastructure. They are community-building epicenters in immigrant enclaves, providing culturally accessible goods and services. They build human capital - microentrepreneurs learn financial literacy, leadership skills, build community relationships, and navigate governmental regulations. Tips and tricks can make development of this practice easier. Understanding group representation (and the attendant ethics issues) and collaboration with technical assistance providers is key. Microenterprise practice isn’t monolithic; clinics, in-house representation, pro bono referrals, or specific industry area focus (farmers, cottage foods, daycares) and community education are all options. Microenterprise attorneys also develop substantive expertise that can assist in other areas, from family, consumer, and disaster assistance, to general civil litigation.  
*Presenters: Andrea Harrington, Texas RioGrande Legal Aid; Ashea Jones, Lone Star Legal Aid*

Overcoming Obstacles in Obtaining a Driver's License and 2019 Legislative Updates  
**Location:** Room 412  
The inability to obtain a driver's license often puts a client's life on hold and prevents them from securing housing or employment. This session provides a primer on how to resolve Failure to Appear holds and surcharges, with a focus on the collateral consequences of Class C convictions and how an occupational license can ultimately break the cycle created by crimes of poverty. Texas Appleseed will also provide an important update on what happened during the 2019 legislative session regarding expanding waiver of fines and fees, the Driver Responsibility and Failure to Appear programs, and next steps.  
*Presenters: Mary Schmid Mergler, Texas Appleseed; Stephanie Truong, Beacon Law*

2:30 pm - 3:45 pm  
**You have a case! And you have a case! And you have a case! Everybody has a case! - The Nuts and Bolts of Navigating Impact Litigation**  
**Location:** Salon D *(0.5 hrs. ethics)*  
This workshop will offer guidance on how to begin and litigate a case with multiple plaintiffs seeking systemic change. The discussion will include ways to identify a systemic problem, determine the most effective legal strategy and proper defendants, and engage the community and potential plaintiffs. The panelists will share their experiences in dealing with the complexities of suing multiple parties, including government entities and the potential ethical pitfalls of representing multiple plaintiffs. Finally, attendees will hear case studies of current and past impact litigation, including co-counseling across legal advocacy programs and multiple programs.  
*Presenters: Marty Orozco, Lone Star Legal Aid; Velimir Rasic, Lone Star Legal Aid; Rich Tomlinson, Lone Star Legal Aid*
Sexual Harassment and Discrimination in Housing
Location: Salon E
Description to come.

Presenters: K’Lisha Pace Rutledge, Legal Aid of NorthWest Texas; Farwah Raza-Siddiquee, Legal Aid of NorthWest Texas

IRS Basic Tax Literacy 101
Location: Room 406
An overview of basic misconceptions among the low-income community relating to federal income taxes and the Internal Revenue Service.

Presenters: Polly Bone, Texas RioGrande Legal Aid; Elizabeth Molina, Texas RioGrande Legal Aid

Who ordered the code red: Can you handle the truth about veteran’s discharge upgrades and what your military client is eligible for?
Location: Room 408 (0.25 hrs. ethics)
This session will give you an overview of the VA Character of Discharge Review, the VA’s Pension Program, and the alternatives veterans and advocates do NOT know about - military discharge upgrade overview, and the essential basics of VA’s non-service connected pension benefits. A veterans discharge status impacts benefit eligibility and can help fight a veteran’s poverty and homelessness. Advocates will gain knowledge of when and how to seek a discharge upgrade, which board to request a discharge upgrade from, the characterization of a discharge, in addition to the VA Pension and Death Pension for Survivors.

Presenters: William Gwin, Lone Star Legal Aid; Andrew Moore, Lone Star Legal Aid; Justin Thompson, Lone Star Legal Aid

Land Use Issues in Low-Income Communities: Deindustrializing neighborhoods, Property Preservation and Environmental Protection
Location: Room 410
Many of the communities that we serve are burdened disproportionately with the harmful effects of industrial activities. More often than not, the initial placement of one facility will attract and justify the placement of more industrial activity near low-income residents and communities of color. Deindustrializing a neighborhood can be the first step in improving property values, health of residents, quality of life, and equity for heavily industrialized neighborhoods. This workshop will provide a case study and primer for legal and non-legal advocacy techniques available to begin the deindustrialization process.

Presenters: Maggie Barnes, Texas RioGrande Legal Aid; Michael Bates, Lone Star Legal Aid; Amy Dinn, Lone Star Legal Aid

Navigating the EEOC
Location: Room 412
This panel will focus on the administrative process before the EEOC that is required under many employment discrimination statutes including Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act. The session will include discussion from the perspective of a plaintiff-side attorney and the EEOC on filing a charge of discrimination, EEOC mediation, the investigative process, cause findings, conciliation, and EEOC litigation.

Presenters: Austin Kaplan, Kaplan Law Firm, PLLC; Philip Moss, US Equal Employment Opportunity Commission
4:00 pm – 5:00 pm   TASK FORCE MEETINGS

Education and Juvenile Justice, Employment, Family Law, Housing and Consumer, Immigration, and Public Benefits and Health Law.

5:00 pm – 6:00 pm   POVERTY LAW SECTION MEETING

Thursday, August 29

8:30 am - 9:45 am

**Document Assembly - It's Not Just for Documents**  
**Location: Salon D**  
Document assembly can help attorneys and pro se litigants file clean, typewritten documents that meet court standards. However, you can also use it to build educational tools. Automated expert systems can guide users through complex areas of the law, helping them to understand their legal situation and the steps they need to take. We'll look at how to employ logic trees and assembly tools to help clients fill out forms, to screen clients for additional services, and to educate pro se users. While there are various software platforms popular with Legal Aid, each have their own benefits. We'll discuss some platforms currently used in Texas and elsewhere, including HotDocs, A2J, Docassemble, QNA Markup, and more.  

*Presenters: Martha Beard-Duncan, Texas Legal Services Center; Michael Hofrichter; Aaspn Varner, Texas Legal Services Center*

**Initial Client Meetings: Best Practices when Meeting the Survivor for the First Time**  
**Location: Salon E (1.0 hrs. ethics)**  
Attendees will review the dynamics of domestic violence, sexual assault, and human trafficking, as well as best practices for interviewing, confidentiality, mandatory reporting, and issue spotting for safety, privacy, and civil legal remedies.  

*Presenters: Adriana Rodriguez, Texas RioGrande Legal Aid; Christofer Tracy, Legal Aid of NorthWest Texas*

**How to Be an Effective Consumer Advocate**  
**Location: Room 406 (0.5 hrs. ethics)**  
The session provides an overview of consumer protection laws, with interactive discussion of how best to achieve results for clients by (1) using consumer laws to address problems of legal aid clients, (2) going on the offense with affirmative cases instead of only reacting to lawsuits against clients, and outlawyering defense firms. Attendees will leave the session with knowledge of the panoply of consumer protection laws, an understanding why the best offense is going on the offense, and how to use strategic planning instead of just reacting to defensive moves.  

*Presenters: Steve Gardner, Texas RioGrande Legal Aid*

**Social Security Cessations and Overpayments**  
**Location: Room 408**  
Why you might want to do cessation and overpayment cases and some ideas about how to win cessation and overpayment claims.  

*Presenters: Channing Guidry, Lone Star Legal Aid; Jeff Larsen, Lone Star Legal Aid*
Legal Advocacy in a Historic Freedmen's Town
Location: Room 410
LANWT's Community Revitalization Project has been working with residents from the Tenth Street Historic District for over two years on how to stop the demolitions of their historic homes and rebuild the neighborhood into a viable community. These issues are hard to tackle in any neighborhood, but the status of the neighborhood as a Nationally Registered Historic District presents additional challenges and opportunities. Residents want housing that is affordable to them built in the community, funds to be made available for home repairs and a stop to all demolition of historic homes. Lone Star Legal Aid has worked in Independence Heights, Houston Texas, the first African American municipality in America. We will share some of the imminent issues plaguing that neighborhood and various ways we plan to combat those issues in the future. Come discuss the strategies both LANWT/LSLA has taken and brainstorm how you would have approached the issues.

Presenters: Kim Brown Myles, Lone Star Legal Aid; Rosetta Howard-Jackson, Legal Aid of NorthWest Texas; Jorge Jasso, Legal Aid of NorthWest Texas

Deposition Strategies
Location: Room 412
In this session, experienced litigators will discuss strategies for taking and defending depositions for use in summary judgment and at trial in state and federal court.

Presenters: Brian Sanford, Sanford Firm; Kathryn Youker, Texas RioGrande Legal Aid

10:00 am - 11:15 am

How the &#%$* do we save Grandma's house?!?
Location: Room 406 (0.25 hrs. ethics)
Elder law and housing advocates have seen a spike in reverse mortgage defaults and predatory reverse mortgage (RM) loans marketed to low income homeowners. We'll look at why that is, and the unique tools and tricks available to advocates. Reverse mortgages are complex property loans only available to homeowners over 62, which have ramifications for entire communities. Most RMs are insured by HUD and governed by HUD statutes, regulations and Mortgagee Letters. Problems and foreclosure typically arise after seniors are living on fixed incomes. RMs impact how senior homeowners interact with property taxing entities, homeowners associations, and deal with impacts of gentrification. Our purpose is to help advocates to spot issues, analyze options, and fight the lender in foreclosure proceedings.

Presenters: Amir Befroui, Lone Star Legal Aid; Kay Pechin, Legal Aid of NorthWest Texas; Molly Rogers, Texas RioGrande Legal Aid

The Doctor Is In: Using Medical Evidence To Win Cases
Location: Room 408 (0.5 hrs. ethics)
This panel will consist of the four attorneys that comprise the legal team of Austin Medical-Legal Partnership, a collaboration between Texas Legal Services Center and several health clinics to increase access to justice in a way that expressly improves health and well-being. Learn about our experience working collaboratively with health professionals to increase odds of winning cases from public benefits to housing, consumer, education, and criminal law. The discussion will begin with the law on obtaining medical records under state and federal regulations. Then, through case studies, each panelist will highlight ways that medical evidence, including records and other physician documentation, have furthered various cases. The panel will include ethical considerations applicable to all lawyers, including differing professional values related to independence and information.

Presenters: Wesley Hartman, Texas Legal Services Center; Christopher Sailer, Texas Legal Services Center; Keegan Warren-Clem, Texas Legal Services Center; Daphne Wilson, Texas Legal Services Center
Food Justice: Tools to Address Food Deserts in Low-Income Communities in Texas
Location: Room 410
Many low-income communities in Texas lack access to a full-service grocery store and residents have difficulty obtaining healthy and affordable food. This session will discuss how these challenges affect low-income communities and present tools and models to improve access to healthy and affordable food. We will discuss legal issues for nonprofit organizations seeking to operate urban farms, food pantries, and community-based grocery stores. The session will cover a variety of legal topics related to these projects including tax-exempt law and social enterprise models that foster cooperation between nonprofit and for-profit entities. We will review several local urban farming ordinances, discuss compliance with health and safety regulations, and eligibility to accept SNAP benefits.

Presenters: Lauren Loney, University of Texas School of Law; Matthew Stringer, Legal Aid of NorthWest Texas

Representing Children in Immigration Proceedings
Location: Room 412 (0.5 hrs. ethics)
Kids in Need of Defense (KIND) is a national non-profit organization dedicated to serving unaccompanied children in the immigration system. KIND staff will be conducting a detailed training on the legal representation of unaccompanied children in removal proceedings who may qualify for immigration relief. Come learn more about the journey these children go through to get to the United States, the process of appearing before Immigration Court removal proceedings and seeking legal relief, and providing valuable pro bono legal representation to child clients. The training will go over who the children are and why they migrate to the US. The training will explain immigration removal proceedings, as well as the different reliefs the child client may claim. And the training will discuss the practical and ethical considerations that arise from working with children.

Presenters: Claire Doutre, Kids In Need of Defense; Salma Hasan, Kids In Need of Defense; Laurel Leal, Kids In Need of Defense

1:15 pm - 2:30 pm
Didn’t We Discuss That in Law School? Common Law and Equitable Principles Useful in Poverty Litigation
Location: Room 406
This presentation will address some of the common law and equitable principles that we can use (or may have used against us) in representing our clients. Among the questions that will be discussed are: What are the essential terms of a contract? What constitutes a meeting of the minds? When does someone lack the capacity to contract? Are signature and delivery really necessary to form a contract? What if the client did not read or understand the contract? How can you persuade a court that a contract is unconscionable or illegal? How can you overcome the statute of frauds and parol evidence rule? How can you seek or defend against attorneys’ fees? How do you make sense of open, stated, and sworn accounts? Can equitable claims succeed where legal claims do not? How do you prove wrongful foreclosure? Is it fraud or fraudulent inducement? When do fiduciary duties exist, and what do they require? Do equitable defenses (e.g., waiver, estoppel, ratification, laches, unclean hands) apply to common law claims? Are conspiracy theories real?

Presenters: Bob Dawson, Legal Aid of NorthWest Texas
Title IX and Navigating the Changing Landscape with Survivors
Location: Room 408
Title IX and Navigating the Changing Landscape with Survivors In the current landscape of changing Title IX regulations it is important for attorneys and advocates to stay up to date on the latest recommendations and best practices. Audience members will learn the unique barriers faced by survivors. Presenters will discuss case studies. Additionally, attendees will gain knowledge on legal and school based options available to survivors.

Presenters: Bronwyn Blake, Texas Advocacy Project; Allison Kolb, Texas Advocacy Project; Keri Ward, Texas Advocacy Project

The Status of Public Transportation for Persons with Disabilities
Location: Room 410
This session will explore the varied issues affecting public transportation for persons with disabilities up to and including infrastructure issues (i.e. lack of sidewalks, lighting and shelters) that make travel to and from stops more challenging. Presenters will discuss the effectiveness of current transportation programs offered nationwide and programs offered locally in Austin, Dallas- Fort worth and Houston for this community. This session will highlight the current ADA accessibility laws and whether metropolitan areas are in compliance with their obligations under the Americans with Disabilities Act. Presenters will discuss their current ongoing efforts to improve transportation for persons with disabilities and discuss tools and ideas for advocacy with the attendees.

Presenters: Sean Jackson, Disability Rights Texas; Nancy Jakowitsch, Legal Aid of NorthWest Texas; Ebony Young- Fair, Lone Star Legal Aid

Sealing and Dealing in the Best Interest of Justice: A Legal Aid Lawyer's Guide to Navigating Civil Matters in Criminal Justice and Avoiding Poverty Pitfalls
Location: Room 412
The criminal justice system often treats low-income individuals unfairly. As advocates, we must assist our clients with overcoming systemic unfairness while avoiding the pitfalls of poverty. This session will focus on two ways we can help clients seal and deal their way through the criminal justice system. First, it will provide case studies of non-disclosure of criminal records where an individual may not be eligible by law on its face, but it would still be in the best interest of justice to seal a criminal record for a client. Second, it will discuss the notice requirements at various stages of Misdemeanor C cases, new statutory requirements of handling inability to pay, and common problems that low-income defendants face.

Presenters: Ethan Bishop-Watt, Lone Star Legal Aid; Fallon Hamilton, Lone Star Legal Aid

2:45 pm - 4:00 pm

E-Discovery: Preservation and Production on a Nonprofit Budget
Location: Salon D (0.25 hrs. ethics)
This session will discuss ethical obligations, best practices, and technical guidance for preservation and production of electronically-stored information (ESI) on a non-profit budget.

Presenters: Dave Mauch, Texas RioGrande Legal Aid

Trauma Informed Interviewing: Prepping for litigation without retraumatizing the client
Location: Salon E
Description to come.

Presenters: Adriana Rodriguez, Texas RioGrande Legal Aid
After the Storm: Critical Legal Housing-Related Issues that Rise to the Surface in Long-Term Recovery  
**Location: Room 406**

Disaster recovery can last three to ten, or more, years. As Hurricane Harvey recovery enters its third year and federal funding for long-term housing recovery becomes available, various legal issues must inevitably be identified and addressed. The presentation covers housing-related “legal debris” which rises to the surface after the immediacy of a disaster settles. It focuses on three discrete housing-related legal issues clients face during long-term recovery: (i) accessing housing programs; (ii) identifying and addressing property title and property tax issues; and (iii) understanding flood risk and flood insurance requirements. Attendees will take away key points to support issue spotting and practical tools to assist clients in long-term recovery. The presentation will include video clips and interactive web tools.

*Presenters: Carla Krystyniak, Lone Star Legal Aid; Lauren Masullo, Lone Star Legal Aid; Chase Porter, Lone Star Legal Aid*

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Social Security Advocacy at Steps 4 and 5 of the Sequential Evaluation Process  
**Location: Room 408**

This training will focus on vocational issues that arise at steps 4 and 5 of the sequential evaluation process and provide foundational knowledge and advocacy tips aimed at both intermediate and advanced level practitioners.

*Presenters: Jerad Nicholson, Texas RioGrande Legal Aid*

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Communities and Regulatory Cleanups  
**Location: Room 410**

How do communities confront contamination in their neighborhoods and effectively advocate for cleanup? Ever wondered what it takes to be a Superfund site? How can you dialogue effectively with a regulatory agency to get them to take action? This session will provide an overview of a number of the regulatory cleanup programs available in the State of Texas, including: State and Federal Superfund Programs in Texas; Municipal Settings Designation (MSD); Texas Risk Reduction Program (TRRP); The Texas Voluntary Cleanup Program (VCP); and Brownfields Site Assessments Program provides services such as Phase I and Phase II environmental site assessments. It will also provide tips for advocates working with communities and regulatory agencies to ensure adequate cleanup.

*Presenters: Richard Barham, Lone Star Legal Aid; Rodrigo Cantu, Texas RioGrande Legal Aid; Marlene Chavez, Texas RioGrande Legal Aid*

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Trial advocacy in employment cases  
**Location: Room 412**

This panel of experienced employment lawyers will discuss effective trial advocacy techniques. Some areas covered will include developing compelling case themes, obtaining and admitting evidence commonly used in employment cases, using focus groups, strategies and timeline for preparing for trial, jury selection, using depositions at trial, examination of witnesses, and opening and closing arguments.

*Presenters: Amy Gibson, Gibson Wiley PLLC; Brian Sanford, Sanford Firm; David Wiley, Gibson Wiley PLLC*
Bias in the Data Era: How Algorithms Can Affect Human Rights  
**Location:** Salon D  
*Tech literacy not required* Bias is nothing new, it’s an old problem that we are all familiar with. Society moves forward, people push back against their own biases, and small steps are made. Technology makes the promise to remove human biases from decision-making, and why shouldn’t we believe it? Your computer doesn’t care what you look like! Join us as we peel back the hood on how data-driven decisions work, how bias gets baked into software, which rights are implicated by data-driven bias, and how we can fix it.

*Presenters: Isedua Oribhabor, Access Now; Alex Shahrestani, Shahrestani Law*

What every Family Law Professional should know about Bankruptcy, but didn’t know to ask!  
**Location:** Salon E  
How Family Law and Bankruptcy co-exist. What actions in the Domestic Relations Court are prohibited during a bankruptcy, and what actions are not. Should a Divorce be filed before, after or during a bankruptcy. How are Custody and Support impacted by a Bankruptcy. What obligations, orders and debts are discharge in a bankruptcy? What about emergencies and can issues be expedited? And of course the opportunity for Questions.

*Presenters: John J. Grieager, Legal Aid of NorthWest Texas; Victor L. Hunt, Legal Aid of NorthWest Texas*

Update on Eviction Case Law Developments and Ramifications for Defending Evictions  
**Location:** Room 406  
The last eviction case law update at the Poverty Law Conference was over three years ago -- April 29, 2016. Since that time, the Texas appellate courts have issued some significant decisions.

*Presenter: Fred Fuchs, Texas RioGrande Legal Aid*

Public Charge and its impact on LSC clients  
**Location:** Room 408  
The Trump Administration is working to erect barriers to legal immigration for low-income immigrants. The “public charge” policy, for instance, will limit an immigrant’s ability to get a green card if the immigrant receives certain public benefits. Another limits mixed-status families’ access to public housing. As a result of these changes, immigrants are disenrolling from benefit programs, delaying healthcare, and turning down food, housing and post-disaster assistance. Legal aid attorneys must partner with immigration attorneys to understand these changes and have clear guidance for advising immigrant clients. In addition to talking about these policy changes, the Houston Immigration Legal Services Collaborative will share its model of bringing diverse partners together to respond to the complex ways that immigrant families are impacted by policy changes, natural disasters, and lack of accessible services.

*Presenters: Andrea Guttin, Houston Immigration Legal Services Collaborative; Zenobia Lai, Catholic Charities Cabrini Center*
Starting and Sustaining Nonprofit Groups in Underserved Communities

Location: Room 410 (0.25 hrs. ethics)

An active community group may require a more formal structure in order to facilitate group decision-making. Another group may need to form an entity in order to receive tax-deductible contributions and access to grants. This presentation and panel will discuss taking a community group to the next level, with guidance on goal setting, governance, entity selection, formation, and attention to the group’s ongoing legal needs as part of sustainable community development.

Presenters: Colin Cox, Lone Star Legal Aid; Andrea March, Texas RioGrande Legal Aid; Francis Leos Martinez, University of Texas School of Law

How to Beat a Non-Compete

Location: Room 412

Learn about the legal arguments and strategies for attacking non-competes, especially when employers try to restrict low-wage workers. Non-competes and other restrictive covenants are becoming more common in Texas workplaces. These contracts often limit workers’ employment options by forbidding work of a certain nature with competitors. However, advocates have many avenues to contest non-competes, such as when these agreements are overbroad or against public policy.

Presenter: Nicole Bucheri, Texas RioGrande Legal Aid, David Guillory, Lone Star Legal Aid

Friday, August 30

8:30 am - 9:45 am

Ethical Considerations in Managing Clients, and When Necessary, Withdrawing from Representation

Location: Salon D (1.25 hrs. ethics)

This session will provide practical strategies for ethically managing the attorney-client relationship in a public interest practice through the use of effective retainer agreements, managing client expectations, declining representation, and withdrawing from representation consistent with the Texas Disciplinary Rules of Professional Conduct.

Presenters: James Esh, Legal Aid of NorthWest Texas; Larry Spain, Texas Tech University School of Law

Protective Orders: Urban, Rural, and Military Perspectives

Location: Salon E

This presentation will include a brief overview of family violence and sexual assault protective orders, with a focus on practice considerations for advocates in urban and rural settings. This presentation will also delve into military no-contact orders and military protective orders.

Presenters: Julie Flowers, Lone Star Legal Aid; Victoria Smith, Lone Star Legal Aid; Sandra Valerio, Lone Star Legal Aid

Probate Pitfalls: 10 Common Issues in Intestate Estates and How to Solve Them

Location: Room 406

Handling intestate estates is often time consuming and complex. There are many options available to settle an intestate estate, but sometimes it is hard to determine the best route. Our session will discuss common problems that occur in intestate estate matters and how to effectively solve the issue. We will discuss creditor claims, co-tenant heir adverse possession, dealing with multiple intestate estates, partial intestate estates, using family settlement agreements and more.

Presenters: Hon. Margaret Jones-Johnson, Dallas County Probate Court No. 3; Charlotte Key, Legal Aid of NorthWest Texas
POVERTY LAW CONFERENCE 2019

Veterans Benefits 101
Location: Room 408 (0.25 hrs. ethics)
This presentation will provide an introduction to Veterans Administration benefits available to low-income, elderly, and/or disabled veterans. Key topics will include information about becoming a Veterans Administration Accredited Attorney Representative, properly preserving the most favorable effective date for VA benefits, and an introduction to a few of the most common (monetary) benefits available to our nation’s veterans.

Presenters: Nichole Harden, Legal Aid of NorthWest Texas

SBA Disaster Loans: The Forgotten Disaster Assistance Program
Location: Room 410
While many disaster survivors focus on FEMA benefits, far more assistance is available through the Small Business Administration (SBA) Disaster loan program. Despite the name, SBA disaster loans are available to individuals, not just businesses, and interest rates are low - even lower for individuals who would have difficulty obtaining a more traditional loan. Additionally, individuals who will not ultimately be offered an SBA loan must navigate the process to some extent, as FEMA requires people to apply for SBA loans before they may be considered for some forms of FEMA assistance. This session - presented by former U.S. SBA disaster loan attorneys and current legal aid attorneys.

Presenters: Ashea Jones, Lone Star Legal Aid; Brittanny Perrigue, Texas RioGrande Legal Aid

The Intersection of Employment Law and Immigration Law
Location: Room 412
Immigrant workers are often vulnerable to employment law violations such as wage theft, discrimination, retaliation, and trafficking, due to their lack of status or work authorization. Employment laws offer protections to immigrant workers, regardless of their legal status, but it is critical to understand the risks your clients may face as well as the strategies that can help them vindicate their rights. In this session, you will learn about the impact of immigration status on different aspects of employment litigation such as discovery, damages and settlement, plus best practices for addressing these matters. The session also includes a brief overview of potential immigration relief for some employment-related harms, including T-visas and U-visas. It will also provide an overview of other immigration-related factors to take into account when assessing employment cases on behalf of immigrant workers.

Presenters: Reema Ali, Equal Justice Center; Melissa Jacobs, Texas RioGrande Legal Aid; Stacie Jonas, Texas RioGrande Legal Aid

10:00 am - 11:15 am

We're going to need a different ramp: Our duty to accommodate clients with mental illness
Location: Salon D (1.25 hrs. ethics)
Legal advocacy is essential for rights protection and systemic advocacy for people with serious mental illness. Accommodation is necessary for effective representation. Further, we have a duty to provide accommodation for clients with mental illness. In order to provide the necessary accommodations within our representation we need a paradigm shift in our perspective. We need to ask: How is mental illness manifested? How do these manifestations function as barriers to our legal representation, institutions, public spaces, and integration into our communities? Based on these differently-abled manifestations, what accommodations can we provide to eliminate these barriers? What accommodations are necessary to enable access?

Presenters: Laurie Hallmark, Texas RioGrande Legal Aid
Real Property Issues in Family Law Cases
Location: Salon E
This session is designed primarily for family law attorneys who are not also experienced real estate practitioners. The session will focus on common issues that impact low income homeowners who are in a family law dispute. The session will cover homestead law, how to research real property records, a primer on types of ownership and traditional and nontraditional financing, and remedies and strategies to address real property problems that present in family law cases.

*Presenters: Julie Balovich, Texas RioGrande Legal Aid*

Debtors’ Prison: Pay Up or Get Locked Up
Location: Room 406
This session will examine how jail time—or the threat of it—is used to help creditors collect civil judgments. We will discuss how courts use their contempt power to put judgment debtors between an impossible option (pay off a civil judgment) and an unthinkable option (go to jail). We will review how these modern-day debtors’ prisons help municipalities collect fines and fees. Attendees will be assigned roles as judges, creditors, creditors’ attorneys, debtors, and debtors’ attorneys. This will allow for debate as to the competing interests of all the parties, but also make clear how debtors’ prisons disproportionately impact the poor.

*Presenters: John Grieger, Legal Aid of NorthWest Texas*

Medicaid Fair Hearing--From Denial Notice to Judicial Review
Location: Room 408
The presentation will discuss Medicaid fair hearings from a denial notice to judicial review. We will review the fundamentals of the fair hearing process: denial notices, differences in internal appeal and fair hearing, important timelines, continued services pending the outcome of the appeal, requesting a fair hearing, due process protections for clients, evaluating a case for representation, preparing for a fair hearing, representing clients at a fair hearing, post-hearing issues, administrative review, and judicial review.

*Presenters: Terry Anstee, Disability Rights Texas; Bernadette Segura, Texas RioGrande Legal Aid*

How Legal Aid Can Help Prepare our Communities for Disaster
Location: Room 410 (0.25 hrs. ethics)
This presentation will examine a case study of TRLA’s 2019 pre-disaster community education tour and discuss ideas for planning, funding, and carrying out similar programs. This model emphasizes access in rural communities and can be used services pending the disaster context. A community education tour can help community members learn the tools they need to minimize the legal problems that arise when crisis strikes. By developing strong community partnerships through effective outreach, legal aids can bring crucial information directly to community members before their needs become urgent. TRLA’s 2019 Predisaster Community Education Tour is funded by a grant from the Texas Bar Foundation.

*Presenters: Linley Boone-Almaguer, Texas RioGrande Legal Aid; Dina Hardwick, Texas RioGrande Legal Aid; Rachel Zummo, Texas RioGrande Legal Aid*

Survivors at Work: Sexual Harassment, Sexual Assault, and Your Job
Location: Room 412
This presentation will explore the rights of survivors of sexual harassment and sexual assault at work. We will cover (1) the basics of sexual harassment law (What does “sexual harassment” even mean? When is a company responsible?), (2) how to respond to harassment or an assault at work (Should I talk to HR? Should I file a police report?), and (3) the rights of survivors who were assaulted outside of work (What if I need time off to see a therapist? What if the assailant shows up at my workplace?). We will also discuss how the law is evolving in light of the #MeToo movement. Attendees will learn what immediate next steps to take if somebody tells them they are being harassed or assaulted at work; develop a basic understanding of what
constitutes unlawful sexual harassment in order to support survivors in recognizing it and taking action; and obtain resources to support survivors of sexual harassment and assault at work.

Presenters: Kalani Hawks, Equal Justice Center; Shana Khader, Equal Justice Center

11:30 am - 12:45 pm

What You Don’t Know about Health Information Privacy Might Hurt You: HIPAA and Texas HB 300 Compliance in Your Legal Aid Practice
Location: Salon D (1.25 hrs. ethics)
You've heard of HIPAA, but do you know about Texas HB 300, and are you complying with it in your legal aid office and casework? This session will give you an overview of the laws, and discuss the practical steps you need to take now to make sure your office procedures and client files don’t run afoul of them.

Presenters: Lindsay Eustace, Lone Star Legal Aid; Heather Keegan, Lone Star Legal Aid

Enhanced Economic Justice Remedies for Survivors
Location: Salon E (0.75 hrs. ethics)
The presentation will offer an overview of economic stability and workplace policy trends from the 86th legislative session and specifically highlight new laws expanding lease termination opportunities and identity theft remedies for survivors.

Presenters: Krista Del Gallo, Texas Council on Family Violence; Mona Muro, Texas Council on Family Violence

Defending Low-Income Landowners Against Border Wall Condemnation Actions
Location: Room 406
As the government pushes ahead with its plans to build a border wall in South Texas, hundreds of landowners stand to be affected, primarily in Cameron, Hidalgo and Starr Counties. Learn about the intricacies of representing landowner-Defendants in eminent domain actions filed by the federal government for purposes of building the border wall and other border barriers and infrastructure. The presentation will include an overview of the eminent domain process, from pre-litigation to working with appraisers to the discovery process and potentially trial. The session will include the main defenses available to landowners in federal condemnation cases, strategic considerations, as well as practical tips for handling these matters.

Presenters: Ricky Garza, Texas Civil Rights Project; Efren Olivares, Texas Civil Rights Project; Karla Vargas, Texas Civil Rights Project

Practical and Ethical Guideline for Representing Foster Youth
Location: Room 408 (1.25 hrs. ethics)
Foster youth face a range of legal issues in overlapping systems from school to juvenile justice to mental health and more. Even for an experienced practitioner representing foster youth in court and in other settings can present multiple legal and ethical challenges. This course will help attorneys better navigate the issues that foster youth are likely to experience.

Presenters: Meredith Shytles Parekh, Disability Rights Texas; Matthew Trail, Disability Rights Texas
FEMA Update  
Location: Room 410  
When disasters are declared in our communities, many clients need help accessing financial assistance from FEMA's Individuals and Households Program. Some aspects of the program are administered by FEMA at the federal level and others by state agencies, including the Texas General Land Office and the Texas Health & Human Services Commission. This session will provide an overview of FEMA IHP, incorporating significant, recent developments. These developments include: changes arising out of the Disaster Recovery Reform Act signed into law on October 5, 2018; FEMA guidance published in 2019; an update on TRLA's litigation against FEMA; and lessons TRLA attorneys learned by handling a series of Fair Hearings to challenge FEMA-Other Needs Assistance decisions following Hurricane Harvey.  

Presenters: Tracy Figueroa, Texas RioGrande Legal Aid; Nicole Worsley Love, Texas RioGrande Legal Aid

Clean Slate Laws in Texas - 2019 Legislative Update  
Location: Room 412  
Laws governing eligibility for criminal record sealing through expuction and nondisclosure are rapidly changing. With direct impact on access to employment, housing and other resources, these tools are invaluable to the legal aid lawyer! Come learn about the newest eligibility criteria and tools!  

Presenters: Leslie Ginzel, Beacon Law; Brettney Moore, Beacon Law; Ingrid Norbergs, Beacon Law