

# IN CHAMBERS

Vol. 6, No. 2

Official Publication of the Texas Center for the Judiciary

April, 1979

## Criminal Justice Conference Set for Huntsville May 2-4

The tenth annual Criminal Justice Conference will be held in Huntsville, Texas, May 2-4.

All conference meetings will be held in the Criminal Justice Center on the campus of San Houston State University. The Criminal Justice Center and the Sam Houston Inn will provide room accommodations.

Eligible judges have received registration material from the Texas Center for the Judiciary, which will handle all room reservations. Registration at the Conference is 10:00 a.m.—12:00 Noon, Wednesday, May 2; Conference adjournment is 1:00 p.m., Friday.

Conference chairman is Carl E. F. Dally, Court of Criminal Appeals judge.

As in previous years, the program will include tours of Texas Department of Corrections units, and panel discussions. Topics this year include Evidence in Criminal Cases and Post Conviction Matters.

Evidence in Criminal Cases panelists are L. Wayne Scott, St. Mary's School of Law professor, San Antonio; Jim Meyers, retired district judge and a partner in an Austin law firm; and Charles Reynolds, Court of Civil Appeals justice, Amarillo.

Post Conviction Matters panelists are Robert E. Delong Jr., as-

sistant director for general counsel, TDC, Huntsville; and Col. William T. Westmoreland Jr., assistant district attorney, Dallas.

In addition to panel discussions, a special presentation will be made by Judge Charles Moylan, a judge on the Maryland Special Court of Appeals in Baltimore, who will discuss the law of search and seizure; and a luncheon address will be given by Dr. George Beto, SHSU criminal justice professor and former director of the Institute of Contemporary Corrections and the Behavioral Sciences.

The Conference is sponsored by the Texas Center for the Judiciary under the auspices of the



Carl E. F. Dally  
Conference Chairman

Texas Court of Criminal Appeals and in cooperation with the Texas Department of Corrections and the Institute of Contemporary Corrections and the Behav-

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## COMMITTEE SEEKS NOMINATIONS

Names of candidates for election as Judicial Section officers are being accepted by the Section's Nominating Committee through May 31, 1979. The committee will nominate a chairman-elect and three members of the Executive Committee and submit the nominations to the Judicial Section Conference in September, 1979.

District Judge Robert E. Montgomery of Memphis, Nominating committee chairman, said the

committee will meet in June to consider nominations.

Nominations may be sent to:  
Judge Robert E. Montgomery  
100th District Court  
Courthouse

Memphis, Texas 79245

You may also send recommendations to other committee members: James F. McCarthy, Dallas, D. H. Buchanan, New Braunfels, William J. Cornelius, Texarkana, and W. Ervin James, Houston.

## County Judges Attend Seminar

The second Seminar for County Judges was held in Austin in April, with some 145 Texas county judges in attendance at the three-day meeting.

Midland District Judge Barbara Culver was seminar director, as she was for the first seminar held in 1975.

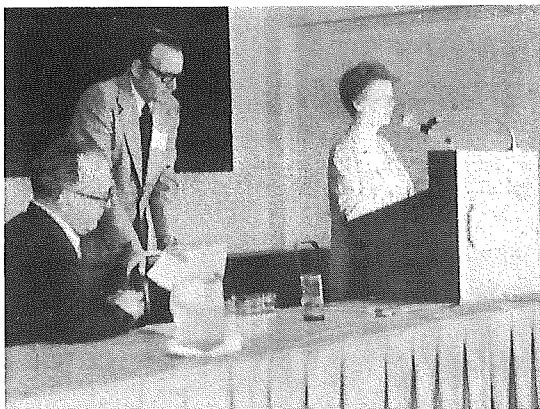
Topics covered included "Overview of a Criminal Proceeding," "Motions to Suppress," "Speedy Trial Act," "Trial of a DWI Case," "Pitfalls in the Trial of a Criminal Case," "Court Appointed Attorneys and Court Reporters," "Mental, Narcotic, and Alcoholic Commitments to State Hospitals," "Civil Trials and Managing the Civil Docket," "Juvenile Proceedings," and "Probate Proceedings."

Texas Supreme Court Justice Joe R. Greenhill addressed the Seminar.

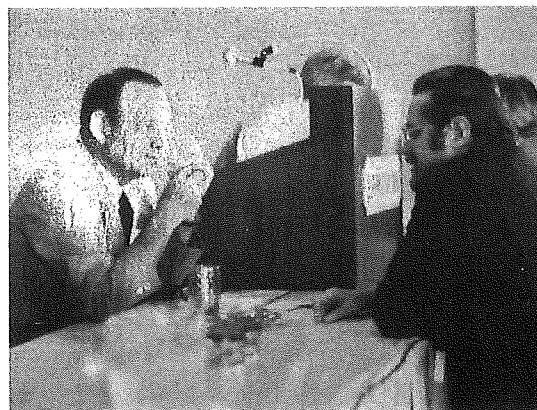
Other speakers were Judges Max Bennett, Corpus Christi, Harold Entz, Dallas, Larry Gist, Beaumont, Earl W. Smith, San Angelo, Truman Roberts, Austin, George Allen, Waco, Sam Houston Clinton, Austin, and Sam Seale, Edna.

Also, Calvin Ashley, Wichita Falls, John Hill, Fort Worth, Noah Kennedy, Corpus Christi, Jerry Garrett, Victoria, and Joe Ashmore, Dallas.

A manual containing speeches delivered at the Seminar will be published by the Texas Center and distributed to county judges.



Seminar Director Barbara Culver addresses seminar session, as C. L. Chance, left, and Truman Roberts listen.



Court of Criminal Appeals Judge Truman Roberts, left, holds a discussion during a break.

# CRIMINAL JUSTICE CONFERENCE

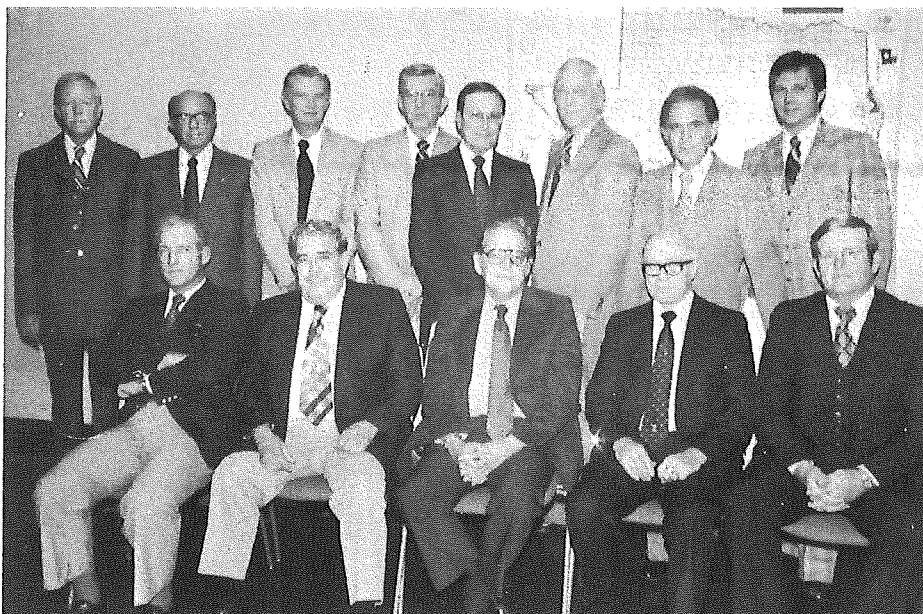
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ioral Sciences, Sam Houston State University.

Conference planning committee members are Carl E. F. Dally, Austin, chairman; District Judges James Allen, Dallas, John Boyd, Plainview, H. F. Garcia, San Antonio, Miron Love, Houston, Byron Matthews, Fort Worth, and Thomas J. Stovall Jr., Houston; Jerry Garrett, county court at law judge, Victoria; and Court of Criminal Appeals Judges Wendell Odom and Truman Roberts.

Also, Max M. Rogers, presiding judge of the Second Administrative Judicial District, Huntsville; Archie Brown, retired Court of Criminal Appeals commissioner, San Antonio; Roy Rawls, Court of Criminal Appeals executive administrator, Austin; Alfred Walker, former CCA executive administrator, Austin; Dr. George Beto, Huntsville; Marcus Kentner, SHSU, Huntsville; and Dr. Victor Strecher, director, Institute of Contemporary Corrections and the Behavioral Sciences, SHSU, Huntsville.

Also, W. J. Estelle Jr., director, Texas Department of Correc-



Meeting in Austin recently were the following members of the Criminal Justice Conference Planning Committee: Seated, l-r. Jack Kyle, Huntsville. H. F. Garcia, San Antonio, John T. Boyd, Plainview, Carl E. F. Dally, Austin, Ron Taylor, Huntsville; and

standing, l-r. Jack H. Dillard, Austin, James K. Allen, Dallas, Alfred Walker, Austin, Roy Rawls, Austin, Jerry Garrett, Victoria, Miron Love, Houston, John Cocoros, Huntsville, and Shack Nail, Austin.

tions, Huntsville; Jack Kyle, assistant director, TDC; Ron Taylor, TDC; Willis Whatley, general counsel, CJD, Governor's Office, Austin; Larry Craddock,

CJD; Jack H. Dillard, executive director, Texas Center for the Judiciary, Austin; and William S. (Shack) Nail, associate director, TCJ.

## ETHICS OPINIONS

### Opinion No. 40

**Question:** Does a judge subject to the Code of Judicial Conduct promulgated by the Supreme Court of Texas violate such code by making periodic and regular financial contributions to a political party?

**Answer:** The Committee, by unanimous vote, answers the foregoing question in the negative. Since the amendment of Canon 7 of the Code of Judicial Conduct, on February 18, 1977, such a contribution does not constitute an ethical violation of the Code.

Whether a judge makes a contribution or refrains therefrom is a purely personal determination and presents a question not within the jurisdiction of this Committee.

### Opinion No. 41

**Question:** May a judge subject to the provisions of the Code of Judicial Conduct appear as an operatic singer at fund-raising activities of religious or charitable organizations?

**Answer:** The Committee is of the opinion that such activity would be in violation of Canon 5B (2). While a judicial officer may not be a speaker or guest of honor at such an event, he may attend such events.

Questions may be addressed to:

Texas Center for the Judiciary  
P.O. Box 12487, Capitol Station  
Austin, Texas 78711  
Attn: Committee on  
Judicial Conduct



Texas Center for the Judiciary

Sponsored by  
State Bar of Texas

IN CHAMBERS  
Published Bimonthly

Managing Editor

Jack H. Dillard

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P. O. Box 12487, Capitol Station  
Austin, Texas 78711

## James Adams New CJD Director

James B. Adams, associate director of the FBI, will be the new executive director of the Criminal Justice Division of the Governor's Office beginning June 1.

Adams, whose FBI resignation is effective in May, was appointed by Gov. Bill Clements to replace Robert Flowers, who was named deputy executive director.

A native of Mexia, Adams served in the Texas House from January until July, 1951, before resigning to join the FBI.

In making the appointment, Clements said, "A person of Jim Adams' outstanding training and experience adds a new dimension to the fight against crime in Texas and illustrates my commitment to winning that fight.

"His background in law, law enforcement and management provides him with a unique combination of qualifications for the very vital post."

U.S. Attorney General Griffin Bell called Adams "one of the most competent individuals I have encountered."

## Price Nominated For 125th Court

Houston lawyer Charles L. Price has been nominated to succeed District Judge Lewis Dickson, who retired February 28.

Price is the second nominee named by Gov. Bill Clements to fill the 125th District Court vacancy. The first, Houston lawyer W. B. Edwards, was rejected by the Texas Senate.

A Houston civil attorney for 15 years, Price is a graduate of Baylor University and the Baylor Law School in 1956.



Texas Atty. Gen. Mark White, second from right, addressed the West Texas Judicial Conference in Midland recently. Greeting him are, 1-r, Perry Pickett, Midland, Ross Doughty, Uvalde, and Howard Davison, Lubbock. Pickett is presiding judge of the Seventh Administrative Judicial District, Doughty the Sixth District, and Davison the Ninth District.

## Texas Register Available

The "Texas Register," the sole official publication reporting all regulatory actions of Texas state agencies, is currently available from the Office of the Secretary of State.

More information may be obtained by calling the Office of the Secretary of State, circulation staff, at (512) 475-7886.

## JUDICIAL CALENDAR

### May 2-4

Criminal Justice Conference  
Huntsville

### June 26-30

State Bar Convention  
San Antonio

### September 25-28

Judicial Section Conference  
Abilene

In Chambers  
Texas Center for the Judiciary  
State Bar of Texas  
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Austin, Texas 78711

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