



IN CHAMBERS

Official Publication of The Texas Center for the Judiciary, Inc., P.O. Box 12487, Capitol Station Austin, Texas 78711

Volume 19, Number 3

August 1992

El Paso To Host Judicial Section Annual Conference in September

Justice Linda B. Thomas, Chairman of the Judicial Section, has called for the Annual Conference of the Judicial Section of the State Bar of Texas to be held in El Paso, September 22-25, 1992.

The conference will commence with registration on Tuesday. Golf, tennis and bridge will be held on Tuesday afternoon.

The educational program will begin Wednesday at 8:45 a.m. and will be held at the El Paso Convention Center, located downtown near the Westin Hotel. The Wednesday program will be a general session sponsored by the Texas Bar Foundation and will focus on "Managing the Media Environment in the Courtroom." Justice Doggett from the Supreme Court of Texas will also present a report on the Supreme Court Task Force on Judicial Ethics.

Thursday morning's educational program will be a general session on "Hot Topics." Chief Justice Thomas R. Phillips will present an overview of these "hot topics" including redistricting and judicial selection, courtroom security, and a report on the Citizen's Commission on the Texas Judicial System.

The business meetings of the Texas Center for the Judiciary, Inc., and the Judicial Section of the State Bar of Texas will be held Thursday afternoon, followed by the meetings of the administrative judicial regions.



Chairman Linda B. Thomas

The program on Friday morning will consist of two concurrent breakout sessions for trial judges with a choice of topics in civil/family or criminal law. Appellate judges will have their own breakout session on Friday morning at the Westin Hotel.

A meeting for retired and former judges will be held Wednesday afternoon at the El Paso Convention Center.

The program will provide up to 10.25 hours of continuing judicial education.

Social activities during the conference will include golf, tennis and bridge on Tuesday afternoon; a welcome reception on Tuesday evening; the Inspirational Breakfast on
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College of Advanced Judicial Studies Set for March 1993

Judge Michael E. Keasler, Dean of the Regional Judicial Conferences, advises that the planning and preparation for the Texas College of Advanced Judicial Studies to be held in Austin, March 7-10, 1993, are progressing at a steady rate. That conference, which replaces in 1993 the five regional judicial conferences normally held by the Texas Center around the State each spring, will offer twelve different courses simultaneously, each course lasting two days. Because enrollment in each course will be limited to a certain number of participants, judges will be asked to list several preferences for courses when registering and will be assigned to preferred courses on a first-come, first-served basis.

The course directors have provided us with a brief description of each of the courses to illustrate the focus and content of the courses. Those descriptions are on pages 3 and 4 of this issue of *In Chambers*.

Dean Keasler, who serves as Judge of the 292nd District Court in Dallas, is excited about the new format, which is based on a concept utilized by the state of Florida in their continuing judicial education programs. Each course will offer attending judges credit for continuing judicial education. More information and details will be forthcoming as the planning of the conference progresses.

Nominating Committees Announce Slates of Officers

The Nominating Committees have released their lists of nominees for officers of the Texas Center for the Judiciary and for the Judicial Section. Those nominated to be officers of the Texas Center are:

Chairman:

Judge Weldon Kirk
32nd District Court, Sweetwater

Vice-Chairman:

Judge Neel Richardson
County Criminal Court at Law #8
Houston

Secretary-Treasurer:

Judge Raul Rivera
228th District Court, San Antonio

Board of Directors:

Judge Joe Carroll
27th District Court, Belton
Judge Hannah Chow
County Criminal Court at Law #5
Houston
Chief Justice Tom B. Ramey, Jr.
12th Court of Appeals, Tyler.

The nominees for the Judicial Section are:

Chairman:

Judge Weldon Kirk
32nd District Court, Sweetwater

Vice-Chairman:

Judge Neel Richardson
County Criminal Court at Law #8
Houston

Executive Committee:

Place 6:

Judge Bill McCoy
358th District Court, Odessa

Place 7:

Judge Elma Salinas Ender
341st District Court, Laredo

Place 9:

Judge Jerry Lewis
County Court at Law #2, McKinney.

The election of officers will be held on Thursday afternoon, September 24, at the El Paso Convention Center during the Judicial Section Annual Conference.

Judge Farris Elected to National Office

The Honorable James M. Farris, Judge of the 317th District Court in Beaumont, was elected president elect of the National Council of Juvenile and Family Court Judges at its recent annual meeting in Charleston, South Carolina.

As president elect of the National Council, Farris will be responsible for providing leadership to the organization's 2,500 members and directing the focus of its committees, which address major juvenile and family law issues such as family violence, juvenile delinquency and creating family court systems.

Judge Farris has been on the bench since 1969 and is active in the juvenile justice field. In 1991, he was selected by the U.S. Department of Health and Human Services to be the Texas recipient of the Biannual "Commissioner's Awards for the Prevention of Child Abuse and Neglect." He was chosen as the one judge in Texas to serve on the Commission on Children, Youth and Family Services and was appointed the presiding officer of the Commission. He speaks between 70 and 90 times per year on issues related to juvenile justice. In the last five years he has spoken in 36 of the continental states.

The National Council of Juvenile and Family Court Judges is a 55-year-old membership organization of the nation's leading juvenile and family jurists. A primary focus of the organization is to offer continuing education for trial and appellate court judges and related court personnel on current and future issues related to juvenile and family law. The Council's headquarters and its training branch are located on the campus of the University of Nevada, Reno. Its research center, the National Center for Juvenile Justice, is located in Pittsburg, Pennsylvania.

Annual Conference *from page 1*

Wednesday morning; and a western party and dance on Thursday evening. The combined bar associations of El Paso will host a Wednesday evening courthouse tour followed by a dinner and an evening of entertainment. More information on this event will be mailed from El Paso directly to participants.

The spouses' program will be held on Wednesday and will be organized by Si El Paso Tours. The program will include a brunch at the Westin Hotel, followed by a shopping trip to Juarez. Spouses will have a free day on Thursday to take in the shopping and all the other attractions in El Paso.

If you need additional information concerning the conference please call the Texas Center at (512) 463-1530.

Juvenile Justice Benchbook Available

The Texas Juvenile Justice System Benchbook and Reference Manual is available for purchase. The manual, written by Judge Harold C. Gaither, Judge of the 304th District Court in Dallas, and edited by Professor Robert O. Dawson of the University of Texas School of Law, can be purchased from the Texas Center at a cost of \$15.00 per book. They are in stock and available for immediate distribution. Please write the Texas Center to obtain a copy of the manual.

Texas College Of Advanced Judicial Studies

Course Descriptions

■ Course #1

ADVANCED PROBLEMS IN CIVIL LITIGATION

This course will focus on some of the most difficult areas encountered in the trial of the lengthy and involved civil cases. The faculty will consist of Texas Judges and other legal experts who have encountered and surpassed the increasingly complicated problems which arise in the trial of such cases. Topics will include the docketing and scheduling of such cases, pretrial and discovery procedures, management and selection of jurors in the lengthy civil cases, evidentiary problems ancillary to the cases, efficient handling of demonstrative evidence, preparation of jury charges, dealing with obstreperous and uncooperative counsel as well as news media relations during the course of such trials. **Target Audience:** Civil trial judges who need and will participate in the development of judicial trial skills in handling the complex case.

■ Course #2

HANDLING THE CAPITAL CASE IN TEXAS

This course will focus on the history of the law, current status of the law, as well as practical and philosophical issues involved in handling a capital case in Texas. The course will be broken down into the following areas:

1. History of Texas Law on Capital Punishment;
2. Special Stress Considerations of the Capital Case;
3. Victim's Rights and the Capital Case;
4. Pre-Trial Matters;
5. Jury Selection in Capital Cases;
6. Trial and Evidentiary Matters;
7. Post-Trial and Appeal Matters.

The faculty will be composed of members of the Texas judiciary with extensive experience or special knowledge in dealing with capital cases as well as other experts in the areas to be discussed.

Target audience: Any judge who will handle a Texas capital case.

■ Course #3

DOING JUSTICE: PARABLES FOR JUDGES

Judges will read and discuss selected literary works to reflect on social issues and moral dilemmas that impinge on our work as judges. The literary texts will lead into the texts of the participants' own stories as we address some common themes: How do we use or abuse our power? How do we exercise judgment and come to our decisions? How can we better deal with gender bias and a culturally diverse society? How do we identify our work with larger ethical and moral issues?

■ Course #4

EVIDENCE

This course will be taught by a distinguished faculty including the authors of Texas Practice Guide to the Texas Rules of Evidence: Civil and Criminal Volume 33, Steven Goode, Olin Guy Wellborn, III, and M. Michael Sharlot. Topics that will be addressed include relevancy, direct examination, cross examination, competency, impeachment, and recent developments in the law of evidence. This course will cover evidentiary issues arising in both civil and criminal cases.

■ Course #5

DECISION-MAKING IN JUVENILE COURTS

Texas judges with experience in hearing and deciding certification and determinate sentence cases involving serious and violent offenses will be the primary faculty for the course; however, the course will also address such fundamental issues as detention, adjudication, disposition, and alternatives to incarceration. Finally, there will be a presentation and opportunity to discuss recent case law and implementation of state juvenile regulations.

Target Audience: Judges with a strong interest in juvenile justice issues.

■ Course #6

FINANCIAL STATEMENTS IN THE COURT ROOM

The American Institute of Certified Public Accountants has developed an education program for trial court judges on financial statement issues. The purpose of the program is to help judges better understand the use of financial information and financial statements in the court room. The program is designed to assist judges in effectively processing cases ranging from securities and complex commercial matters to family law and landlord tenant disputes. The objective of the course is to assist judges:

1. Increase their understanding of financial statements and financial reporting concepts;
2. Demonstrate the degree of estimation in judgement inherent in the financial reporting process;
3. Clarify what audit financial statements are and what the role of the independent auditor is in the financial reporting process;
4. Address issues that frequently arise in litigation involving financial information.

The course was presented to several Texas Trial Court Judges in November of 1991 where it was extremely well received. Some of the comments received were that the subject matter was presented in such a way that it is easily understood and that the course provides significant insights into the use (and sometimes misuse) of financial information in the courts.

Texas College Of Advanced Judicial Studies

Course Descriptions

■ Course #7

THE JUDICIAL RESPONSE TO TROUBLE WITHIN THE FAMILY

What is the role of the judiciary when it comes to domestic violence, abused children, or children in trouble? What can you, the judge, do about it in your community?

At this course YOU will learn about the trends in, the solutions to, and what can be done about domestic violence from national authorities provided by the National Council of Juvenile and Family Court Judges in Reno, Nevada.

Do you have a CASA (Court Appointed Special Advocates) program in your jurisdiction? In areas without one, the children, the community, and most of all, you are being cheated and deprived of this most important service to troubled children. Learn about this program: exactly how it can be implemented in your area and how you can assist in the start-up and in the ongoing upkeep of one.

All participants will have an opportunity to discuss with the faculty members problems they have encountered. Judge James M. (Jim) Farris of Beaumont will be a luncheon speaker and discuss STRESS: the toll it takes on decision-makers who work in this arena, how to deal with it, and he will even spin a few yarns.

Target Audience: All judges that preside over any family law matter.

■ Course #8

MEDIATION - THE ANSWER: IT'S HERE, IT WORKS, LETS USE IT!

In this intensive, practical, two-day training, you will learn how to free your time and docket through mediation, and experience first hand what mediators do and how they do it.

The course will be taught by the faculty of the American Academy of Attorney-Mediators, who have trained hundreds of attorney-mediators throughout the southwest, and by Judges who are among the most experienced users of mediation in Texas. In this

"hands on" seminar you will actually mediate a case, learn when to order mediation, why some mediators are more effective than others, what cases should be sent to mediation, how to handle objections, and how to immediately implement mediation and experience its benefits.

Target Audience: All Judges hearing civil matters.

■ Course #9

"MEGATORTS"

Mass tort litigation makes extraordinary demands on the traditional judicial model for dispute resolution. Dozens or even hundreds of individual personal injury plaintiffs with identical liability claims against identical defendants can threaten to overwhelm a court's docket, especially if the same issues of fact and law must be litigated over and over again. This course will explore the procedural and organizational innovations that judges across the country have developed in response to these "megatorts." Professor Francis McGovern of the University of Alabama Law School will moderate a faculty composed of judges and trial attorneys who have been on the front lines with asbestos, silicone implant, Dalkon Shield, and other toxic tort litigation.

■ Course #10

JUDICIAL WRITING

This course will treat judicial writing from a variety of perspectives--from sentence-level writing problems to larger concerns involving rhetoric and style. Though much of the discussion will focus on appellate opinions, trial-level judicial writing will also receive considerable attention. Throughout the seminar, the participants will engage in practical exercises to polish their skills in grammar, usage, punctuation, and the like. Nevertheless, the course will be pitched at an advanced, not a remedial, level. Each judge will write a brief judicial opinion and edit the opinions of two other judges.

Target Audience: Appellate & Trial Judges

■ Course #11

SENTENCING

A course that will:

1. Examine the underlying reasons for punishment;
2. Help you determine the appropriate sentence;
3. Give specific ideas on what to do with alcohol and drug offenders;
4. Discuss alternatives to incarceration;
5. Discuss the theory of "Continuum of Sanctions" for probationers;
6. Give an expose' of what is happening with the Texas Punishment Commission and how its plans will affect sentencing in Texas;
7. Breakout sessions for felony and misdemeanor courts.

■ Course #12

ADVANCED PROBLEMS IN FAMILY LAW

This course will explore the complex property division topics which frustrate the judge and baffle the jury, and will delve into the psychological make-up of the one to three year-old child.

Specifically, the first day will acquaint the judge with the "accounting magic tricks" that turn a seemingly bankrupt "mom & pop" business into a million dollar paper asset, and shed light onto the "black hole" of interspousal torts and Q.D.R.O's.

The second day a panel of psychologists will unveil the secret of the M.M.P.I. and other personality tests and educate the judge on the developmental stages of early childhood, as those stages relate to custody and access problems faced everyday by the courts.

This course, moderated by Judge Frank Sullivan and Judge Sue Koenig and presented by experts from across the state, will give participants hands-on experience as a member of a board of directors and a peek at the participants' own psychological test scores.

Contributions to the Texas Center

Since the May 1992 Issue of In Chambers

Hume Cofer	Grainger McIlhany	Tommy W. Wallace
Charles B. Howell	Carolyn W. Sanders	John H. Whittington
Mack Kidd	M. Kent Sims	Don R. Windle
Delwin McGee	William R. Vance	

Memorial Contributions

*Justice James K. Allen
Memorial*

Bill J. Stephens

Judge Keith Burris Memorial

Timothy F. Johnson

*Justice Rudolph S. Esquivel
Memorial*

Fourth Court of Appeals
Fred Biery

*Mrs. Blair (Betty A.) Reeves
Memorial*

Fourth Court of Appeals
Fred Biery

*Justice Horace Young
Memorial*

Martin J. Chiuminatto, Jr.

NEW JUDGES

Jerry R. Birdwell
195th District Court, Dallas
Succeeding Joe Kendall

Jay Gibson
70th District Court, Odessa
Succeeding Gene Ater

John Ackerman
339th District Court, Houston
Succeeding Norman Lanford

Gaynelle Griffin Jones
1st Court of Appeals, Houston
Succeeding Jon N. Hughes

In Memoriam

Judge Ernest A. Coker, Sr.

Senior Judge Ernest A. Coker, Sr., of Conroe died July 2, 1992. He was 88 years old. He attended South Texas College of Law and was admitted to the Texas Bar in 1934. He served as County Attorney of Polk County from 1936 until 1940 and was a State Representative from Polk County from 1940 until 1941. He served on the Texas Industrial Commission in 1947. Coker was appointed by then Governor Buford Jester to serve as Judge of the 2nd 9th District Court in 1947. In 1956, he was elected judge of the 9th District Court. After his retirement from the bench in 1977, Judge Coker served as a Senior Judge until November, 1990.

Judicial Calendar

Judicial Section Annual Conference
September 22-25, 1992
El Paso Convention Center, El Paso

**Texas Association for Court
Administration Annual Conference**
October 20-23, 1992
Omni Hotel, Austin
(formerly the Radisson Plaza)

**Constitutional County Judges'
Education Course**
November 17-20, 1992
Hotel to be announced, Lubbock

Texas College for New Judges
December 6-11, 1992
University Hotel, Huntsville

**Texas College of Advanced
Judicial Studies**
March 7-10, 1993
Hotels to be announced, Austin

Criminal Justice Conference
May 19-21, 1993
Doubletree Hotel, Austin

**Trial Court Management
Seminar**
June 21-25, 1993
University Hotel, Huntsville

**Judicial Section
Annual Conference**
September 21-24, 1993
Hyatt Regency, Houston

**Texas Association for Court
Administration Annual Conference**
October 19-22, 1993
Omni Hotel, Austin

Juvenile Justice Seminar
November 3-5, 1993
Hotel to be announced, Austin

Texas College for New Judges
December 5-10, 1993
University Hotel, Huntsville

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**Texas Center for the
Judiciary, Inc.**

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Executive Director

Tricia Hall
Editor

This publication was funded
by a grant from the
Supreme Court of Texas.

Texas Center for the Judiciary, Inc.
P.O. Box 12487
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Permit No. 1390
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