



# In Chambers

THE OFFICIAL PUBLICATION OF THE TEXAS CENTER FOR THE JUDICIARY

FALL 2019

**Court  
Coordinators  
Training  
Changes**

*Padilla*  
**Program  
Launches**

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# In Chambers

The official publication of the  
Texas Center for the Judiciary

## Fall 2019

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This is the the official publication of Texas Center for the Judiciary. The magazine is funded in part by a grant from the Texas Court of Criminal Appeals. In Chambers strives to provide the most current information about national and local judicial educational issues and course opportunities available for Texas judges. We keep the Texas Center's mission of "Judicial Excellence Through Education" as our guiding premise. Readers are encouraged to write letters and submit questions, comments, or story ideas for In Chambers. To do so, please contact Courtney Gilason, Curriculum Director, at 512.482.8986 or toll free at 888.785.8986, or via email at [courtneyg@yourthonor.com](mailto:courtneyg@yourthonor.com). Articles subject to editing for clarity or space availability. Layout and design by Christie Dotolo. The Texas Center for the Judiciary is located at 1210 San Antonio Street, Suite 800, Austin, TX 78701.





## LETTER FROM THE CHAIR

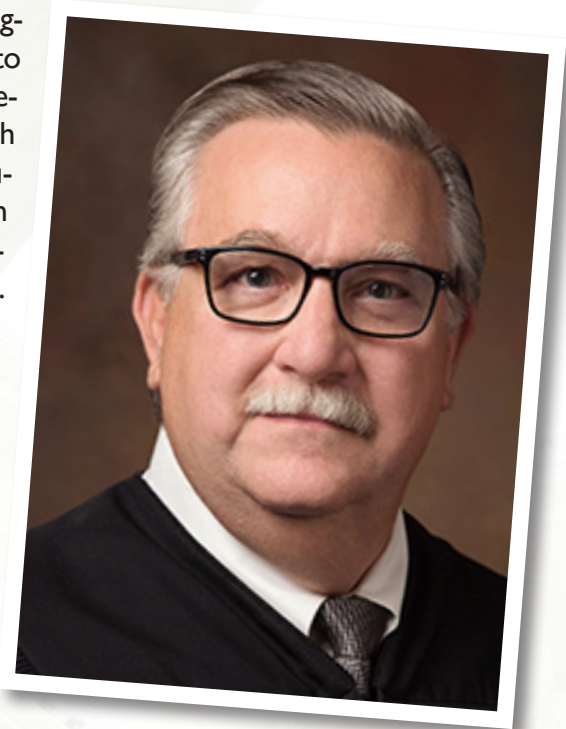
**F**ellow Judges,  
As you probably already know, the Texas Center for the Judiciary is a non-profit corporation, specifically incorporated to provide Texas judges with the very best continuing legal education possible. Our mission is to promote judicial excellence by providing the highest quality of judicial education available to the judges of the State of Texas. To that end, TCJ manages state-funded grants from the Texas Court of Criminal Appeals, the Texas Department of Transportation, and the Children's Commission Court Improvement Program, as well as a federally funded grant under the Children's Justice Act, together with private funds from contributors like you in order to put on 15 conferences this year. What you may not know is that TCJ is also charged with the responsibility of providing continuing education to your court personnel. For many years, we have provided a robust curriculum for new administrators and managers, but we have fallen short in our responsibility to provide a continuing education component available to all administrators and managers. To revitalize that program and to bring it into full compliance with our grant obligations and the high educational standards and values of TCJ, I appointed a special Task Force to study ways in which we could improve our court personnel education program. Our immediate past chair, the Honorable Ben Woodward, agreed to lead that Task Force. (For further information, see [Ben's Report](#) in this edition of In Chambers.) Thanks to Ben, the Task Force, and the hard work and assistance of our Curriculum Chair, the Honorable Lee Gabriel, working with a specially appointed court personnel curriculum committee, TCJ is preparing to launch our new two-part Court Professionals Conference. The new program will offer a specialized program for new administrators and managers, covering a vari-

ety of topics ranging from ethics to docket management, paired with a continuing education program of timely topics of interest. Special thanks should be given to Ben, Lee, the curriculum committee members, and the staff of TCJ, for their hard work and dedication in the implementation of this program. Here at TCJ we recognize the critical role of a well-trained staff and we hope to provide your court with the very best, up-to-date information and education in court management. In that regard, please feel free to contact me or anyone at TCJ with your ideas for educational opportunities.

With Best Regards,



Hon. Patrick Pirtle  
Chair



# feature

## Changes Ahead for TCJ's Court Coordinator Training

By Hon. Ben Woodward



“**E**xcellence through education” is the mission of the Texas Center. Our mission includes educating judges and court professionals. Our curriculum committee designs conferences to accomplish that, but to maintain excellence the Center continually evaluates programs to ensure the subjects are relevant, the materials are fresh, and the faculty is knowledgeable and representative.

Many coordinators, administrators, and managers (court professionals) have attended TCJ's Professional Development Program (PDP). The program has consisted of courses on Trial Court Coordination and Trial Court Management, as well as an Institute for Court Management (ICM)/Texas Association for Court Administration (TACA) certification program. TCJ is grateful for the support of past speakers and TACA members, who volunteered countless hours and resources to make PDP one of the best continuing education programs for court professionals in the nation.

TCJ is also very proud of the impact PDP has had on the professionalism and knowledge of court professionals over the years.

Like our other conferences, TCJ continually strives to keep programs excellent. So, last year, the Board directed a task force to evaluate the PDP, Professional Development Program. The result is a new model for educating your court professionals. This model is designed to educate all court professionals, in all trial courts, and with all levels of experience. TCJ will offer two conferences each year. One conference designed for new coordinators to introduce ethics, court values, and basic court management. A second conference for the more experienced coordinators

A committee comprised of members from TCJ's leadership, and court coordinators, and administrators, and court managers developed new programming which will include a 16-hour introductory education





## This second conference is for all court professionals...

conference, with curriculum focusing on the basics of caseload management, professionalism, ethics, and court administration. A second conference will immediately follow the introductory conference. This second conference is for all court professionals, including those who attended the introductory conference, and is a 9-hour continuing education conference. The curriculum for this conference will be developed each year to address cutting edge issues, recent developments, and refreshers on the basics for new and seasoned court professionals.

This new format will, in effect, replace TCJ's Professional Development Program. Those currently enrolled in the ICM/TACA Texas Court Management certification program will receive further instructions on completing the program from TACA, who will henceforth conduct that training.

As always, TCJ will reimburse attendees for travel, hotel, and meals in accordance with Grant guidelines. For the June 2020 program, attendance to the continuing education conference will be limited to 175 coordinators on a first-come, first-serve basis. However, future education programs will likely have expanded capacity.

Registration details will be made available in early January. TCJ will send further information via email when registration opens.





# Addressing the Shortage of Court Reporters: A Letter from the Texas Court Reporters Association

**T**exas is one of the leading states in the court reporting industry, with more than 2,200 Certified Shorthand Reporters. The Texas Court Reporters Association (TCRA) – currently 1,100 members strong -- has been promoting and protecting the court reporting industry for over 80 years.

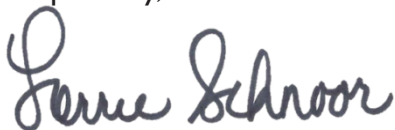
With our eyes on the shortage, TCRA worked tirelessly during the past legislative session on a bill that would help alleviate this shortage. We know that having a certified stenographic court reporter taking legal proceedings is **the gold standard** for safeguarding the record. On June 11, 2019, Governor Greg Abbott signed into law Senate Bill 891. This bill gives authority to our regulating body to give licenses to provisional and apprentice reporters under guidelines established by the Commission through a stakeholder process. These guidelines are currently being established. The two licenses are in addition to what was already in statute regarding endorsements and the ability of a reporter from another state to apply to work here. It is TCRA's intent to be deliberative in our approach to the shortage while maintaining the high Texas standards that litigants and parties deserve.

In 2015, a Student Recruitment Task Force (SRTF) was appointed by TCRA. That task force immediately began recruiting efforts. In 2018, there were 488 students enrolled in our six court reporting schools in Texas. Several new court reporting programs have opened here since that time, including one at the University of Houston and one at Odessa College. Another satellite campus has been opened in Midland at a local court reporting office. TCRA is receiving more inquiries from junior colleges who are exploring the idea of opening one as well. To date, there are almost 700 court reporting students in the eight court reporting schools across Texas. Students are shying away from a four-year degree because it is too costly. Being a professional certified shorthand reporter can be attained in as little as two years!

In closing, TCRA would like to thank The Texas Center for the Judiciary in allowing us the honor and privilege to once again host your Judicial Silent Auction in San Antonio. For over 20 years, TCRA has donated more than \$230,000 to the Texas Center for the Judiciary Education Fund. And this year, with your support, we raised \$11,200 for the Texas Center for the Judiciary Education Fund. For many decades, judges and court reporters have worked together in the judicial arena, and we look forward to working with you in the future.

Should you have any questions and/or concerns, please feel free to contact Brooke Ingram, our Executive Director, at (903) 675-1806.

Respectfully,



Lorrie Schnoor, CSR, CRR, RDR, TCRR  
President - Texas Court Reporters Association



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Thank you for your generous contributions. Contributions may be made at conferences, sent via mail to the Texas Center offices, or directly online at <http://www.yourhonor.com>.

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**Hon. Lauren Parish**

*In Honor of Judge Mark Atkinson and TCJ Staff. In appreciation for the wonderful organization and what you do.*

**Hon. Judy Parker**

*In Honor of Judge James Campbell. Thank you for your dedicated service to the 7th District Court of Appeals.*

**Hon. Juan Valesquez**

*In Honor of Texas Center for the Judiciary staff.*

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**Hon. Marilyn Aboussie**

*In Memory of Hon. Austin McCloud and Hon. Roger Towery*

**Hon. Robert Brotherton**

*In Memory of Hon. Roger Towery and Hon. Jerry Woodlock*

**Hon. Charles Chapman**

*In Memory of Hon. Quay Parker and Hon. David Hajek*

**Hon. Sarah Tunnell Clark**

*In Memory of Hon. Joseph Perkins. Thank you for your lifetime dedication to the children of Texas through your service to the IV-D Courts in East Texas.*

**Hon. Susan Harris**

*In Memory of Lavern D. Harris*

**Hon. Carolyn Marks Johnson**

*In Memory of Hon. F. Lee Duggan and Jake Johnson*

**Hon. Donald Jones**

*In Memory of Chief Justice Austin McCloud and Hon. Quay Parker*

**Hon. Mary Lou Keel**

*In Memory of Hon. F. Lee Duggan. A great man, judge and friend.*

**Hon. Stuart Messer**

*In Memory of Hon. John Forbos*

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*In Memory of Hon. Fred Edwards*

**Hon. Robert Wilson**

*In Memory of Murph Wilsson*



# feature

## *Padilla* Program Launches in 3<sup>rd</sup> Administrative Judicial Region

By Geoff Burkhart & Julie Wimmer<sup>1</sup>

In 2010, the United States Supreme Court held that, under the Sixth Amendment, criminal defense attorneys must advise their clients about the immigration consequences of a conviction.<sup>2</sup> Nearly a decade on, *Padilla* compliance is low, and Texas attorneys often risk ineffectiveness.

The 3<sup>rd</sup> Administrative Judicial Region (3<sup>rd</sup> AJR) is partnering with the Texas Indigent Defense Commission (TIDC), Hays County, and my*Padilla* to pilot a remote *Padilla* advisal program in 26 counties. If successful, the program could be expanded statewide.

Here, we describe the *Padilla* problem, our proposed solution, and how you can be involved.

### What is the *Padilla* problem?

Complying with *Padilla* is difficult for two reasons: (1) criminal attorneys lack expertise in immigration law; and (2) most criminal attorneys don't have a *Padilla* attorney to turn to.

To put the first problem in different terms, asking a criminal defense lawyer to practice immigration law is like asking your allergist to perform gall bladder sur-

gery—they're better equipped than a layperson, but far from an expert. Determining

the immigration consequences of conviction requires a nuanced understanding of immigration law because the same criminal disposition will affect two defendants differently based on their immigration status, prior criminal history, and other factors. Few criminal defense attorneys have time to master an entirely new area of law. Plus, immigration law is changing rapidly. Even well-meaning defense attorneys would be hard-pressed to keep up.

As to the second problem, while TIDC has helped fund a handful of *Padilla* attorneys in urban areas—including Dallas, Travis, Webb, and Fort Bend Counties—attorneys in over 200 rural and midsized counties don't know where to turn.



Geoff Burkhart



Julie Wimmer

(continued on next page)



# Welcome to myPadilla

Connecting criminal defense attorneys with immigration expertise to meet *Padilla* obligations and better serve clients



## What is the solution?

The solution may be remote *Padilla* advisals.

*Padilla* attorneys aren't required to meet with defense attorneys or their clients in-person. They can advise attorneys from anywhere in Texas. The challenge, then, is this: can Texas create an efficient and effective way for *Padilla* attorneys to advise defense attorneys anywhere in the State?

The 3<sup>rd</sup> Administrative Judicial Region is working with TIDC, Hays County, and myPadilla to pilot a remote *Padilla* advisal program in 26 counties. Using an online tool, defense attorneys can interview clients, submit secure intake forms, and receive individualized written *Padilla* advice which will ensure their compliance with the Sixth Amendment.

The pilot program will last one year. During that time, we'll educate lawyers on how to use the system, look at how many attorneys use the program, measure how many clients are being served, tweak the system to address any problems, and determine whether this system can be expanded statewide.

If successful, the *Padilla* pilot will provide efficient, accurate advice to defense attorneys to ensure compliance with the United States Constitution.

## How can I support the program?

Judges in the 3<sup>rd</sup> Administrative Judicial Region can help ensure that attorneys receiving appointments are aware of this program and use it in all cases involving indigent noncitizens. Additionally, myPadilla will be conducting CLE events throughout the 3<sup>rd</sup> AJR, and we hope you will encourage defense attorneys to attend.

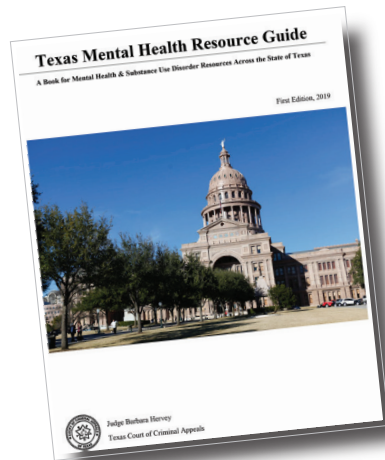
Judges outside of the 3<sup>rd</sup> Administrative Judicial Region can learn more at [mypadilla.com](http://mypadilla.com). If you're interested in whether the *Padilla* project could be extended to your jurisdiction, please feel free to contact us.

For more information, see [mypadilla.com](http://mypadilla.com).

## (Endnotes)

1. Geoff Burkhardt is the Executive Director of the Texas Indigent Defense Commission. Julie Wimmer is an attorney and leads myPadilla.
2. *Padilla v. Kentucky*, 559 U.S. 356 (2010).

# New Bench Books Available!!



## [Mental Health Resource Guide by the Texas Court of Criminal Appeals](#)

This bench book is a compilation of mental health & substance use disorder resources across Texas. The Court of Criminal Appeals has begun to gather as many resources as it can with a mind that this will be a living document to be continuously updated. It has included all types of programs and facilities from governmental agencies and organizations to private practitioners and all those in between in a combined effort to assist those in need.

## [Texas Citizens Participation Act: Bench Guide with 2019 Amendments](#)

The TCPA allows parties to seek swift dismissal of certain “legal actions,” and provides for monetary relief depending on the outcome. It is often referred to as the “Anti-SLAPP” statute because its aim is to dismiss “Strategic Lawsuits Against Public Participation.” This Bench Book is intended to assist members of the Texas Judiciary and their staffs in evaluating procedural and substantive issues presented by TCPA motions under both the prior and 2019-amended statutory text.

## [Science Bench Book for Judges](#)

The National Judicial College and the Justice Speakers Institute, LLC developed this bench book with support from the State Justice Institute as a practical guide to the key types of scientific evidence judges are likely to encounter on the bench. It is the work of expert judges and practitioners. All judges, new or experienced, will find it helpful when considering complex scientific evidence.

## [Texas Impaired Driving Bench Book](#)

The Texas Impaired Driving Judicial Bench Book is a project of the Center for Alcohol and Drug Education, a division of the Texas A&M Transportation Institute, which is part of The Texas A&M University System. Its creation and distribution has been funded by a generous grant from the Texas Department of Transportation. It is provided free of charge to all Texas judges who conduct the magistration, supervision, and disposition of Texas impaired driving offenses.

## UPCOMING CONFERENCES

(For your security, dates and locations are behind a firewall log in)

**College for New Judges**  
December 2019

**Judicial Trauma Institute**  
March 2020

**Court Professionals Conference**  
June 2020

**Family Justice Conference**  
January 2020

**Regional A Conference**  
(Regions 2, 6, 7, 9, 11)  
April 2020

**Impaired Driving Symposium**  
August 2020

**Criminal Justice Conference**  
February 2020

**Regional B Conference**  
(Regions 1, 3, 4, 5, 8, 10)  
May 2020

**Annual Judicial Education Conference**  
September 2020

**DWI Court Team Basic Training and Advanced Conference**  
March 2020



# {conference photos}





{conference photos}





## 2019 Annual Judicial Education Conference Honorees



Exemplary Speaker Award:  
Ms. Sallee Smyth



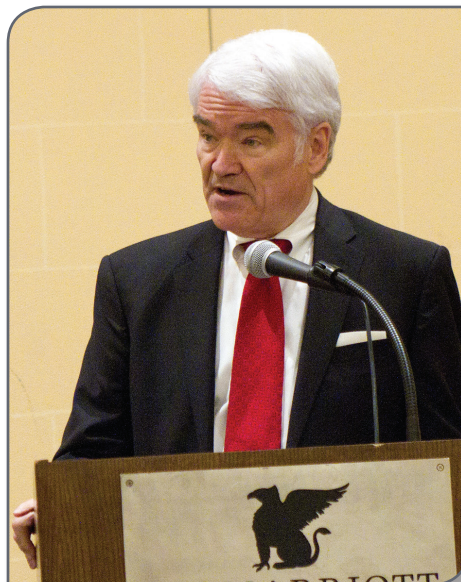
Exemplary Judicial Speaker  
Award: Judge Julie Kocurek



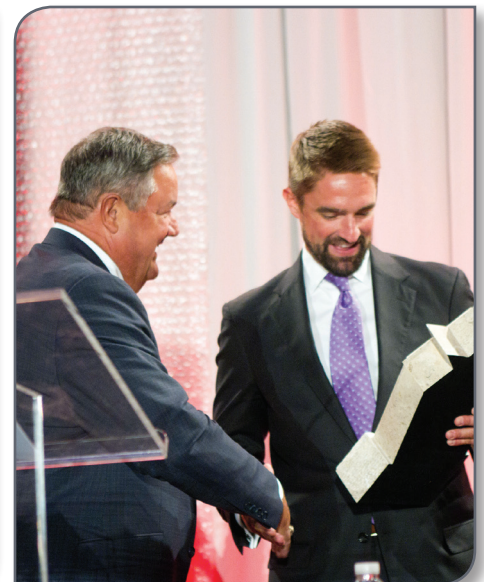
Judicial Excellence in  
Education Award:  
Judge Judy Warne



Texas Center's Chair Award:  
Judge Dean Rucker



Judicial Section Lifetime  
Achievement Award:  
Chief Justice Nathan Hecht



Judicial Section Friends of  
the Judiciary Award:  
Rep. Jeff Leach

# feature

## What's In a Name?

### The History, and Proper Usage, of the Names “Texas Bar Association” and “State Bar of Texas”

by Josiah M. Daniel, III<sup>1</sup>



I have been writing a new history of the *Texas Bar Association*, 1882-1940.<sup>2</sup> It was the voluntary organization of lawyers in our State from 1882 until the Legislature created the mandatory *State Bar of Texas* in 1939. During my project, I noticed this: even long after 1939, some judges and lawyers refer to the *State Bar of Texas* by using the name of the old, superseded organization, the *Texas Bar Association*. Why?

In 1882, the *Texas Bar Association* was founded in Galveston pursuant to the call of 38 individuals, including “every member of the highest courts of our State,” and eight law firms. The founders adopted the model the Bar Association of the City of New York,<sup>3</sup> founded ten years earlier, with goals “to cultivate the science of jurisprudence, to promote reforms in the law, to facilitate the administration of justice, and to elevate the standard of integrity, honor and courtesy in the legal profession.”<sup>4</sup>

While it had modest successes over the following decades, the *Texas Bar Association*’s voluntary membership grew slowly, never more than a minority of attorneys. In the early 20th century, the association’s leadership looked for better ways to professionalize Texas lawyers. The American Judicature Society’s founder, Herbert L. Harley of Michigan, was then advo-

cating a different form of bar organization. From various descriptions—self-governing, all-inclusive, integrated, consolidated, incorporated, compulsory, mandatory, involuntary, and state—Harley chose the adjective “integrated”<sup>5</sup> to describe a bar association whose membership is the condition to the privilege of practicing law and effective discipline based on legal-ethical rules.<sup>6</sup>

At the 1923 annual meeting of the *Texas Bar Association*, John C. Townes, Dean of the University of Texas Law School, spoke for

effective methods by which the bar can assert its own integrity and protect its own character and free the people of the State of Texas from the absurd disregard of the law fostered by false and fraudulent methods that obtain at the bar.<sup>7</sup>

The association’s leadership concluded to raise the competence and status of the State’s lawyers by mandating all attorneys be members of the professional organization, as Harley recommended.<sup>8</sup>

(continued on next page)



That took years of persistence. Finally, on April 19, 1939, Governor W. Lee O'Daniel signed the State Bar Act into law.<sup>9</sup> The act “created”—per its official seal—the *State Bar of Texas* as an agency of the judicial branch and provided that the Texas Supreme Court would issue rules to designate all other details, which it did within a year. At a joint annual meeting of both organizations, July 4-6, 1940, the old association dissolved itself.<sup>10</sup>

Consequently, for 80 years, the official name of the statewide organization of all lawyers has been the *State Bar of Texas*. In 1940, the *Texas Bar Association* ceased to exist; it liquidated its assets and transferred the proceeds to the *Texas Law Review*.<sup>11</sup> Nonetheless, the name *Texas Bar Association* has lived on through eight decades now of the existence of the *State Bar of Texas*. Examples abound of courts continuing to refer to the *Texas Bar Association*.

Now it may be excusable that courts of adjoining Oklahoma<sup>12</sup> and Louisiana<sup>13</sup> have made the mistake, even recently, of calling our bar organization the *Texas Bar Association*. After all, the professional organizations of those states are the “*Oklahoma Bar Association*”<sup>14</sup> and the “*Louisiana Bar Association*.”<sup>15</sup> So referring to a “*Texas Bar Association*” probably seems natural to them.

The Fifth Circuit Court of Appeals might be expected to know better; however, it also has erroneously utilized the name of the defunct association several times. For instance, that court wrote in 1986: the “*Texas Bar Association* is a state agency.”<sup>16</sup> Lower federal courts in all four judicial districts of Texas<sup>17</sup> have made the mistake, even in the 21st century, such as noting certain witnesses were presidents of the *Texas Bar Association*.<sup>18</sup> And colorfully, a federal judge of the neighboring Western District of Arkansas used the name “*Texas Bar Association*” to make an compelling analogy:

People do not accidentally show up for the Texas State Fair on the date advertised for the Arkansas State Fair, or mistakenly attend a meeting of the Arkansas Bar Association when what they wanted was to attend a meeting of the *Texas Bar Association*.<sup>19</sup>

Maybe using the true name *State Bar of Texas* would not have sounded as mellifluous! Other federal courts have likewise used *Texas Bar Association* mistakenly from time to time.<sup>20</sup>

More surprisingly, and again recently, the Texas Supreme Court<sup>21</sup> and the Texas Court of Criminal Appeals<sup>22</sup> and also the Supreme Court of the United

States have referred to our statewide bar organization by eliding the “*Association*” and using just the first two words of the defunct name, the “*Texas Bar*.” In the significant 1950 decision *Sweatt v. Painter*, for instance, our national Supreme Court held that Texas’s segregated law school for African-Americans was grossly unequal with the University of Texas Law School, violating the Equal Protection Clause. The separate law school, the Court observed,

excludes from its student body members of the racial groups which number 85% of the population of the State and include most of the lawyers, witnesses, jurors, judges and other officials with whom petitioner will inevitably be dealing when he becomes a member of the *Texas Bar*.<sup>23</sup>

The High Court again used that truncated name of the old association in this description: “learned members of the *Texas Bar* sit on the Court of Appeals for the Fifth Circuit.”<sup>24</sup>

Rather egregiously, the majority of the fourteen Texas Courts of Appeals, have employed the name *Texas Bar Association* when they meant the *State Bar of Texas*.<sup>25</sup>

Texas lawyers too have goofed about this, as disclosed in case decisions.<sup>26</sup> In law-journal articles, renowned law professors, lawyers, and law students alike have erred in this way.<sup>27</sup> And in my personal experience practicing law in Texas, I recall not infrequently hearing Texas lawyers use the name *Texas Bar Association* instead of *State Bar of Texas*, and I saw many of them listing their attorney numbers on pleadings as “*Texas Bar Association* No. # # # # # # # #.” Unsurprisingly, journalists often do not know the difference.<sup>28</sup>

As historians since Herodotus have asked, “*Why?*”<sup>29</sup> Clearly the two organizations are not the same entity. One ceased to exist eight decades ago, and the other is going strong in 2019! The answer is that many Texas judges, and even more lawyers, simply do not know the history of the organizations to which these discrete names apply. With an understanding of that history, lawyers and judges should have no trouble distinguishing the two names, *Texas Bar Association* and *State Bar of Texas*.

I hope this article demonstrates in one small way that the history of law, lawyers, and courts is worthy of researching and writing by the lawyers—and especially by the judges—of our State. There is much to be done on topics both small and large.

(Endnotes)

1. Retired Partner in Residence Vinson & Elkins LLP, Dallas office.
2. See, e.g., *Creating the State Bar of Texas, 1927-1941*, 45 TEX. BAR J. 455 (1982).
3. See GEORGE MARTIN, *CAUSES AND CONFLICTS: THE CENTENNIAL HISTORY OF THE BAR ASSOCIATION OF THE CITY OF NEW YORK* (1970); JOHN A. MATZKO, *BEST MEN OF THE BAR: THE EARLY YEARS OF THE AMERICAN BAR ASSOCIATION* (2019).
4. *Id.* at 7-8.
5. Of course during the second half of the century, the term “integrated” acquired a more significant usage in the far different context of the civil rights movement. The term “integrated” is today used only rarely to describe the process of transforming the Texas Bar Association into the State Bar of Texas in 1939-1940. For instance, in 1983, a Texas federal judge wrote:  
[The State Bar of Texas] is what is known as an integrated bar.” In some states, there are wholly private, general associations of lawyers that are separate from the state agencies that license, oversee and discipline the lawyers of the respective states. This was the situation in Texas in 1939 when the State Bar was enacted. There was in existence at that time the Texas Bar Association. That association was “integrated” into [a] Texas administrative agency, [the State Bar of Texas].  
State Bar of Texas v. U.S., 560 F.Supp. 21, 24 (N.D. Tex. 1983). To avoid confusion, this article will use the words “mandatory” and “incorporated” when referring to the bar organization created by the State Bar Act.
6. Because compulsory bars are created by statute or court rule, they are agencies of state government; unlike most agencies, however, a state bar is generally self-governing. See Winters, *The Integrated Bar in the United States* (n.d.) (a pamphlet of Am. Judicature Soc’y); D. MCKEAN, *THE INTEGRATED BAR* 30-33 (1963).
7. 42 TBAP 138 (1923).
8. Daniel, *Creating the State Bar* at 454-55.
9. Act of April 6, 1939, 46th Leg., R.S., ch. 1, 1939 Tex. Gen. Laws 64.
10. 2,011 Attend State Bar’s First Session, 3 TEX. B.J. 348, 352 (1940).
11. 59 TBAP/1 STATE BAR OF TEXAS PROCEEDINGS 92-94 (1940).
12. *In re Reinstatement of Wagnon*, 373 P.3d 1013, 1014 (Okla. 2016) (“member in good standing of the Texas Bar Association”); *Smith v. Brock*, 532 P.2d 843, 845 (Okla. 1975) (“resigned in lieu of discipline from the Texas Bar Association”).
13. *In re Spradling*, 952 So. 2d 642, 647 (La. 2007) (“reprimand and \$250 fine . . . from the Texas Bar Association”).
14. <https://www.okbar.org/about/>.
15. <https://www.lsba.org/BarGovernance/LSBAMission.aspx>.
16. *Lewis v. La. State Bar Ass’n*, 792 F.2d 493, 497 (5th Cir. 1986) (emphasis added). See also *Beto v. Barfield*, 391 F.2d 275 (5th Cir. 1968) (“having failed to pay his membership dues to the Texas Bar Association”); *Weeks v. Southern Bell Tel. & Telegr. Co.*, 467 F.2d 95, 98-99 (5th Cir. 1972) (“[the minimum fee schedule of] the Texas Bar Association”); *U.S. v. Markham*, 537 F.2d 187, 195 (5th Cir. 1976) (“Texas Bar Association Grievance Committee”).
17. *Hubbard v. Midland Credit Management*, 2013 WL 6027899 (N.D. Tex. 2013) (“while on a ‘fully probated suspension’ from the Texas bar association”); *Citizens Against the Bar v. Travis County*, No. A-13-CV-528-LY (W.D. Tex. Dec. 22, 2014) (Their dispute . . . is with the Texas Bar Association”); *Wardlow v. Director, TDCJ-CID*, No. 4:04-cv-408 (E.D. Tex. Aug. 21, 2017) (“lodged an official grievance . . . with the Texas Bar Association”); *Dreyer v. Jalet*, 349 F.Supp. 452, 471 (S.D. Tex. 1972) (“defendant was admitted to the Texas Bar”).
18. *BMG Investment Co. v. Continental/Moss-Gordin, Inc.*, 320 F.Supp. 968, 974 (N.D. Tex. 1969) (“one is the president elect of the Texas Bar Association”); *Greer v. Beto*, 259 F.Supp. 891, 892 (S.D. Tex. 1966) (“a past President of the Texas Bar Association”).
19. *Arkansas Trophy Hunters v. Texas Trophy Hunters*, 506 F.Supp. 2d 277, 282 (W.D. Ark. 2007).
20. *In re Diet Drugs Products Liability Litigation*, 381 F.Supp.2d 421 (E.D. Pa. 2005) at 422 n.2 (“Texas Bar Association license numbers of four attorneys”); *Emeny v. United States*, 526 F.2d 1121, 1125 (Ct. Claims 1975) (“as a member of the Board of Directors of the Texas Bar Association”); *Leighton v. Commissioner*, 70 TCM 1109, 1111 (Tax Court 1995) (“The Texas Bar Association also proceeded in the courts against petitioner for his unethical conduct”).
21. See also *Board of Law Examiners v. Stevens*, 868 S.W.2d 773, 774 (Tex. 1994) (“controversy between an applicant for admission to the Texas Bar and the Board of Law Examiners”); *Davenport v. Garcia*, 834 S.W.2d 4, 19 (Tex. 1992) (“As a state court, . . . our judges are Texas citizens and members of the Texas Bar”); *In re Lock*, 54 S.W.3d 305, 316 (Tex. 2001) (“That was the law when the Texas bar adopted the disciplinary rules”); *Grant v. Griffin*, 390 S.W.2d 746, 748 (Tex. 1965) (“a member of the Texas Bar”).
22. *Ex parte Graves*, 70 S.W.3d 103, 120 n.4 (Tex. Crim. App. 2002) (lawyer “had been licensed by the Texas Bar for just over two years”); *Tawater v. State*, 408 S.W.2d 122, 123 (Tex. Crim. App. 1966) (“a member, in good standing, of the Texas Bar”).
23. *Sweatt v. Painter*, 339 U.S. 629, 634 (1950).
24. *City of Mesquite v. Aladdin’s Castle, Inc.*, 455 U.S. 283, 293 (1982). See also *Fisher v. Pace*, 336 U.S. 155, 161 (1949) (“petitioner, a member of the Texas bar, ignored this rule”).
25. *Vice v. Kasprzak*, 318 S.W.3d 1, 3 (Tex. App.—Houston [1st Dist.] 2009, pet. denied) (non-lawyer referred to “Texas Bar Association”); *Law Offices of Windle Turley, PC v. French*, 140 S.W.3d 407, 409 (Tex. App.—Fort Worth 2004, no pet.); *Tex. Resource Center v. Patterson*, 902 S.W.2d 686, 688 (Tex. App.—Austin 1995, writ denied) (“the IOLTA . . . fund of the Texas Bar Association”); *Atlas Chemical Industries, Inc. v. Anderson*, 514 S.W.2d 309, 316 (Tex. Civ. App.—Texarkana 1974, aff’d, 524 S.W.2d 681 (Tex. 1975) (“in his speech before the mineral section of the Texas Bar Association”); *Miller v. Flyr*, 447 S.W.2d 195, 197 (Tex. Civ. App.—Amarillo 1969, writ ref’d n.r.e.) (court referred lawyer to “Texas Bar Association”); *Scott v. State*, 167 S.W.3d 62, 64 (Tex. App.—Waco 2005, no pet.) (“who is not a lawyer or member of the Texas Bar Association”); *Romero v. Zapien*, 2010 WL 2543897 at \*14 (Tex. App.—Corpus Christi June 24, 2010, pet. denied) (“requests that we ‘reprimand’ appellee’s counsel ‘for his misconduct’ and report him to the Texas Bar Association”); *Deaver v. Desai*, 483 S.W.3d 668, 671 (Tex. App.—Houston [14th Dist.], 2015, no pet.) (“the IOLTA . . . fund of the Texas Bar Association”).
26. *Engel v. Pettit*, 713 S.W.2d 770, 771 (Tex. App.—Houston [14th Dist.] 1988) (“My name is . . . I am a member of the State of Texas Bar Association.”); *Miller v. Flyr*, 447 SW 2d 195, 197 (Tex. Civ. App.—Amarillo 1969) (“Q. Are you a member of the Texas Bar Association? A. That is correct.”); *Lewis v. State*, 504 S.W.2d 900, 903 (Tex. Crim. App. 1974) (“You can tell the Texas Bar Association . . . that I am an unethical lawyer”); *Johnson v. Angelina County D.A. Office*, No. 9:18-CV-162 (E.D. Tex. Jan. 7, 2019) (plaintiff’s lawyer sued the “Texas Bar Association”).
27. See, e.g., Robert W. Hamilton, *Corporations and Partnerships*, 36 Sw. L.J. 227, 262 (1982) (LAW PROFESSOR-AUTHOR WROTE: “[TEX. CLOSE CORP. LAW] ARTICLE 12.37(F) [WAS PROPOSED] BY THE TEXAS BAR ASSOCIATION”); JOHN M. O’QUINN, *COMMON ELEMENTS OF RECOVERY IN PERSONAL INJURY CASES*, 18 S. TEX. L.J. 179, 216 (1976) (LAWYER-AUTHOR’S CREDENTIALS INCLUDE “MEMBER, TEXAS BAR ASSOCIATION”); TAYLOR S. BOONE, *A SOURCE OF REVENUE FOR THE IMPROVEMENT OF LEGAL SERVICES*, 11 ST. MARY’S L.J. 113, 139 (1979) (LAW STUDENT-AUTHOR WROTE: “THE TEXAS BAR ASSOCIATION SHOULD ESTABLISH A COMMITTEE TO CONSIDER”).
28. See, e.g., *Law Firm: Gonzales a Tenant, Not an Employee*, DALLAS MORNING NEWS, JULY 17, 2010 (LAWYER “LISTED A NEW BUSINESS ADDRESS . . . WITH THE TEXAS BAR ASSOCIATION”).
29. CHRISTOPHER PELLING, *HERODOTUS AND THE QUESTION WHY* (2019).



**Hon. Jeffrey Alley**

8th Court of Appeals  
Chief Justice

**Hon. Donald Bankston**

268th District Court  
Associate Judge

**Hon. Andrea Bouressa**

471st District Court  
Judge

**Hon. Joe Patrick Bulanek**

461st District Court  
Judge

**Hon. LaVern Campbell**

Court #6  
Associate Judge

**Hon. Chris Cornish**

Centex Child Protection Court No. 1  
Associate Judge

**Hon. Megan Fahey**

348th District Court  
Judge

**Hon. Ysmael Fonseca**

464th District Court  
Judge

**Hon. Charles Griffin**

Gulf Coast Childrens Court  
Associate Judge

**Hon. Andrea James**

2nd Region Child Protection Court No. 2  
Associate Judge

**Hon. Daniel Kindred**

454th District Court  
Judge

# NEW Judges

as of 10/22/19

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2nd Region Child Protection Court No. 1  
Associate Judge

**Hon. Dimple Malhotra**

Travis County Court at Law No. 4  
Judge

**Hon. Chris Nevins**

Gillespie County Court at Law  
Judge

**Hon. Tomasz Nowak**

366th District Court  
Judge

**Hon. Tomi Shehan**

Dallas County Probate Court No. 3  
Associate Judge

**Hon. Dallas Sims**

Centex Child Protection Court No. 2  
Associate Judge

**Hon. Patty Wenetschlaeger**

326th District Court  
Associate Judge

**Hon. Lindsey Wynne**

468th District Court  
Judge

# In Memory...

Hon. Lee Duggan, Jr.  
1st Court of Appeals  
Houston

Hon. Larry Gist  
Jefferson County Criminal District Court  
Beaumont

Hon. William Clifford Martin  
307th District Court  
Longview

Hon. Fred Jones Moore  
Guadalupe County Court at Law No. 1  
Seguin

Hon. John Ovard  
Region 1 Child Support Courts  
Dallas

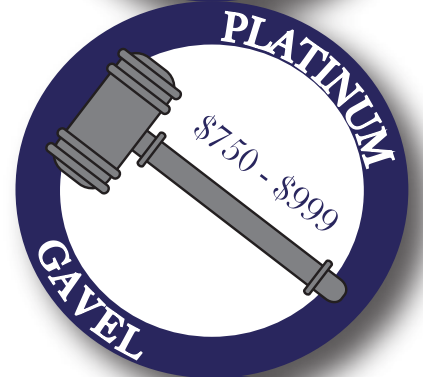
Hon. Bradley S. Underwood  
364th District Court  
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