



BARTABS

PUBLISHED BY
TOM COWART

UPCOMING EVENTS:

February 9: Estate Planning and Probate Section (Noon, Tino's, Collin Creek Mall, Plano)

February 9: LANWT Allen Clinic (6:00 pm, First United Methodist Church, Allen)

February 16: LANWT Plano Clinic (6:00 p.m., Salvation Army, Plano)

CCBA General Meeting

12:00 p.m.

Friday, February 17, 2012

Center for American and International Law

5201 Democracy Drive
Plano, Texas 75024-3561

“Recent Developments in Receiverships”

Charles Fiscus

RSVP required by February 15 to guarantee a meal.

Cost of meal: \$20 (cash or check only)

RSVP to
admin@collincountybar.com

February 23: Family Law Section (Noon, Center for American and International Law, Plano)

February 27: Law Practice Management Section (Noon, Tino's, Collin Creek Mall, Plano)

PRESIDENT'S COLUMN by Heidi Elkins

We had a wonderful general meeting in January with a visit from Justice Don Willett of the Texas Supreme Court, who, in addition to enlightening us about some of the inner workings of the Court, shared both the story of his career path to the Court and his beliefs about the Court and its essential purposes. He was funny, personable and very responsive to questions from members. If you missed the meeting but ever have an opportunity to meet him or hear him speak, I highly recommend it.

In addition, it was our first official general meeting at the Center for American and International Law, and I received nothing but positive feedback from members regarding the location. And from a “backstage” perspective, the personnel at the Center have been very accommodating and are excited to be working with the Collin County Bar Association. It is our hope that our relationship with the Center will grow and will help us strengthen our current programs as well as explore new opportunities for the bar and for Collin County attorneys.

Please join us at the Center on Friday, February 17th for our next general meeting. Our speaker will be Mr. Charles Fiscus who will be presenting “Recent Developments in Receiverships.” He was kind enough to share the paper version of his presentation with me as we communicated about his speaking to the bar. At first glance, I wasn't sure that the topic would appeal to a broad enough audience for our general meeting - boy, was I wrong! The paper was excellent! And if that is any indication of the presentation

we will have at our upcoming meeting, then I encourage you to join us no matter what area of law you practice.

As most of you already know, the Bench Bar Conference is right around the corner and around the bend in Fort Worth at the Worthington. It will be March 23-25 and the early registration deadline, which is March 1st, is quickly approaching. If you have not yet received a registration form or have any questions regarding the conference or sponsorship opportunities, contact Kimberly Smith at kimberlysmith-law@gmail.com.

Finally, I mentioned in a previous newsletter that the bar is establishing some new committees and seeking to strengthen member involvement in some already existing committees. We have already created a Sponsorship Committee, Holiday Party Committee, and Historical Committee, but they are in need of additional member volunteers. The Sponsorship and Holiday Party Committees need members willing to give some of their time only during designated times of the year, while the Historical Committee is ideal for members who need flexibility in scheduling times to meet and work on our historical project. I've also received some interest in the following new committees: Member Benefits and Media Relations. However, as these are just starting up, there is plenty of room for additional members to become involved. We are in a “season” of significant

(Continued on page 2)

8th GRADE MOCK TRIAL COMPETITION

May 11 & 12, 2012

Coaches needed!

Judges needed!

**To volunteer, send an email to:
Dale Rose - Mocktrial@collincountybar.com**

Inside this issue:

Membership Information	2
SBOT Candidates	3
Party Sponsors	4
From the Civil Side	5
CCBA Section Information	7
Serving the Community	8

John Zervopoulos Article	9
Classifieds	10
Special Advertisement	11
Joel Crouch article	11
Calendar at a Glance	18
Library Corner	18

CCBA MEMBERSHIP INFORMATION

OFFICERS

President:

Heidi Elkins
972-429-8221
heidi@elkinslegal.com

Vice President:

Byron Henry
214-672-2156
bhenry@cowlesthompson.com

Secretary:

Carie Mack
469-519-1020
cmack@macklawoffice.com

Treasurer:

Melinda Eitzen
972-403-1200
meitzen@duffee-eitzen.com

Past-President:

Anne Shuttee
214-237-2922
anne.shuttee@shutteelaw.com

DIRECTORS

Ric Armstrong
972-424-5297
ric@armstrongthelawfirm.com

Lance Baxter
972-548-3830
lbaxter@co.collin.tx.us

Sharon Easley
972-578-9597
sharon@easleyandmarquis.com

Mark Hill
214-672-2143
mhill@cowlesthompson.com

Jim Shepherd
972-234-3117
jim@jshepherdlaw.com

SECTIONS

ADR:

Marvin Jones
972-578-0648
mjones.law@att.net

Appellate:

Alexis Steinberg
972-733-3223
steinberg@mossierlaw.com

Civil Litigation:

Mark Hill
214-672-2143
mhill@cowlesthompson.com

Corporate Counsel:

Martha James, Co-Chair
214-427-8400
mjames@holtjameslaw.com

Anne Shuttee, Co-Chair

214-237-2922
anne.shuttee@shutteelaw.com

Estate & Probate:

Lori A. Leu
972-996-2540
lleu@leulawfirm.com

Family Law:

Melanie Morgan
972-384-1102
melanie@mckinneyfamilylaw.net

Juvenile Law:

Karen Arias
972-786-6163
kariaslaw@hotmail.com

Law Practice Management:

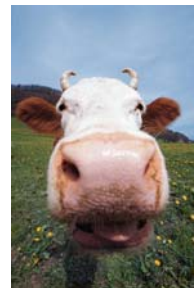
Beverly Burk
972-732-8185
Beverly@burkville.com

(President's Column, Continued from page 1)

change and growth of the bar, which is really exciting. I invite all of you to get more involved in the bar as we grow. It's an opportunity to really make an impact on the Collin County legal community. Simply email me and together we will find the right fit for you to become more involved in the bar in relation to your other personal and professional commitments. I look forward to hearing from you!❖

Collin County Bench Bar Conference The Worthington – Ft. Worth, Texas March 23 – 25, 2012

Join Us in Cowtown!



Join us for a weekend of CLE, dinner Friday night at Lonesome Dove, casino night, happy hours, and games with Collin County judges and lawyers at the Worthington downtown Ft. Worth!!

Weekend at the Worthington and Conference Registration \$575 by
March 1

\$650 if register after March 1
\$400 for conference only

If you would like information regarding registration or sponsorships, contact Kimberly Smith at (972) 948-6637 or kimberlysmith-law@gmail.com

Registration forms are available in all court chambers at the Collin County Courthouse (a registration form is also included at the end of this month's BarTabs)

State Bar's 2012 Annual Meeting June 14-15 at Houston

Online registration is now open for the State Bar's 2012 Annual Meeting. The Annual Meeting will be held June 14-15, at the Hilton Americas Houston and the George R. Brown Convention Center in Houston. Go to www.texasbar.com/annualmeeting for information and registration.

COMMITTEES

CCYLA Liaison:

Kristy Piazza
972-769-2727
kristy@koonfuller.com

Newsletter:

Tom Cowart
214-692-9700
tom@tcowart.com

Christmas Party:

Heidi Elkins, Chair
972-429-8821
heidi@elkinslegal.com

Sponsorship:

Carie Mack (Co-Chair)
469-519-1020
cmack@macklawoffice.com
Penny Phillips (Co-Chair)
972-665-9823
penny@phillips411.com

Executive Director:

Teresa Moore
admin@collincountybar.com

State Bar of Texas Press Release:

State Bar of Texas Nominates Steve Bolden of Dallas and Lisa Tatum of San Antonio as President-elect Candidates

AUSTIN – The State Bar of Texas Board of Directors has approved the nomination of attorneys E. Steve Bolden II of Dallas and Lisa Tatum of San Antonio as candidates for president-elect. Texas attorneys will cast their votes during an election this spring. Election results will be announced May 1. The president-elect will serve as president of the State Bar of Texas from June 2013 until June 2014.



Steve Bolden is a shareholder at Mahomes Bolden PC in Dallas where he focuses on a variety of corporate and securities matters, including mergers and acquisitions of publicly traded and privately held companies, public securities offerings, private equity transactions and bond transactions. Prior to joining Mahomes Bolden PC in 2008, he practiced at Akin Gump Strauss Hauer & Feld LLP and Jackson Walker LLP.

Bolden has served on the State Bar of Texas Board of Directors, Nominations and Elections Subcommittee, Policy Manual Subcommittee and chaired the Section Representatives to the Board Committee. He has served on the Dallas Bar Association Board of Directors. He serves on the Business Law Section Council and chaired the African American Lawyers Section. He is currently serving as a trustee on the Dallas Bar Foundation Board where he chairs the Collins Clerkship Program. He has served on the board of The Entrepreneurship Institute of Dallas and the First Tee of Dallas. He is a recipient of a J.L. Turner Legal Association Presidential Citation and a Dallas Bar Association Presidential Citation. He served as president of the J.L. Turner Legal Association in 2008 and under his administration the organization received recognition as Region V Affiliate Chapter of the Year.

Bolden received his A.B. in government from Dartmouth College and his J.D. *magna cum laude* from Thurgood Marshall School of Law, Texas Southern University, where he was a member of the Board of Advocates.



Lisa Tatum is the founder and owner of LM Tatum, PLLC (The Tatum Law Practice) in San Antonio with a practice that focuses on corporate, education, employment and public finance law. Tatum serves as outside and general counsel to corporate clients, public and private, as well as individuals. Prior to forming her own firm, Tatum was managing associate at West & Associates L.L.P., an associate with Escamilla & Poneck, Inc., and served as a Bexar County Assistant Criminal District Attorney in San Antonio.

Tatum has served on the State Bar of Texas Board of Directors, Executive Committee, Budget Committee, and Audit & Finance Committee, among others. She has served as co-chair and chair of the Discipline and Client Attorney Assistance Program Committee, and currently serves as vice chair of the Commission for Lawyer Discipline. She has been awarded a State Bar Presidential Citation and Outstanding Third Year Director Award. She is a past president and former director of the San Antonio Black Lawyers Association, past chair, former vice chair and member of the African American Lawyers Section of the State Bar, and a member of the Bexar County Women’s Bar Association. She is a member of the San Antonio Bar Association, American Bar Association and National Bar Association.

Tatum received a B.A. in government from Smith College and her J.D. from Santa Clara University School of Law, where she was inducted as a national member of the Order of Barristers. ❖

energy 4th Annual Law Symposium **March 29 - 30 2012** / Texas Wesleyan School of Law 1515 Commerce Street Fort Worth, Texas 76102 Proudly Sponsored by **XTO ENERGY**



Presented by the *Texas Wesleyan Law Review*
The Only Law School Located on The Barnett Shale
The Fourth Annual Energy Symposium will focus on a wide array of emerging energy issues that impact legal communities across the nation with a special emphasis on Oil & Gas Law.

- The Energy Symposium will showcase:
- 20 Presenters Representing 9 Different States
 - 12 CLE Credits
 - \$75 for single day registration or \$140 for both days
 - TWU’s Inaugural 23-State Annual Survey on Oil & Gas Complimentary with Registration

Please visit our website to register and for more information:
TexasWesleyanLawReview.org

For any additional information, please contact:
Kate Echols, Symposia Editor
texwesenergysymposium@gmail.com



MANY, MANY THANKS TO OUR PARTY SPONSORS!

PLATINUM SPONSOR

BEACON FINANCIAL ADVISORS

SILVER SPONSORS

BRYAN RICE • DAVID EVANS

GAY, McCALL, ISAACS, GORDON and ROBERTS, P.C



Attorneys & Counselors

GoransonBain



BRONZE SPONSORS

• ANGELA TUCKER FOR JUDGE • BOB DRY FOR JUDGE

GUARDIAN MORTGAGE COMPANY, INC.



Duffee + Eitzen

ATTORNEYS AT LAW



Professional Limited Liability Company



Sponsors

**SUSAN Z. WRIGHT • FORENSIC DNA AND DRUG TESTING • BRENDA ROBERTS
JUSTICE BOB FILLMORE, FIFTH COURT OF APPEALS • ROBERT HALF LEGAL
WARMBRODT & ASSOCIATES**

FROM THE CIVIL SIDE by Justice Bob McCoy, 2nd Court of Appeals

This is the 15th anniversary issue of From the Civil Side, which began in March 1997. This column represents, in the author's opinion, the "Best of the Best" items thus far.

ASK JUDGE BOB

April 2003

Judge Bob, I've been called a jackass, is this a term of art?

No, you have been referred to as a male donkey. Had you been called a "jenny," you would have been referred to as a female donkey, and while we are on the subject, a mule is a hybrid between a horse and a donkey, usually the offspring of a male donkey and a mare. [Thanks to Steve Maxwell for this item, and his experience in this area.]

April 2011

Judge Bob, my client says that I am charging him "an arm and a leg" for my services. Where does that expression come from? Traditionally, "back in the day," portrait painters did not charge by how many people were to be included in the painting, but rather by how many limbs would be depicted. Hence, the expression "you are charging me an arm and leg for your services."

ASK THE DANES (FORMERLY ASK CAESAR)

May 2006

Caesar, what is your favorite case involving an animal? I have to say, *City of Canadian v. Guthrie*, 87 S.W.2d 316 (Tex. Civ. App.—Amarillo 1931), about a one-eyed bay mare who wandered the city feasting off of people's gardens, and containing the timeless quote, "when Panhandle Pete's pistol popped, she petered, for which the pound-keeper paid Pete a pair of pesos."

May 2009

Cleo and Ramses, are there any dogs that have law degrees? Well, almost. Skeeter a six-year-old Labrador Retriever service dog who attended classes daily with his master, recently received from Baylor an Honorary Juris "Dog"tor degree, including a purple collar and pen, and he was hooded.

DANES QUOTE OF THE MONTH

August 2008

"He that lies down with the dogs, must rise with the fleas." Gnomologia (1732)

May 2009

"The great pleasure of a dog is that you may make a fool of yourself with him and not only will he not scold you, but he will make a fool of himself too." Samuel Butler, "Higgledy-Piggledy"

September 2009

"It's a dog eat dog world, and I'm wearing Milkbone underwear." Norm, *Cheers*

July-August 2010

"Don't accept your dog's admiration as conclusive evidence that you are wonderful." Ann Landers

LEGAL QUOTE OF THE MONTH

February 1998

"The profession I chose was politics; the profession I entered was law. I entered the one because I thought it would lead to the other." Woodrow Wilson

July 1998

"A jury consists of twelve persons chosen to decide who has a better lawyer." Robert Frost

January 2000

"That which looks like a duck, walks like a duck, and quacks like a duck, will be treated as a duck even though some would insist upon calling it a chicken." *Quave v. Progress Marine*, 912 F.2d at 800 (5th Cir. 1990).

December 2000

"To argue a police spotlight in your face from ten feet is not detention, is to say the smell of the barn from ten feet down wind is roses." *Davis v. State*, 22 S.W.3d at 21 (Houston [14th Dist.]).

October 2001

"Do we answer the questions and then deliberate, or do we deliberate and then answer the questions?" Juror to the bailiff in the 48th District Court

May 2002

"It has been said that appellate judges watch from on high the legal battle fought below, and when the dust and smoke of the battle clears, they come down out of the hills and shoot the wounded." *Black v. State*, 723 S.W.2d at 677 n.1 (Tex. Cr. App. 1986)

September 2008

"Litigation: a machine which you go into as a pig and come out as a sausage." Ambrose Bierce

January 2009

"Politics are almost as exciting as war, and quite as dangerous. In war you can be killed only once, but in politics, many times." Winston Churchill

QUOTE OF THE MONTH

October 1998

"Being powerful is like being a lady. If you have to tell people you are, you aren't." Margaret Thatcher

May 1999

"Farming looks mighty easy when your plow is a pencil and you're a thousand miles from the corn field." Dwight D. Eisenhower

March 2002

"Never kick a cow chip on a hot day." Will Rogers

June 2002

"Too bad all the people that know how to run the country are cutting hair and driving cabs." George Burns

September 2003

"How often have I said to you that when you have eliminated the impossible, whatever remains, however improbable, must be the truth?" Sherlock Homes, in Sir Arthur Conan Doyle's *The Sign of Four*, 1889.

October 2003

"Never interrupt your opponent while he's making a mistake." Napoleon.

(Continued on page 6)

December 2004

“The cheaper the crook, the gaudier the patter.” Humphrey Bogart, responding to Elijah Cook Jr’s threat that “they will be picking lead out of your liver.” *The Maltese Falcon* 1949.

August 2005

“Napoleon’s hat on the battlefield was worth fifty thousand men.” The Duke of Wellington regarding Napoleon’s presence in Spain.

May 2006

“Xerxes has many men, but no soldiers.” Leonidis, King of Sparta, at the Battle of Thermopyae

December 2007

“If guns kill people, I can blame misspelled words on my pencil.” Larry the Cable Guy

April 2008

“Thinking is the hardest work there is, which is probably the reason why so few engage in it.” Henry Ford (Thanks to Mimi Coffey for this item).

July-August 2009

“Character is like a tree and reputation like its shadow. The shadow is what we think of it; the tree is the real thing.” Abraham Lincoln

March 2012

“Let not him who straps on his armor boast as he who takes it off.” 1 Kings 20:11

OLD NEWS

August 1997

Hard Time

From 1873 until 1878 the local calaboose was located at Rusk (Commerce) and Second, and consisted of two cells and a dungeon. The log structure had one barred opening for light and ventilation, had no plumbing or running water, and cost less than \$500 to construct. A standard joke in Fort Worth at the time was “What is the difference between the moon and jail? The moon is full once a month but the jail is full every night.”

February 1999

Origin of the Phrase “A White Horse Case”

“Around the turn of the century, a Texas law firm had a case in which a white horse owned by the client’s taxi service reared in the street, causing an elderly woman to fall and injure herself. The partner handling the case asked a young associate to find a case on point. The associate came back several hours later with a case involving an elderly lady who had fallen in the street after a taxi company’s black horse had reared in front of her. When the associate took this case to the partner, the partner said ‘Nice try, son. Now, go find me a white horse case.’” *Hiland v. Arnold*, 856 S.W.2d at 242, note 1, (Texarkana) [Thanks to Christian Jenkins for this item.].

April 2002

Ordinance 92

On December 26, 1876, the city council passed Ordinance 92 which prohibited males from “riding, walking or promenading” in public areas of the city with any “prostitute or woman of ill fame”, subject to fines ranging from 10 to 25 dollars. The legal question of who in fact was a prostitute was to be determined by “general reputation” or by “prima facie evidence.” Public outcry and the questionable legal standard led to an amendment in February of 1877, such that only “riding or driving” with such women between the hours of 4 a.m. and 9 p.m. was prohibited.

October 2003

THE GREATEST

In 1920 Babe Ruth hit more home runs than fourteen of the sixteen big league TEAMS!

April 2007

A series of intricately carved faces graced each of the four porch capitals of the Ellis County Courthouse, ranging from the sublime to the grotesque. Legend has it that German itinerant stone carver Harry Herley fell in love with the local girl Mabel Frame, whose grandmother operated the boarding house where he resided while sculpting all the courthouse’s exterior ornamentation. Herley loved Mabel Frame dearly, the myth proclaims, but she

did not return his love. The beautiful likenesses of Mabel portrayed on the stone porticoes soon turned into demons. Time and the dwindling love affair are portrayed as one walks around the courthouse.

January 2008

LAW AND ORDER: ONE PHOTO IS TOO MANY

The well-known photograph of the Wild Bunch—Butch Cassidy, the Sundance Kid, Ben Kilpatrick, Will Carver, and Harvey Logan—in which they are dressed in coats, ties, and bowler hats, was taken in the fall of 1900 at Schwartz View Co., located at 705 Main Street. The photo led to the gang’s break-up and eventual demise after a Pinkerton agent distributed thousands of the photos on wanted posters across the Southwest.

March 2009

WHAT’S IN A NAME

Commerce Street in downtown Fort Worth was formerly known as Rusk Street, named for Thomas J. Rusk, a signer of the Texas Declaration of Independence, Secretary of War during the Texas Revolution, veteran of the Battle of San Jacinto, and one of Texas’s first two Senators. In the early 1900’s the City Council changed the name from Rusk to Commerce because the name Rusk Street had become synonymous with local prostitution, which was centered then in the 1300 and 1400 block of Rusk, and the Council felt the name of a Texas hero was being defamed.

February 2010

THE FIRE

On April 5, 1909, the largest fire in Fort Worth history destroyed a thirty-two block area on the south side of downtown, including two hundred homes, the Broadway Baptist Church, the Broadway Presbyterian Church, and the Texas and Pacific Roundhouse. Hundreds were left homeless and property loss was over two and one-half million dollars. ❖

CCBA SECTION INFORMATION

FAMILY LAW MATTERS Chair: Melanie Morgan

The next Family Law Section meeting will be at noon on Thursday, February 23. Our speaker will be Noel Cookman of the Mortgage Institute, who will speak on "Credit and Mortgage Qualifying Issues in Divorce." He will address the mortgage underwriting guidelines for loan approvals and how they affect divorce settlements. Come and learn how support income can be structured so that it is considered qualifying income by the lender. Lunch for this meeting will be FREE, sponsored by the section, so please be sure and respond so we may know how many meals to order.

Our March 22 meeting will be a candidate forum with those running for the 380th and 199th District Courts. Please mark your calendar, as this should be a great opportunity to meet the candidates.

We meet at the Center for American and International Law, 5201 Democracy Drive in Plano. ❖

ADR SECTION Chair: Marvin Jones

The ADR Section meets on a quarterly basis. The next meeting will be noon, April 30, 2012 at Brio Tuscan Grill, Watters Creeks Shopping Center in Allen, TX. The speaker will be announced later. For more information contact Marvin Jones at mjones.law@att.net or 972-578-0648, or Vice-Chairman Jim Young at jyoung@outsourcercg.com or 214-723-7860. ❖

ESTATE PLANNING AND PROBATE SECTION Chair: Lori A. Leu

This is a year of change for the Estate Planning and Probate Section. After trying a new meeting day on the second Thursday of the month, the consensus of Section members who responded to an electronic survey was to change the meeting time back to the **second Friday** of each month, and to change the meeting location to **Nico's Cantina**, situated on the southwest quadrant of Park & Preston in Plano. To

give everyone time to adjust, however, these changes will not go into effect until the **April, 2012** meeting. Lunch and the seminar will continue to start at Noon, and each seminar will be approved for 0.75 hours MCLE credit.

Our upcoming meetings are as follows:

Date: Thursday, February 9, 2012 @ Noon

Topic: Community Property – Review of General Rules

Speaker: Shawna L. Brown

Location: Tino's Mexican restaurant, Collin Creek Mall (upper level, west side), 972- 424-2572

Date: Thursday, March 8, 2012 @ Noon

Topic: The Essentials of Attorney-Client Fee Agreements

Speaker: Suzanne Westerheim

Location: Tino's Mexican restaurant, Collin Creek Mall (upper level, west side), 972- 424-2572

Please refer to <http://ccba.willsandprobate.com> for new information as it becomes available. If you would like to be added to the email list in order to receive meeting reminders and other announcements, please email Dianne Reis at reislaw1@willsandprobate.com. ❖

CORPORATE COUNSEL SECTION Temporary Co-Chairs: Anne Shuttee and Martha James

At its January 27 meeting, the Corporate Counsel Section heard a very interesting presentation by Chris Carlson's on "Handling Typical Ethics and Compliance Issues in Corporate America". It was a great way to launch 2012!

Next up will be a program by Anne Shuttee on "Upgrading Your ADR Toolkit with Four Creative Techniques for Cost-Effective Dispute Resolution". Anne will discuss early neutral evaluation, the use of a "confidential listener", collaborative law, and cooperative law. The date is TBD – we will review the results of the survey (see below) and then give you an update on where & when we will meet.

Interested in career advancement? We are also planning a panel discussion with representatives of local legal recruiters to discuss how you can position yourself to be on their short list for that attractive job opportunity. Stay tuned for details on time, place, and participants!

The Section is now conducting a survey to see how often, when, and where it would be most convenient to meet, and what topics our members would like to address in future programs. If you would like to participate and do not receive the survey from the Section by February 10, just send either Martha or Anne an email with your thoughts. We will add them to the mix!

Anne Shuttee and Martha James, co-chairs of the Corporate Counsel Section, can be reached at anne.shuttee@shutteeelaw.com and mjames@holtjameslaw.com ❖

LAW PRACTICE MANAGEMENT SECTION Chair: Beverly Burk

Join other Collin County Bar Association members for a regular meeting of the Law Practice Management Section (No section dues required)

When: Monday, February 27, 2012 from 12:00 pm. to 1:15 p.m.

Where: Tino's Mexican Restaurant at Collin Creek Mall near Macy's and JC Penney (Plano Parkway & Alma, west of Hwy 75).

Speaker: TBA

CLE: None this month

COST: Approximately \$10.00 choose from a limited luncheon menu including tax and tip, chips, salsa, and tea or water,

Thank you to those who attended our previous meetings. We encourage you to come again and exchange ideas with other attendees. Watch for e-mail invitations and check the calendar at www.collincountybar.org. Contact Executive Director Teresa Moore, admin@collincountybar.org, to be added to the e-mail list for this section.

(Continued on page 8)

SERVING THE COMMUNITY by Jan Kearney

Here we are in a brand new year and it is still a slow economy with lots of need. We at LANWT hope to see you or hear from you this year. We welcome new and old volunteers!

Reporting your qualifying pro bono and financial contributions, helps highlight the importance of pro bono in meeting the legal needs of low income persons while also providing support for funding requests for legal services programs and improving the public view of lawyers.

Here are the 2012 clinic dates. We are looking forward to a great 2012!

<u>ALLEN</u>		<u>PLANO</u>	
Feb	09	Feb	16
Mar	08	Mar	15
Apr	12	Apr	19
May	10	May	17
June	14	June	21
July	12	July	19
Aug	9	Aug	16
Sept	13	Sept	20
Oct	11	Oct	18
Nov	08	Nov	15
Dec	13	Dec	20

At the January clinic in Allen there were 46 applicants. Volunteer attorneys who assisted were Bradley Voyles, Morgan Ford, Matthew Ford, Jackie Williams, Nicole Compary, Reuben Rodriguez, John Vestal, Sakina Hussain, Robert Lamb, Jac Schuster and Ben Capelle. Volunteer Paralegals and other who assisted were Kristel Grant, Valarie Kerns, Connie Miksits, Jennifer Pickelsimer, Adrienne Lamb, Moira Chapman, Brandi Pego, Tom Trahan, Donna Yearsley, Nabeela Jivraj, Misty

Wise, Mary Ellen Lemm, O.J. Ghaemmaghami, Nina Alvarado, Adrian Acosta, Kathleen Wheeler, Pat O'Brien, and Josh Grace.

At the January clinic in Plano there were 31 applicants. Volunteer attorneys who assisted were Bradley Voyles, Jac Schuster, Sakina Hussain, Morgan Ford, Matthew Ford, Michael Sloan, Robert Lamb, Celeste Flippen, Samuel Kaminski, John Unell, Bill Minkley, Chris Kelly and Natalie Paul. Volunteer Paralegals and others who assisted were Ruby Bruno, Apostolos Kyprios, Linda Hallenbeck, Mary Ellen Lemm, John Wallace, Connie Miksits, Lisa Wallace, Misty Wise, Nabeela Jivraj, Kiru Taub, Kemberly Greene, Sylvia Keny, Tamara Friar, Joshua Grace, Tome Trahan, Adrienne Lamb, O.J. Ghaemmaghami, and Linda Epstein.

We always have pro bono cases needing placement with a private attorney. Please give me a call: I have a variety of case types from which to choose. All accepted clients have been prescreened for income eligibility and have been given an Affidavit of Inability to Pay Costs so that filing and service fees are waived. Don't forget to check the TexasLawyersCare website "Take a Case" program. You might find something you like!

LANWT does not report our volunteers' pro bono hours to the Texas State Bar, but we do keep track of your reported hours in our files. If you would like to report your hours, please feel free to call me for your annual total. You may then report your hours directly to the State Bar online through www.texasbar.com/reporting. While reporting hours is voluntary, it is extremely useful and serves several important goals, including that of the Texas State Bar, which uses the information in its reports to show that its members are helping to meet an important need and to demonstrate why funding for legal services is critical.

Please contact me with any ideas or suggestions you might have about a specific legal need we should try to reach out to or with hints for our clinics. Feel free to email me at kearneyj@lanwt.org or call me at (972) 542-9405, extension 2008.❖

(Law Practice Management, Continued from page 7)

Upcoming Events:

- March 26, 2012: Regular 4th Monday meeting at Tino's.
- April 23, 2012: Regular 4th Monday meeting at Tino's.
- May 21, 2012: 3rd Monday meeting at Tino's (4th Monday is Memorial Day).
- June 25, 2012: Regular 4th Monday meeting at Tino's, Director and Officer Elections
- July 23, 2012: Regular 4th Monday meeting at Tino's
- August 27, 2012: Regular 4th Monday meeting at Tino's
- September 24, 2012: Regular 4th

- Monday meeting at Tino's
- October 22, 2012: Regular 4th Monday meeting at Tino's
 - November 26, 2012: Regular 4th Monday meeting at Tino's
 - December 24, 2012: No meeting, celebrate the season!❖

CIVIL LITIGATION SECTION Chair: Mark Hill

Please contact Mark Hill at 214-672-2143 or mhill@cowlesthompson.com for information❖

JUVENILE LAW SECTION Chair: Karen Arias

Please contact Karen Arias, 972-786-6163 kariaslaw@hotmail.com for more information.❖

APPELLATE SECTION Chair: Alexis Steinberg

Please contact Alexis Steinberg at 972-733-3223 or steinberg@mosserlaw.com for information.❖

LOOK TO EXPERTS' REASONING: A RELIABILITY KEY

by John A. Zervopoulos, Ph.D., J.D., ABPP

Enhance your direct and cross examinations by forcing experts to explain the reasoning that supports their testimony. Experts use inductive reasoning to develop their testimony—similar to how lawyers are trained to analyze problems. Inductive reasoning is the “bottom-up” process by which experts gather data through their methods and reason from that data to arrive at their conclusions and opinions. Too often, we focus solely on the expert’s methodology, a primary *Robinson-Daubert* reliability focus, to gauge the reliability of a mental health expert’s testimony. Don’t stop there. Although reliable opinions can only derive from reliable methods, the reasoning links between the data an expert considers and the expert’s opinions are also key elements with which to gauge the testimony’s admissibility. Reasoning from the data to the opinion must make sense and must be grounded in the “knowledge and experience of the [expert’s] discipline. If the “analytical gap” between the data and the opinion is “too great,” the testimony should be inadmissible. *General Electric Co. v. Joiner*, 522 U.S. 136, 146 (1997); *Gammill v. Jack Williams Chevrolet, Inc.*, 972 S.W.2d 713, 726 (Tex. 1997).

Competent mental health expert testimony reflects this reasoning process. For example, an expert, presented with specific referral questions to orient an evaluation, gathers and develops relevant data using reliable, accepted methods. In the process, the expert draws reasonable, professionally-based inferences from the considered data to arrive at the best explanations (opinions) that address the referral questions—picture the analytical, reasoning gap between the data and the opinions. Language from the American Psychological Association’s (APA) *Guidelines for Child Custody Evaluations in Family Law Proceedings* offers an excellent description of the inductive reasoning approach that characterizes any mental health expert testimony: “When making recommendations, psychologists

seek to avoid relying upon personal biases or unsupported beliefs. Recommendations are based upon articulated assumptions, interpretations, and inferences that are consistent with established professional and scientific standards.”

In contrast, incompetent expert testimony reflects a compromised reasoning process. A compromised process results in compromised opinions—the analytical gap between the data and the opinions may become “too wide.” For example, the following problems in the expert’s approach to developing her opinion may infect the process:

- Reliance on insufficient relevant information or data.
- Reasoning not based in the established scientific and professional knowledge of psychology. *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579, 592 (1993); APA *Ethical Principles of Psychologists and Code of Conduct*, Std. 2.04.
- Explicit or unwitting effects of one or more biases that direct the information gathering and reasoning processes.
- Lack of an active approach during the data gathering process that monitors whether biases are influencing the evaluator’s interpretation of the data.

Emphasizing both the expert’s methodology and the reasoning that links the expert’s data to her opinions offers opportunities for sharp, compelling deposition and courtroom examinations of experts. Focus on the “bottom-up” inductive reasoning process. Start with the expert’s methods: Are they a generally accepted approach to addressing the problem the expert is addressing? Do the methods

generate sufficient data that can inform reliable opinions? Then look to the expert’s reasoning from those methods: What explanations did the expert consider to explain the data she considered? What steps did the expert employ to monitor whether biases comprised his interpretations of the data? Why is the expert’s opinion the best explanation of the data? Is the expert’s opinion supported by sufficient scientific and professional knowledge?

Most mental health experts will use generally accepted methods to gather and develop their data. But focus on the reasoning that the expert uses to tie the data to the opinions to highlight the strengths and weaknesses of the expert’s testimony.

John A. Zervopoulos, Ph.D., J.D., ABPP is a forensic psychologist and lawyer who directs PSYCHOLOGYLAW PARTNERS, a forensic consulting service that assists lawyers to critique psychology-related issues, materials, and testimony. He is online at www.psychologylawpartners.com and can be contacted at 972-458-8007 or at jzerv@psychologylawpartners.com. ❖

CLASSIFIEDS



HOOD MEDIATION

DONALD C. HOOD
ATTORNEY • MEDIATOR • ARBITRATOR
MEMBER CCBA SINCE 1997 • DIRECTOR 4 YEARS
AV RATED 25 CONSECUTIVE YEARS
MEMBER AAM SINCE 1993

ph 214.265.0091

hoodresolve@aol.com

HIRING

GANCI LLP IS SEEKING A COMMERCIAL LITIGATION ASSOCIATE (3-5 years) AND HAS OPENINGS FOR PARALEGAL AND SECRETARIAL HELP.

Send your resume to aganci@gancilaw.com or contact us at 825 Market Street, Suite 220, Allen, Texas 75013. 214-850-5297

www.gancilaw.com

OFFICE SPACE

IN BEAUTIFUL WATTER'S CREEK - 2 OFFICES,
STORAGE AND USE OF LARGE CONFERENCE
ROOM & SERVICES. \$850-\$2600

Call for details. 214-850-5297

ANNOUNCEMENTS

IN THE NEWS

ON THE MOVE

SPECIAL ADVERTISEMENT

The staff of
GAY, McCALL, ISAACKS, GORDON & ROBERTS, P.C.
would like to give thanks and show appreciation
to our employers. The attorneys at GMIGR not
only provide a great place to work but are also
the kind of people who are a blessing to work for.
We are grateful to be a part of your team!

Happy New Year!!!



*"If your actions inspire others to dream more, learn more, do more and
become more, you are a leader."
~ John Quincy Adams*

IS THREE TIMES A CHARM? THE IRS ANNOUNCES A THIRD OFFSHORE VOLUNTARY DISCLOSURE INITIATIVE

By Joel N. Crouch

It was approximately one year ago that I wrote an article, published in the April 2011 issue of *Bar Tabs*, entitled "Take Two: IRS Voluntary Disclosures and the Offshore Disclosure Initiatives". The article discussed the 2011 IRS voluntary disclosure program for offshore bank accounts and other offshore activities that taxpayers were required to disclose to the IRS. In announcing the 2011 initiative, IRS Commissioner Douglas Schulman said that this was the last chance, the IRS would not have another voluntary disclosure program and taxpayers who failed to come forward before the deadline for the 2011 program would face significant problems.

Well, not so fast. On January 9, 2012, the IRS announced it was opening its Offshore Voluntary Disclosure Initiative ("OVDI") for a third time, to allow taxpayers to avoid criminal penalties and reduce exposure to civil monetary penalties by disclosing their offshore bank accounts and other foreign assets to the government. The 2012 OVDI is similar to the previous OVDIs, but has some important changes.

By way of background, the IRS has always had a program that allows a taxpayer who did not report all income or overstated deductions to voluntarily come forward. In 2009, the IRS introduced a special variation of this voluntary disclosure practice, known as the Offshore Voluntary Disclosure Initiative ("OVDI"), which allowed taxpayers who failed to disclose offshore bank accounts and interests in foreign entities, to avoid potential criminal penalties and reduce potential civil penalties. Following the success of the 2009 OVDI, the IRS introduced the 2011 OVDI, which had a deadline for participating of August 2011. In all, the IRS has seen approximately 33,000 voluntary disclosures from the 2009 and 2011 OVDIs. The IRS has collected \$3.4 billion so far from taxpayers who participated in the 2009 OVDI and closed 95% of those cases. In addition, the IRS has already

collected \$1 billion from up front payments required under the 2011 OVDI.

After the close of the 2011 OVDI, many taxpayers continued making voluntary disclosures of offshore bank accounts, trusts and interest in business ventures. The IRS recognized it needed to address this ongoing issue and announced the 2012 OVDI. The terms of the 2012 OVDI are similar to the 2009 and 2011 OVDI with a few small, but important, changes. A taxpayer who participates in the 2012 OVDI must file all original and amended tax returns and include payment for back taxes and interest for up to eight years as well as paying accuracy-related and/or delinquency penalties. In addition, the taxpayer must pay a penalty of 27.5% on the highest aggregate account balance for the last eight years. This compares to the 20% penalty in the 2009 OVDI and the 25% penalty in the 2011 OVDI. For a taxpayer whose aggregate account balance never exceeded \$75,000 during the last eight years, the penalty is reduced to 12.5% of the highest account balance.

The penalty can be further reduced to 5% for taxpayers who can show (1) they did not open or cause the account to be opened; (2) they exercised minimal, infrequent contact with the account, for example, to request account balance, or update account holder information such as a change in address, contact person, or email address; (3) they did not withdraw more than \$1000 from the account in any year, except for a withdrawal closing the account and transferring the funds to an account in the United States; and (4) they can establish that all applicable U.S. taxes have been paid on the funds deposited in the account.

Although 27.5% of the highest account balance is not an insignificant penalty, it is very small when compared to the potential penalties faced by a taxpayer who does not participate in the program. The penalty for failing to file a Form TD F 90-22.1 Report of Foreign Bank and Financial Accounts ("FBAR") can be as high as

50% of the account balance for each year that an FBAR was not filed. The penalty for failing to file a Form 3520 reporting transactions with foreign trusts or receipt of certain foreign gifts can be up to 35% of the reportable amount each year. The penalty for failure to file the annual foreign trust form, Form 3520-A, is 5% of the trust assets. In addition, undisclosed interests in or transfers to or from foreign partnerships, foreign corporations, and controlled foreign corporations can be significant.

As with the prior programs, a taxpayer who participates in the 2012 OVDI may opt-out of the program if she feels that the penalty is disproportionate or that she has a reasonable cause defense to the application of the penalties. A taxpayer who opts-out will be subject to the IRS normal examination procedures and does not have the benefit of the reduced penalties of the program. Careful consideration must be given to whether opting-out of the program is in the taxpayer's best interest, since potentially they will be exposed to some or all of the penalties discussed above.

The most significant change to the 2012 OVDI is that there is not a deadline for participation. However, in announcing the 2012 OVDI, the IRS cautioned that the terms of the program could be changed at any time, including increasing the penalties for some or all taxpayers, redefining the terms of the reduced penalties or redefining the class of taxpayers who are eligible for reduced penalties. In addition, the IRS warned that the program could be terminated at any point, with no advance notice.

Whether a particular taxpayer would benefit from the terms of the 2012 OVDI will depend on careful analysis of certain factors, such as: (i) the penalty amounts that could apply under the 2012 OVDI as compared to the penalties that could otherwise apply under the Internal Revenue

(Continued on page 13)

Don't forget to submit your article for this space for future *BarTabs*!

SEND AN ARTICLE OR HAVE QUESTIONS? — EMAIL TOM COWART AT TOM@TCOWART.COM

(Crouch article, continued from page 12)

Code and (ii) the number of years that could be open under the applicable statute of limitations as compared to the eight year period for which disclosure must be made, and tax, interest and penalties must be paid, under the 2012 OVDI.

There is no doubt that foreign bank accounts will continue to be a priority for the IRS for the foreseeable future. The Department of Justice is currently investigating 11 banks, Credit Suisse, Bank Julius Bär, Bank Wegelin & Co., Basler Kantonalbank, Zürcher Kantonalbank, HSBC Private Bank (Suisse), NZB, the Swiss daughter bank LLB, and the Israeli banks Leumi, Hapoalim and Mizrahi. The IRS recently announced the indictment of Wegelin & Co. for conspiring to hide more than \$1.2 billion in U.S. taxpayer funds from the IRS.

Joel Crouch, a partner at Meadows, Collier, Reed, Cousins, Crouch & Ungerman, L.L.P. is Board Certified in Tax Law and handles civil and criminal tax controversies. He can be reached at jcrouch@meadowscollier.com. ❖

FACEBOOK GROUP!

The CCBA is now on Facebook!

Come join our Facebook group and connect with your friends and associates online

Search for “Collin County Bar Association” and you should find us

OUR MONTHLY MEETING HAS MOVED!

OUR MONTHLY MEETING HAS MOVED!

NEW LOCATION

Center for American and International Law
5201 Democracy Drive
Plano, Texas 75024-3561

DIRECTIONS

From Dallas:

Go north on the Dallas North Tollway. Take the Spring Creek Parkway/Tennyson Parkway exit and drive north on the Dallas North Tollway frontage road. Go through the first stop light and turn right at the next stop light (Tennyson Parkway). Proceed east on Tennyson for 0.7 mile, and CALI is on the right, at the corner of Tennyson Parkway and Democracy Drive.

From McKinney:

Take 121 South, exit Preston Road, go South to Tennyson Parkway; turn west (right) to stop sign-Democracy; turn left, CALI building is on the right corner: 5201 Democracy Dr

Map: http://www.cailaw.org/CAIL_MAP.pdf

Next General Meeting at CAIL: February 17, 2012

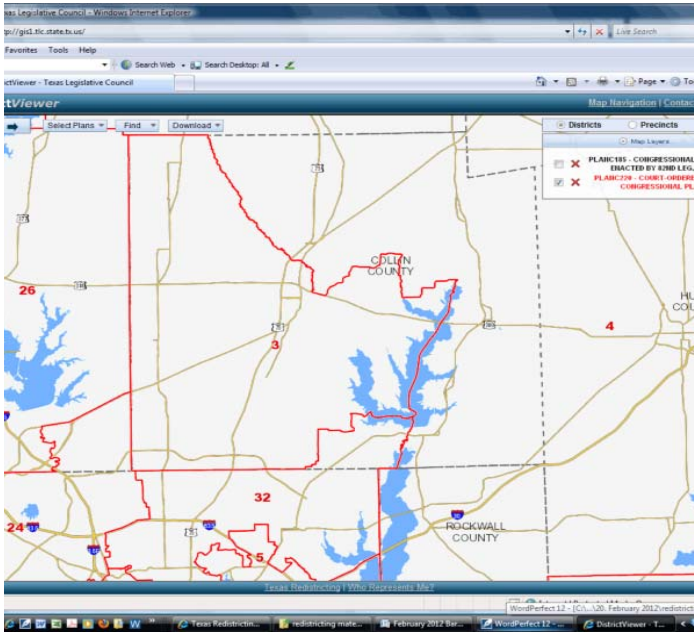
REDISTRICTING IN COLLIN COUNTY - Tom Cowart

I have been half paying attention to all of the redistricting hub-bub in San Antonio and Washington D.C. as the various interest groups fight it out over the district lines that will govern the elections for this year (though, as we know from 2003, not necessarily for the years to come). I have to confess a certain amount of confusion over the issue, though I am very confident that I am not alone in this. But I got to wondering exactly how the fighting could affect our lines here in Collin County.

Just to refresh your memory, the Legislature approved plans to redistrict the state for Congressional, State Senate and State Representative districts in the last legislative session. These districts were challenged in Federal Court in San Antonio (and elsewhere) and the three judge panel considering the challenge issued a map with redrawn districts for use in the elections this year (the "Court-Ordered Interim" Plans). The State appealed the Court's map to the U.S. Supreme Court, which found flaws in the lower Court's approach to the issues and ordered it to redraw its Plans. The Court is expected to issue its new maps sometime this month, which may or may not be in time to have an April primary. Based on what I've seen, though, the Court is expect to modify its earlier map to comply with specific directions from the Supreme Court but is not expected to engage in a complete overhaul of what it has already done. I thought it would be interesting to compare the two most important maps, the Legislature's and the Court's:

Congressional Districts in Collin County

Court Ordered Plan



According to the Texas Legislative Council's numbers -

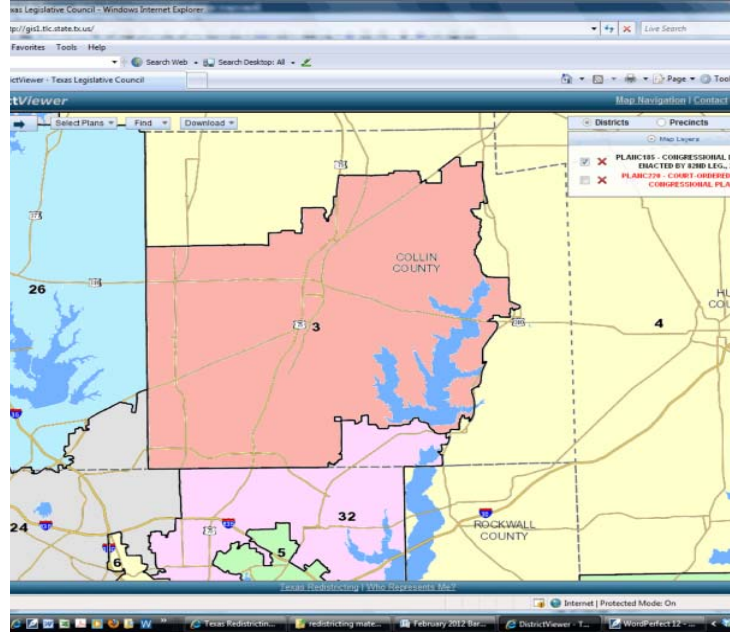
- under the Legislature's Plan:

- 89.3% of Collin County's population makes up 100% of the population in CD 3
- 4.6% of Collin County's population makes up 5.18% of the population in CD 4
- 6.1% of Collin County's population makes up 6.82% of the population in CD 32

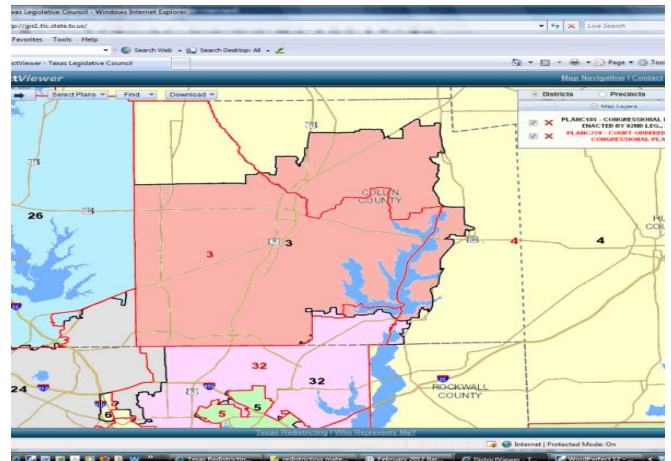
- under the Court-Ordered Interim Plan:

- 89.3% of Collin County's population makes up 100% of the population in CD 3
- 5.4% of Collin County's population makes up 6.10% of the population in CD 4
- 5.3% of Collin County's population makes up 5.91% of the population in CD 32

Legislature's Enacted Plan



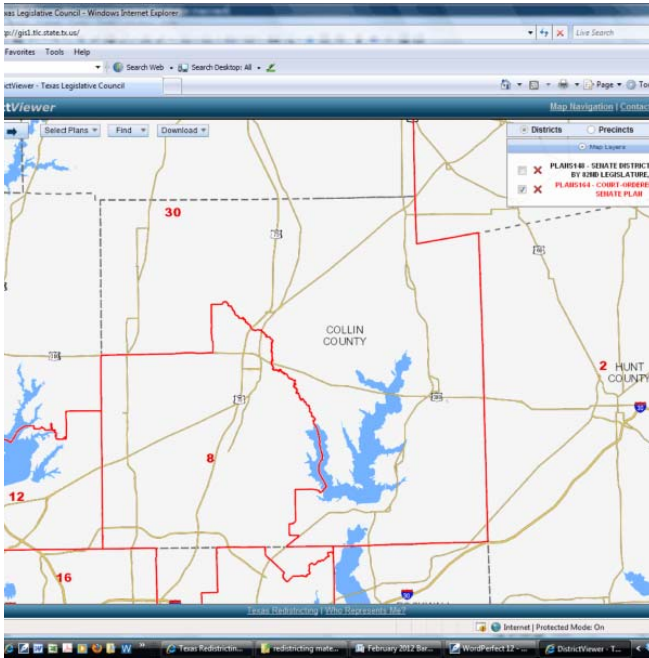
Court's Plan overlaid on Legislature's Plan



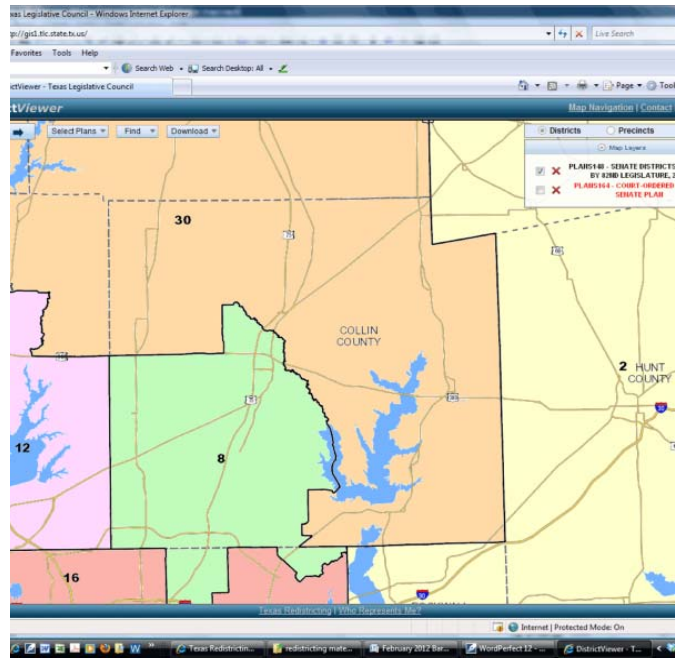
Continued on next page

State Senate Districts in Collin County

Court Ordered Plan

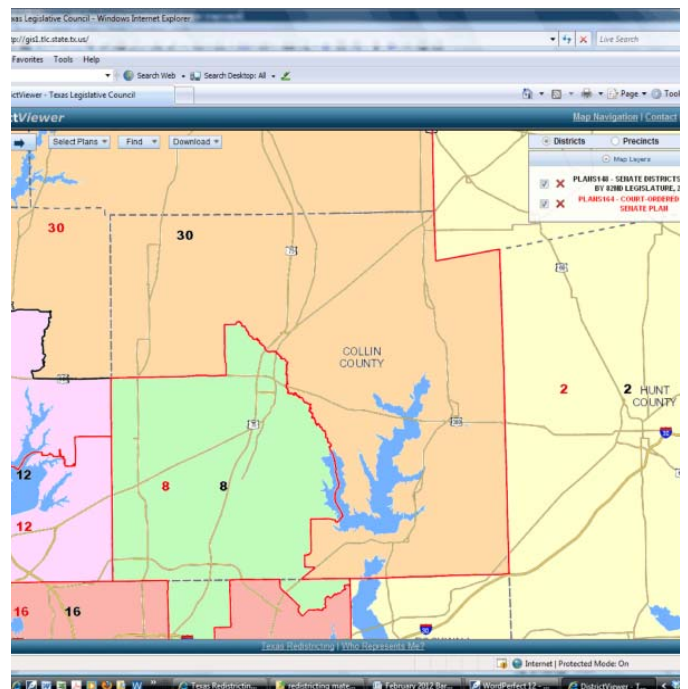


Legislature's Enacted Plan



Court's Plan overlaid on Legislature's Plan

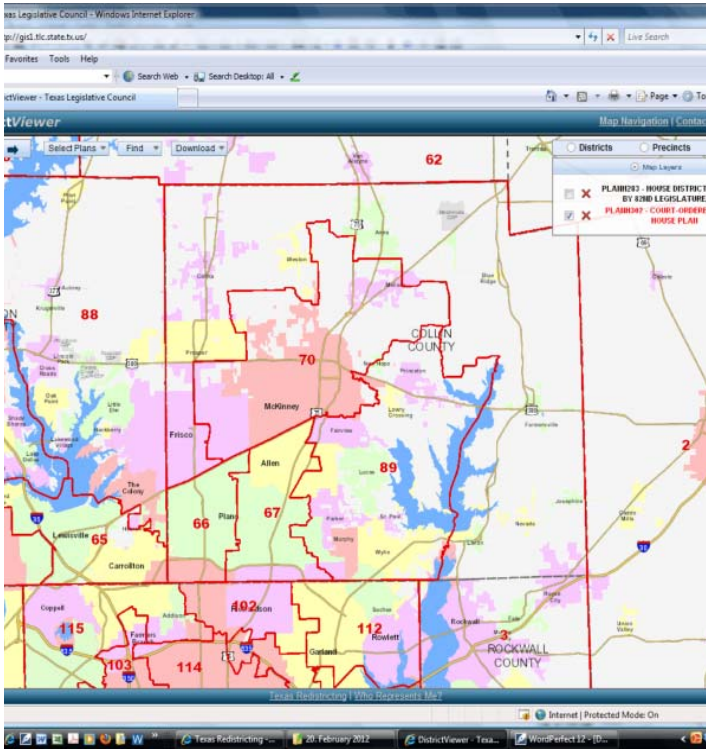
As far as Collin County goes, the lines in these maps are identical - under both plans (again according to the Legislative Council's numbers) 85.8% of Collin's population is in SD 8 and 14.2% is in SD 30. The weight of the Collin County delegation in SD 30 changes though, due to alterations in other parts of the district (Denton County's population contribution goes up by 100,000 and Parker County drops out in the Court's plan). Under the State's plan, Collin makes up 13.71% of SD 30 while under the Court's plan, we make up 13.99% of SD 30. Under both plans, Collin County makes up 84.46% of SD 8 (the other 15.54% is all in Dallas County).



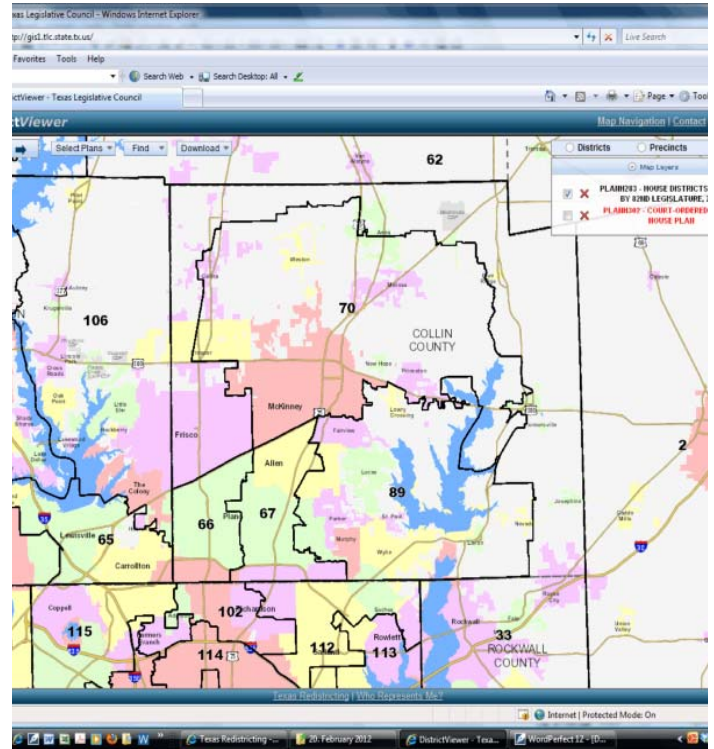
Continued on next page

State House Districts in Collin County

Court Ordered Plan

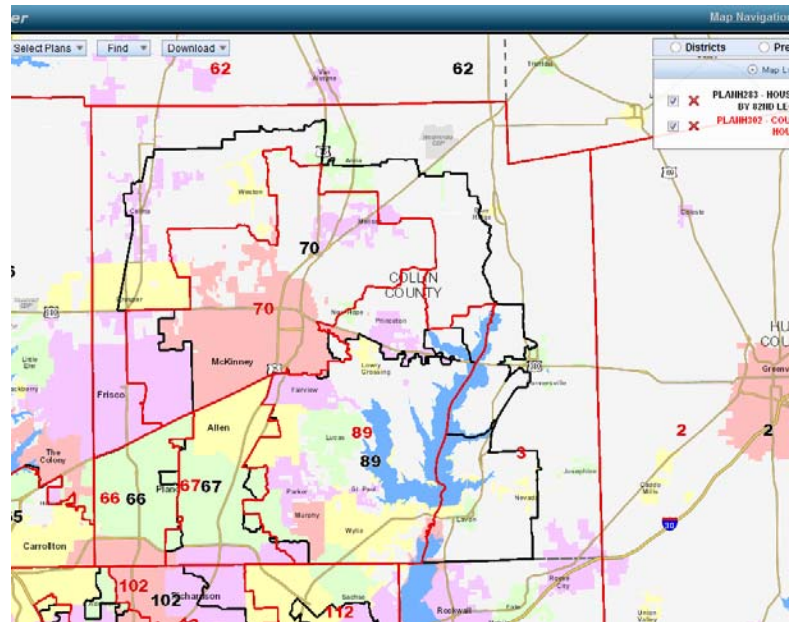


Legislature's Enacted Plan



Under both Plans, Collin County has 4 wholly contained State Representative Districts (66, 67, 70, and 89). Each of these wholly-contained districts have a 22% share of the County's population. The County shares one district with Rockwall County, District 33 under the State plan and District 3 under the Court's plan. The numbers for this District are *almost* identical under both the State and the Court's plans. 12.0% of Collin County's population is in District 33 (the State's Plan), composing 54.49% of the District. District 3 (the Court's Plan) has 11.8% of Collin County's population, which is 53.82% of the District's population. The lines may make a big deal to you if you live in a some areas, like far northeast Melissa, the southern half of Anna, eastern Prosper or eastern Frisco (if you want to see how your neighborhood/area is affected if you are near the line, go to http://www.tlc.state.tx.us/redist/maps_online.html and play with the "DistrictViewer"), but it looks like to the County as whole, there is not much difference between the maps.

Court's Plan overlaid on Legislature's Plan



MY conclusion (everybody else is free to draw their own):

As a County, we are not likely to see much difference no matter what Plan is used at the end. The real fighting is over lines drawn elsewhere. But you should go to the Texas Legislative Council's Redistricting website (http://www.tlc.state.tx.us/redist/maps_online.html) and play around with the "DistrictViewer" application to draw your own conclusions.❖

**U.S. District Judge Royal Furgeson to Become Founding
Dean of UNT Dallas College of Law**

Federal Jurist to Bring "Broad Range of Practical Experience" to new downtown Dallas law school.



Chancellor Lee F. Jackson announced today the appointment of U.S. District Judge Royal Furgeson (*left*) as founding dean of UNT Dallas College of Law, effective April 2013, in anticipation of the law school's opening in August 2014. Dean Designate Furgeson is enthusiastic about assuming his new duties as soon as he can fulfill his obligations to the federal judiciary.

"Our extensive search brought us into contact with many highly regarded legal educators," Jackson said. "But Judge Furgeson, besides possessing a fine legal mind, brings the kind of broad range of practical experience we were looking for. He's a distinguished judge well known throughout Texas, a respected litigator, and he shares our vision of providing students with an affordable and accessible high-quality legal education."

A Clinton appointee, Judge Furgeson has ridden the federal circuit in Texas for 17 years, first presiding in El Paso, then Midland-Odessa, San Antonio and now Dallas. Prior to taking the bench, he was a shareholder in the prominent El Paso law firm of Kemp, Smith, Duncan & Hammond, where during his 24 years with the firm, he headed the commercial litigation section and remained committed to the pro bono efforts of the firm.

His résumé reflects years of accomplishment and recognition. Among his many honors, he received the Jurist of the Year Award from the Texas Chapter of the American Board of Trial Advocates and the Spirit of Excellence Award from the American Bar Association's Commission on Racial and Ethnic Diversity—both in 2004. Texas Tech University Law School bestowed its 2008 West Texas Legal Legend Award upon the judge, who was born in Lubbock and attended undergraduate school at Tech. He is also a Fellow of the American College of Trial Lawyers and a member of the American Law Institute and the American Board of Trial Advocates.

"Several colleagues have asked me why I would give up a lifetime appointment to take on a start-up law school during these tough economic times, when tuition is rising and demand for lawyers is declining," Judge Furgeson said. "But the prospect of pioneering a new law school that addresses these issues head-on was too challenging and exciting to pass up."

Gov. Rick Perry signed SB 956 on June 19, 2009 to authorize the new law school. The law school will be located in the heart of downtown Dallas, where it can develop partnerships with major law firms, countless solo practitioners and the judicial and legal communities centered in the four courthouses within its two-mile radius. It will be part of the continuing renaissance of downtown, serving as an economic generator for the city, where law students can one day live, apprentice and play (if time allows), after attending classes in the Old Municipal Building, a 1914 Beaux Arts structure of historic significance (it's where Jack Ruby shot Lee Harvey Oswald).

UNT System remains committed to its partnership with the City of Dallas to restore the Old Municipal Building to its former grandeur. The System anticipates this renovation will be complete and ready for occupancy by the law school in 5 to 10 years, depending on the availability of state funds. In the meantime, UNT System will proceed with a \$24 million renovation of 1901 Main Street in downtown Dallas (formerly the Titcher/Joske's department store), which will serve as the temporary home of the new law school for at least the first three years of its operations.

UNT Dallas College of Law will be the only public law school in North Texas, and will provide the region with an affordable alternative to private law schools, attracting a high percentage of minority students and easing the debt on all students, as they embark on their legal careers.

Judge Furgeson said he is "eager to get on with the business of running the law school," but first is committed to fulfilling his responsibilities to the federal bench. The judge is currently the president of the Federal Judges Association, a voluntary organization of Article III judges devoted to protecting the role of the judicial branch in our constitutional framework. His personal commitment to this leadership role requires him to remain on the bench for the next 15 months, after which his service to the association ends. Until he formally resigns his judgeship, he will adhere to the Code of Conduct for United States Judges, which will limit his work with the law school.

In the interim, the launch of UNT Dallas College of Law will proceed under the able guidance of UNT System Vice Chancellor Rosemary Haggett. The next three years will see the following developments:

- Appointment of an Associate Dean for Academic Affairs.
- Appointment of an Associate Dean of the Law Library.
- Appointment of a Director of Admissions who will begin accepting student applications in the fall of 2013.
- Construction of the new law library and interim law school offices, starting in 2012.
- Hiring of full-time faculty.
- Matriculation of the first class in August 2014.

Judge Furgeson will remain informed about all the developments of the new law school, and when he leaves the bench in April 2013, he will assume full active leadership as the founding dean and begin the next chapter in his memorable legal career. ❖

CALENDAR AT A GLANCE

- February 9: Estate Planning and Probate Section (Noon, Tino's, Collin Creek Mall, Plano)
February 9: LANWT Allen Clinic (6:00 p.m.-First United Methodist Church, 601 S. Greenville, Allen)
February 16: LANWT Clinic – Plano (6:00 P.M. - Harrington Public Library, 1501 18th Street, Plano)
February 17: CCBA General Meeting (Noon, Center for American and International Law, Plano) NEW LOCATION
February 23: Family Law Section (Noon, Center for American and International Law, Plano)
February 27: Law Practice Management Section (Noon, Tino's, Collin Creek Mall, Plano)
March 8: LANWT Allen Clinic (6:00 p.m.-First United Methodist Church, 601 S. Greenville, Allen)
March 15: LANWT Clinic – Plano (6:00 P.M. - Harrington Public Library, 1501 18th Street, Plano)
March 18: CCBA General Meeting (Noon, Center for American and International Law, Plano) NEW LOCATION
March 22: Family Law Section (Noon, Center for American and International Law, Plano)
March 23-25: Bench Bar Conference/Ft. Worth
March 26: Law Practice Management Section (Noon, Tino's, Collin Creek Mall, Plano)
April 12: LANWT Allen Clinic (6:00 p.m.-First United Methodist Church, 601 S. Greenville, Allen)
April 9: LANWT Clinic – Plano (6:00 P.M. - Harrington Public Library, 1501 18th Street, Plano)
April 15: CCBA General Meeting (Noon, Center for American and International Law, Plano) NEW LOCATION
April 23: Law Practice Management Section (Noon, Tino's, Collin Creek Mall, Plano)
April 26: Family Law Section (Noon, Center for American and International Law, Plano)
May 10: LANWT Allen Clinic (6:00 p.m.-First United Methodist Church, 601 S. Greenville, Allen)
May 11 & 12: 8th Grade Mock Trial Competition (Collin County Courthouse)
May 17: LANWT Clinic – Plano (6:00 P.M. - Harrington Public Library, 1501 18th Street, Plano)
May 20: CCBA General Meeting (Noon, Center for American and International Law, Plano) NEW LOCATION
May 21: Law Practice Management Section (Noon, Tino's, Collin Creek Mall, Plano)
May 24: Family Law Section (Noon, Center for American and International Law, Plano)
June 14: LANWT Allen Clinic (6:00 p.m.-First United Methodist Church, 601 S. Greenville, Allen)
June 21: LANWT Clinic – Plano (6:00 P.M. - Harrington Public Library, 1501 18th Street, Plano)
June 25: Law Practice Management Section (Noon, Tino's, Collin Creek Mall, Plano)
June 28: Family Law Section (Noon, Center for American and International Law, Plano)

(For calendar updates, contact Teresa Moore, Executive Director: admin@collincountybar.com)

THE LIBRARY CORNER

New on the Shelf: *Expunction & Nondisclosure 2011-2013 Edition*

This edition is an update and includes all of the 2011 legislative changes to the expunction laws. The authors (Collin County's own Andrea Westerfeld and Katharine Decker) have done an admirable job of explaining the statutes that govern expunctions and nondisclosures. The book presents the subject in separate chapters discussing the text of the statutes and the "nuts and bolts" of procedures for nondisclosure and expunction. Extra chapters cover identity theft situations and appellate jurisdiction, and lengthy appendices include forms.

NOTE: Our O'Connors Family Code 2012 edition has gone missing. If you inadvertently walked off with it, please return it! We promise not to be punitive.

Please contact the Law Library at 972.548.4255 for more information or see a Librarian to arrange attorney checkout ❖



Collin County Bench Bar Conference Registration Form

March 23-25, 2012 at The Worthington in Ft. Worth, Texas

Early Registration Deadline March 1, 2012

*****Registration after March 1, 2012 shall **ADD \$75.00** to the total fee*****

Conference Attendees (Please complete a registration form for each separate conference attendee for record purposes)

_____ \$575 Conference Registration including rooms for Friday and Saturday night and all conference meals (Friday dinner, Saturday breakfast and dinner, and Sunday Brunch)

_____ \$400 Conference Attendance Only – no room or meal included (see meals below)

Add-on Meals for Spouse/Guests/Conference Only Attendees – please place the number of meals being purchased in each blank – if you pay the all inclusive \$575 registration or \$650 late registration, all meals are included for the Conference Attendee and you may disregard this section – this section for additional guests and conference only attendees

_____ \$100 includes dinner Friday, breakfast and dinner Saturday, and brunch Sunday

_____ \$40 Friday Dinner Only

_____ \$20 Saturday Breakfast

_____ \$40 Saturday Dinner Only

_____ \$20 Sunday Brunch

_____ \$25 Includes Friday dinner, Saturday breakfast, Saturday dinner, and Sunday brunch for children 12 years of age or younger

Collin County Bench/Bar Foundation Fellows Annual Payment (includes lunch on Saturday)

_____ \$100

_____ TOTAL

If paying by credit card: VISA MC Exp. Date _____

Account Number _____

Card Verification Number _____

Billing Address _____

If paying by Check: Please make checks payable to: CCBBF – Collin County Bench Bar Foundation

Name: _____

Firm/Office: _____

Address: _____

Phone: _____ Email: _____

Please forward your completed registration form and payment to:

Sydney Robison
2780 Virginia Pkwy., Ste. 401
McKinney, TX 75071

TO BE A SPONSOR – PLEASE CONTACT

Kimberly Smith
Smith Law Office
5900 Lake Forest Drive, Suite 300
McKinney, Texas 75070
972.948.6637
kimberlysmithlaw@gmail.com