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G U I D E



1998 - 1999

to the **State Bar of Texas**
and
Texas Young Lawyers Association

SCHOOL LAW

Created 1970

Dues - \$10

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SEXUAL ORIENTATION & GENDER IDENTIFICATION ISSUES

Created 1998

Dues - \$10

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Created 1980

Dues - \$20

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SECTION REPORTS ARE INCLUDED IN THE JULY ISSUE OF THE *TEXAS BAR JOURNAL* TO UPDATE LAWYERS ABOUT STATE BAR SECTION ACTIVITIES. THE REPORTS DO NOT NECESSARILY REFLECT THE OFFICIAL POLICY OF THE STATE BAR OF TEXAS. STATE BAR POLICY IS FORMULATED BY THE STATE BAR BOARD OF DIRECTORS OR BY THE MEMBERSHIP THROUGH REFERENDUM. LINKS TO ALL SECTION WEBSITES ARE AVAILABLE ON THE STATE BAR OF TEXAS WEBSITE, WWW.TEXASBAR.COM.

STATE BAR OF TEXAS

Annual Section Reports

ADMINISTRATIVE AND PUBLIC LAW

Robert D. Simpson, chair

Newsletter — The *Administrative Law Journal* is a legal journal published approximately once a year. The *Administrative Law Newsletter* contains general news and is published approximately twice a year.

Website (www.io.com/adminlaw) — The website contains information on section activities, articles on administrative law, links to the Administrative Code, statutes, and other legal research tools.

Public Service — The Standing Committee on Pro Bono Activities publishes opportunities for pro bono services that are especially suited to the administrative lawyer.

Member Services — In addition to publishing the *Law Journal* and newsletter, the section maintains the website, tracks legislation dealing with administrative law, and sponsors the Advanced Administrative Law Course and a moot court competition in administrative law.

AFRICAN-AMERICAN LAWYERS

DeMonica Gladney, chair

Newsletter — The *AAL Quarterly* is the section newsletter, which includes a note from the chair; a membership application; personal and professional announcements on members; and information on section meetings/luncheons, State Bar activities, and various issues affecting our legal community.

Website — The section is planning to develop a website.

Member Services — The “Bridging the Gap” Mentor Program provides newly-licensed lawyers, solo practitioners, and law students with the opportunity to be mentored by more experienced lawyers during the transition from law student to lawyer. The program is being implemented through local African American bar associations.

Scholarships will be awarded annually to three law students

section newsletter, and a number of helpful links to other school-related websites.

Member Services — The section annually sponsors a two-day summer retreat and conference. This year's retreat will be held July 9-10 at the Hyatt Hill Country in San Antonio. Section members are invited to bring their families to the retreat.

SEXUAL ORIENTATION AND GENDER IDENTIFICATION ISSUES

Mitchell Katine, chair

Newsletter — The section newsletter is published two to three times per year and contains recent case decisions and stories of interest.

Member Services — The section sponsors CLE programs on topics of interest to members. As this is a new section, projects are still being planned.

TAXATION LAW

R. Brent Clifton, chair

Newsletter — The *Section of Taxation Newsletter* is published in October, February, and May.

Website (www.texastaxsection.org) — The site includes a members area for tax issue discussion, CLE materials, and links to other tax research sites.

Public Service — The section provides assistance with various Help Line requests for tax information, as well as assistance with various legal aid organizations for tax assistance to the indigent in the areas of social security and settlements.

Member Services — The section provides numerous outstanding CLE services to its members, including an annual Texas Federal Tax Institute in San Antonio each June, an Advanced Tax Program, a Property Tax Institute in Austin, an International Law Program, and other specialized programs in various cities each year.

WOMEN AND THE LAW

Ronnie G. Harrison, chair

Newsletter — *The Women's Advocate* is published approximately four times per year.

Website — The website is under development.

Public Service — The section actively supports the Women's Advocacy Project.

The section supported a post-divorce maintenance statute each legislative session for 10 years, and was instrumental in the passage of the legislation in 1995.

The section has sponsored and worked for passage of other

legislation which affects women's lives, including the sexual predator statute, which would require a mental health determination prior to the release on parole of a convicted sexual predator; and legislation prohibiting gender discrimination in facilities where business negotiations take place, such as private clubs, etc.

The section sponsors annual CLE addressing a variety of issues impacting both professional and lay women and addressing professional and substantive law issues. Past speakers have included Gov. Ann Richards, Francis (Sissy) Farenthold, Sarah Weddington, and other prominent national figures.

The section's Speakers Bureau has established local speaker's bureaus in seven metropolitan areas. Each local bureau is operated by a local chair and area attorneys participate by responding to requests for speakers from public groups. The goal of the speakers bureau is to educate the public about various areas of the law and, incidentally, to improve the professional image of lawyers.

Member Services — The section recognizes outstanding women lawyers by selecting recipients of the Sarah T. Hughes Award, given each year to women attorneys who have achieved excellence in their respective fields, who have been instrumental in advancing other women in the legal profession, and who have served the profession in their community in valuable ways. In 1996, the section made a major contribution to furnish the Sarah T. Hughes Reading Room at the University of North Texas.

The section gives the Maat Justice Award each year to individuals who have actively addressed the needs and issues of women both in the legal profession and in the community.

The section has actively encouraged and provided information and assistance to women attorneys seeking positions on the State Bar Board of Directors.

The section provides liaisons to other professional groups — the State Bar Women in the Profession Committee, Texas Women Lawyer's Association, and the Gender Bias Reform Implementation Committee — in order to remain informed, provide input to those organizations, and cooperate with those organizations to address issues of common interest.

The section Chronology Committee has identified women attorneys who have paved the way in the past for our present services. The committee is compiling an oral history of the contributions those pioneer women attorneys have made to the legal profession. The oral histories are being housed and made available to others at the State Bar Archives.

The section provides many opportunities for networking with attorneys across the state and encourages women attorneys to become volunteers and leaders in the State Bar. Service on the section council, as an officer of the section, or as a committee member of the various section committees is important to enhance services provided by the State Bar.

TRENDS

IN THE PROFESSION

JUVENILE LAW Attorneys Seek New Specialization Category

The State Bar Juvenile Law Section is seeking a specialization category in juvenile law, citing its belief that a new category will make it easier for the public to identify qualified juvenile practitioners. The section planned to present a petition to the Texas Board of Legal Specialization in late November or early December, which it expected the board to consider soon after.

"We feel that juvenile law has changed so much over the last 10 years and especially the last five years that it really merits a specialization category," said **Lisa Capers**, immediate past chair of the Juvenile Law Section and executive director of the Texas Juvenile Probation Commission. "Today, the public can't look in the phone directory and feel confident they've found someone who is experienced in juvenile law."

The problem, according to Capers, is that while juvenile law is practiced to some degree by most family and criminal lawyers, familiarity with the law varies widely. "Judges and prosecutors around the state tell us that there are many attorneys who are not as comfortable with juvenile law as they should be," related Capers. "There are a lot of differences between criminal law and juvenile law. Juvenile law is a unique area of law and we think it needs to be recognized as such."

GAY AND LESBIAN ISSUES State Bar Section Seeks to Include All Lawyers

The State Bar Sexual Orientation and Gender Identification Issues Section has existed for nearly two years, having been approved by the State Bar Board of Directors in January 1998. A controver-

sial decision by the board in 1996 had previously prevented the section's creation.

Today the section is active and off to a great start according to immediate past chair **Mitch Katine**, a partner in the Houston firm of Williams Brumberg & Anderson and adjunct professor at South Texas College of Law where he teaches a course on HIV and the law. The section has 292 members, up from the 200 required by rule for its creation. "We are very pleased with the response of the bar in general and have received very positive feedback and support from the leadership of the State Bar," said Katine. "Especially in light of our rocky beginning, it's nice to see now that the section is proceeding successfully."

The scope of issues considered by the Sexual Orientation and Gender Identification Issues Section, believes Katine, makes membership useful to all attorneys, particularly those who practice family law, estate planning, or employment law because issues affecting gays and lesbians commonly arise in these practice areas.

"The section is not intended just for gay, lesbian, bisexual, or transgendered lawyers, but for all lawyers," said Katine. "We deal with issues that all lawyers in Texas will deal with. All lawyers should join the section to get up to date."

Katine related that legal issues involving gay, lesbian, and transgendered persons are not new, but have come to the forefront in recent years.

"What is changing is that more and more gay and lesbian people are coming out of the closet, when in the past they did not," he said. "Now employers, for example, are having to deal with these issues directly instead of just suspecting something was there. There are not a lot of protections for the rights of gay and lesbian people, but there are issues where companies want to have non-discrimination policies. Employers and employ-

ees have questions about those policies."

Katine explained that the section serves as a resource on sexual orientation, gender identification, and HIV-related issues for lawyers and judges, whether section members or not. "Some people don't know where to begin, so board members of the section are often asked to provide guidance to other lawyers who are dealing with these issues for the first time with their clients," said Katine. "I've gotten calls from judges with regard to HIV, asking my guidance on the law and how it would apply."

For more information on the Sexual Orientation and Gender Identification Issues Section, call (800)204-2222 or (512)463-1463, Ext. 1425.

ANIMAL LAW Dallas Attorney Forecasts More Animal-Friendly Regulations

Robert "Skip" Trimble first became interested in animal law in the early '90s, when he was helping with a campaign to pass a spay/neuter law in Dallas. Trimble said this led to a broader interest in this field and eventually his involvement in helping found the State Bar Animal Law Section in 1996. Trimble is a co-owner of Catlyn Capital Group, a real estate investment firm in Dallas.

According to Trimble, animal law is best described as any law that affects an animal, be it in a positive or negative way. The field transcends a number of fields, including agriculture, medical research, hunting and wildlife issues, and criminal law. It also touches every jurisdiction — from the federal level, with laws like the Endangered Species Act and Animal Welfare Act, to the local level with companion animal, veterinary, and other regulations.

Proposed regulations regarding animal welfare have been hotly debated during recent legislative sessions.

"One of the most hotly contested issues