

State Bar of Texas
Standing Committee Projects and Objectives
2019-2020

Administration of Rules of Evidence

- Consider making recommendations to the Supreme Court Advisory Committee regarding Rules 503(a)(5), 902(13), 902(14), and 803(16)
- Collaborate on accountant privilege, allied litigant/work product in parallel or related cases, and the *Dickenson* case
- Review the Texas Rules of Evidence to ensure applicability to technology and social media

Advertising Review

- Review form letters to ensure they reflect that rule violation alerts were done by staff and an appeal to the ARC is allowed
- Review staff decisions and SBOT ARC staff reports
- Continue to educate lawyers on the ARC rules

Continuing Legal Education

- Achieve the greatest possible educational outreach by continuing to provide high quality CLE and legal publications in a wide variety of formats, including webcasts and delivery through mobile electronic devices and apps
- Review the video developed for speakers to ensure that effective teaching methods are deployed; monitor progress to ensure that best teaching practices are utilized
- Monitor speakers to ensure that written materials are delivered timely and meet our quality standards
- Continue to update the list of prospective speakers to ensure diversity among speakers; provide these lists to CLE planning committees
- Committee members serve as liaisons in order to ensure that objectives are followed by CLE planning committees
- Explore joint educational projects with other CLE and publishing organizations, including other sections of the State Bar and local bar associations
- Review and update the technology resources webpage that is available to Bar members

Court Rules

- Consider whether revisions to the following rules would further the committee's purpose:
 - a. TRCP 21a/E-Service considerations
 - b. TRCP 103/106/Citation by CMRRR
 - c. TRCP 199.4/Motions to Quash
 - d. TRCP 166g/Use in Summary Disposition
 - e. State-wide vacation letters
- Assign to subcommittees other issues identified by members of the committee and the Bar throughout the year
- Utilize Bar resources (including Texas Bar Connect and GoToMeeting) to continue to increase efficiency of the committee's work

Disability Issues

- Consider producing materials on bar exam accommodations

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Disability Issues (continued)

- Produce a CLE on the responsibilities of attorneys regarding disability accommodations with TexasBarCLE
- Continue to invite guest speakers to committee meetings to research and develop new ideas

Diversity in the Profession

- Conduct the Texas Minority Attorney Program (TMAP)
- Conduct the Texas Minority Law Student Program (TMLS)
- Develop plan for revival or termination of Texas Spectrum Newsletter
- Determine best way to disseminate information to Bar members
- Conduct K-12 outreach programs in coordination with local bar associations
- Create and conduct outreach partnership programs with prelaw programs at local colleges
- Increase applications for bar prep scholarship program

Jury Service

- Create a public service announcement using Texas actors, athletes, or musicians to promote the importance of jury service
- Create and share a public service message on social and traditional media platforms to increase awareness about jury and court scams
- Collaborate with TYLA to consider creating a new or updated version of the “American Juror: The Decision is Yours” video that is shown to jurors when they report for jury duty
- Reach out to other standing committees to explore partnership options which would allow both committees to further educate and promote the Texas Justice System
- Continue to strengthen the relationship with clerks and judges to better support their needs regarding jury service; create materials to promote this relationship
- Continue to disseminate information about Juror Appreciation Day

Law Focused Education

- Create animations from scripts for the “What Do Attorneys Do?” project
- Develop and refine PowerPoints in the “Resources for Community Outreach” flip book
- Promote and demonstrate past presidential initiatives, “I was the First. Vote for me!” and “Oyez, Oyez, Oh Yay!”
- Promote and demonstrate “Liam Learns 7 Principles of the Constitution” video series and the “Justiceville, USA” interactive elementary project
- Promote the Texas Citizen Bee Competition in members’ own communities; when possible serve as support personnel for the 2020 regional competitions
- Serve as a welcome speaker at LRE workshops and institutes

Law Practice Management

- Provide mentorship and training to lawyers in the Texas Opportunity & Justice Incubator (TOJI) program
- Maintain and update the Law Practice Management website to disseminate information
- Plan and facilitate the Law Practice Management track at Annual Meeting with assistance from TexasBarCLE

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Laws Relating to Immigration and Nationality

- Monitor legislative changes impacting immigration
- Create three new 10 Minute Mentor videos on immigration to share with attorneys – at least one in coordination with another committee, such as the UPL committee
- Participate in programs to protect consumers from the unauthorized practice of law and other schemes targeting immigrants
- Meet in geographically diverse areas; coordinate an event at each meeting with the community, government, or educational organization
- Provide resources to non-immigration practitioners with opportunities for them to assist *pro bono* efforts and encourage DOJ accreditation for non-profits to assist in low income services
- Coordinate a joint meeting with the Immigration section
- Update the committee’s website to offer information on immigration

Lawyers’ Assistance Program

- Foster TYLA Wellness Initiative partnerships
- Plan and record the TLAP Podcast Series
- Focus on solo practitioners for outreach
- Expand law school wellness forums
- Implement a Local Resource Sheets project
- Host the Suicide Prevention Campaign
- Rollout the anti-stigma campaign
- Host TLAP 30th anniversary events

Legal Services to the Poor in Civil Matters

- Monitor state and national developments in efforts to assure all Texans equal access to justice
- Study local rules in Texas jurisdictions to draft recommendations of practices to make the justice system accessible for low-income Texans, specifically for indigent self-represented litigants
- Educate attorneys on TRCP Rule 145 and its use in providing access to the Texas courts
- Pro Bono Week 2019 (October 20-26): Organize celebrations of pro bono service across the state, incorporate the national focus on legal responses to domestic/family violence
- Develop Bar Leaders Conference programming in July 2020 to inspire and support local bars in establishing or expanding their own pro bono projects
- Publicize annual Pro Bono Excellence Awards and recommend recipients to State Bar Board of Directors
- Utilize resources of State Bar Committees Department to increase efficiency and efficacy of committee members’ efforts

Legal Services to the Poor in Criminal Matters

- Define what the committee can do; develop a plan for the committee
- Create materials for district attorneys who deal with indigent defendants
- Create a report on the next challenges of the Fair Defense Act for its 20 year anniversary
- Host a law school symposium
- Invite a guest speaker to give a field report at every meeting

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Local Bar Services

- Maintain efficient communications between Bar staff, committee members, and local bars via frequent communications from the chair, Bar staff, and webpage
- Continue hosting a successful and informative Bar Leaders Conference
- Review feedback and identify methods to improve the Bar Leaders Conference
- Increase participation in local bar Law Day celebrations and Stars of Texas Bars Awards

Minimum Continuing Legal Education

- Adopt changes to MCLE regulations that will simplify accreditation fees for sponsors
- Consider changes to the Accreditation Standards, including the definitions of legal ethics and legal professional responsibility
- Review appeals of MCLE staff decisions

Pattern Jury Charges – Business, Consumer, Insurance, and Employment

- Complete materials for the 2020 publication by the end of the fiscal year; work with Oversight to ensure that all materials are accurate
- Finalize new materials and work closely with the other PJC committees on cross-volume issues
- Complete a thorough review of existing charges and update materials to reflect new and changing laws

Pattern Jury Charges – Criminal

- Draft, discuss, and finalize proposals for changes based on member and outside contributor feedback
- Review existing commentary and instructions for 2016 Crimes Against Persons & Property Volume for legislative updates and new case law
- Continue to draft instructions for new offenses to supplement CAP&P volume

Pattern Jury Charges – Family and Probate

- Update various instructions with 2019 legislative changes
- Review all chapters for updated or corrected cites
- Consider updated attorney's fees issues and instruction
- Review breach of fiduciary duty issues and instructions

Pattern Jury Charges – General Negligence, Intentional Personal Torts & Workers Compensation

- Review new case developments and update the volume as necessary
- Review recent case law which may impact the theft liability section and the animal injury section
- Research case law applicable to PJC 28.8 (Aggravation of Other Conditions) and PJC 28.9 (Aggravation of Pre-Existing Conditions) to ensure that these chapters accurately reflect Texas law
- Research a recent publication on "implicit bias" to determine whether it may impact the instructions provided to the jury
- Research whether a commentary should be provided to address the possibility of double taxation of property damage recoveries in the wake of the *J&D Towing* case

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Pattern Jury Charges – General Negligence (continued)

- Some committee members serve on a subcommittee with other volumes to explore the possibility of developing “cap busting” questions in accordance with Tex. Civ. Pract. & Remedies Code 41.008

Pattern Jury Charges – Malpractice, Premises, and Products

- Update the volume to reflect changes enacted by the 2019 legislature and continue to monitor relevant case law
- Make changes to the charges and instructions for standard of care in emergency health care settings, charges and instructions for the Emergency Treatment and Active Labor Act, and other areas
- Study and monitor actual notice under the Texas Tort Claims Act, the discovery rule in attorney malpractice and related actions, open and obvious conditions in premises cases, affirmative defenses in wrongful death actions against healthcare providers, whether juries should be instructed that property damages are subject to taxation, and jury charges for attorney’s fees

Pattern Jury Charges – Oil and Gas

- Complete the 2020 PJC edition
- Review each section to update case and statutory law as needed
- Finalize drafts of new material, including an expanded discussion of Improper Use of Real Property and relevant damages charges
- Collaborate with other PJC committees to ensure accuracy and consistency between the volumes and to address any overlapping issues

Pattern Jury Charges – Oversight

- Review and assist with finalizing materials for all 2020 PJC volumes
- Work closely with each volume to approve new charges and to review substantive changes
- Complete comprehensive updates to attorney fee questions to reflect current law
- Consider whether revisions are needed to questions and instructions on “cap-busting”
- Facilitate efforts between committees when revisions are made or new materials are drafted for issues that affect multiple volumes

Professionalism

- Continue the annual statewide Day of Civility program
- Promote State Bar of Texas Mentoring Network
- Distribute Texas Lawyers’ Creed posters and pamphlets upon request by lawyers and judges
- Formalize partnership of law schools with professionalism committees
- Present at the Bar Leaders Conference
- Finalize judges’ CLE project

Public Affairs

- Plan and organize the 2019 Texas Gavel Awards
- Plan, promote, and host the Open Government Seminar at Annual Meeting

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Real Estate Forms

- Review each chapter in light of any legislative changes make appropriate revisions
- Add new forms and review old chapters for accuracy and updates

***Texas Bar Journal* Board of Editors**

- Inform Bar members about the legal profession and trends, including rules changes
- Inform Bar members and the public that the *Texas Bar Journal* is available in print and digital formats and is available on www.texasbar.com
- Conduct a readership survey
- Refresh the design of the magazine

Women in the Profession

- Brainstorm goals and activities for this year's theme
- Define how the committee can promote fellow women lawyers
- Identify the issues facing women lawyers today that the committee can address in a tangible way, such as counsel parental leave and sexual harassment
- Coordinate events to further the committee's purpose