A New Service on the Texas Legal Horizon: Texas Supreme Court Index

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A New Service on the Texas Legal Horizon: “Texas Supreme Court Index+”

By James Hambleton, Director, State Law Library
And Jim Paulsen, Associate, Liddell, Sapp, Zivley & LaBoon, Houston

Since the late 1950’s the Texas Supreme Court Journal has been a mainstay of Texas lawyers, offering speedy copies of all supreme court opinions as well as writ dispositions. Though the Texas Supreme Court Journal is invaluable, it does have one major deficiency. Marian Boner’s Reference Guide to Texas Law and Legal History puts the problem succinctly: “There is no cumulation, and the cases are not indexed.”

A new publication, Texas Supreme Court Index+, is now making a creditable bid to fill that gap. A weekly service originating in Houston, the Index+ contains up-to-date data on the disposition of appeals by the Texas Supreme Court. The Texas Supreme Court Index+ is not designed to replace or compete with the Journal. It does not contain the text of opinions, synopses of applications granted, or the points of error upon which they were granted.

What the Texas Supreme Court Index+ does provide is a convenient and rapid way to ascertain the current status of a case pending before the supreme court. The Index+ is an 8½ by 11 photocopy of a computer printout. A case can be found either alphabetically by its name, through a direct and reverse index to case styles, or by checking the court of appeals citation, in much the same way as one would use the West writs tables. The citation index gives the current case status; the direct index provides full procedural history, including motions, date of argument, and so on.

For any lawyer or firm with a substantial state practice, the information in the Index+ is quite valuable, as it is a key to unlocking the information contained in the Texas Supreme Court Journal. The Journal is a treasure trove of court information not easily obtained elsewhere. For example, the Journal is the most current and readily available source for the text of recent supreme court opinions. When a motion for rehearing is pending, the delay before publication in the Southwestern Reporter advance sheets can be quite significant.

The Journal is also the only source for synopses of the issues presented in cases pending before the court, and includes notations of the particular points of error on which an application was granted. While this information is no iron-clad guarantee of the points actually argued or a blueprint of the contents of the eventual decision, it is often a broad hint as to what issues in the case are most troubling the court.

The Journal also provides information about which cases are not final by listing the applications for writ of error filed on a weekly basis. The major national services (West, Shepard, Bancroft-Whitney’s Auto-Cite) provide no such warning, adding information only as action on writs is announced by the Texas Supreme Court.

Finally, in cases where there is some question as to the actual disposition of an application (where West’s writs tables and Shepard’s citator differ, for example), the Journal can settle disagreements, since the court orders for each week are printed at the beginning of each issue.

The problem with the Journal, as already noted, is that there is no index to this information. While some of the material can be retrieved by cross-referencing from the Auto-Cite computer system (see 48 Tex. B. J. 585) some cannot. Perhaps the most significant problem, even the Auto-Cite, is that there is no way to get any information on the supreme court status of the most recent cases, when the court of appeals opinion is not yet published.

Until now, the only alternative has been to search the pages of the Journal, issue by issue, to find some reference to the case in dispute. This takes considerable time, and if done with any regularity will result in premature nearsightedness.

The Index+ saves all this trouble and is printed in larger type as well. Knowing either the case name or the citation will give immediate access not only to information about the current status of the appeal, but a date for each significant event. This date pinpoints the Texas Supreme Court Journal entry and unlocks all the information with a fraction of the effort required by other methods.

The Index+ is also speedy. Writs tables and citators often suffer from a lag of a month or more. Even com-
computer services require a week to 10 days. On the other hand, the Index+ follows a publication schedule that places it in the hands of subscribers in a week or so after court action, about the same time as subscribers in a week or so after an appeal is filed in the trial courts.

The Supreme Court Journal contains this information that is published nowhere else. Motions for rehearing on a writ or on a decided case are often filed, and remain pending until some disposition is made by the court. Court action is not officially "final" until a timely filed motion for rehearing is overruled. Cases in which motions for rehearing have been pending for suspiciously long periods of time therefore give rise to a great deal of sometimes-justified speculation.

Until the publication of the Index+, no published source existed through which an attorney could determine whether a motion for rehearing on an application or decision had been filed. Even the Texas Supreme Court Journal contains only the final disposition of a motion, not a notation of its filing. The Index+ contains this information, both in its detailed direct index and in its case citation index.

Like West's and Shepard's citators, the Index+ contains information on writ disposition keyed to court of appeals citations. The citation index, however, is superior to other citators in that the full procedural history of the appeal, including dates of disposition and motions pending, is listed.

Of course, the "bottom line" question is accuracy. To check the correctness of the information contained in the Index+, the authors selected 100 applications at random and compared the Index+ entries to the computer records in the Texas Supreme Court Clerk's Office. The Index+ scored 98.5 for accuracy. The only problems encountered were one writ and mandamus that were merged, due to an almost identical cause number, and one "n.r.e." where an accompanying per curiam opinion was not noted.

While this accuracy could be improved, the authors should note in fairness to the Index+ that the error level compares favorably with West's writs tables, Shepard's citators, and Bancroft-Whitney's Auto-Cite. The Index+ disagreed on the date of Supreme Court action on one of the 100 applications checked, Index+ turned out to be correct.

A final feature of the Texas Supreme Court Index+ that should be mentioned is adaptability. The format (8 1/2 X 11 xerox sheets) is inexpensive and easily changed. Each issue is cumulative so errors, once identified and corrected, disappear the succeeding week. In addition, new features can readily be added.

Some room for improvement in the format is possible. The Index+ currently lists cases in two columns down the short side of the page. A smaller, single-column format, with the binding on the side instead of the top, may be desirable. In addition, the direct and reverse indices might profitably be merged, saving some time at the initial stage of determining whether an appeal has been taken to the supreme court.

In short, the Texas Supreme Court Index+ is a very worthwhile addition to any working Texas law library. As its format evolves, it could easily become indispensable. At a cost of $25 per term, or just more than $2 per issue, the Index+ could be expected to pay for itself quickly with time savings and useful information.

For further information, contact: Texas Supreme Court Index+, 5615 Morningside Drive, Suite 324, Houston, TX 77005.
William (Bill) Kilgarlin:
Texas Supreme Court Justice
By Kelley Jones

Listening to Texas Supreme Court Justice William W. (Bill) Kilgarlin, it is apparent that he not only likes his job, but, the challenges which come with being a member of the highest court in the state.

Justice Kilgarlin, like the other eight justices, knew when he got the job that it would require long hours of overtime, his salary would be cut to about a third of what he made as a practicing attorney, his life would be publicly scrutinized and decisions made by the court could impact not only the future of the state but of the nation.

Justice Kilgarlin is not new to this kind of life. He was elected and served in the Texas Legislature during 1959-61. He was appointed judge of the 215th District Court in Houston in 1978 by then Gov. Dolph Briscoe, a position which was left open after Briscoe appointed Justice James P. Wallace to the Court of Civil Appeals.

Justice Kilgarlin says that serving on the Texas Supreme Court is the “ultimate.”

“It (serving on the Texas Supreme Court) is the goal of every (Texas) lawyer who chooses the judicial route. It is a chance to help mold the law.

“Serving on the Supreme Court is different from serving on a district court,” added Justice Kilgarlin. “We have more time to philosophize about what the law ought to be. We are much more reflective.”

Justice Kilgarlin, a native Houstonian, attended the University of Houston. After serving two years in the U.S. Army, he spent five months coaching debate at Sam Houston High School in Houston before starting law school at the University of Texas.

While in law school, Justice Kilgarlin continued to coach debate at the University of Texas. “Coaching and the G.I. Bill got me through law school,” the justice says with a laugh.

Justice Kilgarlin ran for the Legislature in 1958 and 1960, while in law school. “It was four years before I completed a spring semester,” remembers Justice Kilgarlin. “I was either running a campaign or serving in the Legislature for three straight years.”

Justice Kilgarlin became interested in politics as a teenager. In 1948, he was a volunteer in the Harry Truman campaign. He attended the State Democratic Convention in Fort Worth and witnessed the battle over whether it would be Lyndon Johnson or Coke Stevenson on the ballot for the U.S. Senate (Johnson had defeated Stevenson by 87 votes which were contested by Stevenson). That year, Texas Democrats also argued over whether to name Strom Thurmond or Harry Truman as the Democratic presidential nominee on the Texas ballot.

When Justice Kilgarlin ran for the Legislature, there were only eight representatives from Harris County. Candidates had to run county-wide. Remembering the ardors of county-wide campaigning, Justice Kilgarlin filed suit against the state and many years later Kilgarlin v. Martin went all the way to the U.S. Supreme Court. The court’s decision resulted in individual house districts in Texas, an accomplishment Justice Kilgarlin is proud of.

“For the first time in the 20th Century, black representation in the Texas Legislature was possible,” says Justice Kilgarlin.
At one point, Justice Kilgarlin laughs, the case was changed to Kilgarlin v. Hill, when John Hill, now Texas Supreme Court Chief Justice, followed Crawford Martin as Secretary of State.

After serving in the Legislature, Justice Kilgarlin practiced law in Houston. He met and married his wife, Margaret. Kilgarlin was a successful civil trial lawyer and litigator who could afford to occasionally take off three months of the year so he and his wife could tour Europe.

In 1978, Justice Kilgarlin was appointed to the 215th District Court and then four years later, he made a bid for the Texas Supreme Court. Since being on the court, Justice Kilgarlin has given numerous speeches, taught in continuing legal and judicial education seminars, and adopted as his special project "Sanctions for Discovery Abuse."

Justice Kilgarlin helped draft Rule 215 of the Texas Rules of Civil Procedure which is referred to as the "Sanctions" Rule and he is a frequent speaker on the rule.

Justice Kilgarlin is often quoted on the rule and his material is used as reference by others.

He is active in the State Bar Professional Development Program and speaks at seminars which include: civil trial practice, family law and personal injury law. For the past two years, he has spoken at the five regional seminars for judges which help members of the Texas judiciary fulfill their continuing education requirements.

Justice Kilgarlin respects the responsibility of his office and the time he takes off to teach in seminars or give speeches is made up during weekends. Each Monday, the court reviews writs of error ("you are either prepared or you aren't") and Justice Kilgarlin always wants to be ready. He does admit to taking off one or two weekends in the past two years.

He likes the other justices on the court.

"We are a very close-knit body," he says. "We eat lunch together, our wives associate with each other."

The justice adds, "We are a very harmonious court. We do disagree, but we are supposed to disagree. Whatever disagreements we have, we leave in the boardroom."

On current issues facing the legal profession in Texas, Justice Kilgarlin is sure of his position and willing to offer an opinion.

On Federal Trade Commission interference: "The Texas system of court regulation works well. We do not need interference from the FTC."

On judicial salaries: "We tried hard during the last legislative session to get higher salaries, additional employees, and computer systems for the district judges. These courts need to be upgraded."

On Legal Services and IOLTA: "We are a wealthy nation. Regrettably, there are still large gaps of poverty and unless there is equal legal representation for all, we are failing. If these programs will help, I am for them."

On minimum continuing legal education requirements: "I am a strong supporter of minimum CLE requirements. It is the only way attorneys can keep up with new and changing laws."

On alternate dispute resolution: "I am for anything that saves time for judges. In the long term, ADR will cut down on costs and prevent us from having to establish new courts.

On non-partisan selection of judges: "There are probably some things wrong with the way judges are selected now, but none of the ideas presented to the Legislature are any better than what we have."

Justice Kilgarlin is concerned that the turns that the law takes be appropriate for the people of Texas. "I am proud to contribute if I can," he says.

When Justice Kilgarlin and his wife moved to Austin, they bought what is called by Austinites "the castle." The house is built around a one-time water tower with six-foot-thick walls. It was built in the 1890's as a source of water to fight fires. In the 1930's, a University of Texas professor of architecture bought the tower and built some rooms around it. Since 1982, the Kilgarlins have worked at redecorating and improving the castle.

The Kilgarlins like to entertain. Mrs. Kilgarlin is a gourmet cook and the couple has donated their home and her talents to host charity dinners. Kilgarlin is a collector of wines and enjoys serving them at such dinners. Each year, the Kilgarlins host a party for the briefing attorneys, a Super Bowl party, and usually, a spring and fall party.

The couple has no children but do have a 140-pound Newfoundland. Justice Kilgarlin acknowledges the dog is a little spoiled. When he and his wife travel, they don't take the dog to a kennel. "We get someone to stay at the house. We get a babysitter."

An inveterate bridge player, Justice Kilgarlin enjoys his job and he and Mrs. Kilgarlin enjoy Austin. They do not plan on ever moving away from the Capital City.

"You can't beat the quality of life in Austin."
Lawyers on the Move

Out of State

Fred McClure, formerly associate deputy U.S. Attorney General, has been named special assistant to the president for legislative affairs by President Ronald Reagan. His office is at the White House, Washington, D.C. 20500.

Rebekah A. McBride, formerly administrative assistant to the general manager of Colowyo Coal Company, has opened an office for the practice of law at 538 Breeze St., P.O. Box 1035, Craig, CO 81626-1035.

Sula L. Baye has joined the legal department of BASF Wyandotte Corporation as senior litigation attorney, 100 Cherry Hill Road, Parsippany, NJ 07054.

James H. Granger, formerly deputy director of the Judge Advocate Division, Headquarters Marine Corps, has been assigned chief, United Nations Negotiations Branch within the organization of the Joint Chiefs of Staff. His office is located at Maritime/U.N. Negotiations Division, Office of the Joint Chiefs of Staff, J-5, Washington, D.C. 20301-5000.

Kevin Hobgood-Brown, formerly a member of the law faculty of Peking University, has become associated with the San Francisco-based international law firm of Graham & James. He will be based in Peking, Rooms 140-142, Jianguo Hotel, Peking, Peoples Republic of China.

Frank Rudy of Houston has been appointed U.S. Ambassador to Equatorial Guinea by President Ronald Reagan. His address is Malabo, Equatorial Guinea, c/o U.S. Department of State, Washington, D.C. 20520.

Gary A. Goff has become a partner in the firm of Phelan, Moreland & Phelan and the firm name has been changed to Phelan, Moreland & Goff. Offices are at 1409 19th St., Suite 101, Lubbock 79401 and 518 Ave. H, Levelland 79336.

Donna K. Webb is now associated with the Lubbock firm of McClesky, Harriger, Brazill & Graf. The Plains National Building, 5010 University, P.O. Drawer 6170, Lubbock 79493.

Thomas E. Pitts, formerly with the firm has joined the firm of Splawn & Simpson.

Stephen M. Crampton and William C. Egger, Jr. have become associated with the law firm of Stubbsman, McRae, Sealy, Laughlin & Browder, Inc., Two First City Center, Midland 79701. David B. Edwards has become associated with the firm of Fowler, Fowler & Gibson, 115 W. 5th St., Odessa 79761. Edwards was formerly with Exxon Company, U.S.A. in Midland.

Glenn W. Pipes has opened an office for the practice of law at 406 Odessa Executive Center, 4th & Lee Streets, Odessa 79761.

North Texas

Eugenio Cazorla and Brian K. Bates have formed a partnership for the practice of law under the name of Cazorla & Bates. Offices are located at Suite 3620, Texas Commerce Bank Tower, Plaza of the Americas, Dallas 75201.

Kenneth F. Nye, formerly with the law offices of R. Jack Ayres, Jr., P.C. has joined the firm of Franklin Harris Hytken, P.C. T.E. Shell, has become of counsel to the firm which is located at 2250 One Galleria Tower, Dallas 75240-6613.

Cecil L. Smith, formerly with Stroud & Smith, has become of counsel to the firm of Vial, Hamilton, Koch & Knox. Cameron Sewell, Guy Anderson, Jr., John Brustnak, Jr., Newton Jones, Baker Rector, W. Bruce Monning, J. Raymond Chesney, John M. Skrak, Jr. and Richard G. Dafos have become members of the firm. Mark Hendrix, Peter Brooks, James Clutts, Jr.,

Panhandle

West Texas
Michael Winchester, Ellen A. Presby, Roman Kupchynsky, Wilson Chu, William Keffer, J. Mark Hansen, Howard Key, Gary Woolfolk, Paul Pesek, Janet Walls and Jack Grimm have become associated with the firm. Offices are located at 1500 Republic Bank Tower, Dallas 75201.

Lisa A. Beebe has become associated with the firm of Williford & Ragir with new offices at 1845 Woodall Rodgers Freeway, Suite 1650, LB II, Dallas 75201.

Scott M. Seidel has become associated with the law firm of Passman, Jones, Andrews & Holley, P.C., 2525 One Main Place, Dallas 75250.

James F. Guerra has become an associate with the firm of Maxwell, Godwin & Carlton, 1200 Diamond Shamrock Tower, 717 North Harwood St., Dallas 75201.

Hance W. Burrow, III, formerly with the law firm of Gardere & Wynne, and Lisa A. Peterson, have become associates of the firm of Goins, Underkofler, Crawford & Langdon, 3300 Thanksgiving Tower, Dallas 75201.

Stephen G. Skrivanek, formerly with El Paso Natural Gas Company in El Paso, has become an associate of the firm of Quast & Glenn, 3000 Turtle Creek Plaza, Suite 203, Dallas 75219.

The law firm of Richard Kelsey, Mike Gregory, Judd Holt and Ronnie Phillips has merged with the law firm of Michael Whitten and Curtis M. Loveless. Whitten, Loveless, Kelsey, Gregory, Holt & Phillips, P.C. is located at 218 N. Elm St., Denton 76201.

Kip A. Petroff, formerly of Strasburger & Price, is now associated with McGuire & Levy, MacArthur Plaza, Suite 650, 5525 MacArthur Blvd., P.O. Box 165507, Irving 75016-5507.

Mark R. Ryan has become associated with the firm of Stevens, Rolle & Madden, 400 S. Zang, Suite 1220, Dallas 75208.

James R. Jordan has become a member of the firm which was formerly the Law Offices of Michael F. Linz, P.C. Linz & Jordan, P.C. is located at 400 Katy Bldg., Dallas 75202-4518.

Mark S. Haynie, formerly of Jenkins & Gilchrist, has become associated with the firm of Vineyard, Self & Beutenmuller, 16910 Dallas Parkway, Suite 200, Dallas 75248.

James W. Watson, formerly with David Nagle & Associates in Austin, is now an associate with the firm of Camp, Jones, O'Neill & Hall, 2400 City Center, 301 Commerce, Fort Worth 76102.

Margaret E. Levy and Thomas R. Felger were elected to the position of assistant corporate secretary of Otis Engineering Corporation, a Halliburton Company.

Barbara Anderson, C. Michael Moore, Michael Sanderson, Charles Reeder, Michael Collins, Barbara Houser and Guy Kerr were elected to the position of shareholder/director in the firm of Locke, Purnell, Boren, Laney & Neely, 3600 Republic Bank Tower, Dallas 75201-3909.

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Lawyers on the Move

Jennifer Brandeis, David Burkett, Doug Butler, Jeffrey Carter, Donald Collelouri, Roger A. Crabb, Dorothy Abzanka Culham, Susan English, Lois Fielding, Robert Gibbons, Patrick Longan, Mary McNabb, Janet Pollan, Alan Rich, Clifford Risman, Joyce Segars, Alan S. Trust and Ronald Woessner have become associates in the law firm of Johnson & Swanson, P.C. The firm has offices in Dallas and Austin.

Phillip C. Umpress, formerly an attorney in the U.S. Army Judge Advocate Corps, is now associated with Akin, Gump, Strauss, Hauer & Feld, 4100 First City Center, 1700 Pacific Ave., Dallas 75201-4618.


Glenn M. White has been elected senior vice president of Ticor Title Insurance in the Dallas office.

Ronald H. Williamson, formerly assistant general counsel of Texas Oil & Gas Corp. and Delhi Gas Pipeline Corporation, has opened an office for the practice of law at 121 B Oak Ave., P.O. Box 286, Sulphur Springs 75482.

Thomas H. Brown, Michael C. Prior and Randi J. Davis have become associated with the firm of Schleier & Phillips, P.C., 1100 Stone Road, Suite 101, Kilgore 75662.

Monica Maby King has become associated with the firm of Boyar, Norton & Blair, Five Post Oak Park, Houston 77002.

Eugene Y. Hsiao and Robert Thurmond, III, announced the formation of the firm of Hsiao & Thurmond, 7769 San Felipe, Suite 204, Houston 77063.

Terry Ayre, Jeffrey Bale and Michael Murphy have withdrawn from the Houston firm of Brown, Sims & Ayre and have merged with J. Douglas Cherry, P.C., with offices located at 711 West Bay Area Blvd., Bay Plaza I, Suite 500, Webster 77598. The Clear Lake law firm is now Cherry & Ayre.

D. Craig Landin, formerly assistant general counsel for the

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State Bar of Texas, has become associated with the firm of Conner, Odom & Clover, P.C., Main & Atchison, P.O. Box 570, Sealy 77474.

- Tom A. Rivoire has been named general counsel for NL Industries, Inc., 3000 North Belt East, Houston 77032.

- George D. Barnett, formerly vice president and general counsel of the Houston Title Company, has become associated with the firm of Pruitt & Cowden, Attorneys, located at 1929 Allen Parkway, Suite 250, Houston 77019.

- Robert G. Devlin, R. Christopher Naylor and Howard D. Walker have formed the partnership of Devlin, Naylor & Walker, 4801 Woodway, Suite 420W, Houston 77056.

- D. Michael Dalton, formerly a partner in Butler & Binion, has joined the firm of Hutcheson & Grundy as a partner. K. Ann Graham, formerly regional counsel for the Federal Deposit Insurance Corporation in Dallas and associated with Baskin & Steingut in Washington, D.C., Mark A. Brand, formerly of the legal staff of Gulf Oil Corporation, and S. Scott Kimberly, formerly associated with Small, Craig & Werkenthin of Austin, have become associated with the firm. Offices are at 3300 Citicorp Center, 1200 Smith St., Houston 77002.

- Sharon A. Spurr has become associated with the firm of Stubbeman, McRae, Sealy, Laughlin & Browder, Inc., 1700 RepublicBank Center, Houston 77002.

- Douglas Robert Frankel, formerly counsel of the Houston office of Bramerale Limited, has joined First Mortgage Investment Association, Inc. and through its subsidiary Savage I Enterprises, Inc., as vice president and general counsel, with offices at 2901 Wilcrest Dr., Suite 500, Houston 77042.

- Steven C. Haley, formerly senior staff attorney with the Texas A & M University System, has become an associate in the firm of Moorman, Tate, Moorman & Urquhart, P.O. Box 1808, Brenham, 77833.

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Lawyers on the Move

Edgar Ahron Goldberg has become associated with the firm of Gillis, Walker, Drexler & Williamson, 1700 Wesleyan Tower, 24 Greenway Plaza, Houston 77046.

Quincy Thomas Hinton, Jr. and Samuel M. Symonds, formerly general counsel of Sanderfer Oil & Gas, Inc., have become partners in the firm of Broadhurst, Brook, Maningham & Hardy. Richard B. Wilkins, Jr. has become associated with the firm. Offices will be at First City Tower, Suite 1511, 1001 Fannin, Houston 77002.

Robert E. Bunce has become a partner in the firm of Martin, Carmona, Cruse & Garza, and the firm name has been changed to Martin, Carmona, Cruse, Garza & Bunce. Leslie C. Dean is an associate in the firm located at 500 Moody National Bank Building, P.O. Box 1570, Galveston 77553.

The firm name of Dohoney, Collier, Cartwright & Wandel has been changed to Dohoney & Collier. Members of the firm are: N. Wyatt Collier, Lonard K. Wells, Charles E. Shaver, Ward N. Adkins, Jr., Robert I. Peeples, Michael L. Brown, William P. Gibson and Walker C. Taylor. J. Philip Wandel is of counsel to the firm.

Jan L. Shephard and Benny M. Cason have become associated with the law firm of Wood, Boykin, Wolter & Keys, 2000 First City Bank Tower, Corpus Christi 78477.

Walter R. Young, formerly vice chairman of the board of MBank, Corpus Christi, has become of counsel to the law firm of Wood & Burney, 1700 First City Tower II, Corpus Christi 78478.

Anthony B. James, formerly associated with Adams, Graham, Jenkins, Graham & Hamby in Harlingen has joined the McAllen office of the San Antonio firm of Thornton, Summers, Biechlin, Dunham & Brown with offices located at 2223 Primrose, McAllen 78504.

Michael L. Slack, formerly of the law offices of Windle Turley, P.C., has become an associate of the firm of Byrd, Davis & Eisenberg, 707 West 34th St., Austin 78705.

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Kenneth E. Houp, Jr., has opened an office for the practice of law at 910 West Ave., Austin 78701-2210.

Cary Ferchill, formerly associated with the firm of Shearman & Sterling in New York City, has become associated with the firm of Jones, Day, Reavis & Pogue, 327 Congress Ave., Suite 600, Austin 78701.

Mario A. Mata, formerly in private practice, James L. Montgomery, formerly of McDuff & Damron, Melvin E. Wadler, formerly of the Texas Railroad Commission, Larry H. Black, Dianne DeLayo, Todd J. Knop, Kathleen A. Holden, Archie Carl Pierce and Richard W. South have become associated with the law firm of Stubbeman, McRae, Sealy, Laughlin & Browder, Inc., 1800 MBank Tower, Austin 78701.

Joe Messa has opened an office for the practice of law at 1220 North Brazos St., Suite IV-A, Whitney 76692.

Leland McKeeman, Franklin Tuttle, Jr. and Steven Hein announced the formation of a partnership for the practice of law. McKeeman, Tuttle & Hein is located at 5407 N. Interregional Highway, Suite 302, Austin 78723.

David H. Reynolds, formerly with the Travis County District Attorneys Office, has become associated with the law firm of Weeks, Chapman & Buford, 1204 San Antonio St., Austin 78701.

Christine M. Delmas, formerly in private civil practice, is now legal counsel for the Texas Commission on Alcoholism, 1705 Guadalupe, Austin 78701.

Howard V. Rose has been named managing partner of the law firm of Brown, Maroney, Rose, Barber & Dye, 1300 One Republic Plaza, 333 Guadalupe, Austin 78701.

Jeffrey D. Talmadge, formerly with Fulbright & Jaworski, has joined the firm of Mullen, Berlinger, MacInnes & Redding, 812 San Antonio, Suite 317, Stewart Title Building, Austin 78701.

Karen R. Johnson, formerly special assistant to the governor of Texas has opened an office for the practice of law at 1411 West Ave., Suite 200, Austin 78701.

Arthur Mitchell, P.C., formerly special counsel to Jim Mattox, attorney general of Texas, has opened an office for the practice of law at AM Professional Building, 702 Chestnut St., Bastrop 78602.

Ray Leech, formerly senior trial attorney with the Bexar County Legal Aid Association, has become associated with the Law Offices of James O. Deegear, III, Travis Building, Suite 900, 405 North St. Mary's St., San Antonio 78205.


Leland McKeeman, Franklin Tuttle, Jr. and Steven Hein announced the formation of a partnership for the practice of law. McKeeman, Tuttle & Hein is located at 5407 N. Interregional Highway, Suite 302, Austin 78723.

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September 1985  Texas Bar Journal  1001
Each year, the Bar Journal offers opportunities to the State Bar's 50-Year Lawyers to share their recollections and views with our readers. The following essays comprise one of the installments of our continuing series of their recollections.

Maxwell Higginbotham
San Antonio

Those of us who became lawyers in the 1930's have witnessed a miracle in the development and growth of our State Bar. I attended my first state bar convention soon after I was notified that I had passed the Texas Bar examination on June 19, 1935.

One item on the program was a report by the standing committee on locating a permanent state bar headquarters. The committee chairman reported that it had nothing to report. A similar report was given annually for many years thereafter.

In those days the private office of the state bar president was the office of the state bar. The first letter to the members on a sort of a regular basis was from D.A. Simmons, president in 1937-38 (later president of the A.B.A.).

Now, as a member of the State Bar Legal Forms Committee, I attend many committee meetings at the magnificent state bar building in Austin. I never cease to marvel at this tremendous facility and the many services and programs provided regularly to the members of our state bar. I count myself privileged to be among the few Texans who have seen it happen and, to a small extent, have been a part of it from the very beginning.

J. Manley Head
Austin

I started the practice of law in Stephenville in 1935 under the watchful eye of Judge W.J. Oxford, Sr. He had served as district judge for 16 years. His nephew, C.O. McMillan was his partner. His son, W.J. Jr. started practice the same day as I did and later served for 16 years as district judge.

The judge was truly a living law school and library. On our first day, he called us in and among other things advised us that "next to capability, availability is the most important element to a successful practice" and it is still good advice to a young lawyer.

In those days, a lawyer might be involved in a criminal case in daytime and examine an abstract at night. Anything to make a living in the great depression.

As a member of the House and Senate during the 1930's, I saw the beginning of administrative practice in Texas. From my position, I was almost thrust into it. At that time regulatory powers by legislative authority were granted to the Railroad Commission and a few other agencies. Space will not permit a growth history, but recognition of problems determined the passage of the Administrative Procedure and Texas Register Act (AFTRA). More than 200 Texas governmental agencies with statewide jurisdiction now fall under its provisions. Hundreds of Texas Lawyers specialize exclusively in narrow phases of administrative law.

In the beginning, many important positions (some even now) were filled with political sycophants whose arrogance was exceeded only by their incompetence. Fortunately, we now find both competence and caring are prevalent. A more in-depth review of these changes leaves a lot of us old-timers thinking we now live under a government of men instead of law.
Patricia H. Gillis  
San Antonio

I have always felt so proud and honored to be a member of the legal profession, and a member of the Texas State Bar Association. I am doubly grateful that I had the opportunity to witness the vast changes that have taken place these past 50 years in regard to women serving in this profession.

Within a few years after I graduated in 1935, I became a member of the San Antonio Women Lawyers Association consisting of about 15 members. There were so few women judges then, however, I recall the Hon. Sarah T. Hughes attending one of our functions. How we all loved and respected her!

Last year, I became a charter member of the Bexar County Women’s Bar Association and note that the membership has now grown to more than 160 young competent lady lawyers. While attending one of their luncheons honoring 26 “Women Judges in Texas,” I wish to repeat what our illustrious judge in Court of Civil Appeals, Shirley W. Butts, said to me at this luncheon: “Any woman attending law school 50 years ago, was breaking the ice for us women today!” I wish to share this lovely statement with other women lawyers of my vintage.

Walter C. Klaerner  
Silver Springs, MD

I spent my early days in and about Austin, with many friends there, later relocating to Washington, D.C. working in several government agencies.

During World War II, I served as a volunteer enlistee in the U.S. Navy in the Southwest Pacific area, and also met many interesting people from throughout the U.S. The feeling of pride and patriotism of those times has never faded in the hearts of the many who rose to the needs and defense of our own native land.

Through the evolution of the times from the early 1920’s to the present ultra-modern era, with vivid memories of World War I and II (some of it before radio, TV and modern airlines), it has become a New World.

The Texas Bar, too, has flourished from the early days of frontierism into our present ever-moving, ever-changing times. All honor and praise to our forebears who “blazed the trails” through the early years by their consistent and loyal observance of tradition, important in those days.

I remember, a short time before his death, Thomas Edison interviewed on radio (no TV yet) was asked, “What advice would you give a young man just starting out in life?” His answer was quick and decisive: “I wouldn’t give him any! A young man doesn’t take any advice.” Perhaps a bit philosophical in those days, even if not my own.

Let us not forget our humble origins. We are here to advise and serve our fellow man.

"Dammit, Hofsteder, I didn't say we need more brains around here. I said we need more Crane's around here!"

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September 1985 Texas Bar Journal 1003
Reflections

Lee G. Williams
Austin

When I read my letter from the Texas Bar Journal offering me a chance to write a 250-word article about the legal profession as I know it from 50 years of practice, I thought, "Okay, this is great! Now I can tell everybody what's wrong with lawyers and their profession."

The trouble is, that thought didn't work. I found myself arguing with myself.

So I started re-thinking: about law school and teachers like Stumbo, Hildebrand, Keeton — about classmates like Huie, Milam, Morehead — about Hilsberg's Cafe across the street — about the classmate who always entered Hildy's contracts class through the old law school building windows with only the current issues of The Saturday Evening Post under his arm. (It's true! Name on request).

I guess that what I really want to say is that I am everlastingly grateful for having had the privilege of sharing a tiny part of the lives of all those wonderful people — who helped me to get ready to represent the State of Texas, the United States and the United Nations International Labour Office.

I've made no money, it's true; but I'm happy and satisfied with what preparing to be and actually becoming a lawyer made possible for me. It's a good world.

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Arturo C. Gonzalez
Del Rio

To the young men embarking upon the practice of a legal profession, the law offers a large and expanding field for the development of character and personality. A knowledge of it is as beneficial from the standpoint of a liberal education as from that of a life calling.

As one outstanding statesman and eminent lawyer put it many years ago: "I maintain that in no other occupation to which men can devote their lives is there a nobler intellectual pursuit or higher moral standard than that which inspires and pervades the ranks of the legal profession. ... to aid in the solution of those great questions legal and constitutional which are constantly being evolved from the ever varying affairs and business of men are duties that may well challenge the best powers of man's intellect and the noblest qualities of the human heart."

Do not let or permit "monetary remuneration" to be the compelling motive for entering into the legal profession. Providing legal services for the poor and indigent will be most rewarding, and it will provide you with an inner sense of satisfaction that money cannot buy. Success in life is not measured by the amount of material wealth we accumulate, but rather by the amount of good we do. A man's true wealth hereafter, is the good he does in this world to his fellow men. The talent of success is simply doing well whatever we do, and in the proper application and harmonious development of those faculties which God has given us.
My practice of the law over the last 50 years has been in a medium-sized county-seat town. There have been material changes in the demands of law practice during this time. The fundamental duties of the lawyer have not changed. These duties are embodied in the Lawyer's Oath, to respect the law and act honorably to represent his clients.

The greatest change in the practice has been the high degree of specialization by lawyers in different areas of the law. This need for specialization has imposed a heavy burden on general practitioners.

I believe the major event in the legal profession during the past 50 years was the enactment of the State Bar legislation in 1939. The resulting integrated bar has given lawyers a better understanding of their common problems and enabled the profession to meet and cope with situations that have arisen affecting lawyers and their practice of the law.

My advice to a young lawyer beginning a law practice is to always keep in mind the high standards of the legal profession, be thorough in his work and protect and preserve his health, both physical and mental.

The ever-continuing challenge to the legal profession is to maintain the practice of the law on a high level as officers of the court so that justice may be done.
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The dog days of summer are here and about 1,800 anxious, hopeful "attorneys to be" have taken the bar exam and will agonize over their performance until they get the results in November.

Remember law school? Remember filling out admission applications and then waiting for the results? Who can forget the bar exam? Seems like two lifetimes ago — or maybe just a few days.

Certain experiences or bits of advice stand out as highlights — or low points — in my memory. I'm sure you had similar experiences.

I remember receiving a form rejection letter no less than six days after mailing the application from an East Coast Ivy League law school (which will remain nameless but whose colors are gold and blue). It still sticks in my craw even though I sent in the application on a lark because there was no application fee and I wanted to see what their reaction would be to a fair-to-mediocre hopeful applicant from Texas. They did not waste any time letting me know.

What is the purpose of the LSAT anyway? To make fairly intelligent college students feel inadequate? If so, the test has proven to be 100 percent successful. The day I received my LSAT scores is certainly memorable. I immediately renewed my application to business school and tried to convince myself that I did not want to be a lawyer anyway.

Finally, I was accepted to a couple of schools and chose to attend Texas Tech. It seemed like a big accomplishment just to be there until Dean Richard Amandes, then dean at Texas Tech School of Law, in a first-day address to incoming freshmen instructed, "Turn to the student on your right, shake hands, introduce yourself. Now, turn to the student on your left." After we had all introduced ourselves and exchanged niceties, the dean brought us back to reality, "our statistics prove that one of the people you just met will not be here one year from today." Those words haunted me each time I opened a blue book to take a law school final.

Law school was tough and the bar exam was worse. I still remember exactly where I was and what I was doing when I got a call from my friend, Robert Anderson, telling me that he passed the bar exam. Robert was a briefing attorney for the 13th Court of Appeals in Corpus Christi and the other briefing attorneys in the office had also received letters saying they passed. I did not receive my letter that day or the next. I was convinced that only those who passed the bar exam even got letters. 'What other explanation could there be?'

My letter finally arrived. I was afraid to open it. I held it up to the light. I can still feel the emptiness in the pit of my stomach when I faced the fact that I would have to open the envelope to learn the results.

Of all my experiences surrounding getting into law school, getting through law school and then, finally, passing the bar exam and becoming a lawyer, the one that stands out most in my mind is a quote by Professor Ruth Kirby Forbis, now a practicing attorney with the Austin firm of Graves, Dougherty.

It was during the first semester of my second year in law school. I was enrolled in the required professional ethics course. I have to admit I was not in the best physical condition for concentrating this particular afternoon.

A championship basketball game (double overtime) and a 7' center had punished my body beyond the realm of physical endurance. Our law school team won by one point but it had taken every bit of energy I had left just to make it to class.

Suffice it to say, I was not paying very close attention. Thank goodness I was not called on to recite! Towards the end of class, I was jerked to attention when Mrs. Forbis, in summarizing the day's cases, said, "Just don't be a hack."

I got the message. Mrs. Forbis went on to explain that there are too many hacks in every profession and that if we remembered only one thing from her class it should be, "don't be a hack." She told us we would avoid numerous professional and ethical problems if we would just do our best.

As attorneys, we all faced similar hurdles in getting to the positions we hold today. Sometimes the challenges seemed insurmountable but we made it. We have a right to be proud of our profession and a responsibility to the public which depends on our skills.

I think it is important for each of us to take some time out to reflect on our past and the choices we made. Our past experiences make us what we are today and our choices today shape our future. You owe it to yourself and your clients to do your best.
The Strategy of Voir Dire
In Child Custody Cases:
Integrating Psychological
And Legal Approaches

By Mike McCurley and Kevin W. Karlson, J.D., Ph.D.

Editor's Note: The following article provides an excellent overview of the interrelationship between psychology and law in voir dire. The authors cautiously have chosen to limit the title to child custody cases, so as not to over-promise or to mislead. The editor, however, encourages you to disregard the title because the scope of the article is of general applicability.

—Jerry R. Selinger, Practice Notes Editor

Choosing a jury requires far more than bare legal skills. Psychology plays a most significant role. Many aspects of jury selection strategy can be applied regardless of the nature of the dispute. However, it is important to particularize your approach to reflect the nature of the case. Few legal controversies which must be resolved by litigation are so fraught with potential human heartache and tragedy as child custody battles. Any attorney who has tried such a case has felt the full burden of his professional responsibility along with his personal concern for his client and the child. In spite of these obvious facts, and that most attorneys prefer to try child custody cases to a jury, surprisingly little has been written about the problems in selecting a jury in child custody cases.

Even though social sciences technologies are increasingly applied to jury selection in criminal and other civil cases, a review of the literature revealed no studies in child custody. Consequently, the task of applying psychological knowledge to the process of voir dire necessarily involves making inferences based on legal research from other areas.

What follows is an attempt to examine both the legal and psychological problems of voir dire and provide recommendations integrating the demands of both. The process begins with the filing of the suit and ends with opening statement.

Preparation for Jury Trial

Legal Considerations: Once the decision to empanel a jury is made, the lawyer is duty bound to represent his client "competently" and "zealously within the bounds of the law." Clients sometimes want to "get everything they can get," and can be adamant in these demands, without regard for the child's interests. Legal writers frequently tell attorneys to "be totally convinced in the client's quest for custody...."

Psychological Considerations: The need to be an effective advocate complicates the attorney's ability to evaluate his client objectively.
A growing body of research has found the more one advocates any position, the more one believes it. This finding came out of an experiment which required the participants to make speeches supporting causes which they initially found unfavorable. After making a number of speeches, reassessment of their attitudes revealed marked change. Previously unfavorable attitudes were much more positive! Consequently, an attorney who was ambivalent about a case when the client walked in the door might find himself militantly advocating the client's cause after several temporary hearings.

The danger is that the attorney may no longer be able to objectively evaluate the client or his case. An objective evaluation is essential to preparing for voir dire (as well as case-in-chief), since unfavorable aspects of the client or case must be anticipated and dealt with early. The client is unlikely to be able to evaluate himself objectively, especially in these circumstances.

Implications: Get an objective outside consultant to evaluate your client — as to his/her physical and psychological attractiveness as a custodial parent and as a witness. Find out about the client's capacity to tolerate the stress of a trial, too.

Voir Dire — Challenges for Cause

Legal Considerations: The mechanics of voir dire are simple. In Texas district courts, each side is given six peremptory "strikes." A strike eliminates a prospective juror from the panel. Of the 30-35 people interviewed, the first 12 not "struck" form the panel. Persons not legally qualified are first eliminated from consideration by a challenge for cause.

In order to exercise challenges intelligently each side is allowed to question veniremen on matters which are material and relevant to the case. The only other limitation imposed by Texas courts is a reasonable time restriction to "avoid undue and unnecessary prolongation of the trial." Otherwise, the scope of voir dire is in the trial court's discretion, but is generally very broad.

The accepted legal purpose of voir dire is to elicit facts from the jurors and ascertain if the jurors are legally qualified. The legal qualifications are set out in Tex. Rev. Civ. Stat. Ann. art. 2133, (Vernon 1964). A juror must be:

1. 18 years old (at least);
2. A citizen of the state and county;
3. Qualified to vote;
4. Of sound mind and good moral character;
5. Without a felony conviction or current indictment;
6. Without a record of previous jury service within the preceding six months;
7. Able to read and write.


1. Any witness in the case;
2. Any person interested, directly or indirectly, in the subject matter of the suit;
3. Any person related by consanguinity or affinity within the third degree to either of the parties to the suit;
4. Any person who has a bias or prejudice in favor of or against either of the parties;
5. Any person who has sat as a petit juror in a former trial of the same matter, or of this case, involving the same subject matter.

In addition to these statutory barriers, truthful self-disclosure is frequently introduced by attorneys themselves, depending upon how they ask questions. Attorneys often phrase questions during voir dire the same way as during cross-examination. The result is that psychological pressure to answer in a socially acceptable manner, already extraordinarily high, is further increased. An example will illustrate the point more clearly:

Attorney: Mr. Smith, you know the law in Texas says that fathers are entitled to equal consideration in custody cases, and mothers are not to be given special consideration don't you?
Juror: Oh yes!
Attorney: Now, Mr. Smith, you don't hold any bias or prejudice which would prevent you from being fair to the father in this case, do you?
Juror: No, of course not!

Not only has the attorney not found out whether Mr. Smith does lean toward mothers or not, he has told the rest of the jury the "right" answer, virtually guaranteeing the same response from the rest of the prospective jurors.
On the other hand, research on self-disclosure has revealed a number of strategies, including asking open-ended questions, which increase the chance of truthful self-disclosure. In the previous example, the attorney might have said:

Attorney: Mr. Smith, tell me how you feel about fathers having custody of their young children.

The question does not suggest an answer, but rather encourages an honest expression of Mr. Smith’s attitudes.

Next, the attorney can set the tone for self-disclosure by doing it himself. Obviously, the attorney cannot express his own opinion about the case. He can, however, talk about his feelings. For example:

Attorney: Ladies and gentlemen, I know that you're all sitting closer together than is really comfortable. I know I don't like to sit where I'm feeling like a sardine in a can ... you know, I've done several hundred trials, but I always feel a little anxious, especially when a child's future is at stake. ... You know, I'm always a little afraid to say what I think in front of a group of people, but it's important that you say what you really think here today...

These statements acknowledge some possible sources of juror anxiety and reveal something about the attorney as well.

By the same token, the attorney can “reward” honest self-disclosure by acknowledging and genuinely encouraging honest answers.

### Peremptory Challenges

**Legal Considerations:** Texas practice regarding peremptory challenges is governed by the language of Tex. R. Civ. P. 232, 233, and 234. Rule 233 has been recently amended to provide a mechanism for equalizing the number of peremptory challenges in multi-party litigation. Since an attorney trying child custody cases involving an attorney ad litem or an intervenor could be confronted with this situation, the text of new Rule 233 is set out below:

**Rule 233. Number of Peremptory Challenges**

Except as provided below, each party to a civil action is entitled to six peremptory challenges in a case tried in the district court, and to three in the county court.

**Alignment of the Parties.** In multiple party cases, it shall be the duty of the trial judge to decide whether any of the litigants aligned on the same side of the docket are antagonistic with respect to any issue to be submitted to the jury, before the exercise of peremptory challenges.

**Definitions of Side.** The term “side” as used in this rule is not synonymous with “party,” “litigant,” or “person.” Rather, “side” means one or more litigants who have common interests on the matters with which the jury is concerned.

**Motion to Equalize.** In multiple party cases, upon motion of any litigant made prior to the exercise of peremptory challenges, it shall be the duty of the trial judge to equalize the number of peremptory challenges so that no litigant or side is given unfair advantage as a result of the alignment of the litigants and the award of peremptory challenges to each litigant or side. In determining how the challenges should be allocated the court shall consider any matter brought to the attention of the trial judge concerning the ends of justice and the elimination of an unfair advantage.

This procedure effectuates the aim of Tex. Rev. Stat. Ann. art. 215a, (Vernon 1964) which is to be sure that no party is given “unequal advantage because of the number of peremptory strikes allowed that party.” The test for equalizing strikes was clarified in Patterson Dental Company vs. Frank Jerome Dunn, Jr. In Patterson, the Supreme Court said:

The threshold question to be answered in allocating strikes when multiple litigants are involved on one...
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side of a lawsuit is whether any of these litigants on the same side are antagonistic with respect to a question that the jury will decide. When no antagonism exists, each side must receive the same number of strikes.

Psychological Considerations: The early stages of a trial are anxiety-provoking for prospective jurors. In addition to being surrounded by unfamiliar people in an unfamiliar setting, they are in an unfamiliar role. Consequently, most jurors search for clues as to how to be a "good" juror. Admitting to bias is not part of most people's idea of being a good juror. Therefore, it is extremely important not to give clues to the "right" answer to questions which may be grounds for a challenge for cause.

The process of taking a prospective juror up to the bench to be challenged should be explained early in voir dire. This will help avoid embarrassing potential jurors and the resulting backlash against the lawyer who singles a juror out to "go talk to the judge."

The lawyer can set the stage for effective voir dire by emphasizing that biases are normal, acceptable and nothing to be ashamed of and by de-emphasizing "fairness." The goal during voir dire is to establish a climate which encourages honest self-examination and introspection of the juror's own biases and a group norm that speaking honestly about them is not going to lead to censure or ridicule.

Psychological Considerations: Covert Goals

Although the overt goals of voir dire are primarily legal, the covert goals are primarily psychological. A number of these goals are elucidated in an excellent article by Crump. They are:

1. Emphasizing favorable law or facts;
2. Limiting the effect of unfavorable law;
3. Insulation of jurors against unfavorable facts;
4. Obtaining commitments from jurors;
5. Personalizing the client;
6. Arguing the case;
7. Conditioning the jurors to accept one's proof;
8. Building rapport;
9. Guiding conduct of jurors in deliberations;
10. Using other veniremen as "witnesses."

The first and perhaps most important task is building rapport. The process develops as the attorney provides jurors with information they need to perform their role as fact-finders and with what psychologists call "warmth, accurate empathy and unconditional positive regard" to reduce their anxiety and promote self-disclosure. The next important task is to personalize your client. This means telling the jurors things about your client that help them know and like him because he's "just like me." Studies of group processes suggest that dehumanization/depersonalization is a necessary precursor to censure and punishment. Therefore, the more a jury sees your client as an individual with thoughts, feelings, hopes and dreams of his own, and the less it sees him as an "alcoholic" or "salesman" or whatever, the more likely it is that he will be evaluated as an individual, not as an object.

In Texas, voir dire is also the first opportunity to present your case to the jury. This should be done by telling a brief, interesting, fast-paced story. Since this will be the first time the jury hears it, the possibility of influencing how they will think about everything that follows is great. This potential can be maximized by avoiding equivocation and making simple, declarative statements about what happened and what you want. This is also the time to plant "teasers" about your witnesses, much like those at the beginning of a TV program. Create anticipation in the jurors about what they will see and hear later in the trial.

An advantage of speaking first is that one has the opportunity to anticipate arguments to be made and "inoculate" the jury to minimize the damaging effects. In divorce and child custody cases, extra-marital relationships or other socially undesirable behavior should be presented by that client's attorney so it will be presented in the most favorable light, not as a defensive reaction to allegations by the opposition.

Special attention should be paid to the connotations of language used in describing the case. Research has suggested that indirect assertion of facts through the form of questions provides a powerful way to create a picture for the jury. In a recent case, petitioner's attorney asked the jury during voir dire:

"How do you feel about a person who is emotionally involved with someone other than his spouse when his marriage seems beyond repair? Under what circumstances, do you think, would such a relationship be 'understandable'?"

The respondent's attorney, during their own voir dire, asked:

"How do you feel about adultery?"

In response to the first set of questions, more than 80 percent of the veniremen said they could think of circumstances which would make an extra-marital affair understandable. At the same time, everyone had negative attitudes toward "adultery." The two attorneys were obviously discussing the same circumstance, yet the form of question markedly influenced jurors' responses.

Implications for Practice:

1. Present your version of the case as if it were "the truth." Force the opposition to either object or to counter with their version; do not say "the evidence will show..."

Make your client real, human, likable. Call him by his first name; cast your adversary in non-personal, formal, stereotypic terms and always refer to the other party in that way.
The importance of evaluating communication cues, apart from verbal content, was emphasized by the results of the study which found that jurors often either consciously or unconsciously lie on voir dire. Consequently, relying on verbal information is likely to result in erroneous conclusions about a juror's predispositions and biases.

Paralinguistic Clues

The first and most obvious paralinguistic cue is disturbance in speech patterns during the course of the voir dire examination. These include stuttering, repeating phrases or words, interrupted sentences, inappropriate laughter or questioning the interviewer. These kinds of speech disturbances have been related to situational anxiety in a number of studies. Verbal output, or the amount of speech, appears to be related to positive feelings toward the interviewer. Consequently, comparisons between the amount of verbal output for each juror in response to questions posed by counsel should give some indication as to the juror's feelings toward each attorney.

It has been found that speed of a person's speech increases after he has been asked an anxiety-arousing question. In addition, another study has found that pauses between the question and the answer, especially long pauses, are positively associated with a situational anxiety.

Implications for Practice: In summary, then, paralinguistic cues can provide indications of the jurors anxiety during the course of voir dire. Long time lags between questions and answers, increased rate of speech and stuttering may indicate that the juror is anxious about the topic of the question and is trying to hide his real feelings.

Kinesic cues can provide relatively reliable indicators of intent, either conscious or unconscious, to be duplicitous in response to questions during voir dire. One of the best indicators of deception is in the amount of eye contact.

Kevin W. Karlson, J.D., Ph.D., is a forensic and clinical psychologist in Dallas. In addition to consulting with attorneys on jury selection and other litigation problems, Karlson contributed to "Psychiatric and Psychological Evidence," a forthcoming book by Prof. Daniel Shuman of the SMU School of Law.

Mike McCurley is a partner in the Dallas law firm of Koons, Rasor, Fuller & McCurley. He is a frequent speaker at family law and continuing legal education seminars and served on the committee to revise the Texas Family Practice Manual during 1974-82.
Studies indicate that increased eye contact suggests a more positive feeling for the person with whom the greater eye contact is maintained and increased expectations of approval. In the context of voir dire, it would appear that a juror will maintain more prolonged eye contact with the attorney for the side whom he favors.

Facial cues can also provide relatively reliable indications of what the individual is feeling since research suggests that the face is the major site for the display of effect or feeling. It must also be noted, however, that the face is the part of the person's body which is likely to be under the most control. Therefore, if a person is attempting to be deceptive, he will try to control his facial expressions. Consequently, if there is any contradiction in the nonverbal information presented by a prospective juror, with facial expressions indicating one feeling while the remainder of the individual's body language suggests something else, it must be assumed that the juror is attempting to be deceptive with his face. His true feelings are being portrayed by the rest of his body movements.

Body posture and body movement are also indicative of an individual's feeling toward the person with whom he is communicating. A person is likely to decrease the distance between himself and a person whom he likes. He is also likely to lean toward that person, to make more eye contact and to face the other person more squarely. Positive regard is also indicated by postural relaxation. Consequently, when one is sitting in an asymmetrical body position with one hand in his lap and the other over the chair, hands relaxed, neck relaxed and slightly reclining, it is likely that he is experiencing positive regard toward the person with whom he is communicating.

A prospective juror's hand movements can indicate deception or anxiety. Highly focused hand movements have been found to be related to psychological discomfort and anxiety. These include focused hand movements, finger tapping, wringing of the hands and manipulating various parts of the body with the hand.

Implications for Practice: In summary, kinesic cues can provide valuable information regarding the juror's true attitudes toward the attorney and the content of the questions being asked. Because of the amount of information being relayed during the course of voir dire, it is suggested that the attorney have a secretary or paralegal sitting in the courtroom to observe the prospective jurors' nonverbal behavior, if psychological, or behavioral science consultants are not available to provide these in-court services. This would be facilitated by providing the observer with a checklist of behaviors to observe during questioning and space in which to count the frequency of those behaviors.

In the event that a behavioral science consultant or psychologist is used in the courtroom to evaluate the juror's nonverbal behavior during voir dire, the question frequently arises as to whether or not such fact should be disclosed to the jury. Some authors have taken the position that full disclosure to the jury works in favor of the attorney who is employing the consultant. Post-verdict interviews with jurors have yet to reveal negative attitudes toward the use of social science consultants in jury selection. In fact, it may be that a jury picked as a result of input from a social science consultant feels more favorably disposed toward that side since it has been certified "by an expert" to be a fair jury. In addition, disclosure of the presence of consultants may give the attorney a tactical psychological advantage over his opponent, although this is yet to be empirically demonstrated.

Conclusion

The voir dire stage of a child custody trial is ripe with potential for success or disaster. The potential jurors form initial impressions of the attorney, clients and issues which probably influence the remainder of the trial and perhaps, even the outcome. Application of psychological principles and good trial tactics will increase the odds that the attorney will go into opening statement with a jury who is not biased against him or his client or may even be "leaning" his way.


11. 592 S.W.2d 914 (Tex. 1979).


13. See e.g., Rogers "The Necessary and Sufficient Conditions of Therapeutic Personality Change" 21 J. Consulting Psych. 95, 102 (1957).


27. Supra, note 26 at 637.


29. Supra, note 26 at 640.

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**Practice Notes:**

If you are a young attorney interested in writing an article for publication in the "Practice Notes" section of the Bar Journal, please send your articles to:

Jerry Seigler, Chairman, TYLA, Practice Notes Committee, Baker, Mills & Murray, Suite 1000, 1910 Pacific Ave., Dallas, TX 75201

Articles should not exceed 3,000 words in length, excluding footnotes. Footnotes should be placed at the end of the article, and the article should be double-spaced and typewritten.

Please include biographical information and a photograph.
Please send, free of charge or obligation, West's catalogue of fine art reproductions on the theme of the law.

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Berry Crowley is pleased with TYLA's accomplishments during her term as president. She was proud to be the first woman president of the organization and happy with the way everything fell together for convention in Dallas.

After a busy year which included travelling all over the country representing TYLA, coordinating TYLA projects to the public and profession, attending TYLA and State Bar board meetings, getting married and trying to practice law, Crowley felt a "little relieved" to hand over the reins of leadership to David Seidler of Aransas Pass.

The annual TYLA meeting and luncheon were held at the State Bar Convention. Awards were presented, Crowley was honored by members of TYLA, and the new board of directors met for the first time.

Judge Jerry Buchmeyer spoke at the annual meeting. Judge Buchmeyer, who writes the "et cetera" column in the Bar Journal and is known for his sense of humor and talent for satire, kept the audience's attention while instructing them on, "How to Give a Boring Speech."

Awards given at the luncheon included:

Outstanding Young Lawyer of the Year: Richard Harrison, a partner in the Sherman law firm of Henderson, Bryant & Wolfe, was awarded the highest honor that TYLA can bestow upon an attorney. Harrison was recognized for his outstanding professional proficiency, service to the profession and service to the community.

The Liberty Bell Award: Raul Jimenez, Sr. of San Antonio was awarded the 1985 Liberty Bell award, which is given to a non-attorney who has strengthened the effectiveness of the American Justice System through contributions to the community.

Jimenez, president and chairman of the board of Jimenez Food Products, Inc. was nominated by the San Antonio Young Lawyers Association. Jimenez is active in working to improve the community. He has worked for adult education schools and advanced parent/child education programs.

The Jimenez Annual Thanksgiving Dinner, Inc. has fed about 50,000 senior citizens since the program began in Fort Worth in 1974. The San Antonio program began in 1980.

The President's Award: Anita Ashton of Austin was awarded a President's Award for her efforts on the Victim Assistance Committee.
The committee has produced several public service announcements informing the public where they can seek assistance if they are victims of crime.

Richard Harrison of Sherman received a President’s Award for his work to help senior citizens know their rights. Harrison authored two TYLA pamphlets, “The Rights of Nursing Home Residents in Texas” and “The Rights and Needs of Senior Citizens in Texas.”

The Joseph Pritchard Inn Award: This award is given to an outstanding TYLA director. This year the award was presented to Ralph C. “Red Dog” Jones of Dallas and Jane Ann Varner of Abilene. Jones was recognized for his efforts as chairman of the National Mock Trial Competition. Jane Ann Varner received the award for chairing the committee which held two Law and the Clergy Conferences during the past year. Also recognized were the TYLA awards of achievement recipients. These awards recognize local affiliates for their individual projects and comprehensive programs. The results were incorrectly reported in the July issue of the Bar Journal. The correct listings are:

- Large City, Comprehensive Program: first place — Houston; second place — Dallas; special recognition — Austin.
- Small City, Comprehensive Program: first place — Abilene; second place — Waco/McLennan County; special recognition — Jefferson County.
- Single Project Awards, Large City: first place — San Antonio; second place — Houston; special recognition — Austin.
- Single Project Awards, Small City: first place — Waco/McLennan County; second place — Abilene; special recognition — Nueces County.

The Texas Young Lawyers Association also sponsored the Moot Court Competition which was won by South Texas College of Law.

Richard Harrison — Outstanding Young Lawyer of the Year and recipient of the President’s Award is recognized by Bill Whitehurst.

Joseph Pritchard Inn Awards: Ralph C. “Red Dog” Jones of Dallas and Jane Ann Varner were each presented awards for outstanding TYLA director.

D. Hull Youngblood, Jr., past chairman of the TYLA board, presented Berry Crowley with a gift from TYLA, a crystal Waterford vase.

Anita Ashton received a President’s Award for her work on the Victim Assistance Committee.
If you still believe in me, save me.

For nearly a hundred years, the Statue of Liberty has been America's most powerful symbol of freedom and hope. Today the corrosive action of almost a century of weather and salt air has eaten away at the iron framework; etched holes in the copper exterior.

On Ellis Island, where the ancestors of nearly all of all Americans first stepped onto American soil, the Immigration Center is now a hollow ruin.

Inspiring plans have been developed to restore the Statue and to create on Ellis Island a permanent museum celebrating the ethnic diversity of this country of immigrants. But unless restoration is begun now, these two landmarks in our nation's heritage could be closed at the very time America is celebrating their hundredth anniversaries. The 230 million dollars needed to carry out the work is needed now.

All of the money must come from private donations; the federal government is not raising the funds. This is consistent with the Statue's origins. The French people paid for its creation themselves. And America's businesses spearheaded the public contributions that were needed for its construction and for the pedestal.

Could we hold up our heads as Americans if we allowed the time to come when she can no longer hold up hers?

Opportunities for Your Company.

You are invited to learn more about the advantages of corporate sponsorship during the nationwide promotions surrounding the restoration project. Write on your letterhead to: The Statue of Liberty-Ellis Island Foundation, Inc., 101 Park Ave., N.Y., N.Y. 10178.

Send your personal tax deductible donation to: P.O. Box 1986, New York, N.Y. 10088. The Statue of Liberty-Ellis Island Foundation, Inc.
State statutes governing limited partnerships have been undergoing many changes recently. Both new and existing limited partnerships have been affected. In 1984, five states—California, Alabama, Kansas, Wisconsin and Oklahoma—enacted major changes in their limited partnership laws. So far this year, Ohio and New Jersey have continued this trend. Additional changes are virtually assured in 1985.

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The Great Debate

Resolved:
That the Federal Trade Commission should be given plenary power to regulate lawyers and the State of Texas superior to that vested in the Texas Supreme Court.

The third annual Great Debate sponsored by the TYLA was June 8, 1985. Bill Whitehurst, president-elect of the State Bar and former TYLA president, debated John Carley, general counsel of the Federal Trade Commission. The debate was moderated by J. Chrys Dougherty of the Austin firm of Graves, Dougherty, Hearon & Moody. The following articles are summaries of each participant’s position.

**Pro:**

<image>

John Carley,
General Counsel, Federal Trade Commission

The real issue, according to John Carley is whether lawyers should be exempt from laws that other professions must live by.

“Law is a profession which is constitutionally charged,” said Carley. It is a charge that we do not always live up to but we should go out of our way to show respect to the law by being fully subject to it (the law). It is unseemly for those who promote justice to be above the law. Our profession ought to invite public scrutiny.”

Carley, speaking in favor of FTC regulation recognized the fact that Texans do not like or want any kind of interference from the federal government.

Carley reassured the audience that he, also, is an attorney and can understand their concerns. He acknowledged that he was looking forward to returning to the practice of law.

“With my background,” he said, “I believe that my profession should be answerable to the law of Congress.”

Carley said that the FTC does not want preemptive power over the Texas Supreme Court. He used court decisions to show that the U.S. Supreme Court intends the FTC to monitor attorneys, but only the business aspects of the profession.

“Law is not a philanthropic exercise,” said Carley, “neither is it exclusively commercial. Lawyers play an important part in commerce.”

Carley said that in 1975 when the U.S. Supreme Court approved lawyer advertising, open competition became a real part of the profession of practicing law.

With advertising, he said, the FTC has an obligation to do what it must do. He added that as the amount of attorney advertising increases, do do the obligations of the FTC.

Carley said he thinks the role of the FTC is “very narrow.” His idea is that the FTC will have no role in the actual practice of law, the setting of fees (except in the case of price-fixing), courts, admissions to the bar, attorney qualifications or client contact.

He told the audience that the federal government does not regard the practice of law in the same category as soap but that the profession must be subject to the same laws and same public scrutiny as other businesses.

Carley said that the views he presented were his own and not those of the commission.
According to Whitehurst, no other profession must answer directly to the Supreme Court of Texas. The court, he said, has inherent powers and the State Bar Act of 1979 reaffirms the court's regulatory powers over the practice of law.

Whitehurst emphasized that FTC intervention is not necessary in Texas and suggested that if the FTC attempted to set up the system that is in motion, the cost would be phenomenal.

"The FTC action is premature," said Whitehurst. "The FTC is not more qualified than the State Bar of Texas and the Texas Supreme Court to regulate lawyers and unfair competition within the state."

He stressed that he is not an opponent but a fan of the FTC but does not agree with the approach of the commission. He suggested that a voluntary, cooperative effort might be more effective.

"We want to do what is right. We want to prevent deceptive trade practices. We want to cooperate," said Whitehurst. "We want to do what is best for the public."

He suggested that the FTC tell the State Bar what it is doing wrong and work towards an agreeable solution.

"If we are doing something wrong, tell us. Don't come in like a two-ton gorilla and try to take over the power of the third branch of government at the state level," said Whitehurst. "We are concerned about federal intervention and are standing up against it in several areas."

Whitehurst pointed out that the State Bar of Texas has been a pioneer in several areas including legal services, IOLTA, and serving the profession and the public. He acknowledged that the legal profession in Texas does have some problems but, "we are working on them."

Whitehurst concluded by telling the FTC general counsel, "We want to work with you, not for you."
TYLA Fills 16 Seats
On Board of Directors

The TYLA board of directors has 31 regular seats with staggered two-year terms. This year, odd-numbered districts elected representatives to the board. New directors are profiled in the following section.

District 1
John R. Mercy

John R. Mercy is an associate with the Texarkana law firm of Atchley, Russell, Waldrop & Hlavinka. He earned his B.A. from Austin College in 1979 and his J.D. from Baylor University School of Law in 1982. Mercy served on the TYLA Practice Notes Committee during 1982-84. He serves on the State Bar History and Traditions Committee. Mercy is a member of the Arkansas Bar Association, Texas Association of Defense Counsel, Texarkana Bar Association, North East Texas Bar Association and Southwest Arkansas Bar Association. He is post advisor for Explorer Post 401 and a frequent speaker in the Texarkana area schools. He is married to the former Kelly Stringfellow of Sherman.

District 3
Roger A. Key

Roger A. Key is a partner in the Lubbock law firm of Key & Key. He earned a B.B.A. from the University of Texas in 1973 and a J.D. from Texas Tech School of Law in 1976. Key serves on the State Bar Legal Forms Committee and has met the qualifications for membership in the State Bar College during 1985. A member of the Texas Association of Bank Counsel, he serves on its board of directors. Key also is a member of the Texas Association of Defense Counsel, West Texas Bankruptcy Lawyers Association and Lubbock County Bar Association. Key serves on the board of directors of the Southwest Lubbock National Bank and West Central Investment Corporation, Methodist Hospital and administrative board of the First United Methodist Church. He and his wife, Ann, have three children, Katie, Alan, and Allison.

District 5
Barry Sorrels

Barry Sorrels is a partner in the Dallas law firm of Jackson, Sorrels, Shapiro & Anton. He was assistant district attorney for Dallas County during 1978-80. Sorrels graduated from Columbia University in 1975 and earned his J.D. from Southern Methodist University School of Law in 1978. Sorrels is board certified in criminal law by the National Board of Trial Advocacy and the Texas Board of Legal Specialization. He is a member of the State Bar College and a frequent criminal law lecturer. Sorrels is secretary of the Dallas Association of Young Lawyers and editor of the DAYL newsletter. He is a member of the State Bar College and a fellow in the Texas Bar Foundation. Sorrels and his wife, Glenda Kay, have one daughter, Quincy Kay.

District 7
Gerald L. Bracht

Gerald L. Bracht is a partner in the Houston firm of Mayor, Day & Caldwell. He earned a B.B.A. from the University of Texas in 1973 and J.D. from the University of Texas School of Law in 1976. Bracht is a member of the Houston Young Lawyers Association and has served on various committees, including the Law Day and Sports Committees. He was chairman of the TYLA Editorial Committee during 1983-84 and as co-chairperson of the Juror Education Committee in 1984-85. Bracht is a member of the Texas Association of Defense Counsel and served as chairman of the TADC Products Liability Committee. He and his wife, Barbara, have one daughter, Jennifer Leigh.
District 9
J. Michael Bradford

J. Michael Bradford is an assistant U.S. attorney, Eastern District of Texas in Beaumont. He earned his B.S. summa cum laude at North Texas State College in 1975 and his J.D. from the University of Texas School of Law in 1978. He served as a briefing attorney for the Texas Court of Criminal Appeals for a year before moving to Beaumont where he was a partner in the law firm of Mehaffy, Garcia & Bradford. He is board certified in criminal law. Bradford is a member of the Jefferson County Young Lawyers Association, Jefferson County Bar Association and Texas Trial Lawyers Association. He was a legal instructor at Lamar University Paralegal School during 1984-85. Bradford is coordinator of Law Explorer Post 650, a member of the Neches County District Committee, Boy Scouts of America. He is a member of the Beaumont Chamber of Commerce and Young Men’s Business League. He is married to Vivian Gatewood.

District 11
Richard E. Brophy, Jr.

Richard E. Brophy, Jr. is a member of the Waco law firm of Naman, Howell, Smith & Lee, P.C. He earned a B.B.A. from Baylor University in 1974 and a J.D. from Baylor Law School. Brophy has served on the TYLA Nominating Committee, Protection of Children Committee, Public Service Handbooks Committee, the ABA Committee on Banking Law and the State Bar, Section of Taxation, Corporate Tax Problems Committee. He is a member of the American Institute of Certified Public Accountants, Texas Association of Bank Counsel, Waco-McLennan County Young Lawyers Association, YMCA of Central Texas, Community Cancer Association and serves on the board of directors of First Mexia Bank. Brophy and his wife, Carolyn Brooks Brophy, have two children, Julia Brooks and Rebecca Lynn.

District 13
Mikal Lambert

Mikal S. Lambert is a member of the Wichita Falls law firm of Filmore, Purtle & Spurgers. He earned a B.A. from Midwestern University in 1977 and his J.D. from the University of Texas School of Law in 1980. He has served on the TYLA Legislative and Disaster Emergency Legal Services Committees and is president of the Wichita Young Lawyers Association. Lambert serves on the board of directors of Foster Child Advocate Services and the Administrative Board of University United Methodist Church. He and his wife, Julie, live in Wichita Falls.
District 15
George Almaraz

George A. Almaraz is a partner in the Edinburg law firm of Henrichson, Smith & Almaraz. He earned a B.A. from the Pan American University and a J.D. from the University of Houston Bates College of Law. Almaraz serves on the board of directors of the Hidalgo County Bar Association and the United Way Agency. He is a member of the Jaycees, University of Houston Law Center Alumni Association, Texas Criminal Defense Lawyers Association and the Texas Trial Lawyers Association. He was listed in Outstanding Young Men of America in 1982. Almaraz is a guest lecturer at the Pan American University and adjunct professor at the Reynaldo G. Garza School of Law. He and his wife, Zelma, have two children, John Daniel and Christopher Patrick.

District 17
Charles L. Black

Charles L. Black is a partner in the Abilene law firm of Scarborough, Black, Tarpley & Scarborough. He earned a B.B.A. with honors from the University of Texas in Austin in 1976 and a J.D. from the University of Houston Bates College of Law in 1979. Black is a member of the Abilene Bar Association and has served as secretary/treasurer and director. He is a member of the Abilene Young Lawyers Association and the Abilene Business and Estate Planning Council. He and his wife, Leigh Schoenvogel Black, have two children, Travis and Taylor.

District 19
C. Medford Owen, Jr.

C. Medford Owen, Jr. is a partner in the Midland law firm of Bullock, Scott & Neisig. He earned a B.S. with honors from the Eastern Illinois University and a J.D. from the University of Texas School of Law. Owen's practice is primarily in the areas of commercial litigation. He and his wife, Pamela Ann, have two children, Tesa and Christopher.

District 21
Ben Woodward

Ben Woodward is a partner in the San Angelo firm of Griffis, Griffis, Whiteside & Woodward. Woodward earned a B.B.A. from the University of Texas and a J.D. from the Texas Tech School of Law. Woodward was a briefing attorney for Judge Zollie Steakley, former justice of the Supreme Court of Texas, after graduating from law school. He served as secretary-treasurer of the Tom Green County Bar, secretary-treasurer and president of the Tom Green County Young Lawyers Association. He is a member of the Sierra Vista United Methodist Church and serves on the board of trustees. Woodward is president of Hospice of San Angelo, Inc., a member of the executive board of the Concho Valley Council of Boy Scouts and a participant in Leadership San Angelo in 1984. He and his wife, Gwen, have two daughters, Catherine and Beverly.

District 23
Paul D. Gallego

Paul D. Gallego is associated with the Laredo law firm of Mann, Trevino & Hale. He earned a B.A. from Texas A&M University in 1976 and a J.D. from the University of Houston, Bates College of Law in 1979. Gallego served two years in the U.S. Army, achieving the rank of captain. He was awarded the Army Commendation Medal for Meritorious Service. He has served as vice president and treasurer of the Laredo Young Lawyers Association and is currently the president-elect. Gallego is a director of the Laredo Volunteer Lawyer's Program, Inc. He and his wife, Mary Helen, have two daughters, Yvonne Marie and Lisa Rochelle.

District 25
Janis L. Yarbrough

Janis L. Yarbrough is a solo practitioner in Hitchcock. She earned a B.A. from the University of Texas in 1973 and a J.D. from the University of Houston, Bates College of Law in 1977. Yarbrough taught U.S. history to high school students before earning her J.D. She was associated
with the firm of Tramonte, Apffel, Urbani & Tramonte before going into solo practice. Yarbrough served as president of the Galveston County Young Lawyers Association in 1983 and was named the Outstanding Young Lawyer for Galveston County in 1983. She was president of Crimestoppers during 1982-83 and serves on the board of directors. She is on the board of directors of the United Way and is a part-time professor at College of the Mainland.

**District 27**

**Daniel L. Merz**

Daniel L. Merz is a corporate attorney with the Houston-based Transco Energy Company. He earned a B.A. from Texas A&M University in 1978 and a J.D. from the University of Houston, Bates School of Law in 1982. Merz was a director of the Houston Young Lawyers Association. He chaired the HYLA Courthouse Visitation Committee for two years and was a member of the Continuing Legal Education, Local Practice and Corporate Counsel Committees. Merz is a member of the Brethren Church of Nelsonville. He and his wife, Sandra, have three children, Carrie, Macie, and Eli.

**District 29**

**Brad Wiewel**

Brad Wiewel is a private practitioner in Austin. He earned a B.A. from the University of Illinois in 1974 and a J.D. with honors from Saint Mary's School of Law in 1978. Wiewel is president of the Texas Consumer Association and immediate past president of the Austin Young Lawyers Association. He has been a legal instructor at Southwest Texas State University and Austin Community College. Wiewel is a member of the Capitol Area Young Democrats, Central Austin and West Austin Democrats, University Toastmasters Club, Austin Chamber of Commerce, Christian Legal Society and Travis County Women Lawyers' Association, Austin Lawyers Care and Wilderness Society Association.

**District 31**

**W. Wendall Hall**

W. Wendall Hall is an associate in the San Antonio office of Fulbright & Jaworski. He earned his B.A. from the University of Texas in 1978 and his J.D. from St. Mary's University School of Law in 1981. After law school, Hall served as a briefing attorney for John F. Onion, Jr., presiding judge of the Texas Court of Criminal Appeals. He has served as chairman of the Community Projects Committee for the San Antonio Young Lawyers Association and as a member of the Law Day Committee of the San Antonio Bar Association. Hall serves on the Board of Directors of the Texas Young Lawyers Association. Hall serves on the advisory board of the Pro Bono Law Project and Bexar County Mediation Center. He is a member of the U.S. Supreme Court Historical Society, United Way, Allocations Panel, University Presbyterian Church, and a Fellow of the San Antonio Bar Foundation.

The reputation of a professional is his most prized possession. It speaks of his dedication, his knowledge and the application of that knowledge. It speaks of his integrity and good name.

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September 1985 Texas Bar Journal 1027
"Professionalism means helping those who cannot afford legal services! Attorneys, you can back up your proclamation of professionalism by supporting Pro Bono and IOLTA programs."

This challenge was made by Charles L. Smith, president of the State Bar, on June 21 during the Pro Bono Law Project Appreciation Luncheon held to honor the 450 San Antonio attorneys and other professional volunteers who have contributed more than 5,000 hours during the last 12 months representing low income people with legal problems.

The Pro Bono Law Project of Bexar County Legal Aid is an organized broad-based program of private attorney and other professional involvement which has served the poor in Bexar County since 1982. This project expands the resources available through Legal Aid; to date, 1,200 Bexar County residents have been served by a panel of attorneys, social workers, doctors, paralegals and private investigators. The panel’s work is representative of the idealism and commitment of volunteers who work “pro bono,” for the good of this community. Because of this outstanding service, Mayor Henry Cisneros proclaimed June 21 as Pro Bono Law Day.

At the luncheon, certificates of merit were presented to the 26 attorneys and professionals who completed their yearly commitment to Pro Bono. Community Assistance Awards went to District Clerk David Garcia, County Clerk Robert Green and Probate Clerk Mel Spillman. The law firm of Groce, Locke & Hebdon received the Large Firm of the Year Award while the Small Firm of the Year Award went to the law firm of Childress & O’Neill. Larry Garcia was commended for the hundreds of hours spent on a child custody case and received the Sole Proprietor of the Year Award.

David Jayne, of the law firm of Tinsman & Houser, was the recipient of the Attorney of the Year Award. Sherry Hooten, PBBLP Coordinator, informed the audience that “David accepted the role of Guardian Ad Litem and literally became guardian of the child. He has given his ‘adoptive’ daughter a new start in life through corrective surgery, permanent housing and a future which places higher education at its base.”

A spoof of the Broadway Musical "Camelot" entitled "Care-A-Lot" highlighted this year’s luncheon entertainment. Judges, attorneys and other members of the legal profession graced the production with their presence.
Cameron County

On June 8, the Cameron County Bar Association, Inc. hosted a Bankruptcy Seminar at the Sheraton Inn in Harlingen for attorneys from Cameron, Hidalgo, and Willacy Counties.

Ridge Case, president of the Cameron County Bar Association, Inc., welcomed the 60 attorneys in attendance and introduced Gary Knostman, a trustee for the Southern District of Texas, who was responsible for obtaining the panel of speakers.

Speakers at the seminar were Manual Leal, bankruptcy judge; Joseph J. Heston, bankruptcy clerk for the Southern District of Texas; and Jim Brown, deputy chief of the Judgment Enforcement Unit, Civil Division of the United States Department of Justice in Washington, D.C.

Other speakers included Marjorie Payne, Mark C. Harwell, and William Baca, all private practitioners from Houston, and Ken Wood, a C.P.A. from Sugarland.

The topics discussed included consumer and commercial reorganization, secured creditors' protection of their collateral, procedures followed by the Bankruptcy Clerk's office, and the role of the C.P.A. in reorganizations.

Judge Leal, who is responsible for the Brownsville Division of the Southern District of Texas, commented on the procedural practice before his court.

Calhoun County

The Call-A-Lawyer program proved to be such a popular community service that the HBA board of directors made it a monthly event. Above, Charlotte Harris and Robert MacIntyre answer callers' legal questions.

The makeup of each monthly panel of volunteer attorneys will include those experienced in domestic relations, wills and probate, criminal law and general civil law. In November, there will be an emphasis on family law problems and in April the panel will feature experienced tax attorneys to answer citizens' questions on filing their tax returns. The HBA will make a special effort to have Spanish-speaking attorneys present each month.

LegalLine already has received widespread media coverage, and posters advertising the phone number were distributed throughout the city.

Houston

The Houston Bar Association recently kicked off its newest community service project, "LegalLine."

LegalLine is a monthly project that gives Houston area citizens the opportunity to call the HBA office between 5 and 9 p.m. on the first Wednesday of each month and speak to one of a panel of volunteer attorneys. Citizens can get free legal advice, ask simple legal questions and be referred to the appropriate social service agencies to handle their problems.

Sixteen attorneys will volunteer their time each month to handle calls on LegalLine. Houston attorney Frank V. Panzica is chairman of the program.

LegalLine began in 1984 as the "Call-A-Lawyer" program, a special activity for Law Day. This year, attorneys handled more than 600 phone calls during a two-hour period on May 1. Because of the success of this program, the HBA board of directors decided to make it a continuing community service project.

The Houston Chapter of the Texas Association of Civil Trial Specialists has elected officers for the next year. The president is Julius Glickman, vice president is Charles Dippel, treasurer is Jack Emmott, secretary is Morley White and the directors are Ron Tigner, Frank Jones, John Barnhart, and Bill Blanton.

Calhoun County

The 1985-86 officers of the Calhoun County Bar Association are: Mike Fricke, president; David Roberts, vice president; Wanda Roberts, secretary-treasurer; Charles Hood, director and past president; and Alex Hernandez, Mark Kelly, and Larry Dio, directors.

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Memorials

P.A. Abeyta

Patrick A. Abeyta, 37, of Lubbock died Dec. 9, 1984.

Abeyta, a native of Tucumcari, NM graduated from Texas Tech University with honors in 1972 and the Texas Tech School of Law in 1975. He was admitted to the Texas Bar in 1975.

Abeyta served in the U.S. Army from 1967 to 1970. He was a staff sergeant, 173rd Airborne Division. He was awarded a National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal, Combat Infantryman's Badge, two Bronze Stars, an Air Medal and two Purple Hearts.

Abeyta practiced law in Lubbock from 1975 until his death.

Abeyta was a member of the Association of Immigration Nationality Lawyers, the Texas Criminal Defense Lawyers Association, C.O.M.A., Phi Alpha Delta law fraternity, the American Legion and Christ the King Catholic Church. He was an organizer and board member of the Thomas More Prep School.

Abeyta taught immigration law at Texas Tech one semester and served on the advisory committee to the political science department at Texas Tech.

He is survived by his wife, Tina Abeyta, 5701 79th St., Lubbock 79424; two sons, Sean Patrick and Anthony Dale Abeyta, both of Lubbock; a daughter, Rachel Ann Abeyta of Lubbock; his parents, Mr. and Mrs. Emilio Abeyta of Littlefield; a brother, Emilio E. Abeyta of Springfield, VA; three sisters, Catherine Abeyta of Lubbock, Molly Martinez of Littlefield and Maxine Abeyta of Lubbock.

F.W. Moore

Fred W. Moore, 82, of Houston died Sept. 17, 1981.

Moore, a native of Austin, earned his B.A. and LL.B. from the University of Texas in 1920. He was admitted to the Texas Bar in 1919 and the New York Bar in 1927.

Moore served as a flying cadet in the U.S. Navy during World War I and as a Lieut. J.A.G. during World War II.

He was an attorney with the Texas Company in New York City from 1926 to 1931. Moore moved to Houston in 1931 and practiced there until his death.

He was a member of the Kappa Alpha order social fraternity, Sons of the Revolution, Sons of the Confederacy and Vestry Palmer Memorial Church in Houston.

Moore received the Good Citizens Award from the Sons of the American Revolution in 1958.

He is survived by his wife, Marie Moore, 1925 Sunset Blvd., Houston 77005; two daughters, Mrs. Julia Jones of El Paso and Marcia Moore of Houston; and two grandchildren.

J.D. Dashiell


Dashiell, a native of Leon County, was on the all Marine Football team in 1928-29. He then played football for what is now the Washington Redskins.

He attended Georgetown University at Washington, D.C., Northwestern University at Evanston, IL and the Dallas Law School. He was admitted to the Texas Bar in 1935.

Dashiell practiced law in Jacksonville, Cherokee County until 1941 when he moved to Buffalo, Leon County. He re-enlisted in the U.S. Marine Corps and served in the South Pacific during World War II.

He returned to Leon County where he remained until his retirement in 1976. Dashiell served as county attorney.

He is survived by his wife, Gladys T. (Beth) Dashiell of Fresno, CA; a son, Benjamin Douglas Dashiell of Oakland, CA; a daughter, Sandra D. Foraker of Bartlesville, OK; a brother, Cecil D. Dashiell of Ker- rville; a sister, Mattie D. Green of Hurst; 13 grandchildren and two great-grandchildren.
C.C. Ingram, Jr.

A native of Kirbyville, Ingram attended Texas A & M and the University of Texas. He graduated from Baylor Law School in 1932 and earned his J.D. cum laude from Baylor in 1969. Ingram was admitted to the Texas Bar in 1932.
Ingram served in the U.S. Air Force during 1942-46 and was discharged holding the rank of captain.
Ingram practiced law in Wharton from 1932 to 1984. He owned and operated Ingram Abstract Company and served as a Baylor University School of Law Counsellor.
He was a charter member of the Texas Bar Foundation. Ingram was a member of the First Baptist Church in Wharton, the American Judicature Society, the Rotary Club, Masonic Lodge, Wharton Shrine Club, the American Legion, Wharton Country Club, Wharton Chamber of Commerce and on the board of trustees at the Wharton Bank & Trust Company.
Ingram was a 50-year member of the Baylor Law Alumni Association, the Baylor Law Foundation and Baylor Bear Club.
He is survived by his wife, Elizabeth Goodlet Ingram, 512 Mockingbird Lane, Wharton 77488; two stepsons, Jeffrey D. Blair of Wharton and William R. Blair of Canyon Lake; a sister, Mrs. Dorothy Turney of Rosharon and two granddaughters.

J.D. Dickson

J. Donnell Dickson, 82, of Seymour died March 21, 1985.
A native of Seymour, Dickson attended the University of Texas and Cumberland Law School. He was admitted to the Texas Bar in 1923.
Dickson practiced law in Seymour his entire career. He served as district attorney, 50th Judicial District, county attorney of Baylor County and Baylor County Judge from 1962 to 1970.
Dickson was honored as 50-year lawyer by the State Bar of Texas in 1974. He was a 50-year member of the Masonic Lodge, Seymour No. 604, A.F. & A.M., Delta Theta Phi legal fraternity and the Presbyterian Church at Seymour.
Dickson served on the Texas Democratic Committee four years.
He is survived by his wife, Grace Brooks Dickson, Star Route, Box 17, Seymour 76380; a son, Joe Dickson, county judge at Seymour; and three grandchildren.

In Memoriam

These notices are published immediately after reports of death are received. Memorials will be published later.

BAILEY, MICHAEL H., Springfield, May 23, 1985
BETTS, WILLIAM HARVEY, Hempstead, June 3, 1985
BOONE, JAMES C., Houston, November 1984
BURLESON, RALPH ODELL, Marfa, March 1, 1985
CARSON, ROBERT CARY, Fort Worth, July 13, 1984
COX, JOHN LAWRENCE JR., Houston, March 30, 1985
FISHER, LEWIS D., Houston, February 1984
FLOWERS, GARLAND, Fort Worth, June 9, 1985
HARGRAVE, HELEN, Austin, May 15, 1985
HALL, HARTMAN LEE, Houston, Aug. 4, 1984
LUCAS, IDELL J., Houston, July 1983
LAYTON, EDGAR W., Dallas, March 10, 1985
LEEDS, WILLIAM LATHAM, Dallas, Sept. 26, 1984
LITTLE, J. HERMAN, Dallas, March 6, 1985
LITTLE, J. PAUL, Crystal City, Aug. 6, 1984
MCCABE, IVAN LEWIS, Springdale, April 15, 1985
MILLER, WALLACE H., Huntsville, May 1, 1985
MOORE, EMMETT, Fort Worth, Jan. 23, 1985
PEYTON, GEORGE COCHRAN, Houston, April 18, 1985
PICKET, WILLIAM THOMAS, Burgeo, May 9, 1984
RATLIFF, DENNIS P., Haskell, March 15, 1985
ROBERTS, SAM SWINFORD, Beaumont, April 9, 1985
ROSS, LOUIS C., Denver, CO, Oct. 3, 1984
SACCOMANNO, I.J., Houston, Feb. 16, 1985
SCHMITT, JAMES RHOADES, Houston, Nov. 27, 1984
SMITH, J. ORVILLE, Lubbock, April 17, 1985
SPEARS, MARK ALAN, Texarkana, AR, May 11, 1985
STANLEY, JOE L., Austin, Jan. 30, 1985
STEPPHENS, ARTIE P., Sulphur Springs, May 30, 1985
SULLIVAN, TILFORD B., JR., Austin, May 22, 1985
TAYLOR, DUKE RICKS, JR., Center, Feb. 13, 1985
TRAMMELL, WASH BRYAN, JR., Houston, April 24, 1985
TYNES, JACK WOPFORD, Dallas, Feb. 3, 1985
WOLFF, WALTER C., San Antonio, April 20, 1985

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C.H. Clark

Charles Henry Clark, 93, of Corpus Christi, died May 26, 1984.

Clark, a native of Sherman, attended the University of Texas in Austin from 1910 to 1916. He earned a B.A., M.A. and LL.B. He was admitted to the Texas Bar in 1916.

Clark served as a 2nd Lieutenant in the 51st Field Artillery at Fort Sill, OK during 1918-19.

Clark practiced law in Breckenridge from 1919 to 1936 and Corpus Christi from 1936 to 1980. He served as general counsel for Southern Minerals Corporation from 1943 until it merged with Sun Oil Company in the early 1970s.

Clark served as mayor of Breckenridge from 1928 to 1932. Clark was a member of the Knife and Fork Club, Kiwanis Club, Board of Regents of Del Mar College when it was established in 1951. He served as chairman of the board for 13 years.

Clark was a member of the First Christian Church in Breckenridge and then the First Christian Church of Corpus Christi. He had served as superintendent of Sunday School, chairman of the church board and Sunday School teacher.

Survivors include his son, Gilbert B. Clark, a hurricane specialist in Miami, FL; a sister, Mrs. Bessie Carter of Abilene; three grandchildren and five great-grandchildren.

R.B. Johnson


Johnson, a native of San Angelo, earned a B.A. from the University of Texas in 1959 and an LL.B. from the U.T. School of Law in 1962. He was admitted to the Texas Bar in 1962.

Johnson served in the U.S. Marine Corps and was honorably discharged in 1962.

Johnson began his law career as an assistant district attorney in Lubbock during 1962-63, and then as assistant attorney general in Austin from 1963-68. He practiced with Wilson, Berry & Jorgenson in Dallas. From 1977 to 1983, Johnson practiced with Filmore & Camp in Fort Worth. During 1983-84, he worked with Camp, Jones, Johnson, O’Neil & Hall. Johnson opened a private practice of law in July 1984 under the name of Roy Johnson, P.C. He also served as of counsel to Wallace Craig, P.C.

Johnson served on the board of directors of the Tarrant County Mental Health, Mental Retardation and as a member of the task force which revised the mental health code for Texas. He was a member of Alpha Tau Omega social fraternity and St. John’s Episcopal Church in Fort Worth.

Johnson wrote short stories and was concerned with “patients’ rights” with respect to the mentally ill.

He is survived by his wife, Jody Buchanan, 2913 6th Ave., Fort Worth 76110; two daughters, Lori Johnson of New Orleans, LA and Karen Johnson of Dallas; a sister, Judy Latimer of Austin and parents, Juanita and Leroy Johnson of Georgetown.

W.F. Dunn, III

William Francis “Chip” Dunn, III, 37, of Amarillo died June 24, 1984, after falling from a mountain ridge while backpacking in New Mexico.

Dunn, a native of Clinton, OK, earned a B.B.S. from West Texas State University at Canyon in 1969 and a J.D. from the University of Colorado School of Law at Boulder in 1974. He was admitted to the Texas Bar and the Colorado Bar in 1974.

Dunn practiced law in Amarillo from 1975 until his death.

Dunn enjoyed skiing, backpacking, trout fishing and running. He had competed in three marathons in the month preceding his death.

Dunn was a veteran of the U.S. Army.

He is survived by two sons, David and Joseph Dunn, both of Amarillo; his parents, Mr. and Mrs. William F. Dunn of San Angelo; two brothers, Dr. Michael L. Dunn of Albuquerque, NM and Paul Dunn of San Antonio; a sister, Ann C. Dunn of San Angelo; and his grandmother, Katy Miller Roberts of San Angelo.
Francis B. Dunn, 80, of Waukesha, WI, died March 23, 1985. Dunn, a native of Montgomery, earned his LL.B. from Cumberland University in 1927. He took graduate classes at the University of Missouri. Dunn taught school in Port Arthur from 1927 until 1933. In 1933, he opened a private law practice and bought two local service stations. In 1942, Dunn moved to Houston and served as personnel director of Brown Shipping Company. In 1945, he was made plant manager for A.O. Smith Corporation. In 1952, Dunn was named vice president and general manager of Consolidated General Products. In 1963, he bought Aeroshade, Inc. in Waukesha, WI and moved to Waukesha to run the corporation which makes woven wooden window blinds.

He was a member of Rotary International, a noble of the Mystic Shrine in the Arabia Temple in Houston, Park Place Lodge No. 1172. Dunn served as director of the First National Bank of Waukesha, Marine National Bank of Waukesha and Marine Bank West.

Dunn is survived by his wife, Elizabeth Dunn, 120 S. Porter Ave., Waukesha, WI 53186; a daughter, Bette Blasing of Dousman, WI; a son, Robert Dunn of Waukesha, WI; a brother, Jesse Dunn of Ponca City, OK; six grandchildren and one great-grandchild.

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Experienced civil trial attorney (with diverse practice) from economically depressed area seeks relocation. For biographical details, please refer to Volume VI Martindale-Hubbell Law Directory page 1037B. Application for admission to Texas Bar pending. Compensation open. Roy T. Traynor, P.O. Box 538, Wausau, WI 54401.

Partner with 15 years’ experience representing management in labor law wants challenge of starting/expanding labor department for Texas firm. Presently with national management in labor law wants challenge of starting/expanding labor department for Texas firm. Presently with national practice but admitted in Texas. Wishes to relocate to Texas but would also consider establishing branch office in another sunbelt location. Box-holder 6067.

Board certified personal injury TRIAL LAWYER. Seven years’ experience. Houston lawyer seeking position with personal injury or defense firm. Has sources of referral business and existing litigation files. Can assume trial docket immediately. Contact Box-holder 6072.

Expanding, 60-attorney, AV-rated Dallas law firm seeks attorneys with zero to five years’ experience in one of the following areas: corporate/securities, litigation, banking, tax and real estate. Excellent academic and/or work history required. Send resume in confidence to Box-holder 6071.

Coastal Bend Legal Services is currently accepting applications for the position of staff attorney in its Corpus Christi Law Center. The Law Center is located in downtown Corpus Christi and serves eligible clients in Nueces County. Bilingual (Spanish/English) preferred, but not required. Must be licensed to practice in Texas. Salary starts at $20,500 plus, depending on experience. Send resume and writing samples to: Errol A. Summerlin, Executive Director, Coastal Bend Legal Services, 102 Pueblo St., Corpus Christi 78405.

TAX LAWYER WANTED - Medium-sized, expanding West Texas law firm seeks tax attorney with minimum three years’ experience and L.L.M., to handle firm’s practice in the areas of business taxation and estate planning. Compensation based on qualifications and experience. All inquiries confidential. Send resume and photograph to Box-holder 6073.

Attorney with title company background interested in relocating. Experienced land title examiner and abstracter for title insurance purposes. Examination from abstracts and stand-up title work in various areas of Texas. Heavy title company examination with major north Texas company. Will consider legal position in smaller town with active business climate in any part of the state. Box-holder 6057.

ADMINISTRATOR - Experienced, career oriented legal administrator located in Austin seeks position with ambitious Austin law firm. Resume and personal data supplied on request. Please send correspondence including job description in confidence to Box-holder 6055.

Colorado attorney: 10 plus years’ experience in general practice with emphasis in civil litigation and substantial appellate experience seeks challenging, busy and remunerative litigation position. Box-holder 6065.

Business attorney, one-year experience, top academic credentials, strong lawyering abilities, Texas license, with 100 lawyer-plus Texas firm, seeks smaller, high-energy firm, offering challenging business or real estate practice. Reply to Box-holder 6066.

POSITION WANTED

AV-rated North Dallas solo practitioner seeks association with similar attorneys in Dallas. Experience in litigation, corporations, taxation, estate planning and real estate, but would like to specialize. Desire to create small firm with aggressive, business oriented attorneys. Send replies to Box-holder 6056.

Licensed attorney seeks international tax or non-tax position with firm or corporation in Dallas or Houston. Background in field includes law school classwork and attendance at professional conferences. Also, one-year judicial clerkship with Texas appellate judge. Fluent in Spanish. Box-holder 6059.

ATTORNEY WANTED

OIL & GAS ATTORNEY - Established and growing mid-sized AV-rated firm seeks attorney for oil and gas section. All resumes held in confidence. Please send resume with salary history and photo to Porter, Rogers, Dahlman & Gordon, 1800 Guaranty Plaza, Corpus Christi 78475, ATTN: Office Manager.

Law, Snakard & Gambill, a firm consisting of 40plus attorneys in Fort Worth is interested in employing an attorney with experience in real estate/land title litigation. Salary commensurate with experience and background. Excellent benefits as well as good location and surroundings. Excellent academic credentials essential. Please submit resume and references to Brenda Noel, 3200 Texas American Bank Building, Fort Worth 76102. Replies confidential.

AV-rated, medium-sized uptown Dallas law firm seeks two attorneys: one with two to four years’ experience in the areas of real estate, banking, securities and oil and gas; another with one-and-a-half to two years’ experience in commercial litigation. Excellent academic credentials required. Reply in confidence with resume to Rohde, Chapman, Ford & How, 3331 McKinney Ave., Suite 700, Dallas 75204.

ATTORNEY WANTED: Civil litigator with two to four years’ experience for small downtown Dallas AV-rated defense firm. Salary negotiable. Replies confidential. Box-holder 6048.

ATTORNEYS NEEDED: Growing, recently formed, medium-sized AV-rated downtown Dallas law firm seeking two attorneys with up to two years’ experience in commercial or creditor relations litigation and two attorneys with one to four years’ experience in lending, real estate or syndication practice. Qualifications should include strong academic credentials. All inquiries will be kept confidential. Box-holder 6002.

Successful, small, young Rio Grande Valley plaintiff’s law firm is seeking an experienced trial lawyer with a minimum of two years’ first chair trial experience, capable of developing a case from its initial stages through the trial stage. Base salary plus percentage of attorneys’ fees. Send resume to: Law Office, P.O. Box 5267, Brownsville 78520.

TRIAL LAWYER - Aggressive San-Antonio AV-rated plaintiff’s firm seeks attorney experienced in successful preparation and first chair trial practice to verdict of personal injury and workers’ compensation cases. High academic record, creative imagination and tenacity desired. Send resume in confidence to Box-holder 6044.
ATTORNEY WANTED

GALVESTON: Small, aggressive firm. General practice, personal injury, and criminal practice firm to interview law clerk to become associate and a lawyer with two to five years' civil and criminal trial experience. Income based upon percentage of fees received by associate. Law clerk fee negotiable. Good opportunity for growth and ownership of firm within five years. Send resume and/or call: Robert M. Moore & Associates, 7511 Broadway, Galveston 77551. 409/740-0224.

ESTABLISHED CORPUS CHRISTI: AV-rated, medium-sized general civil firm seeks attorney. Excellent academic credentials and/or successful employment experience essential. Send resume and references to Box-holder 6046.

Respected four-person San Antonio AV-rated litigation firm seeks associate or association with experienced business attorney having established, corporate, tax, and real estate practice to service firm's business clients. Compensation and relationship open. Send resume in strict confidence to Box-holder 6045.

Growing 11-lawyer downtown Houston firm specializing in general civil and insurance defense litigation seeks aggressive lawyer with one to three years' trial experience in personal injury and/or general civil (including commercial) trial law. Top third academics and strong trial experience preferred. Send resumes to Box-holder 6041.

BEAUMONT - Established expanding medium-sized firm has several openings in litigation and business sections. Litigation is predominately defense oriented. Looking for applicants with one to three years' experience with outstanding professional and academic credentials. Send detailed resume with salary requirements to Hubert Oxford, III at Benckenstein, Oxford, Radford & Johnson, P.O. Drawer 150, Beaumont 77704.

ATTORNEY JOBS - National and Federal Legal Employment Report: A monthly detailed listing of hundreds of attorney and law-related jobs with the U.S. Government and other public/private employers in Washington, D.C., throughout the U.S., and abroad. $30 - three months; $50 - six months; $90 - 12 months. Send check to FEDERAL REPORTS, INC., P.O. Box 3709, Georgetown Station, Washington, D.C. 20007-0209. ATTN: TBJ. Call 202/393-3311. Visa/MC.

TAX ATTORNEY WANTED. Major downtown San Antonio law firm seeks tax attorney with in excess of five years' experience, to practice in areas of business tax, including corporate reorganizations, syndications and private placements. Compensation based upon qualifications and experience. All inquiries confidential. Send resume to Box-holder 6011.

ATTORNEY WANTED

Fifty-lawyer firm in Austin seeks business lawyer with four to eight years' experience in securities or banking. Top credentials required. Compensation competitive with large Texas firms. All inquiries confidential. Reply to Box-Holder 6042.

Fifty-lawyer firm in Austin seeks lawyer with one to four years' experience in health care law. Top credentials required. Compensation competitive with large Texas firms. Send resume and writing sample to Box-holder 6043.

Pleasant, aggressive AV-rated law firm seeks: (1) quality associations in litigation, real estate or corporate and (2) full-time associate or partner to staff firm's U.S. Virgin Islands office located in St. Thomas, U.S.V.I. Large firm experience preferred. Excellent academic record important. Open compensation arrangements. Please provide your resume in confidence to Samuel L. Boyd, Boyd & Dubose, 2001 Bryan Tower, Suite 2700, Dallas 75201.

Small North Dallas business and commercial oriented AV-rated law firm has opening for litigation associate with one-and-a-half to three years' experience. Applicants must have first chair jury trial experience in state and/or federal court plus 30 percent law school ranking. Reply to Box-holder 6013.

Large downtown Dallas law firm seeks attorney in electrical, mechanical, or chemical discipline with one to three years' patent experience and strong academic credentials. Opportunity for diverse practice including patent, trademark, and copyright litigation. Inquiries will be held in strict confidence. Send resume to Box-holder 6025.

Forty-five attorney AV-rated Dallas firm has immediate need for securities attorney with top academic credentials and three to six years' experience in SEC compliance, reporting and registration. Salary competitive and commensurate with ability and experience. Send resume in confidence to Hiring Partner, Box 50882, Dallas 75220. Our employees know of this ad.

Merger partner(s) wanted by AV-rated southwest Houston four-partner firm practicing in real estate, oil and gas, taxation, bankruptcy, corporate, civil trial, and probate law. Please reply to Leonard Weiner at 713/772-3040.

Small, AV-rated Fort Worth firm needs a litigator with two to five years' experience for business and commercial litigation matters, and a business lawyer of similar experience for involvement in corporate, real estate, and estate planning matters. Good academic background required. Reply in confidence to Box-holder 6026.
ATTORNEY WANTED

Business and real estate oriented, nine-attorney firm in southwest Houston seeks associates with experience in civil trial and corporate fields. Excellent clientele and opportunity for aggressive, hard working attorneys. All replies strictly confidential. Reply to Box-holder 6027.

PLAINTIFF'S HEALTH CARE LIABILITY FIRM NEEDS A LAWYER licensed in Texas as assistant to trial lawyer. Duties include research and all facets of trial preparation. Qualifications include high academic standing and good communication skills. Must complete current court briefing attorney appointments, if applicable. Benefits competitive. Salary commensurate with qualifications, skill, and experience. Send resume, picture and writing sample to Keith, Strickland & Wagner, P.C., 1501 First City Bank Tower, 201 Main St., Fort Worth 76102, Attention: James P. Wagner.

Small AV-rated North Dallas firm seeks young associate with interest in real estate and civil litigation practice. Excellent opportunity for young lawyer with good academic credentials who seeks responsibility and advancement. Send resume in confidence to Box-holder 6028.

AUSTIN LAW FIRM: Mauro, Wendler & Associates, needs experienced real estate and property lawyer. Applicants must have extensive experience handling large joint ventures and other real estate contracts for land developers. Applicant must also have detailed knowledge of federal tax rules and regulations pertaining to complicated real estate development contracts. Compensation needs not a barrier if proper experience shown. Please apply by mail only, sending resume and proof of experience. United Bank Tower, Suite 810, Austin 78701.

WANTED: Young lawyer, with or without experience, to join lone practitioner in small southeast Texas town. Practice is of a general nature, mostly civil. This is a wonderful opportunity where a beginning lawyer who, within a reasonable period, will own his own firm. Box-holder 6029.

Ligation attorney needed by Dallas corporation for the purpose of monitoring numerous lawsuits. Minimum requirement of one to two years of first hand litigation experience. The candidate will not participate directly in any litigation but will monitor counsel throughout the United States. Send resume in confidence to Box-holder 6030.

Downtown AV-rated Houston law firm requires bankruptcy associate with zero to three years' experience. Top 20 percent, law review or clerkship required. Salary commensurate with ability. Send resumes to Box-holder 6031.

ATTORNEY WANTED: AV-rated, four-attorney downtown Houston firm handling insurance defense with some plaintiff and general civil litigation. Two to three years' litigation experience in civil practice and good academic credentials preferred. Salary commensurate with experience. Send resume, references, and salary requirements to Box-holder 6032.

Law office - Title plant in small west central Texas town seeks aggressive, self-starting attorney for general practice of law and title plant work. Experience including civil litigation preferred. Golden opportunity for motivated and confident person. Send resume and photograph to Box-holder 6033.

ATTORNEY WANTED

Small AV-rated firm in Dallas-Fort Worth mid-cities area seeks associate for oil and gas practice. Experience in preparation of title opinions, including stand-up opinions, required. No litigation. Reply in confidence to Box-holder 6034.

Medium-sized AV-rated Houston Galleria area law firm seeks attorneys with one to five years' experience in litigation, bankruptcy or maritime practice. Hiring immediately. Send resume to Box-holder 6035.

Large, progressive downtown Dallas law firm seeks labor and employment law attorney with one to two years' direct experience. Excellent academic credentials required. Send resume in confidence to Box-holder 6024.

SOLE PRACTITIONER - ATTORNEY - Anticipating retirement. Has need for associate. Minimum of five years' experience with large law firm in real estate, oil and gas, securities, commercial, litigation. Galleria area, Houston. Excellent opportunity. Office fully computerized including Westlaw. Substantial client contact and responsibility. Send resume in confidence to Box-holder 6036.

Progressive Dallas/Fort Worth law firm actively seeking attorney with three-plus years' experience in public and private offerings. Corporate experience, mergers/acquisitions, or SEC regulatory filings a real plus. Excellent opportunity for right person. Send resume including salary history in confidence to 6037.

Attorney with two or more years' experience in general civil litigation desired for position with small San Marcos law firm. An excellent opportunity for professional advancement in a desirable environment for an attorney with the proper scholastic and professional credentials. Box-holder 6038.

Ten-year co-op Houston law firm seeks attorney with experience to participate in its River Oaks offices. Call or write Managing Partner, 2001 Kirby Dr., Suite 506, Houston 77019. 713/524-8401.

Medium-sized, four-city litigation/business firm seeking three to five-year attorney for immediate responsibility in sophisticated transactions. Superior benefits and competitive salary for strong academic and professional record. Send resume with salary requirements to: Leonard, Koehn & Hurt, 2001 Bryan Tower, Suite 750, Dallas 75201.

WANTED: Tax counsel for Houston office of Solomon, Foley, Sweeney & Moran, a Washington, D.C.-based law firm. Candidate must have some existing practice and the ability to attract additional clientele. Call Greg Sweeney at 713/759-1555 or 713/977-2251.

DeHay & Blanchard seeks litigation associate with up to two years' experience. Excellent academic credentials and professional references required. Compensation commensurate with ability and experience. Please send resume to Recruiting Coordinator, Plaza of the Americas, 2300 South Tower, Dallas 75201-2880.

LITIGATION ASSOCIATES - West Houston real estate, commercial, and corporate AV-rated firm has immediate openings for two Texas-licensed associates with one to three years' civil litigation or related experience. Send resume for immediate response to Firm Administrator, Brown & Fowler, P.C. 900 Threadneedle, Houston 77079.

September 1985 Texas Bar Journal 1041
ATTORNEY WANTED

PERSONAL INJURY LITIGATION ATTORNEY WANTED: Baytown/East Harris County. Seeking an attorney with a minimum of five years' personal injury trial experience. Strong academic credentials required. Salary commensurate with trial experience. Minimum $50K. Phone or write Law Offices of Glenn Vickery, 1300 Rollingbrook, Sixth Floor, Baytown 77521, 713/422-0505.

NORTHEAST OKLAHOMA AV-rated eight-attorney law firm with coal/banking related practice desires to employ experienced trial lawyer. Opportunity to participate in a sophisticated, challenging and rewarding type of practice with the family living advantages of a small town. Would prefer varied litigation experience. Send letter and resume to Box-holder 5062.

ATTORNEY WANTED - Solo practitioner located in small town within 30 minutes of Greater Houston Metropolitan Area desires to employ recently licensed attorney. Good opportunity and experience. Partnership potential. Send resume and salary requirement to Box-holder 6039.

CORPUS CHRISTI bank with growing trust department seeks attorney with experience in trust banking or private practice for estate and trust administration. Send resume to Cheryl A. Whited, Vice President & Senior Trust Officer, Citizens State Bank, P.O. Box 9923, Corpus Christi 78469.

Coastal Bend Legal Services is currently accepting applications for the position of staff attorney in its Victoria Law Center. The Victoria Law Center is a four-attorney office, providing services to eligible clients in a seven-county rural service area. Bilingual (English/Spanish) preferred, but not required. Licensed to practice in Texas or agree to take next bar exam. Salary starts at $20,500, plus, depending on experience. Send resume and writing samples to: Errol A. Summerlin, Executive Director, Coastal Bend Legal Services, 102 Pueblo St., Corpus Christi 78405.

Small firm in Longview is seeking a young attorney interested in litigation. The attorney we seek must be personable and unafraid of hard work. Tremendous opportunity for rapid advancement. Reply to P.O. Box 2623, Longview 75606, with resume and recent photograph if available.

Expanding Arlington insurance defense firm is seeking an associate attorney with zero to two years' experience for general and personal injury litigation. Top one-third academics required. Hiring immediately. Please send resume and salary requirements to Cynthia Olson, 2415 Avenue J, Suite 100, Arlington 76006.

LITIGATION ATTORNEY - Ten-man AV-rated firm, primarily insurance defense. Outstanding opportunity for an attorney with two to four years' trial experience. Send resume to Box-holder 6040.

BUSINESS AND LITIGATION - Houston - Solo practitioner needs associate to handle litigation and business overflow. Must be experienced litigator, but will train in other areas if necessary. Office sharing or associate position considered. Call 713/789-1730.

PARTNERS: Section head openings in corporate, litigation, energy and real estate areas. Portable business required in most cases. LITIGATION: More than 30 openings in both commercial and tort areas, from one year to partner level. Early client responsibility and top compensation. IN HOUSE: Immediate need for corporate and labor attorneys with one to four years' experience for Dallas corporations with top quality legal staffs. Compensation equal to leading Dallas law firms. We are also interviewing for immediate needs in most other areas of practice for leading law firms and corporations in Houston, Dallas, Austin, and San Antonio. Several are exclusive listings. All openings require top academics from nationally recognized law schools plus current employment with a top caliber law firm or law department. Our clients will not consider attorneys who do not meet these criteria. Contact Larry Prescott, Nina Gray, Lauren Eaton, or Steve Mims at Prescott Legal Search, 801 Weslayan Tower, 24 Greenway Plaza, Houston 77046. Call 713/439-0711.

LITIGATION ATTORNEY - Dallas office of national law firm has immediate opening for a litigation attorney with three or more years' experience. Work will primarily be in negligence and product liability areas. Strong academic record, first chair trial experience and significant deposition experience required. Salary commensurate with experience. Send resume to Box-holder 6062.

ATTORNEY WANTED: Northwest Austin firm seeks associate with no less than two years' experience in family law/litigation for new Cedar Park branch. Non-smoker. Qualified applicants send resume to: Attorney Position, 13740 Research, K-2, Austin 78750.

Houston (Galleria-area) business oriented firm seeks business litigation attorney with one to three years' experience. Real estate litigation experience preferred. Send resume to Larry E. Meyer, Reese. Meyer & Cribs, P.C., 1700 West Loop South, Suite 1100, Houston 77027.

Panhandle firm near Amarillo is looking for experienced associates (one to five years' experience). Requires strong academic background and experience (law clerkship required of recent graduate). Texas license required. AV-rated firm has varied general practice with emphasis on trial work. Send resume to Box-holder 6064.

LITIGATION ATTORNEY - Small AV-rated firm has excellent opportunity for fast track individual with outstanding credentials and record of accomplishments. Prefer certified trial lawyer with experience in business or insurance defense litigation. We can provide immediate responsibility and client contact. Excellent opportunity for career and financial growth. Reply in confidence to: O.D. Smith, Two Houston Center, Suite 3450, Houston 77010.
ATTORNEY WANTED

AUSTIN, AV-rated law firm, 40 attorneys, seeks highly qualified associate with one to three years' experience in litigation. Replies held in confidence. Send resume and references to Box-holder 6063.


Small AV-rated Dallas firm has an immediate opening of an associate position in the areas of real estate and civil litigation for an experienced or inexperienced attorney. The applicant must have an excellent academic record. Please send resume in confidence to St. Claire & Case Attorneys, Frank St. Claire of Tom Case, 5944 Luther, Suite 601, Dallas 75225.

Established and expanding law firm seeks associate with two or more years' concentrated commercial real estate experience. Admission to Georgia Bar preferred. Excellent credentials required. Send resume to: Hiring Partner, McRae & Holloway, P.C. Eight Piedmont Center, Suite 210, Atlanta, GA 30305.

Expanding AV-rated Fort Worth law firm is seeking experienced attorneys with a client base and established practice in corporate, banking, real estate, oil and gas, tax, or litigation. Superb offices and progressive partnership compensation formula. Please send resume in confidence to Box-holder 5067.

ATTORNEY WANTED: 30-year established practice in West Texas area. Senior partner retiring. Successful general practice: conveyancing, oil and gas, personal injury, family law, and probate principally. Terms negotiable. All inquiries welcome. Please send resumes and inquiries in confidence to Box-holder 6068.

LITIGATION: Downtown Houston personal injury firm seeks associate attorney. Zero to three years' experience. High academic ranking or outstanding achievement required. Send resume to Office Manager, Barnhart, Mallia, Cochran & Luther, 806 Main St., Houston 77002.

An aggressive eight-attorney AV-rated north Dallas firm seeks associate attorney with at least two years' experience in civil litigation. Good academic credentials and trial experience necessary. Excellent opportunity for aggressive attorney with good trial skills who seeks responsibility and growth in an established an expanding firm. Competitive salary and benefits offered. Send resume in confidence to Box-holder 6051.

LARGE DENOMINATIONAL FOUNDATION in Dallas seeks attorney with one to three years' experience as an addition to its trust department. Experience in wills, probate, estate planning and/or taxation required. Send resume in confidence to Box-holder 5050.

HOUSTON/MED-MAL LITIGATOR for prestigious plaintiff's firm. Excellent academic credentials and trial ability essential. Prefer young defense attorney with first chair trial experience in medical malpractice. Experience in cases of obstetrical negligence helpful. Up to $100,000 salary plus substantial bonuses on each case. Send detailed resume in confidence to Box-holder 6054.

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September 1985 Texas Bar Journal 1043
ATTORNEY WANTED

REAL ESTATE ATTORNEY: Established busy Dallas law firm with real estate, oil and gas, and general business practice that keeps getting busier needs help. Inviting inquiries from highly motivated real estate attorneys with established client base of their own but not too occupied to help shoulder the load of work generated by active real estate developer clients. Requires the ability to independently structure, draft, negotiate, and close acquisitions, syndications, leases, construction, and sales transactions. Outstanding opportunity for the right person to assume responsibility for a variety of business related matters and enjoy direct contact with clients. Excellent credentials and minimum of five years' experience, please. Send resume and work history to Box-holder 6049.

Aggressive, young Austin AV-rated firm seeks attorneys with two to five years' experience for position in its business and real estate sections. Candidates should demonstrate high academic achievement and quality background with a major Texas firm. Expanding practice offers unique opportunity with partnership potential. Inquiries may be submitted in confidence to Box-holder 6053.

Mid-sized North Dallas AV-rated firm seeks outstanding associate with expertise in tax law - will and estate planning. Applicant should have good academic record, be committed to quality work, and have one-and-a-half to two years' experience. Position offers client contact, team support and excellent growth potential. Send resume and salary goals to Box-holder 6052. All inquiries confidential.

ATTORNEY WANTED

REAL ESTATE ATTORNEY - Challenging opportunity with growing Dallas law firm for attorney with three to five years' experience. Must be a self-starter, creative thinker, have good drafting skills and able to work with a minimum of supervision. Good communication skills required. Complex transactions require the ability to take off your attorney hat and think like a businessman. Good academic background required. Compensation and benefits commensurate with qualifications and experience. Please send resumes and work history to Box-holder 6050.

HOUSTON - Campbell & Riggs, AV-rated, seeking attorney with two to four years' experience and a scholastic ranking in the top 10 percent. Securities, tax, corporate and real estate practice. Send resume in confidence to Mr. Richard W. Fine, Campbell & Riggs, 1980 Post Oak Blvd., Suite 2300, Houston 77056.

Corporate staff attorney. Major oil and gas manufacturing and service company located in downtown Houston needs business lawyer with two to four years' experience. Position involves general corporate practice including contracts, litigation management, real estate and international planning. Company provides competitive salary, excellent benefits and corporate visibility. An equal opportunity employer. Please send resume to Box-holder 6069.

Newly established North Dallas law firm has need for six attorneys with one to six years' experience in areas of real estate, tax, corporate, or securities law. Compensation based on experience and expertise. Send resume to Box-holder 6058.

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