

TCWLA LEGAL MATTERS

A PUBLICATION OF THE TRAVIS COUNTY WOMEN LAWYERS' ASSOCIATION

February 2008

FIDUCIARY DUTIES OF A TRUSTEE

Trustee Liability: Do We Accept the Responsibility or Will We Live to Regret It?

Our February meeting is a joint meeting with the Solo-Small Firm section of the Austin Bar Association. The meeting will be on the fourth Thursday (February 28th), instead of our usual third Wednesday, and will be held in the large meeting room at the Austin Bar Association located at 816 Congress Ave., Suite 700.

Jessica Warren, TCWLA Treasurer, will make an hour long presentation on the liability a lawyer assumes as a trustee. Jessica is Vice President and Trust Officer of US Trust, Bank of America Private Wealth Management. She is responsible for the administration of trust accounts and investment management accounts for which the bank has fiduciary responsibility.

The program will cover the general duties of trustees and five specific duties to invest, inform beneficiaries, enforce and defend claims, confidentiality, and to administer the trust. Jessica will have words of advice concerning the administration of IOLTA and other client fund accounts held by attorneys. This program has been approved for 1.0 hours of participatory Ethics CLE credit by the State Bar of Texas.

*Please reserve your spot online at www.tcwla.org

Fiduciary Duties of a Trustee Trustee Liability: Do We Accept the Responsibility or Will We Live to Regret It?

Date: February 28, 08
Time: 11:45 – 1:00 P.M.
Location: Austin Bar
Association
816 Congress Ave
Suite 700

Speaker:
Jessica Warren

Menu:
Chicken in red wine sauce, green salad
with cranberries and feta cheese, roll &
butter, strawberries and whip cream, and
Iced Tea

Lunch cost:
\$15.00

RSVP Online at
TCWLA.org

CLE: 1.0



FROM THE PRESIDENT **February 2008**

My husband Jamal has been a coach for the undergraduate mock trial team at the University of Texas for many years. He's a wonderful teacher and gets as much back from the students as he gives to them. As a result of his involvement, we have an unusually high number of young Generation Y-ers in our lives, many of whom are applying to law school. So this past month, we've both been doing the rounds of writing letters of recommendation and reviewing personal statements for law school applications. Some things have changed about applying to law school since I went through the process over a decade ago: the process is a lot more high-tech and centralized, and it's even more competitive now. What hasn't changed is that most young people applying to law school are bright, full of enthusiasm, and looking for someone to give them the tools to make a difference in our society.

I vaguely remember writing my own personal statement for law school applications (the thought of reading it now makes me shudder – what little I remember makes me cringe at the cheesiness of it now.) I know it ended with some kind of plea to admit me to law school to give me the tools to make a difference in the world. This morning, I was meeting with a young prospective law student with a similar ending to his own personal statement, the gist of which was his desire to return to his hometown and work as a public defender in a system that isn't meeting the needs of the people there. As I was talking him through tweaking the statement, I realized that he doesn't know yet what I know. That getting a legal education not only opens the door for you professionally to a particular career path; it puts you in a network of incredible resources and incredible people. If I have a particular cause that I'm interested in supporting, it takes only a few emails or a few phone calls and I have any number of lawyers lined up to financially contribute to a worthy cause. Or if a friend or family member is going through a tough situation and needs help, a few calls and I have the right expert ready and willing to help them. Law school will not only make that student a lawyer, it will expose him to a new world of resources that will enable him to repair what's broken in the system.

We are part of a legal community that is always working together to try to make this world a better place. We lawyers are always coming up with community service projects, leading nonprofits, and energizing people into community action. How many other professions are this connected and committed to public service? It's an intangible benefit of being a lawyer, but it's one of the best things about it. The more you get involved in organizations like this one, the more you experience the depth and wealth of your community of lawyers. It makes you rich beyond measure to be plugged in to this network, this source of real power that so many are denied.

So this month, I encourage you to appreciate all of the intangibles that come with being a lawyer, and share it with the world around you. Your community, your peers, and all of those future students need you to participate to make it all that it can be. If you're looking for a place to start, TCWLA is hosting several events designed to inspire and connect in February and March. Invest in your network. It's one of your best assets.

Sincerely,

Laurie M. Higginbotham

Calendar of Events

February 2008		Time for Membership Renewal (see pages 10 & 11)
February 15th, 2008	9:00-11:00 am	Color of Justice Program
February 21st, 2008	5:30-7:30 pm	TCWLA Judicial Reception
March 12th, 2008	12:00-1:00pm	TCWLA Board Meeting
March 13th, 2008	5:30 pm	TCWLA TCWLF Joint Board Meeting
March 19th, 2008	11:45-1:00 pm	TCWLA General Membership Meeting
March 19th, 2008	5:30-7:30 pm	TCWLA/WLC Mixer
April 4th, 2008	All Day	Advanced Court Appointed Advocate Training
April 17th, 2008	8:30-2:00	Take Your Daughter to Work Day (See Below!)
May 15th, 2008	TBA	TCWLA/TCWLF Charity Awards Luncheon

2008 TAKE YOUR DAUGHTERS TO WORK DAY

This is your opportunity to volunteer on Travis County Woman Lawyers Association's award winning program by serving as a mentor, even if it's only for one day. TCWLA has scheduled their premier program, "Take Your Daughters to Work Day", on Thursday, April 17, 2008 from 8:30 a.m. to 2:00 p.m. This program reaches out to young girls in the fifth grade at Norman Elementary School located in East Austin. The principal, teachers, and counselors will select twenty (20) girls who have good attendance and grades to participate in the program. This will be our 2nd year to have a mock trial where the State seeks a protective order on a dating violence claim. The past five years our mock trial involved a DUI.

In the past, the TYDTW program has received the following two awards from The Texas State Bar: "Outstanding Partnership" and "Certificate of Achievement".

If you wish to participate in planning the event or helping on the date of this event, please contact the Chair, Judge Orlinda Naranjo, at 854-4023 or email her at orlinda.naranjo@co.travis.tx.us. We always need help with drivers.

The Travis County Women Lawyers' Association

*Cordially invites you to its annual
Judicial Reception*

*Thursday, February 21, 2008
5:30 p.m. - 7:30 p.m.
Green Pastures Restaurant
811 West Live Oak
Austin, Texas 78704*

Don't miss this wonderful opportunity to meet and greet members of the judiciary, network with colleagues, and enjoy great food, drinks, and live music. Take advantage of this fantastic membership privilege. Non-members are also welcome to attend for \$15.

If you have never attended this event before, we hope you will join those of us who wouldn't miss it!

Special thanks to our current 2008 Judicial Reception sponsors:

*Akin Gump Strauss Hauer & Feld, LLP
Scott, Douglass & McConnico, LLP
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Bishop, London & Dodds, P.C.
Locke Lord
Winstead, PC
Alexander Dubose Jones & Townsend, LLP
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Canty & Hanger
DLA Piper
Hanna & Plaut, LLP
The Sharp Firm
Whitehurst, Harkness, Ozmun & Brees PC*

Color of Justice Paves the Way for a More Diverse Future

Approximately 50 minority students from local Austin High Schools will have the opportunity on February 15th to participate in the Color of Justice program, a program started by the National Association of Women Judges to introduce minority students to a diverse group of minority judges, lawyers, and law students whose stories illustrate the many career options available in the law and judiciary.

The intent of the program is to inspire minority high school students to consider the law as a career, and to aspire to be a judge as well as a lawyer.

The Travis County Women Lawyers Association is joining with the NAWJ, the Austin Bar Association and UT Law's William Wayne Justice Center for Public Law to bring this exciting opportunity to the students. This half-day event at the UT Law School will feature two panel discussions with speakers sharing their personal experiences and encouraging the students to pursue a career in law. The Color of Justice video, created by the NAWJ, will also be shown to the students.

The first panel, titled "The Color of Justice: Making a Difference," will be led by several esteemed judges, including Texas Supreme Court Justice Dale Wainwright, Judge Fortunato "Pete" Benavides of the Fifth Circuit Court of Appeals, Judge Orlanda Naranjo of the Travis County District Court and Judge Wilford "Wil" Flowers of the Travis County Criminal District Court. The panel will be moderated by Bea Ann Smith, former justice for the Third Court of Appeals.

The second panel, titled "Law as a Career: Preparing the Way" will be led by a mix of legal professionals, including Karen Kennard of the City of Austin's Attorney Office; Bill Hopkins of Brown McCarroll, Vinh Tran of the Law Office of Vinh M. Tran; Daniel Rodriguez, UT Law Professor and a UT Law student.

The program is spearheaded by board member Liz Branch and Judge Elisabeth Earle.

Court Appointed Advocate CLE – 7.25 Hours

Rent this DVD now or watch online (coming soon!)

TCWLA sponsored, and filmed, a CLE titled “What You Need to Know to be a Court Appointed Advocate” on May 21, 2007. The CLE covered the nuts and bolts of representing children and parents in CPS cases, as well as teaching the participants about available services for clients with mental illnesses and other disabilities, ethical considerations, mediation of CPS cases, attorney general and DRO cases, and guardianships. The CLE lunch portion featured a judicial panel, in which the following Texas judges and former judges participated: the Hon. Craig Enoch (former Texas Supreme Court Justice), the Hon. Eva Guzman (14th Court of Appeals, Houston), and the Hon. Darlene Byrne (126th Judicial Civil District Court (Travis County)). The panel was moderated by TCWLA board member, the Hon. Orlinda Naranjo (419th Judicial Civil District Court (Travis County)).

Viewing of this DVD qualifies for 7.25 hours of CLE credit with the Texas Bar, including one hour of Ethics, and counts towards the 30 hour training requirement in Travis County.

Rental fee: \$100 plus shipping & handling for DVD rentals

For questions concerning the rental of this DVD, please contact Paige Chappell at tewlaorg@gmail.com.

Save the Date – Advanced Court Appointed Advocate Training – Friday, April 4, 2008

TCWLA will be hosting a full day advanced training course for court appointed advocates on Friday, April 4, 2008, at the offices of Winstead PC, located at 401 Congress Avenue, Suite 2100. The cost will be \$80 for TCWLA members and \$100 for non-members. The panel at this year’s lunch will feature Texas Supreme Court Justice Scott A. Brister. If you have any questions, please contact Paige Castañeda at pcastaneda@winstead.com, Cameron Vann at cvann@advocacyinc.org, or Rande K. Herrell at rkherrell@sbcglobal.net.

Save the Date!

Mark your calendars, the TCWLA mixer with the UT Law School's Women's Law Caucus is just around the corner! This annual fun event is a great way for women law students to socialize with our group. The event will be at the home of TCWLA member D'Ann Johnson on Wednesday, March 26th from 5:30-7:30. Check your email in the upcoming weeks for the invitation and more details. Feel free to contact Liz Branch at 512-565-4464 for more information as well.

Announcements

Have something you want to share with membership? Let us know!

\$60/hr contract attorney with seven years of experience in general litigation, employment and appellate law available for research, briefing and document review. Contact Elizabeth Branch at (512)565-4464 branch@branchlawoffice.com.

TCWLA turns 30!

Go to TCWLA.org and renew your membership online today!

Want to be a court-appointed special advocate? Need to get some of the required 30 hours in Travis Co.? Contact Paige Chappell at tcwlaorg@gmail.com for details on how to rent a copy.

TCWLA has a new improved webpage. Sign up and pay for luncheons, renew your membership and update your personal information online! You can prepurchase a year's worth of lunches at a discounted price. Be sure to visit it at www.tcwla.org.

Want to know how you can help with the Color of Justice Program in February? Email branch@branchlawoffice.com for details.

Want to be Admitted to the United States District Court for the Western District of Texas? Rent the mandatory CLE video from TCWLA. Visit us at www.tcwla.org or email tcwlaorg@gmail.com for more details

The Travis County Women Lawyers' Association and Foundation's Annual Grants and Awards Luncheon will be held May 15, 2008 at the Hilton Downtown Hotel.

Please mark your calendar and join us in celebrating local women lawyers in our community and to help provide financial assistance to area non-profits who help women and children in need. This year the master of ceremonies will be Roxanne Wilson, a local attorney, writer and reality celebrity from the Apprentice.

All proceeds will benefit future grantees of the Foundation.

Meet Your Board Member

Name: Joey Williams Moore

Activities Co-Chair

I am the Manager of Legal Services for the Texas State Teachers Association. TSTA is a state-wide professional association for public school employees that is also affiliated with National Education Association. I represent public school employees in employment-related matters.

I am married to Mark Moore, an attorney in the Tax Division of the Attorney General's office. I am also the mother of two adorable girls—Alison, 4 and Audrey, 16 months.

Why am I involved in TCWLA? I have met some of the most amazing women through my involvement in TCWLA. I have met women in all practice areas that I would not have had the opportunity to meet. I have been able to become involved in some wonderful projects that support women and children in Travis County. Finally, I have made many professional contacts that have served me well, both professional and personally.

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What's Going On?

If you are an attorney, or legal professional who has recently changed jobs, opened up a new office, received an award, or hired new staff...we want to know what's going on.

Please e-mail tcwlaorg@gmail.com with your announcements and photos.



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For more information please contact

Paige at tcwlaorg@gmail.com



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Contact Lynn G. Bone at
lynn@barnesandroberts.com
512-476-9500
www.barnesandroberts.com

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email: tcwlaorg@gmail.com

January, 2008

Dear Travis County Attorney:

We would like to invite you to join or renew your membership in the Travis County Women Lawyers' Association ("TCWLA"). TCWLA is a diverse group of solo practitioners, big firm partners, public interest lawyers, judges, law students, non-practicing attorneys, in-house counsel, women and men. We are connected by our profession, a desire to excel in our work, and a calling to protect the legal rights of women and children. TCWLA is celebrating over 30 years as a professional organization in Travis County and growing every year.

TCWLA offers an interesting variety of monthly program luncheons, usually accredited for Continuing Legal Education credit ("CLE"), which is always free to our members. In addition, TCWLA provides many networking opportunities for members, like the annual Judicial Reception at Green Pastures, our holiday party, and the annual Foundation Charity Awards Luncheon in May. TCWLA also sponsors all-day live CLE programs and other special events, including a Cooking Class CLE with Marie Hejl, the Race for the Cure, the Color of Justice program, and Take Our Daughters to Work with Judge Orlinda Naranjo.

In the spirit of community service, TCWLA operates two charitable foundations. Our Scholarship Foundation, awards three scholarships to women attending the University of Texas School of Law annually, and the Travis County Women Lawyers Foundation awards grants to area non-profit organizations that provide direct legal services to women and children in need. TCWLA also recognizes the rising stars and unsung heroes of our profession at our annual awards luncheon.

The only thing missing is you! For more information about TCWLA, log onto our website at www.tcwla.org. To join or renew your membership, please complete the enclosed membership form and mail it together with your dues to TCWLA at the address shown on the form or if you prefer, visit our website and join online. Please be sure to include your email address for receipt of the TCWLA monthly newsletter and other notices and invitations.

If you have any questions or would like additional information, you may contact Ellen Stewart (512) 328-8355, TCWLA's membership co-chairs, or peruse our website. We are looking forward to seeing you in 2008!

Sincerely,



Laurie M. Higginbotham

TCWLA

Travis County Women Lawyers' Association 2008 CALENDAR YEAR MEMBERSHIP APPLICATION

Name: _____ Date: _____ New Member: _____ Renewing Member: _____
Firm/Company/School Name: _____
Mailing Address: _____ Zip Code: _____
Office Phone: _____ Office Fax: _____
E-mail: _____ _ (For newsletters and notices)

Practice Areas

Please indicate your practice areas for publication in the online directory:

- | | | |
|--|--|--|
| <input type="checkbox"/> Administrative/Regulatory | <input type="checkbox"/> Education/School | <input type="checkbox"/> Malpractice |
| <input type="checkbox"/> Appellate | <input type="checkbox"/> Environmental | <input type="checkbox"/> Personal Injury |
| <input type="checkbox"/> ADR | <input type="checkbox"/> Family | <input type="checkbox"/> Probate/Estate Planning |
| <input type="checkbox"/> Banking/Finance | <input type="checkbox"/> Government/Municipal | <input type="checkbox"/> Property Tax |
| <input type="checkbox"/> Bankruptcy | <input type="checkbox"/> Health | <input type="checkbox"/> Oil & Gas |
| <input type="checkbox"/> Business Transactions | <input type="checkbox"/> Immigration | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Civil/Business Litigation | <input type="checkbox"/> In House Counsel | <input type="checkbox"/> Securities |
| <input type="checkbox"/> Civil Rights/Discrimination | <input type="checkbox"/> Intellectual Property | <input type="checkbox"/> Tax |
| <input type="checkbox"/> Consumer | <input type="checkbox"/> International | <input type="checkbox"/> Telecommunications |
| <input type="checkbox"/> Corporate | <input type="checkbox"/> Insurance Defense | <input type="checkbox"/> Water |
| <input type="checkbox"/> Criminal | <input type="checkbox"/> Insurance (Other) | <input type="checkbox"/> Workers Compensation |
| <input type="checkbox"/> Employment/Labor | <input type="checkbox"/> Juvenile | <input type="checkbox"/> Other |

Committee Information

I am interested in the following committees:

- | | | |
|--|---|---|
| <input type="checkbox"/> Membership | <input type="checkbox"/> Federal Court Seminar/Other Seminars | <input type="checkbox"/> Take Our Daughters to Work |
| <input type="checkbox"/> Activities | <input type="checkbox"/> Website/Directory | <input type="checkbox"/> Lunch Programs |
| <input type="checkbox"/> Speakers Bureau | <input type="checkbox"/> "Color of Justice" Program | <input type="checkbox"/> Susan G. Komen/TCWLA Project |

Feedback/Suggestions

What I hope to get out of TCWLA membership:

What I can give to get the most out of TCWLA membership:

Things I would like TCWLA to do:

Speakers/topics I recommend for TCWLA membership programs:

Holiday Gift Memberships: Give TCWLA membership as a gift to your friends and colleagues by duplicating and completing this form for each recipient. Please submit the form and the appropriate amount for dues. Please specify if the gift is anonymous.

Have questions? Call (512) 370-WLAW (9529) or send an e-mail to tcwlaorg@gmail.com if you have questions about membership. TCWLA membership is on a calendar year basis (January 1 - December 31).

Dues: \$40.00 per year; \$20.00 per half-year Lifetime Membership: \$400.00; Law Student: \$20.00
 Additional Voluntary Contribution: \$_____

*****Please renew your membership January 1, 2007*****

Send completed application and check to: TCWLA, P.O. Box 684683, Austin, TX 78768-4683.

**LAWYERS FOR WOMEN FIGHTING BREAST CANCER
ATTORNEY VOLUNTEER SIGNUP FORM**

**A Project of Travis County Women Lawyers' Association in Partnership with Volunteer Legal Services and the
William Wayne Justice Public Policy Center at the University of Texas School of Law**

Volunteer Attorney: _____ *Bar No.* _____

Firm: _____

Address: _____

City, State, Zip: _____

Phone: _____ **Fax:** _____ **e-mail** _____

_____ **I am a member of Travis County Women Lawyers Association**

Note: Our Case Referral Coordinator will call to discuss individual referrals with you.

I will accept pro bono cases in the following areas of law:

- | | | |
|--------------------------------------|---------------------------------|---------------------------------------|
| _____ Bankruptcy | _____ General Litigation | _____ Probate |
| _____ Consumer | _____ Guardianships | _____ Real Estate |
| _____ Debt Collection Defense | _____ Housing | _____ Social Security Benefits |
| _____ Education | _____ Insurance | _____ Tax |
| _____ Employment Problems | _____ Landlord/Tenant | _____ Torts Defense |
| _____ Family Law | _____ License Revocation | _____ Wills |
| | | _____ Wills, Homebound |

_____ I am willing to mentor a UT Law Student assigned to help with a case.

_____ I am willing to keep pro bono cases on my personal docket routinely. When I close a case or a case is inactive, you may call me to take another.

_____ **I speak Spanish fluently.**

Comments: _____

PLEASE RETURN FORM TO:
Volunteer Legal Services of Central Texas
816 Congress Avenue, Suite 701, Austin, TX 78701
Fax: (512) 322-0764
e-mail: akmeyers@vlsoc.org

QUESTIONS? Contact Anna K. Meyers
(512) 476-5550, ext. 304
akmeyers@vlsoc.org