

# TCWLA LEGAL MATTERS

A PUBLICATION OF THE TRAVIS COUNTY WOMEN LAWYERS' ASSOCIATION

November 2008

## Legal Malpractice

Please join us for our monthly membership luncheon on November 19. This month we are pleased to welcome Brooks Schuelke of Perlmutter and Schuelke, LLP. Mr. Schuelke will lead a discussion of legal malpractice and remind us what we can do to protect ourselves and our practice from legal malpractice claims.

Based in Austin, Perlmutter and Schuelke routinely represent plaintiffs in their legal malpractice claims. Mr. Schuelke has been very involved in the Austin community, serving on committees in the Austin Young Lawyers Association, Austin Bar Association and Texas Young Lawyers Association. He graduated from the University of Texas Business Honors Program in 1992 and received his J.D. with honors from the University of Texas School of Law in 1995. We are delighted to have him as a speaker at our annual joint meeting with the Austin Bar Association's Solo/Small Firm Section.

## Legal Malpractice

### Speaker:

Brooks Schuelke

**Date:** November 17th, 2008

**Time:** 11:45 am to 1 pm

**Place:** TSTA

316 W 12th

Austin, TX 78701

(you may park in the lot and get a pass from the front desk)

**CLE:** 1.0 hour

**Menu:** Roasted Pork Loin

Sauteed Mushrooms

Roll

Iced Tea

Brownies

**Lunch cost:**

\$15.00

Go to [www.tcwla.org](http://www.tcwla.org) to reserve your lunch by November 14th by noon.

## Mark Your Calendars!

The 2008 TCWLA Holiday Party is Thursday December 11th, 5:30 - 7:30, at Design Within Reach, 200 W. 2nd Street. The event will be the kickoff fundraiser for the Margaret Cooper Scholarship Fund. The new scholarship honors the many years of service of 353rd Judicial District Judge Margaret Cooper, who is retiring on December 31, 2008.

Beginning in Spring, 2009, the Margaret Cooper scholarship will be awarded annually to the University of Texas Law School applicant who best demonstrates perseverance in the face of adversity, financial need, and community service. The recipient of the \$1,500.00 scholarship will be announced each year at the Travis County Women Lawyers Association Judicial Reception, usually held in February. Donations to the scholarship fund are now being solicited, and may be sent to the following address:

Amie Rodnick  
Travis County Women Lawyers Scholarship  
Fund, Inc.  
507 West 7th Street  
Austin, TX 78701  
(512) 477-2226 Telephone  
(512) 477-2126 Fax



## ***FROM THE PRESIDENT*** **November 2008**

*I went on a diet, and in 14 days I had lost exactly two weeks.*  
*Joe E. Lewis*

In the Meet Your President-elect article in last June's newsletter, I shared the tidbit that I had lost 55 pounds in 9 months, and promised to share the secret to shedding pounds without feeling hungry. I apologize now to those of you close to me who have heard me speak about this on numerous occasions, but several members have prompted me to make good on my promise and let them know how I did it. Because good health and boundless energy are essential elements of finding balance in your life, and body weight and diet are the foundations of those essential elements, I believe they are a deserving topic for discussion within this year's theme of finding the perfect balance. Also, as we are entering the season of gluttony, kicked off by Halloween treats, launched into full flourish by Thanksgiving, relentlessly fostered by endless holiday parties, and capped off by one last gala to ring in the new year, I decided to tackle the topic pre rather than post season.

First, you should know, I no longer think of this as a diet, but rather a life style change. I have a sad history of losing weight, but gaining back all I had lost and then some. My issue is battling hunger. Simply put, I can't do it. I will eventually give up fighting, and back slide – the veritable yoyo. So I knew I had to find a way to eat fewer calories, but not feel hungry. Hunger's first cousin, a craving for certain high calorie foods, was also an issue. Also, I had just begun a new job that was demanding substantially more than a 40 hour work week to get it under control. So I couldn't simply devote hours a week to exercise and meal planning. Any weight loss plan had to eliminate hunger and cravings, and require minimal time for meal planning and exercise.

My dear friend Sheila Keister listened to me whine endlessly about needing to lose weight before my son's wedding on the beach in St. Lucia, and I only had nine months to do it. She gave me her copy of the The Paleo Diet by Loren Cordain, Ph.D. and told me about The Diet Cure, by Julia Ross, M.A. The philosophy of the Paleo diet is simple. Evolution moves slowly, more slowly than man's ability to invent farming and processed foods. Our bodies are designed to run on the foods available to our Paleo ancestors, not today's highly processed foods. The diet relies on lean meats and fresh fruits and vegetables, prepared at home, although it is easy to remain Paleo while eating out. It also allows two small glasses of wine per day. Alas, it also calls for exercise.

Because I whined so much about fighting hunger and cravings, Sheila also recommended The Diet Cure. This book is premised on brain chemistry as the source of emotional eating, unstable blood chemistry as the source of carbohydrate addiction and its related diseases, and the use of vitamin and mineral supplements to correct body chemistry to enable you to stick to a healthy diet without fighting hunger, cravings, and exhaustion. Using the recommended vitamins and diet supplements to fight my particular cravings enabled me to launch the Paleo diet with minimal stress. After a while, I no longer needed the diet supplements to control cravings. I simply didn't crave sweets, or pasta or potatoes like I used to pre-diet. In fact, I noticed those things didn't even look good to me anymore. I could go to the office birthday celebration and have no trouble passing up a piece of cake, without feeling like I was depriving myself. I could go to lunch with friends and watch them eat pasta while I ordered the salad. Much to my surprise, I found I actually wanted the salad, and the pasta didn't even look good! And the pounds started to melt away. I started the program in September, and by Thanksgiving, I had no problem fixing the family the traditional feast, but sticking to my Paleo eating plan. Holiday parties presented no temptation to over eat.

There is more to this story, but it is too much to cover in one column. There is one more book to add to your reading list. I promise to share that title and how I worked the change in eating into an already impossibly time crunched schedule in the next column. But these two books should get you through Halloween and Thanksgiving.

As a last word, I want to encourage each of you to go to the polls and vote! TCWLA is non-partisan, and does not endorse a particular party or candidate. But we do encourage every citizen to exercise that most essential right, which forms the foundation of a free society, and vote for the candidate of your choice. If you haven't already voted in the early voting phase of this election, please do so on November 4<sup>th</sup>!

Best regards;

*Rande K Herrell*

President, TCWLA

*Upcoming Austin Events and Volunteer Opportunities*

The Austin Junior League is accepting donations for Coats for Kids. Please see [www.jlaustin.org](http://www.jlaustin.org) for more details.

The Texas Book Festival is November 1 & 2 at the State Capitol Grounds. [texasbookfestival.org](http://texasbookfestival.org)

Junior League:  
A Christmas Affair  
November 19-22

Need to get some of the required 30 hours in Travis Co. to be a court-appointed special advocate? Contact Paige Pritchett at [tcwlaorg@gmail.com](mailto:tcwlaorg@gmail.com) for details on how to rent a copy.

Interested in admittance 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](http://www.tcwla.org) or email [tcwlaorg@gmail.com](mailto:tcwlaorg@gmail.com) for more details

*Meet Your Member: Anne Wood*



**Practice Areas:** Anne concentrates her practice in the areas of estate planning, probate and guardianship.

**Employer:** Anne is a solo practitioner.

**Education:** Anne grew up in Corpus Christi, Texas. She received her undergraduate degree in finance from the University of Colorado in Boulder (1995), and her law degree from the University of Houston (1998).

**Employment:** After law school, Anne moved to San Francisco and worked in the legal affairs department of an advertising agency. When she returned to Texas in 2001, she decided to start her own practice and focus on the areas that always interested her: estate planning, probate and guardianship.

**Organizations:** Texas State Bar, California State Bar; Travis County Women Lawyers' Association; Austin Bar Association; American Bar Association; Volunteer Legal Services of Central Texas – Volunteer Attorney; Arc of Texas Guardianship Project - Volunteer Attorney; Animal Legal Defense Fund Member; Texas Humane Legislation Network Member; Austin Humane Society Member; Animal Trustees of Austin Member; ASPCA Member; The Humane Society of the United States Member; World Wildlife Fund Member; Pets Unlimited Member; Sierra Club Member; University of Colorado Alumni Association Member; Episcopal Church of the Good Shepherd Member.

**Family/Interests:** Anne and her husband, Peter Wood, just celebrated their 9<sup>th</sup> wedding anniversary in October. They have a 17-month old son, Graves, who is the apple of their eyes. Anne enjoys spending time with her husband and son, cooking, reading and traveling. She is passionate about animal issues and rights, and is “owned” by two pound kitties, Francis and Tiger.

## Lawyers for Women Fighting Breast Cancer

Lawyers for Women Fighting Breast Cancer, an initiative sponsored by TCWLA, VLS and the William Wayne Justice Center for Public Interest Law at UT School of Law, provides free legal services to low-income women diagnosed with breast cancer with any civil legal issues that have developed as a result of being diagnosed with breast cancer. The goal is to provide pro bono legal services to all low-income clients of Komen Austin grantees.

If you are interested in volunteering, contact Anna K. Meyers at VLS at 476-5550, ext 304 or [akmeyers@vlsoct.org](mailto:akmeyers@vlsoct.org) and mention the breast cancer project. See Page 10 for application.

## Introducing *Rough Road to Justice: The Journey of Women Lawyers in Texas.*

*The case, Johnson v. Darr, was heard on January 30, 1925. Four months later the all-female court affirmed the decision of the appeals court with Chief Justice Ward writing the opinion. The proceedings were widely publicized as being a novelty. Ward, however, remarked, "The novelty...is entirely lost in the great responsibility." In an appearance before the Texas House of Representatives, Ward added, "It is the ambition of the women today to break down the prejudices which men have against them in business and the professions, so that the way may be smoother for those who follow." Although the female justices' capable efforts were widely considered a step in that direction, it would be almost sixty years before another woman sat on the Texas Supreme Court.*

—from *Rough Road to Justice: The Journey of Women Lawyers in Texas*

**TexasBarBooks and the State Bar's Women in the Profession Committee are pleased to announce the publication of the first book on the subject of women lawyers in Texas.** This beautiful hardbound book describes the many "firsts" of women lawyers in Texas. Walk in their shoes as author Betty Trapp Chapman tells of how they learned the law, established professional careers, and learned to balance their private lives with the demands of being Texas lawyers.

Imagine a time when married women could not buy or sell property; a time before women were allowed to vote or to serve on juries; a time when women, although making inroads into fields such as medicine and education, were considered sympathetic to be capable of succeeding the aggressive nature of the courtrooms. Now imagine Edith W. Locked in 1902 El Paso County, fully aware of the seemingly insuperable legal and cultural barriers in her path, applying to the courts for admission to the bar...and earning her license.

This is the trailhead of ***Rough Road to Justice: The Journey of Women Lawyers in Texas.*** Historian Betty Trapp Chapman serves as able guide from Locke's bold first steps into the legal field, through the all-female 1925 special Texas Supreme Court and the El Paso-born Sandra Day O'Connor's 1981 appointment to the United States Supreme Court, to the American Bar Association's 2006 selection of Kim Askew to chair its largest section, and to all points between. The journey is far from over, but Chapman's account of the road traveled thus far not only records where women lawyers in Texas have been but also, in doing so, provides momentum and a sharper focus for the course that remains ahead.

## Announcements

Dell Inc. is looking to establish a pool of contract attorneys it can draw upon for seasonal work in its Round Rock offices. No guarantee of hours but applicants, if drawn upon, can expect anywhere up to 30-50 hours per week at a fixed rate of \$85/hour. Hours and location has some flexibility, but a fair amount of overlap with traditional office time/place is expected. Topic areas include contract drafting and negotiating; interpreting and analyzing various legal documents; sitting in on business client meetings for general legal issues; and general tasks as assigned by members of the Dell Legal team. Contract attorneys will report to a Dell Legal attorney and be expected to have strong technology, communication, and teamwork skills. In-house experience a plus. Must be licensed to practice law in at least one US state. The ideal candidate will have at least 3 years of firm or other in-house experience dealing with a large law firm or public company, a positive attitude, strong communication and client relation skills. Please submit your resume to [Dean\\_Blackwood@dell.com](mailto:Dean_Blackwood@dell.com) along with any references.

Office space downtown available for sublease immediately. Professional setting including offices and cubicles available. Use of fax, reception area, bilingual receptionist, conference rooms, and kitchen facilities included. Please contact Corinne 512-381-9955 for additional information.

\$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](mailto:branch@branchlawoffice.com).

## Meet Your Board Member: Katherine W. Howard

Katherine Howard is a new addition to the TCWLA Board and currently serves as the liaison for TCWLA, the University of Texas Women's Law Caucus and the Austin Young Lawyers Association. She is an Austin native who practices with the firm Allison, Bass & Assoc., L.L.P.. The firm is general counsel to the County Judges and Commissioners Association of Texas and sues on behalf of and defends local elected officials and local governmental entities throughout the State. Her practice includes defense litigation of all kinds, subdivision and land use issues, public information access, contract negotiation, redistricting, some environmental and water law, and various other support functions for local governments and elected officials. Katherine earned her law degree from the University of Houston in 2004 and relocated back to Austin in 2005. Ever since returning to Austin, Katherine has been involved in various community service and professional organizations. Katherine has co-chaired the Austin Bar Association's People's Law School Committee since 2006 and has volunteered annually for both ABA and AYLA school outreach programs. She has also served on the Texas Young Lawyers Association's National Trial Competition Committee and is an annual volunteer for the They had a Dream, Too! project hosted annually at the Texas Capitol and in schools across the State. She encourages everyone to look into all of the above committees and activities and stresses that she's pretty much met most of the coolest practicing lawyers through one community oriented committee or another.

Outside the legal context, Katherine is the newest member of the Austin Chamber Music Center's Board of Directors and hopes to introduce TCWLA members to the exciting programs, concerts, and educational opportunities fostered by the Chamber Music Center. Katherine has played classical violin since the age of 6 and at times participates in various chamber music and solo groups and workshops to this day. She is also currently studying contest fiddle and bluegrass under the supervision of a member of the South Austin Jug Band and friends.

Katherine also serves on the Board of the Capital Area Democratic Women, an organization and PAC that is involved with and contributes to local governmental campaigns. For the past year plus, Katherine has volunteered for former Third Court of Appeals Justice Woodie Jones' campaign for Chief Justice of the Third Court of Appeals and has gained meaningful insight into the campaign and local political process. Down the road, there may be a run for a spot on a district or county court at law bench in Katherine's future.

Katherine also serves as a mentor to a local sixth grader through the Seedling Foundation, an organization that matches mentors with children with at least one incarcerated parent. Katherine comments that the experience with her Seedling Foundation mentee has made her keenly aware of the magnitude of human possibility, the importance of creativity in public education, and the genius of twelve year-olds generally. It's simply amazing what a young mentee, who has been dealt a pretty difficult deck of cards, can do with a little positive encouragement. Katherine has also served as a CASA (Court Appointed Special Advocate) since 2005, having assisted six children thus far who have been removed from parental custody due to allegation of neglect or abuse. Katherine plans to continue volunteering as a CASA for the indefinite future and is more than willing to share lunch or breakfast tacos with anyone who would like more information about either organization or who would like to get involved.

Otherwise, Katherine can be found at her family's Southwest Austin backyard barn riding horses, teaching riding lessons, and hanging out with her insanely intelligent dog, MacGyver. She has been an avid horsewoman all of her life, starting on a pony named "Lucky Duchess" and progressing to represent a region of the United States in international competition before taking a break to finish college and attend law school. Katherine returned to active dressage competition in 2008 and just completed a successful sweep at her level in the first competition of the 2009 season. She is looking forward to starting three young horses this year and also looks forward to welcoming two new foals to the family this Spring. Katherine voiced excitement at being a new member of the TCWLA board and encourages anyone interested to contact her with suggestions, comments and input as to how members and future members think the group could positively impact their own practices and lives.

## *Calendar of Events*

November 2nd, 2008		Susan G Komen Race for the Cure
November 12th, 2008	12:00 - 1:00	Board Meeting
November 19th, 2008	11:45 - 1:00	Membership Meeting
December 10th, 2008	12:00 - 1:00	Board Meeting
December 11th, 2008	5:30 - 7:30	Holiday Party at Design Within Reach 5

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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](mailto:tcwlaorg@gmail.com) with your announcements and photos.



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### 2008-2009 TCWLA OFFICERS & BOARD MEMBERS

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(f) 460-6647  
[rkherrell@sbcglobal.net](mailto:rkherrell@sbcglobal.net)

**President Elect:**

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**Past President/TCWLF**  
**And ABA Liason:**

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# 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](mailto: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:**

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

\*\*\*\*\*

\_\_\_\_\_ 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](mailto:akmeyers@vlsoc.org)**

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