

TEXAS TECH

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LAW STUDENTS CAPTURE WORLD CHAMPIONSHIP

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ONE ACTIVIST SHARES HIS STORY

LAWYER

The Alumni Magazine of the Texas Tech University

School of Law

Fall 2005

From *the* Front Lines

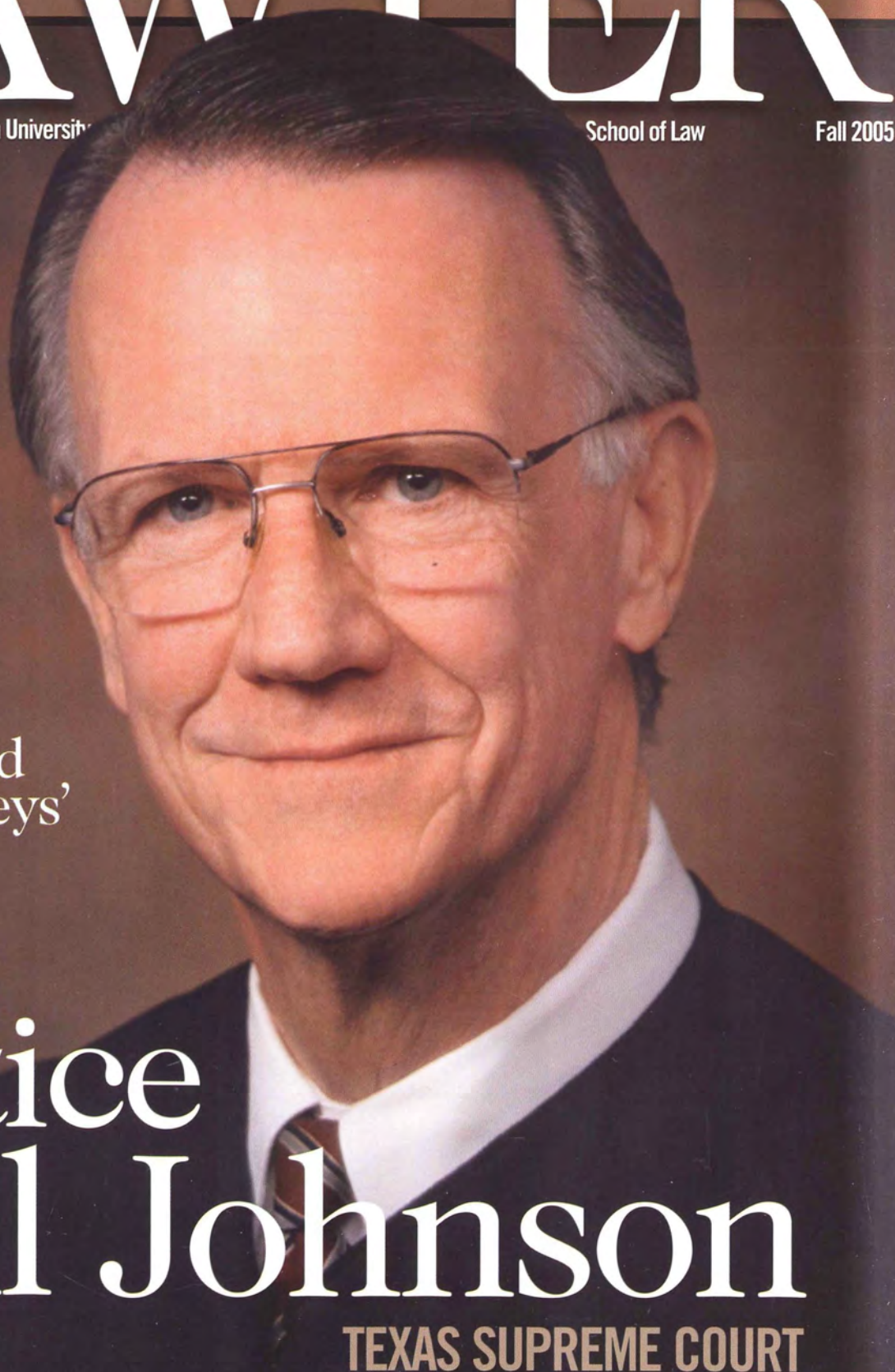
TWO STUDENTS PUT
SCHOOL ON HOLD


Alumni Lead U.S. Attorneys' Offices

RICHARD ROPER '82
MATT ORWIG '84

Justice Phil Johnson

TEXAS SUPREME COURT



A man in a dark suit and tie stands in front of a brick building. The building has large windows and a sign that reads "LAW OFFICES OF KEVIN GLASHEEN".

"In order to be the best in my field. I believe I need to surround myself with people who are the best in their field."

I want to say 'thanks' to the Lawyers and Staff at my office. You all are the best. "

- Kevin Glasheen

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JUSTICE PHIL JOHNSON

Justice Phil Johnson proudly represents the School of Law as its first alumnus to sit on the Texas Supreme Court. Texas Governor Rick Perry appointed Johnson in the Spring.

6

A warm West Texas Howdy! to my fellow alums, and welcome to the latest edition of *The Texas Tech Lawyer*.



As in every prior issue of this magazine, I am pleased to report on the tremendous achievements of your Law School and its alumni. The cover of this edition features **Phil Johnson '75**, the first Tech Law graduate ever to be appointed to the Supreme Court of Texas. Governor Rick Perry announced the appointment in a special ceremony at the Law School in March 2005, and all of us at Texas Tech are extremely proud of Phil. The entire state will soon learn what we in West Texas have always known: Phil Johnson is a brilliant jurist and an outstanding individual.

Justice Johnson's elevation to the Supreme Court also led to a great "Tech Law" rotation on the Texas 7th Circuit Court of Appeals. We were delighted when Governor Perry named serving **Justice Brian Quinn '81**, also a Tech Law Adjunct Professor, to become Chief Justice of the Court, and chose Texas Tech Law School alumnus **Mackey Hancock '74** to fill Brian's position. Mackey has been both an exceptional lawyer and district court judge. He also served our nation faithfully for three decades as an Army Reserve member of the Judge Advocate General's Corps, retiring recently as a colonel after multiple overseas deployments.

Speaking of exceptional alumni, last issue I described the tremendously generous and truly historic gift we received from

Mark and Becky Lanier for the construction of a new professional development center at the Law School. We have been working in earnest with our architects and construction manager on the project and are in the process of reviewing final site designs. By next issue, we should have design drawings that we can share with you. Based upon our meetings with the architects, I can tell you that the new addition will be magnificent. To be constructed on the west side of the Law School, near the new Texas Tech Parkway (which takes the place of Indiana Avenue), the building will serve as a stunning landmark for the redesigned gateway to the campus. If I sound excited, it is because I am – and I believe you will be as well.

Speaking of the Mark and Becky Lanier Professional Development Center, I am delighted to announce that **Mark Lanier '84** has been selected as Tech Law's Distinguished Alumnus for 2005. One of the nation's best (and best known) litigators, a national advocate for ethical and moral litigation practices, and an unswervingly loyal alumnus, Mark is truly deserving of this great honor. The Law School honored Mark at a special dinner on September 9 at the University's Merket Center.

Still on the general subject of our great alumni, I also reported to you last issue that – through the wonderful support of many alumni and friends (and matching University funds) – the Law School endowed the **Governor Preston Smith Regents Professorship**. We have since brought on board the Law School's first Preston Smith Professor – **Gerry Beyer**, formerly of St. Mary's University School of Law. Gerry is perhaps the nation's best known expert in the field of wills and trusts and estate planning, and is certainly well known among Texas attorneys who have attended CLEs in those areas. The Law School was fortunate to attract a person of Professor Beyer's caliber – he is both an outstanding classroom teacher and a nationally renowned scholar whose casebooks are used at law schools throughout the nation. His presence will unquestionably enhance the prestige of the Law School, and even more importantly, give our students the services of another absolutely superb teacher.

Our future alumni (a.k.a.: students) also continue to make us very proud. I told you last time that two second-year students, **Mandy Gundlach** and **Joy Gibbs**, placed second in the American Bar Association's National Negotiation Competition in Salt Lake City, Utah. That second-place finish was enough to secure an invitation to the International Negotiation Competition in Dublin, Ireland. Competing against 15 teams from 13 different countries, Mandy and Joy finished first – **Texas Tech's first world championship!** The team was expertly coached by Associate Deans **Nancy Soonpaa** and **Brian Shannon**, who are still speaking with a bit of Irish brogue.

Preparing graduates for the immediate practice of law is one

of the cornerstones upon which Tech Law was built, and is reflected in our students' outstanding bar passage rates and in their rapid and successful integration into the legal profession. We were able to demonstrate the value of a Tech Law education again this spring when **Texas Tech led all Texas schools in first-time bar pass rate with a score of 90.63%.** We are proud of and proud for our students who are now licensed members of our profession.

Also at the school, we are beginning to leverage the Law School's new centers of excellence. From November 2 to 4, 2005, the **Center for Water Law and Policy**, under the superb leadership of **Associate Professor Gabriel Eckstein**, hosted its first symposium: "Priceless, Worthless, or Immeasurable: The Value and Ethic of Water." Because of his national and international standing as a leading expert on water law issues, Professor Eckstein was able to attract water law and policy experts from all over the world. The symposium was conducted in conjunction with the *Texas Tech Law Review*, which will dedicate an entire issue to the papers generated by the conference.

Moreover, on June 28, 2005, **Associate Dean Rick Rosen**, Director of the **Center for Military Law & Policy**, testified in Washington, D.C., before the Independent Review Panel studying the effectiveness and efficiency of legal advice within the Department of Defense. The Panel is co-chaired by former Secretary of the Air Force F. Whitten Peters and former Secretary of the Army John O. Marsh, Jr. I was also honored to be appointed by Secretary Rumsfeld as a Panel member. The Panel was chartered by Congress in this year's Defense Authorization Act, and it is our goal to recommend statutory, regulatory, and policy changes to improve the effectiveness of the legal support provided to our Defense leadership and to the armed forces. We are pleased that Tech Law was selected to help further that laudable national goal.

Back on the home front, we experienced some changes on our faculty. After 33 years of outstanding service as a professor and a dean, **Professor Jim Eissinger** is retiring. Luckily, however, we were able to convince Jim to continue teaching on a part-time basis, and he will teach his popular elective courses in the Spring 2006 semester. We are also sorry to lose **Assistant Professor Sonya Garza**, a promising young clinical professor who departed Lubbock and Texas Tech for Boston and the New England School of Law after only a year on the high plains.

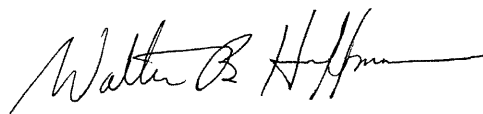
We have, however, hired three outstanding new faculty members: **Governor Preston Smith Professor Gerry Beyer**, who I mentioned above; **Associate Professor Wendy Tolson Ross**, who also comes to us from St. Mary's and will teach in our clinical program; and **Associate Professor Michael Hatfield**, who joins us from private practice in San Antonio and will teach marital property, wills and trusts, and Federal income tax.

Two of our faculty members are visiting other law schools this academic year: **J. Hadley Edgar Professor Rachel Van Cleave** is a visiting professor at the University of California Hastings College of Law, and **Assistant Professor Larry**

Cunningham is at Texas Wesleyan University School of Law. We are pleased that Rachel and Larry have these opportunities to "bear our banners far and wide," but we will be equally pleased to see them back in their Tech Law classrooms.

Also in the faculty arena, with mixed emotions we announce we are also without **Robert H. Bean Professor Victoria Sutton** this year. Vickie was recently appointed by President Bush to become Chief Counsel in the Office of Research and Innovative Technology Administration, U.S. Department of Transportation. While we will miss her significant and varied contributions in Lubbock, we also value the prestige for our law school associated with such a significant appointment, and we know Professor Sutton will bring valuable experiences with her when she returns to Tech Law. We wish Vickie well on her sojourn inside the Beltway, and we look forward to her return.

None of the foregoing accomplishments would be possible without the financial and moral support of our loyal and generous alumni. I look forward to seeing many of you at an alumni event either in Lubbock or in your area, and I thank you for all that you do for the Texas Tech School of Law.



Walter B. Huffman
Dean and Professor of Law
Class of '77

The Margin *of* Excellence



Fundraising is matching your interests with opportunities at the School of Law. That is done through communicating and building relationships. It is about developing trust. And after three years on the job, you have informed me that Dean Huffman has earned your trust and therefore you are ready and willing to invest in the School of Law.

Less than 30% of our budget comes from the state. The remaining cost of a legal education comes from tuition. But we also want to continue as the most affordable law school in the state, so all expenses are not passed on to the students. That is where you come in.

Your investment is making us better and more successful. In fact, your investment is the difference between being an average law school and an excellent one. You helped send the Negotiation Team to Dublin, Ireland and come home as International Champions. Your investment helps provide scholarships to over 50% of our students. The same students who just returned the Tech School of Law to the best bar passage rate in the state. Your investment is the margin of excellence.

Our goal is to get each Tech Law alumnus to make a gift every year. Right out of school that may be \$100. But for others that is \$1000 and more. Annual, unrestricted giving is called the Dean's Excellence Fund and helps many students by providing support for competitions, guest speakers, visiting professors, library needs, travel, faculty research, alumni events, student recruiting, and even this publication.

Another goal is to increase student scholarships. Scholarships may be the most direct investment in our students. You are the margin of excellence at the Texas Tech School of Law.

Thank you for investing in the School of Law. Thanks also for taking time to meet with me. I am grateful for the hospitality many of you have shown and I look forward to meeting more of you in person.

Sid Walker
Development
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sid.walker@ttu.edu

A handwritten signature in dark ink that reads "Sid".



A Changing World

We live in a world that is becoming ever increasingly complex. Although a cliché statement, the truth is that the School of Law is increasingly playing a larger and larger role in our world.

What happens in Lubbock has an effect on what happens around the country and around the world. Not only are the current students of the School of Law bringing national and international recognition to Texas Tech, but the faculty, and most importantly, the alumni do their part every day to bring recognition to the talent and quality education that is synonymous with the Texas Tech School of Law.

This, the fourth issue of the *Texas Tech Lawyer*, embodies a tiny fraction of the accomplishments of alumni, faculty, staff, and students. From Texas Supreme Court Justice Phil Johnson of the Class of 1975 to Class of 1986 graduate Dax Cowart, to current students Mandy Gundlach and Joy Gibbs- all have a story to tell and our common bond as members of the Texas Tech community, makes us proud to call them Red Raiders.

I am personally proud to share with you the stories of our sisters and brothers from the School of Law, and to provide you with a forum for your story—our story. Your comments and suggestions are always welcome.

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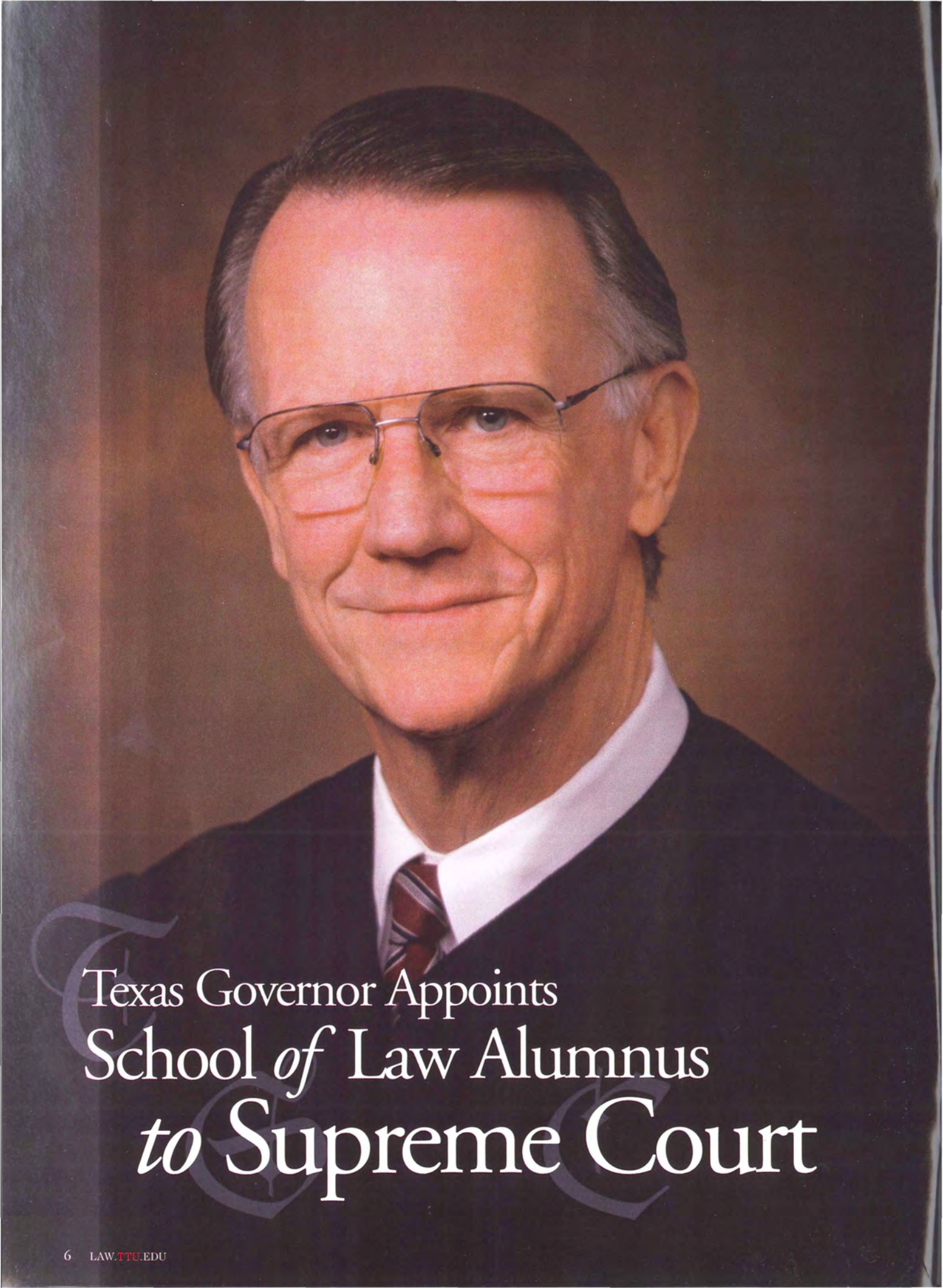
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Texas Governor Appoints
School of Law Alumnus
to Supreme Court

Justice Phil Johnson '75 proudly represents the School of Law as its first alumnus to sit on the Texas Supreme Court. In fact, a West Texan has not been on the bench since Justice James Denton died in office in 1982. Texas Governor Rick Perry appointed Johnson in the Spring.

by Bethany Brooks

"The people of West Texas know him as a fair and thoughtful judge who bases his opinion on the law and constitution, and soon all the people of Texas will come to know and respect him in the same way," Gov. Perry said in a press release.

Johnson's road to the Supreme Court began in Greenwood, Arkansas, where he was born in 1944. Johnson landed in Lubbock, Texas, in junior high when his father, a career Air Force officer, transferred to Reese Air Force Base. Johnson graduated from Lubbock High School in 1962, eventually becoming a fighter pilot

in the Air Force.

Completing his undergraduate pilot training in Arizona, Johnson later served as an instructor pilot and a Standardization-Evaluation Board pilot. He was stationed in Vietnam from 1967 to 1968 as a lieutenant in the 531st Tactical Fighter Squadron, a group referred to as the "Ramrods." He fondly remembers his unit's mascot: a fifteen-foot python that roamed loose in the squadron building. "We had absolutely no mice," quipped Johnson.

"You just have to do the best you can, and the rest is out of your hands,"

Johnson remarked about coping with the dangers in Vietnam. "You have to understand that some will make it out and some that you have been close to may not. You have to make peace with the situation."

When asked if his experiences in Vietnam gave him a different outlook on the armed conflicts the United States has been involved with since then, he recognized that not everyone shares his attitude.

"I don't know if I necessarily have a different take," he said, "but I know I have a commitment to make sure that every time I see someone in uniform, I tell them that I am behind them and supporting them. I don't see it as an individual decision about right or wrong; it is a decision to support your country. I know some people don't agree with that, but any chance I get, I let them know that I support their commitment."

This appreciation became apparent at Johnson's recent Supreme Court investiture in Austin, which was attended by a Color Guard from Bravo Troop, 7th Squadron, 10th U.S. Cavalry, Fort Hood, Texas. Johnson recognized each member of the Color Guard by name and noted that each was in one of the first combat units to serve in Iraq and



Justice Johnson is administered the oath of judicial office by Texas Governor Rick Perry. Johnson's wife, Carla, holds the Bible. Photo courtesy of the Texas Supreme Court.



Justice Johnson with Texas State Senators Robert Duncan '81 and Jeff Wentworth '71.

"I felt I had something to offer—lots of experience in different areas, as well as general life experience that could give me perspective. I felt I could give something back by serving on the bench."

would soon return to duty there. This display of respect prompted a standing ovation by the members of the Texas Supreme Court (followed by everyone in the audience) lasting over a minute and a half. Observers noted few dry eyes in the crowd.

Johnson's own service in the Armed Forces earned him the Silver Star, the Distinguished Flying Cross (with Bronze Oak Leaf Cluster), the Air Medal (with multiple Oak Leaf Clusters), and the RVN Cross of Gallantry. After returning to the States, he received his Silver Star at an awards ceremony. Only one other Silver Star was awarded at that ceremony: a young widow receiving the medal on behalf of her husband, a pilot who had

died serving in Vietnam.

Johnson later realized his award and accompanying documents had been switched with the young lady's during the presentation. In the course of arranging to exchange the medals, Johnson began visiting with her. The two have now been married for 35 years. As Johnson described the auspicious twist of fate, "The telephone call was made, we visited a little, things started going, and they are still continuing."

Johnson proudly spoke of his highly accomplished family: two daughters—an attorney in Austin and an opera singer in New York, and three sons—an attorney in New York, an oil-business CEO in Dallas, and a police officer in

TECH LAW ALUMS APPOINTED TO AMARILLO'S 7TH COURT OF APPEALS



Quinn

Justice Johnson's appointment to the Texas Supreme Court led to two additional appointments for Tech Law Alums. Governor Perry named serving **Justice Brian Quinn '81** to the Chief Justice position and selected **Mackey Hancock '74** to fill Quinn's position on the court.



Hancock

Lubbock who began classes this fall at the School of Law. His family also includes seven grandchildren.

Upon his return from Vietnam, Johnson made the decision to attend law school. After receiving his B.S. degree in Mathematics from Texas Tech, the choice to attend the School of Law was a natural one.

"Tech was already a big part of my life. Aside from my attending Tech as an undergraduate, my brother had gone to Tech Law in its first graduating class. He felt strongly that Tech was a great school and that it had given him a strong foundation."

Johnson had several memorable law professors: David Cummins for income tax, Hadley Edgar for torts, and Rod Schoen for constitutional law.

"I probably didn't appreciate [Schoen] during the course nearly as much as I do now," Johnson remarked. "It was immediately apparent to me [upon becoming a judge] that the Supreme Court did in fact know what they were talking about on some of those cases that seemed so murky while I was taking the class."

Johnson participated in Law Review and graduated with honors in 1975, at which time he began working for the Lubbock firm Crenshaw, Dupree & Milam in its civil trial law section. After beginning his practice, Johnson realized that Tech School of Law had given him a "good, solid, well-rounded education" along with the tools to become a successful attorney. Johnson became a partner and practiced with Crenshaw for 23 years. He is Board Certified in Civil Trial Law and Personal Injury Trial Law.

When asked to give their thoughts about Johnson as an attorney and as a person, his former colleagues from Crenshaw, Dupree & Milam used words like "integrity," "impartial," "dry-witted," "cheerful," and "wise." Johnson may most aptly be described as "fair," a word repeated by those who knew him best.

Bill Wade, an attorney with Crenshaw who practiced closely with Johnson for over 20 years, spoke highly of Johnson.

"I can only say it in the words of Louis L'Amour," Wade said, "who as the highest form of compliment would refer to a worthy individual as 'a man you could ride the river with.' He is a lawyer's lawyer and will soon be known as a judge's judge."

In 1998, Johnson left the firm when he was elected to serve as a justice on the Texas Court of Appeals for the Seventh Judicial District in Amarillo, and was elected Chief Justice in 2002.

Johnson related about the decision to leave private practice and become a public servant.

"My children were grown and away from home, and I had practiced law for a

very long time," stated Johnson. "I felt I had something to offer—lots of experience in different areas, as well as general life experience that could give me perspective. I felt I could give something back by serving on the bench."

Johnson noted that leaving private practice to become a judge necessarily comes with a price.

"Being on the bench, you get a little isolated. You are viewed differently, even by friends and colleagues," Johnson said. "I miss the spirit of camaraderie that lawyers share, as well as interacting with clients and other attorneys. Even when situations became tense and opposing attorneys got irritated with each other, that was just part of it. I enjoyed the give and take, the interaction."

Of course, being an appellate justice on the Seventh District Court had its benefits.

"There is a lot more research on smaller, finer points," he explained, "but you don't have to worry about clients and whether all your efforts are worth the clients' expense. Day in and day out, you are able to focus on a problem without worrying about the time—you just worry about getting it right and explaining it the right way in the opinion."

Johnson has the same goals for his tenure on the Texas Supreme Court as he had for the Court of Appeals.

"I have no desire to change the Supreme Court. I just want to do the best on each case that is set before me," Johnson said. "The lawyers may not always agree with me, but I hope they will

think I brought experience, knowledge, time, and effort to each case. The work I do and the time I spend—I want the lawyers to feel like I have done a good job for them in this position. I am a visible representation of the legal community, and I want them to feel good about having me here."

Johnson also emphasized that he will follow the law and not legislate from the bench.

"I feel strongly about the division between the three branches," he insisted. "For judges to encroach on the legislative function does not show respect for those that voted on the legislation and approved it. The citizens have voted on a constitution and put it into writing, and what I am supposed to do is interpret that constitution and legislation. I have respect for the people of this state and country. If they want to change something, they and the legislature will change it, but that's not within my scope."

At a reception in June hosted by Crenshaw, Dupree & Milam and the School of Law, Justice Johnson gave a half-joking, half-serious reminder to all of his friends and mentors in this part of the state.

"I received my education at Texas Tech, I practiced for 23 years in West Texas and the Panhandle, and I was mentored by lawyers in this area," Johnson stated. "If I ever sign an opinion that one of you doesn't like, just remember not to complain too loudly. What I say and what I do and what I am came from you." ■



Photos from the reception honoring Justice Johnson held at the Texas Tech Law School on June 9, 2005.

(More photos of this event can be found on page 42 of the Alumni Affair section.)



Alumni Lead U.S. Attorneys' Offices

Richard Roper '82 is in his first year at the helm of the United States Attorney's Office for the Northern District of Texas in Dallas. Confirmed in November 2004, Roper had previously served as interim U.S. Attorney when he replaced outgoing U.S. Attorney Jane J. Boyle. Boyle took over the position of U.S. District Judge for the Northern District of Texas.

by Steve Burzinski

"I see this as a great opportunity to lead," said Roper when asked about his new role. "I believe this is the best U.S. Attorney's office in the country"

Roper is no stranger to the U.S. Attorney's office, having served as an Assistant U.S. Attorney since 1987. He recently served as Deputy Criminal Chief in charge of the Fort Worth Office. His new role has expanded his responsibility, giving him the task of overseeing the work of 90 Assistant U.S. Attorneys spread over 100 counties.

Although his work ethic is the same, his perspective has changed somewhat.

"I still enjoy being involved in the cases," Roper said. "But the U.S. Attorneys' job is more to set the priorities and the pace for federal law enforcement effort in the district. One of our primary goals is to beef up the prosecution of drug cases in this district."

Roper continues to set high goals for the Northern District. One goal is intensifying efforts to intercept drugs coming into the United States. In February 2005, Roper and his office, in partnership with the U.S. Immigration and Customs Enforcement (ICE), took part in the seizure of about 180 kilograms of cocaine from Mexican nationals attempting to fly the drugs into the U.S.

Roper and his office also champion the efforts of the "Project Safe Neighborhoods" program, a nationwide effort to reduce the amount of gun violence in neighborhoods. For the Northern District of Texas, one purpose of the program is to educate new parolees on the effects of gun possession after their release from prison. The program has also helped to eliminate problems with drug suppliers and lessen the detriment

they bring to neighborhoods in and around the Dallas/Fort Worth area.

The Northern District is also increasing its efforts to work with other areas of law enforcement, both federal and local. In coordination with the FBI, Roper continues to lead the efforts of the Northern Texas Advisory Council, a collaboration of federal, state and local law enforcement officials working together to eliminate criminal activities. The group's mis-

sion is to increase the amount of information being shared among all levels of law enforcement, a major criticism of the 9/11 Commission Report. Along with reducing crime in the district, Roper said this group is a great vehicle to aid in generating cooperation between all levels of law enforcement.

Matt Orwig '84 is completing his second year as the U.S. Attorney for the Eastern District of Texas. Orwig was con-



Roper



Orwig with President Bush.

firmed in April 2002. Before his confirmation, Orwig served in both the Executive Office of United States Attorneys (EOUSA) in Washington, D.C., and as an Assistant U.S. Attorney in the Plano, Texas office. The EOUSA serves as general counsel for all United States Attorneys and their staffs. Although he enjoyed his time in Washington, D.C., the native Texan was more than happy to get back on the range.

"I love being back," Orwig said. "Washington, D.C., was great, but I am happy to be back in Texas."

Orwig is proud of the work the Eastern District has done and looks forward to its future. Not only has the Eastern District office continued to thwart drug trafficking in the region, it is also following through on its promise to limit public corruption and white-collar crime. In 2003, Orwig and his office were responsible for prosecuting Beaumont Mayor David Moore, and City Councilman John K. Davis for corruption.

The Eastern District continues to follow through on the Methbusters initiative, a program implemented to address the growing problem of methampheta-

mine trafficking in East Texas. The Methbusters Team is a combined effort of the U.S. Attorney's Office and federal and local law enforcement. It seeks out those involved with the manufacture and distribution of methamphetamine or chemicals used in its production. In November 2004, the initiative led to the arrest of an individual who attempted to sell 450 grams of methamphetamine to undercover officers.

"It is remarkable how much we have been able to do," Orwig said. "I give great credence to my support staff. I am aware that many political appointees lose steam in their second and third terms, but we have set ambitious goals and stayed with them."

Orwig plans to continue the success of the Eastern District in its conviction rate. He expects that in 2005 the office will double the number of convictions from that in 2000, along with increasing the complexity of the issues addressed. Even with the increase in work, the office still stands ready to prosecute those matters that continue to plague east Texas.

Both Orwig and Roper point out that the increased focus of the nation's war on

terrorism has changed their roles somewhat. Orwig said that new laws, like the Patriot Act, have been beneficial to his role.

"The Patriot Act's provisions have been very helpful in bringing criminals to justice," Orwig said. "For the first time in the history of the Department of Justice, our priority is preventing terrorism."

In the Eastern District, Orwig pointed out that this priority includes more than just preventing international terrorism; it also includes the elimination of domestic terrorism cases, including activities of white supremacist groups. Orwig's office was responsible for the conviction of one group for possessing a large stockpile of weapons, including components to make a sodium cyanide bomb capable of killing thousands.

As the heads of neighboring districts, Orwig and Roper look forward to continuing their working relationship, while also maintaining their personal friendship gained through a mutual prior employment opportunity. After law school, they both served as Assistant U.S. Attorneys for the Northern District in the Dallas office.

"We're good friends and work well together," Roper said. ■

From *the* Newsroom to *the* Courtroom

Get the facts. Write the brief. Tell the story. These have been the endeavors for Debra Thomas '87 and Kara Altenbaumer-Price '03 since they were children; however, the platform by which they tell their story changed throughout the years. Early on, they sat behind disc-jockey chairs, news desks, and microphones, as they told the public of current events and hot topics.



Altenbaumer-Price

by Casey Mims

Now, Thomas and Altenbaumer-Price tell their story to a judge and jury. These two Tech Law grads turned from careers in media to the legal field. Both women said their background in the media has made them better lawyers.

Altenbaumer-Price's interest in the law precipitated from a news story assignment on the Tech campus. After college, she reported for the Lubbock Avalanche-Journal, where she covered Texas Tech University. Altenbaumer-Price interviewed former School of Law Dean Frank Newton, and he asked her about enrolling in law school. In fact, he continued to tease her about it until eventually she paid the late fee for the LSAT.

"Tech was great for me," Altenbaumer-Price said. "I found the school friendly and the faculty approachable."

"And now that I have been out practicing, albeit for a short while, I've been able to see that Tech really does provide a great legal education," she said. "Law school was the first time something was truly hard, and because of that, I really blossomed into who I am today."

When speaking of her time in law school, Thomas recounted a somewhat different tale of law school.

"I would seriously question the sanity of anyone who says that they loved law school," she said, "but some of my dearest friendships were forged there."

Thomas said she encourages current law students to find an area of the law that they really love and go for it.

"Never let anyone else set your limits for you," Thomas said. "Never compromise your own ethics in order to win— Play fair; share; keep your sense of humor about yourself."

In the third grade, Thomas "published" a newsletter, which she sold to her neighbors for a nickel a piece.

"I wish I had one of those now," she said.



Thomas

"I am sure it would be hysterical to see what a nine-year-old considered newsworthy."

Thomas gained a unique perspective at an early age, since her father was a small-town judge and her brother was a law-enforcement officer. As a news reporter, Thomas covered trials and interviewed judges, lawyers, plaintiffs, defendants, victims, and the accused. When comparing the two careers, Thomas said that she still crafts language to tell a story, but the main difference is that the audience changed from a news reader or viewer to a judge or jury.

Altenbaumer-Price also attributed her media involvement as an enormous benefit to her legal career because of the writing and reporting skills she learned early on.

"The basic thing reporters do is take a lot of facts and information and cull them down to the parts that matter," Altenbaumer-Price said. "We are trained to basically evaluate what is the most important and put it at the top of a story and go down from there."

"Essentially, that's what legal writing is, or at least should be," she said.

Altenbaumer-Price's life goal was to be a reporter, although she chose not to tell family and friends of her secret aspirations to attend law school and to become a "political-reporting guru" because she

"Never let anyone else set your limits for you...never compromise your own ethics in order to win—Play fair; share; keep your sense of humor about yourself." —Thomas

wasn't sure it would ever happen.

"But life takes strange turns, and practicing law is actually a huge detour from my life plan," Altenbaumer-Price said.

She said that covering major news stories helped her ability to interact well with people in prominent positions. For example, at the young age of 19 she interviewed then-Texas Governor George W. Bush.

"I was faced all the time with one-on-one situations with people with much bigger jobs and many more years on them than me" Altenbaumer-Price said. "I had to learn not to be intimidated by people or situations, which has been a tremendous skill in my job because I am faced every day with new tasks I don't know how to do and with people who have worlds more knowledge and experience than me."

"But I just think, I've done more daunting things before and a lack of age or experience doesn't mean I can't or shouldn't be doing something," she said. "That was a big lesson journalism taught me."

Both alumnae shared common

thoughts about the way in which the media portrays the law. They feel that news coverage is an attempt to provide accurate information, but without a legal education, it is ignorant.

"I think most journalists, including me a few years ago, do not understand much about the law," Altenbaumer-Price said. "They see things as right and wrong in a vacuum apart from the law, not whether they are constitutional or unconstitutional or what things mean in the larger sense of the rule of law."

Thomas said she believes that the media generally tries to get it right and provide fair coverage, but that this does not happen because most reporters are not lawyers and the issues involved are often very complex.

"As most lawyers know, it can be difficult to explain these issues with complete accuracy in a lengthy brief," Thomas said. "Try doing it in a few lines or a few seconds!"

Thomas' background in the media, particularly in media law, proved to be especially beneficial when she assisted U.S. District Judge Mary Lou Robinson, who presided over the highly publicized suit of *Texas Cattlefeeders v. Oprah Winfrey*.

Thomas said she often represents journalists who either need assistance getting access to public information or who are being sued because someone does not like what was reported. She said she

understands firsthand the challenges a working journalist faces, as well as the commitment to protect sources.

Often, Thomas said she is called upon to assist the spokesperson, or to take on the role of spokesperson, for clients involved in matters that require sensitivity and a balance between the public's right, or desire, to know and a litigant's right to a fair and impartial jury. She said she works alongside the strategic communications practice groups, which are experts at handling media relations and crisis communications for clients.

Both women worked exceptionally hard to see their careers flourish in their respective Dallas firms. Altenbaumer-Price's work at Hughes & Luce L.L.P. focuses on white collar criminal defense, telecommunications and appellate work. Thomas is a trial attorney in the business litigation section of Bracewell & Giuliani, L.L.P., representing clients from all over the world and trying complex business litigation cases. ■



Behind the Badge, Ahead of the Class

By Arlene Olivar

Victor Rivera now carries a laptop, books, and case briefs, instead of carrying a gun and a badge. As a native of Fort Worth, Rivera worked for the Fort Worth Police Department for five years as an intelligence officer in the East Side Detective's Office. As a law student, Rivera has jumped into the law school community as the ABA Senior Representative, 1L class officer, and member of Delta Theta Phi. On a national level, he is the Attorney General for the National Latina/o Law Student Association (NLLSA).

While most students contemplated attending law school from dorm rooms or offices, Rivera's everyday job placed him in situations that make up the "hypos" that law students study. His former job also placed him directly in the trial process that mock-court exercises emulate.

"I actually did not begin to think about law school until maybe my third year with the city, after being the city's witness on several trials, particularly the felony trials," said Rivera. "While I was in the police academy, one of the district attorneys for Tarrant County held a mock trial class that was two days long and during this time period, he felt that I had what it took to be a lawyer and he started putting the idea in my head."

Garnering experience working with attorneys, as a police officer, Rivera assisted the DA's office as a witness and during trial preparation. Even though police officers worked with the district attorneys on the same side of the courtroom, Rivera's police officer colleagues were opinionated about his decision to attend law school. Like a fly on the wall, Rivera was privy to all the punch lines of which attorneys are the brunt. On the whole, Rivera's colleagues were supportive and hope that Rivera's law career brings him back to Fort Worth.

"I heard it all, including all of the lawyer jokes," said Rivera. "First you had the officers that said I was crossing over to the dark side. Then you had the others that said I was making the

On the whole, Rivera's colleagues were supportive and hope that Rivera's law career brings him back to Fort Worth.

smartest decision of my life."

Indeed, the Socratic method, legal concepts, and words of art challenge all first-year students. Rivera feels his background will give him an advantage in the classroom, especially with criminal law classes, because he is already familiar with criminal law terminology and with the Texas Penal Code. But, Rivera still takes a serious attitude toward studying.

Although Rivera misses the fast pace and authority of his old job, he has felt first hand the public's perception of police officers.

"I don't miss the double-standard placed upon officers. Everyone hates police officers until they need them. Then, when you are there for them, it's as if you didn't get there fast enough," said Rivera.

Fast-forwarding to post-graduation, Victor can learn from alumni that have made the cross over before him. While some School of Law grads with law enforcement backgrounds have combined their past job history with a career in the law, some have not.

Everett New '04 spent more than three years with the Lubbock Police Department as a patrol officer. New was always interested in law enforcement and applied to the police academy and law school at the same time. After being accepted to both, New decided to enter the police academy first and attend law school later. While a first-year law student, New was still a full-time patrol officer.

Upon entering law school, New intended to combine his past in law enforcement and career as a lawyer; however, after making a realization about the essence of what he enjoyed about his law enforcement career – solving mysteries – other areas of law piqued his interest. He is currently an associate at Carrington, Coleman, Sloman & Blumenthal, L.L.P. in Dallas, and his practice areas are gen-

eral civil litigation and securities and business litigation.

"The idea of being a detective is what I would have aimed for. I wanted to have those kinds of challenges and solve mysteries," said New. "Being in law school is almost that way. To this day, each question of law, when somebody brings a fact situation to you or you get an assignment from someone, it is a mystery. It is 'go find the puzzle pieces to help you answer this question to solve this mystery.' So from that approach I have really enjoyed both."

During the job interview process, New felt that employers responded positively to his job history and that it was an asset for him.

"It gave me a leg up in that I knew I had something I was interested and well-versed in that was a topic of discussion for most interviews. It also showed that I had had a real job, some experience under my belt, knew how to take charge in a situation, how to solve problems, and how to be proactive," said New.

In retrospect, New can see how his law school experience contributed to his changed view of the law.

"Law school helped to moderate me a little bit. It helped to pull me more toward the center. It also helped to see how narrow a view I had as a police officer, not with regard to people or crime, but with regard to how vast the term 'law' is. Law enforcement is almost a misnomer because you are only enforcing a very limited portion of the laws," said New.

Jenny Kallus '98 chose to combine her background in law enforcement with her legal career. After college, Kallus became a peace officer and then a licensed investigator for the Brazos County Attorney's Office and subsequently for the Brazos County District Attorney's Office. Before starting law school, Kallus worked as the



Rivera

investigator for the narcotics task force. Currently, Kallus works for the Lubbock County District Attorney's Office as a misdemeanor prosecutor in the County Court at Law Number Two; however, she still keeps her peace officer commission current.

Throughout law school, Kallus knew that she wanted to return to working in a district attorney's office. Even though her career path never wavered, Kallus' law school experience brought her perception about the law into sharper focus.

"Going through law school gave me more depth of understanding of the Texas Code of Criminal Procedure and had I not chosen to use my law degree and work as a lawyer, law school would have made me a better law officer," said Kallus. "When you are a police officer you are charged with a specific duty and your direct decision making ends when you turn over the case to the prosecutor. As a prosecutor, you pick up where the cop left off, but a prosecutor's duty is more expanded."

"Our job under the Code of Criminal Procedure is to see that justice is done. I'm not saying that cops don't do that, because they do. As a police officer, there is more of a finite universe, and as prosecutor, a larger universe."

Having a background in law enforcement is not always a precursor to working in the area of criminal law. Whether or not Rivera decides to combine his past job history with his future career as a lawyer, he looks forward to the rewards that three years of hard work will bring. Rivera feels that by choosing to be a lawyer, he will be in a better position to effect change for the public he formerly protected as an officer.

"I am not quite sure if my background will play a factor in my legal career," said Rivera. "Currently, I see criminal law as a fallback because I know that it would be a natural arena for me; however, I am keeping my eyes and mind open." ■



Kallus



A New

Spin on Law

By Tiffany Colunga

While many attorneys spend their days in suits, Robert Silvis '92, wears jeans and running shoes to work. Silvis and a group of his colleagues spend their lunch breaks riding bicycles. Also, many of the employees ride their bicycles to work. But Silvis is not a cyclist by trade; he is the general counsel for Pacific Cycle, Inc., in Madison, Wisconsin.

“ONCE THE WEATHER GETS NICE, I like to get out and ride,” Silvis said. “I happen to like bikes and ride a lot. It is just fun to be working in this environment.”

Silvis explained that the work environment at Pacific Cycle is much more casual than a normal office since the majority of his business is coordinated by telephone, and also because of the different culture of Pacific Cycle's clients, many of whom are professional riders.

“We sponsor pro riders and have stunt teams,” said Silvis, pointing out that Pacific Cycle sponsors teams which includes pro riders who compete in the Gravity Games and the X-Games, extreme sports tournaments.

But Silvis' position as general counsel for Pacific Cycle is not completely relaxed. He spends more time in the office than on the bike trail.

“Pacific Cycle has quietly become one of the largest bike companies in the world,” Silvis said. “The name is not recognized outside of the bike world. It is the brands that people recognize. Schwinn, GT [and] Mongoose are some of our brands. They see the brands and that is how we want to keep it.”

Silvis has been Pacific Cycle's general counsel for over three years. As general counsel, Silvis not only manages the outside counsel for products liability, but he handles intellectual property claims, con-

tracts drafting and legal compliance with regulations and reporting requirements.

“I seldom appear in court [and] I do not try any of the cases now – I keep travel to a minimum because of the other demands,” said Silvis, adding that he is never listed as the counsel of record because he is a representative of the corporation. “I cannot be the attorney and the client.”

Silvis also said that because Pacific Cycle brands are sold worldwide, claims often arise in various locations around the nation and the world.

“We have to rely on local counsel because we cannot be everywhere,” he said. “It is no secret that we have continuing claims of litigation. We sell millions

of bikes a year."

Pacific Cycle is headquartered in Madison and operates as a stand-alone division of Dorel Industries, Inc., a publicly owned Canadian company. Its brands include Schwinn, Mongoose, GT, Roadmaster, Pacific, Dyno, InSTEP, Pacific Outdoors and Murray.

"Because of the sheer number of bikes we sell, there are going to be claims. There has been a change in society as far as entitlement," Silvis said. "We have been sued because we did not have roll bars or anti-tipping devices [on the bicycles], basically because we were not a car."

Silvis said that legitimate cases occur where a product malfunctions, but that other times it is simply an operational error. "It happens all the time that someone falls over," he added. "But if it is our fault, we step up and take care of it. We move quickly to resolve the matter."

Silvis said that many legal issues arise from the sponsored riders and stunt teams that represent Pacific Cycle and its

and professional riders. "We provide them with the support they need."

Even with the challenges of the size of the business, Silvis enjoys his job, though he noted that it is not what he had planned to do while in law school.

"Before I went to law school, I asked a number of friends how they got started doing what they were doing, and some were doing what they always wanted and others said their first job dictated what they ended up doing," Silvis said.

According to Silvis, law school changed his life by opening various opportunities.

"[A law degree] is a ticket to an interesting exciting professional field," he said. "It also is a ticket to many opportunities in the business world."

Silvis said he got his foot in the door at Pacific Cycle based on a personal contact.

"I know Chris Hornung, who started the company. I had previously done some work for him, and it evolved from there," Silvis said. "When I first started, I was doing the products liability and over time I took over as general counsel."

Before working at Pacific Cycle, Silvis spent time at a firm specializing in litigation and defense work and also worked as counsel for a hotel company in Wisconsin. While in Fort Worth, Silvis became an instrument-rated pilot and would fly throughout Texas to see clients. He said now he has little need for his pilot's license at Pacific Cycle.

"Now, the company has a plane, and we have a pilot," he said.

However, Silvis' aviation background did afford him the task of overseeing the aviation department at Pacific Cycle, as well as being general counsel. And even though Pacific Cycle was not originally what he had in mind, Silvis is quite content with his choice.

"I really like what I am doing. I like the company I am with, and I like the people," he said. "It has turned out to be a pretty good change for me."

Pacific Cycle also offers some perks for Silvis outside of the office, including employee discounts which create incentives to buy the house brands. Silvis enjoys riding bicycles and does own a few of his own, including a Schwinn Fastback Pro and a GT mountain bike among others. Silvis said he is more than happy to bring his work home with him.

"My kids ride Schwinn's, also," Silvis said. "They have always had nice bikes."

He often rides not only with his son Justin, 10, and daughter Jackie, 7, but also with his wife, Deb. He added that while his children do not realize the quality of



Silvis

their bikes, they do enjoy getting a preview of Pacific Cycles new products.

"They like to ride. It's a family activity," Silvis said.

Besides cycling on the weekends, Silvis enjoys spending time with his kids. He coaches his son's hockey team and enjoys watching his daughter play hockey.

Silvis enjoys vacationing with his family, and his family even came to San Antonio, for vacation last summer.

"We asked the kids where they wanted to go, and they chose Texas," Silvis said.

He said his family hopes to have many more trips to Texas to see relatives and friends whom they miss. Among other things, Silvis and his family said they miss Texas' pleasant weather, Tex-Mex food and barbecue.

"There are many things we miss about Texas, especially in winter time at 4:30 [p.m.] when it's dark or when it's below zero," Silvis said. "[We also miss] going down to Padre [Island] or the Riverwalk in San Antonio." But Silvis also found some perks in Wisconsin that cannot be found in Texas, including cross-country skiing and his family roots.

"Both of us [Silvis and his wife] grew up in Wisconsin, and we have a lot of family here," Silvis said. "It was a very easy to move back from Texas, in the sense we were moving to a familiar place."

Silvis has additionally incorporated his love for bicycles into his legal life as well as his family life.

"All in all, I have the good fortune of being able to practice law in a challenging but enjoyable environment," Silvis said. "It is hard work, but it makes it easier when there are good people and you can have a little fun doing it." ■



brands. One example is the Red Bull Series Downhill Racers, where racers speed through an abandoned underground mine in Sondershausen, Germany. The stunt teams have shows with ramps and half-pipes where tricks are performed on BMX bikes.

"My involvement with the stunt teams is strictly related to contracts or when there is a problem," said Silvis, adding that sports managers and marketers for the company primarily handle the teams



From *the* Front Lines

Students Place Their Education on Hold to Fight in Iraq

by Karolyne Cheng

WHAT

DO WE ALL have to be thankful for? Looking up into the West Texas skies, as the clouds billow high and the sun shines down, it is easy to forget about the turmoil in the world. It is even easier to take for granted blessings such as life, liberty, and freedom. By taking these precious ideals for granted, we forget to be thankful for them and more importantly, we forget to whom we should be thankful for such blessings. We turn our attention to two individuals of the thousands who are or who have just finished serving in Iraq, preserving what we have to be thankful for.

In Lubbock, as elsewhere in the United States, we remember back to when the news of the war in Iraq came into our lives. We remember when it came to the doors of the School of Law. Yes, every law school class loses students for one reason or another, every class dwindling in its numbers. But, it was sad knowing that some of our friends and peers would not be with us the following semester. At times, it was hard looking into the eyes of a student preparing to be deployed and chatting about the mundane plans for next semester's course load and realizing that this was something they did not have to deal with.

Scott "Russ" Shinn and Sergio Tristan, after completing their first year at the School of Law, answered our nation's call in Iraq.

Shinn brought his family to Lubbock in 2003 to attend the School of Law. As a graduate of Texas A&M University and a sergeant in the Marine Corps, Shinn was called to duty in the summer following his first year.

Shinn recently finished a tour in Fallujah, Iraq, while his family, wife Tonya, two-year old son Anthony, and eighteen-month old, Audrey Elizabeth, remained in Lubbock.

Shinn's family and friends rejoiced at his return in April. After a short stop in California, Shinn arrived back in Lubbock on April 12. His family, friends, and a couple faculty members met him in Amarillo with a hero's welcome.

After a short hiatus from the military, a brief rest for re-adjusting to West Texas, and time to spend with his family, Russ headed to Quantico, Virginia to attend the Marine Corps' Officer Candidate School (OCS). Following the

Shinn



Tristan



"Your loved ones – the Scout husbands, sons, and dads – are brave men. Good men. Tough men. Great Americans all."

completion of the program, Shinn returned to Lubbock to begin his second year.

A few months ago, Shinn's commanding officer wrote to the families of the Marines in his unit before leaving the front after battle:

"Your loved ones – the Scout husbands, sons, and dads – are brave men. Good men. Tough men. Great Americans all. Although they call me 'Papa-6, it is I who have learned the most from them. I will forever be grateful to have had the chance to serve with them in battle. Humbling, really. They are the backbone of the Corps and I am proud to be associated with our fine unit. It was a tough fight, and they were magnificent."

Tristan, a graduate of University of Texas at Austin, headed to Fort Hood in August 2004 rather than beginning his second year at the School of Law. After a quick stop to spend Christmas with his family in Greece, Tristan proceeded to Iraq. Recently promoted to First Lieutenant as an Army Ranger, Tristan is stationed in Al Nasayria or otherwise known as Al Sadr City, colloquially named such after a rebel cleric who staged an uprising early 2004.

With encouraging and amazing emails about the elections and his travels to historical sites in the area, Tristan calms the worried hearts of his friends and family until his return in February 2006. He will begin his second year in law school the following fall.

Needless to say, Tristan seems to have everything in order with the 260 soldiers under his command and with an eye to a relaxing period ahead of him.

The student body and faculty started a mission to send care packages to Iraq: Boxes filled with goodies – cookies, Cheez-its, candy, the necessary supply of ramen noodles, and cards and letters filled with love and gossip about the school's news. Two students even sent an evidence textbook to Shinn for giggles so that he could read up on the joys ahead of him in the fall.

E-mails and letters come and go between Lubbock and Iraq – each updating the other about the generalities of life. Some students also write to Marines in Shinn's company who have no family back in the States. Readers keep up on the personal side of the war through e-mail from Sergio and Russ. But, many are just relieved to know that their friends serving overseas are safe, healthy, and headed back to the classroom.

Reading this while sitting on a couch, standing out on the porch, camped in a study carrel, what do we feel when the bigger picture of the turmoil in Iraq comes into our microcosm? How do we feel about those we have lost and others we yearn to see return to us? Proud is perhaps not quite the fitting term for how we regard our family and friends serving overseas. Perhaps thankful is more apt. ■

Faculty Offers Expertise in Establishing Center for Military Law and Policy

by D. Chris Hesse

Officers and instructors at the Army Judge Advocate General's (JAG) School occasionally jokingly referred to Texas Tech as "JAG School West" because some of its top officers have become administrators and professors at the School of Law. The School of Law offers seven former judge advocates and more than 100 years of experience in military law.

"When I became Dean of the Law School, Colonel Richard Rosen was completing his term as Commandant of the Army JAG School, and I was looking for an Associate Dean for Administrative and External Development," Dean Walter Huffman, former Judge Advocate General of the Army, said. "He [Rosen] had worked for me before, and I knew that he was a very capable officer."

The hiring of Rosen as Associate Dean merely marked the beginning.

"We were also looking for a new criminal law professor and I recommended to the faculty a new JAG, Colonel Calvin Lewis, who was then Director of Academic Affairs at the Army JAG School," Huffman said. "Both Colonel Rosen and Colonel Lewis were the top two guys at the Army JAG School at that time."

The idea for the Center originated with the American Bar Association's (ABA) site-evaluation team, which visited the School of Law in February 2004 as part of the School's seven-year accreditation process. Huffman said that the

Huffman aboard a helicopter while on tour during Operation Desert Storm.



School of Law faculty with military backgrounds. From left, Joe Conboy, Calvin Lewis, Brian Shannon, Walter Huffman, Kimberly Phillips, Richard Rosen, and Dan Benson. Photo: Jennifer Doak.

ABA team told him that military law issues stood at the national forefront, and that it did not know of any other law school in the U.S. with the ability to establish a military law center.

Consequently, Huffman said that he approached the faculty to see if they wanted to create a military law center.

"The faculty was interested in having a center analyze, research, write and recommend improvements to military law from a civilian viewpoint that had military expertise, and voted to approve it," Huffman said. "A structure was put together with volunteers, and I appointed Dean Rosen Director of the Center and Professor Phillips Deputy Director of the Center."

Texas Tech University administration approved the Center in November 2004.

"We have so much talent and experience here that it would be a waste to pass up this opportunity," Rosen said.

The mission of the Center is to contribute to the understanding, development, teaching, and study of military law in a setting outside the armed services.

"We hope to become part of the conversation," Professor Kimberly Phillips, who served as an officer in the Navy JAG for more than five years before joining the faculty, said. "Not only will we be a resource, but people will actually come to us."

The Center currently has seven former military judge advocates, four of whom

Lewis and Huffman in Kuwait during Operation Desert Storm.



have served in the Army, one of whom has served in the Air Force, and one of whom served in the Navy.

"We would like to round-out the staff by getting a Marine!" Rosen said.

These former officers are in a unique position to affect Government policy in that they understand military law because of their experience, but are no longer connected with the Department of Defense (DOD).

"Army judge advocates can publish and express any view that they want, but their primary focus is on teaching and publishing materials that help JAGs in the field," Rosen said. "We intend to go behind the issues and explain how things should be making an objective examination of what the military is doing."

"For instance, several Tech faculty members who were formerly judge advo-



cates, gave their views of the responsibility for the Abu Grhaib prison scandal at a symposium sponsored by The School of Law's Center for Biodefense, Law and Public Policy which was different from the military's point of view," he said. "We hope to bring in people to express ideas independent of those views expressed by the DOD."

"We want to allow people with military experience not in the military to serve as neutral observers through symposia and panel discussions which can have an impact on military law that the JAG School cannot," Huffman said.

The first activity of the Center for Military Law and Policy will be a symposium for returning lawyers from Iraq, including legal advisors to senior military commanders in Iraq. The Center also plans to invite School of Law alum Major Michael Holley, the lead prosecutor for the Abu Grhaib prison abuse cases, the legal advisor to the senior military commander in Iraq and the lead attorney in charge of contracting in Iraq.

"Not only will it be illuminating to the public at large, but I think we can begin our analysis of the laws as they currently exist and recommend improvements to enhance efficiency and fairness," Huffman said.

Rosen plans to host symposia that are multi-day, on-the-road conferences. Also, the Center seeks to stimulate courses in military and national security law and to counsel students seeking professional opportunities for practice in the field of military and national security law.

Professor Dan Benson, a former career Army judge advocate teaches a course in military justice, and Huffman teaches a course in national security law, which may be related to other courses that may be developed over time. Both Phillips and Rosen hope that the Center will attract students from the military, particularly students in the armed forces Funded Legal Education Program (FLEP).

Under FLEP, the armed services pay the tuition and fees of officers chosen to

attend law school. Moreover, the officers continue to draw full pay and allowances, and their time in law school counts toward retirement.

"FLEP is a highly competitive program, and the officers selected are the best the services have to offer," Rosen said.

Huffman said that the Center is truly unique, and in that sense, it is an exciting and important opportunity.

"In the large scheme of things, the overall mission is to provide a quality legal education to our students," Huffman said. ■

Patients' Rights Activist Shares His Story

by Hannah Sussman

Dax Cowart '86, an internationally known advocate for patients' rights brought his message, advocating for the right to die, to students of the School of Law and Texas Tech Health Sciences Center in March. Despite the inherently controversial nature of the presentation, and the legal and medical ethical issues that arose, Cowart's position was made clear.

"The right to control your own body is a right you are born with – not something that you have to ask anybody for – not the government, not the treating physician, not the next of kin," Cowart said. "There can never be a legitimate right that takes away the right of a mentally competent adult to control his or her own body."

In 1974, Cowart was involved in an accidental explosion which killed his father and left him burned, blind, and disabled. Cowart recalled the accident, the excruciating pain and how these experiences resulted in his life-long dedication for patients' rights. In the years since the explosion, Cowart has told his story all over the country; he is recognized as a pioneer in the patients' rights movement.

Despite the burns that covered two-thirds of his body, Cowart ultimately survived treatment, graduated from law school, began a successful law practice, and got married. Cowart, 56, now operates an organic avocado farm with his wife north of San Diego, California.

Cowart has never wavered in his insistence that physicians should have honored his plea to refuse treatment. As a mentally competent adult, Cowart believes that he should not have been subjected to painful treatment that he didn't want, and he compared his pain to being "skinned alive."

"If you are a mentally competent adult, you have the right to make your own decisions," he said. "Although pain was the overriding issue, I didn't want to go through life blind, with fingers amputated, and scarred. I didn't think I could be happy living a sedentary life style with a lack of independence."

Even as he reflects today, he believes that life is a right, and not a duty. Although presently he is admittedly happy, he still maintains that if he were in the same circumstances, and knowing what he knows now, he would still make the same decision.

"I am happy," he said. "But at the same



time the ends don't always justify the means. That argument totally ignores the price I had to pay in terms of pain to be alive today – and the price was too high." ■

How Much is that Doggie Inheriting?

by Greer Ackley



Most people will own a pet at some point in their lives. Whether a cat, dog, or lizard, many of these animals become like children to their owners. Professor Gerry Beyer spoke to students and faculty on these non-human family members and how it is becoming common place to provide for them after we are gone.

Beyer, formerly of St. Mary's University, has joined the faculty at Texas Tech, becoming the School's first holder of the Governor Preston Smith Professorship. Beyer has a J.D. from Ohio State University and an LL.M and J.S.D from the University of Illinois. He has an extensive teaching background and has been a visiting professor at Boston College, University of New Mexico and Southern Methodist University. In addition to teaching, he has authored numerous publications as well as bar review materials.

In his presentation, Beyer explained how our pets can have great impacts on our lives. Millions of Americans keep animals in their homes, and research shows that pets reduce blood pressure, relieve stress, and even shorten recovery time after an illness. Some insurance companies even offer lower premiums on life insurance policies to pet owners.

With all that pets do for humans, many people seek to provide for their pets after death. Some wealthy individuals and celebrities have left substantial monetary provisions to provide for their pets. Some

even went so far as to specify what their pets were to be fed and what music to play. The goal of a "regular" pet owner, however, may be much simpler, such as specifying proper care and feeding.

Providing for pets after death is not a new idea. English common law courts recognized gifts to support animals after their owner's death. Beyer said this idea "did not cross the Atlantic," and attempted gifts to animals usually fail in American courts. The reasons the gifts usually fail is that pets do not fall into the human category. Beyer said that the rule against perpetuities is violated because the "measuring life was not human," and honorary trusts are unenforceable because there is no human beneficiary.

Beyer said the situation improved for pets when a section validating trusts for pets was added to the Uniform Probate Code in 1990, which eight states enacted. Also, nine states enacted the pet provision added to the Uniform Trust Code in 2000. Other states created their own pet-protecting legislation.

Beyer said keeping a pet safe in case of an accident or death is easy to do when you take the appropriate steps. He suggested carrying an "animal card" around with you. This card should contain important information on your pet, including its location and any special instructions. The next step is an "animal document," which should be kept with all your will and other important documents. This document is a longer version of the "animal card" and will increase the likelihood that your pet is cared for the way you wish. Last, an ani-

mal sign should be kept near the entrance to the dwelling. This will alert incoming emergency workers and others that a pet is inside.

Beyer created a process to prepare for Fluffy's care after you are gone. He said you should create an "enforceable inter vivos or testamentary trust in favor of a human beneficiary and then require the trustee to make distributions to the beneficiary to cover the pet's expenses." According to Beyer, this is the "most predictable and reliable method to provide for a pet animal." By creating one of these trusts, you will avoid the usual problems with giving gifts to your pets because these trusts have a human beneficiary.

For more details, see Beyer's website at www.professorbeyer.com. ■

\$10,000 Raised for Criminal Justice Clinic

by Charmaine Tupue

A fundraiser in January at the School of Law raised \$10,000 to benefit the Texas Tech Criminal Justice Clinic. Sponsored by the Lubbock Criminal Defense Lawyers Association (LCDLA), the Texas Criminal Defense Lawyers Association (TCDLA), and the School of Law, it was held in conjunction with the 25th anniversary celebration of LCDLA and its annual Continuing Legal Education (CLE) seminar.

After six months of preparation, the TCDLA and the Criminal Defense Project presented a free, 11-hour CLE with speakers from around the country. The first night of the event offered a barbeque with entertainment by "The Derailers," a band from Austin. About 360 people attended the barbeque, and 180 attorneys attended the two-day CLE, which is said to have been the largest CLE seminar in the history of Lubbock County.

"I was very impressed with the organization of the event," Gay Pulner, a third-year clinic student, said. "They had very talented speakers, many of whom were Tech Law alumni, and I will definitely use what I've learned from the lecture on voir dire."

The TCDLA and LCDLA presented the Texas Tech Criminal Justice Clinic with the check at a ceremony in early March at the School of Law. Proceeds from the fundraiser will help fund the activities of the Texas Tech Criminal Justice Clinic. Specifically, the money will

When creating the trust, there are a variety of factors to consider. Beyer discussed the thirteen most important factors:

1. Determine the type of trust to create
2. Designate the trust beneficiary
3. Nominate trustee
4. Bequeath animal to trustee, in trust
5. Determine amount of other property to transfer to trust
6. Describe the desired standard of living
7. Specify distribution method
8. Establish additional distributions for caretaker
9. Limit duration of trust
10. Designate remainder beneficiary
11. Identify animal to prevent fraud
12. Require trustee to inspect animal on regular basis
13. Provide instructions for final disposition of animal

Source: www.professorbeyer.com

go toward recruiting guest speakers, recognizing the outstanding student of the year, providing scholarships for clinic students, buying supplies, and funding other expenses of the clinic.

Professor Larry Cunningham supervises the new, in-house criminal defense clinic, which is limited to eight third-year students.

"We evaluate [the] student's commitment to public service and dedication to things they have done in the past," Cunningham said. "Of course, grades, employment history and a diversity of interests from students who want to go to big firms to those who want to become prosecutors are also important."

Third-year law students earn eight credits to spend a full-year defending clients in criminal matters throughout West Texas. Fully responsible for one to



Fred Stangl '99 and Chuck Lanehart '77 of the Lubbock Criminal Defense Lawyers Association present Professor Larry Cunningham and Dean Walter Huffman with a check for \$10,000 to benefit the Criminal Justice Legal Clinic.

two cases at a time, students work under the close supervision of Cunningham. Students represent clients charged with theft, fraud, shoplifting, misdemeanors, and other less serious felonies.

"We haven't had any trials this year because our plea bargains have been very successful," Cunningham said. "Often it's not a win/lose situation in criminal justice. Only four percent of cases go to trial and most are guilty verdicts," he said. "It's all in the negotiations of the plea-bargains."

An advisory board of local attorneys, many of whom are alumni from the School of Law, has been involved with the clinic since before its creation. The Board helped to structure the clinic and set up the program with the judges. Some board members have even come in to speak with the students.

"The clinic is an excellent experience for real world practice," Pulner said. "Getting

a law degree doesn't mean you know how to practice law. We essentially need to apprentice. Because we are so closely supervised by Professor Cunningham, with none of the concerns of multiple cases, we experience legal practice with the safety of being a student." ■

School of Law Establishes Center for Water Law and Policy

by Brooke Little

Dean Walter Huffman decided that the School of Law needed to create a niche for itself to enhance its growing national reputation. Upon pondering activities on which the School could focus, water came to mind. From this, the Center for Water Law and Policy sprung.

"Water is a natural area of interest because it is critical to the world in general, but has always been a focus in West Texas," Huffman said.

Huffman started this initiative when he first arrived at the law school nearly three years ago. The first step he took to get this initiative off the ground was to take his proposal, which was supported and promoted by Marvin Cepica, Dean for the College of Agricultural Sciences and Natural Resources and Pam Eibeck, Dean of the College of Engineering, to the University for approval. Each participating college plays a significant role in this collaborative effort.

According to Huffman, Texas Tech is uniquely positioned to create a multi-disciplinary center to deal with water because no other university has a strong agricultural school to deal with conservation issues, a strong engineering school to deal with hydrology and technical aspects of water production, and a strong law school to explore the laws relating to regulatory procedures dictating water rights, ownership, and use. Any other school would have to combine forces with another university to be able to handle such an extensive project.

Through the multi-disciplinary work of the College of Agriculture, School of Law, and College of Engineering, the proposal states the high goals the Center can achieve: "The thorough evaluation of water needs, policy alternatives, socioeconomic perspectives, regulatory structures, and technological innovation would



Eckstein

demonstrate to regional, state, and national policy makers, legislatures, and other economic and social interest groups that the investment of resources in Texas Tech University will result in sound solutions to real-world problems." The Center will help establish Texas Tech as the "go-to" institution for water research.

The Center is led by Professor Gabriel Eckstein of the School of Law and Bill Jeffrey, who will serve as coordinator for this multi-disciplinary effort. Eckstein has significant experience in water law and is currently an advisor to the United Nations. Jeffrey serves as a filtering entity when a request comes in to determine which college's center should address the issue. When particular research has been accumulated, he will decide where else the information needs to go to attend completely to the issue at hand. The Center as a whole will work as a collaborative effort between the multi-disciplinary Centers depending on what issue needs to be addressed.

According to the Center's proposal, purpose is "to provide economic, environmental and societal impact assessments of policies, water conservation and production systems, and technological developments that affect sustainability of groundwater resources in the Southern High Plains of Texas..." While Texans are concerned about the sustainability of the state's water resources, several challenges affect our ability to implement water conservation in the heavily irrigated High Plains of Texas."

The Center, according to Eckstein, will address legal and regulatory issues as well as policy related to law at the local, state, national, and international level. He states that this is such a significant issue, it's the "biggest issue of this century because of the scarcity and we just don't have enough water to meet the growing needs of the population."

Eckstein clarified that the Center will not serve as legal counsel per se but more of an academic research institution. He

said there would probably be no litigation involvement but a more scholarly approach, focusing on underground water conservation, the law of capture, the Endangered Species Act, agriculture, and issues with the Environmental Protection Agency and the United States Department of Interior. In addition, the Center views itself as a potential resource for lawmakers in establishing legislative initiatives in the area of water law.

The Center will be able to help so many different entities with a magnitude of issues. It is quite needed in an area such as ours, as well as around the world. The proposal explains that, "expected population growth, coupled with the current climatic changes creates a future where water scarcity could be the norm. As such, it is imperative to address, analyze, and evaluate the many issues and intricacies surrounding water availability and utilization."

Dean Huffman explained that this started as a parochial interest, but he has become an "evangelist for water because of the realization of how important water is for the future of the world" and that the need for a multi-disciplinary center has become more apparent to him.

The Texas Tech Law Review and the Center will host a symposium entitled: Priceless, Worthless or Immeasurable: The Value and Ethic of Water. The symposium which will be held during the first week of November will draw on experts in the field of water law. The symposium will serve as the inaugural event for the Center, and the presentations will be published in the upcoming edition of the Law Review.

The mission of the Center at the law school is to become the leading academic institution addressing the study of research of water law and policy, and currently, Tech houses the only center that focuses on water law. As Eckstein stated, "we want to make a splash." ■

Play Day

by Brad Johnson

Fifty children from Big Brothers-Big Sisters of Lubbock, the Children's Home of Lubbock, and the Texas Boy's Ranch gathered at the School of Law in April for a day of fun and games. The Women's Caucus organized the event, and at least twelve student organizations participated. Volunteers provided much needed one-on-one time for the elementary and middle school

age children.

Pamela Ferguson, who along with Anna Mayer, helped the Women's Caucus put the play day together, thinks that the activities served important goals.

"The goal was to provide an opportunity for adult interaction with the kids, and for law students to interact and be good role models, especially for the older kids, who won't forget their experience at the law school. We invited 50 kids and about that many came," she said.

Mayer added, "The goal was to get law students involved in the community and for the kids to interact with adults and have fun. It's a chance to volunteer and a very rewarding experience."

The Student Bar Association (SBA) funded the meals for the event, while different organizations set up booths in the law school where the kids could play a game with the volunteers. Activities ranged from shooting baskets, to the football toss, to floor hockey.

Brad Anderson participated in the SBA and Board of Barristers games, throwing the football with the youngsters.

"It is a good thing that the Women's Caucus is doing. We're law students, and it's something we should do more often to give back to the community," he said.

Law student Kelly Beatty enjoyed the time away from her books.

"It's neat to help out, to see the kids have fun," Beatty said, "and a nice break from studying."

Cindy Miller, Executive Director of Big Brothers-Big Sisters, said, "It's an opportunity to make sure each child matches up with a one-on-one mentor. It's a chance for

the kids to participate and to have fun, but also for volunteers to meet the kids and hopefully more volunteers will come."

Rebecca Ellis said that the event helped her in keeping her balance during her first year.

"It's so refreshing to take some time to get away from school and give back to the community," Ellis said. "Playing with the kids was so much fun!" ■

Justice of Oz?

Response to the
Lawrence v. Texas Opinion
by Christie Hobbs

In January, Professor Nelson Lund of the George Mason University School of Law, presented "Lawrence v. Texas: The Worst Supreme Court Opinion in Our History." In *Lawrence*, the Court held that a statute criminalizing sodomy between consenting adults in the privacy of their home was unconstitutional.

Lund clarified that it was not the decision itself, but the "appalling opinion" to which he objected. "The Court has given inadequate reasons for what it is doing."

"If the Supreme Court doesn't take the Constitution seriously, why should anyone else?" he asked. "Why should the people treat it with anything more than benign neglect? The Court turned itself into something more like a Wizard of Oz."

Lund asserted that the *Lawrence* Court based its opinion on a combination of judicial disobedience, neglect of



Law student Michael Wysocki assists an unidentified child with a kite outside the School of Law.



Lund discusses the *Lawrence* opinion at an event sponsored by the Federalist Society.

substantive due process, and the invention of the right of privacy.

"The happy consequence is the transparent emptiness of the *Lawrence* opinion," Lund added. "Writing this bad can only point to thinking that's even worse."

Lund suggested competitive federalism as a solution and favored allowing state governments to respond to the demands of their citizens. He explained that this would reduce the risk of judicial error and eliminate "free-wheeling jurisprudence" and "armchair analysis from judges."

Student reaction to the presentation was mixed.

"Apparently, Professor Lund believes the right to privacy has little protection



Constitutional law scholar Randy Barnett of the Boston University School of Law (above), and Texas Solicitor General Ted Cruz addressed students and faculty at the School of Law in April. Their speaking engagements were sponsored by the Federalist Society.



under a Constitution that protects liberty," commented third-year student Nathan Tadema. "Most law students would disagree with him."

"The topic was provocative," said Sonya Jones, President of the Federalist Society. "People had preconceived ideas about what he was going to say. They came to the table with liberal ideas and weren't open-minded. They didn't listen to what he was saying. Professor Lund did an excellent job breaking down the opinion, and the flaws in the opinion." ■

Chris Peirson Speaks to the School of Law

by Jon Rowan

To define Chris Peirson '77 as a real estate attorney would be like calling Michael Jordan a former member of the Chicago Bulls. While both statements are true, they are grossly inadequate in describe what the two are all about. Peirson is the screenwriter of the critically acclaimed movie "A Killer Within." She is a mother of three boys. She is a software developer. She is a partner of a law firm.

In April, the Women's Caucus hosted Peirson as a speaker at the School of Law.

Among the points Peirson addressed, she recommends keeping a daily business diary outlining activities of the day as well as contacts encountered. She says that developing habits like these will not only

benefit you from a psychological perspective, but could end up saving you from the embarrassment of a malpractice suit.

Peirson's advice on overall professional success is to, "put the interests of your clients above your own." This advice sounds simple enough, but Peirson explained that it can be quite difficult to implement.

"The best legal advice is not always the best business advice," Peirson said.

Peirson stressed the importance of letting this principle be known to those on your legal team as well as the business that is on the receiving end of the advice. She commented on the benefit of being patient and diligent and that learning takes time occur.

"It takes ten years to really learn how an area of law works," Peirson said. ■



Left: Attorney Pat Barber from Colorado City, Texas presented "Just Say No to Searches," a primer on police searches, in February at an event sponsored by the Women's Caucus.

Right: Charlye Farris, the first African-American female attorney in Texas, spoke to students during an event sponsored by the Women's Caucus and the Black Law Students Association in April.



Women's Caucus President Celeste Villareal and Peirson.

Using Your Horse Sense

by Kristin Sims



The rapidly developing issues relating to oil and gas law have stirred even more interest in recent years for law students considering specialties. In response, the School of Law has developed the Mineral Law Interest Group (MLIG) to promote discussion and learning about legal and policy issues in the fields of oil, gas, water, and other minerals and natural resources.

MLIG invited Robert Bledsoe of Cotton, Bledsoe, Tighe & Dawson, PC to explain what his firm looks for in law clerks. Bledsoe emphasized the importance of integrity, accuracy, respect, well-roundedness, inquisitiveness, writing skills, professionalism, and "horse sense."

Bledsoe explained that law practice is hard work but should definitely not be the essence of life. Because well-roundedness is an important quality to have at Cotton, Bledsoe, there is no need for a career to become the infamous "jealous mistress."

Respect is also a quality that Bledsoe recommends be practiced inside and outside the office. He relayed the importance of acting toward all people the way one would treat one's family, because the title of "attorney" connotes an air of importance that one would see in a doctor or a pastor. This air is seen in the best light when the attorney acts and dresses as a professional before and after the workday. To Bledsoe this means no slang, and no four-letter words.

"Treat the staff as your mother, your sister, or your brother or father," Bledsoe said.

Bledsoe explained "horse sense." It is the reason a lay person says "I get it!" when an attorney explains the law in relation to a complicated situation the client is involved in.

Bledsoe said, "Everyone needs this, but it is not teachable." It must be practiced, and the sooner, the better.

Cotton, Bledsoe has 52 attorneys that work in litigation, business, estate, and oil and gas. The firm has offices in Midland, Austin, and Houston. ■

BLSA Commemorates Brown v. Board Decision

by Omar Villa

Commemorating fifty years since the Supreme Court's decision in *Brown v. Board of Education*, the Black Law Students Association (BLSA) invited Kameron Johnson, Director of the Office of the Travis County Juvenile Defender, to discuss the status of race relations since that landmark decision. The presentation was held in conjunction with various events sponsored by BLSA during Black History Month.

Johnson, who grew up in Harlem and later attended high school in Florida and Texas, recounted his experience while growing up in an America that was adapting to the *Brown* decision that declared segregation unconstitutional.

While attending high school in Florida, Johnson recalled attending a majority minority school where white students were bused to his school.

"I remember back to the time there were these incidents in Boston over busing and asking myself, who would get so upset over busing?" Johnson said.

As a student at the University of Texas

School of Law, Johnson realized the importance of the *Brown* decision as well as other cases, such as *Sweatt v. Painter*, which effectively desegregated the U.T. School of Law.

"There are certain intangible things that you just don't get from a university thrown together like that," Johnson commented as to the creation of the separate law school, Texas Southern, created as a result of segregation.

In addressing affirmative action, Johnson was critical of the opinions of Justices Scalia and Thomas, who view the Constitution as being color-blind. Praising Justice O'Connor in her opinion in *Grutter v. Bollinger*, Johnson commented that race should not be an issue 25 years after the 50th anniversary of the *Brown* decision.

"Is it just coincidence," Johnson said, "that blacks and Hispanics don't graduate in equal percentages as whites? In 75 years, we should come up with a situation where race will not matter." ■

Law Review Busy with Progress

by Gary Prust

The Law Review held the spring 2005 bi-annual alumni golf tournament. Alumni participating in the tournament enjoyed seeing colleagues and past professors while interacting with students in a relaxed, enjoyable environment. The annual Law Review spring banquet attracted over 180 guests, including Law Review alumni from over a dozen firms. Several members from



Kameron Johnson of the Travis County Juvenile Defender's Office and BLSA President Lakeisha Forte.

Tech's Plan to Win the Out-of-State Student Recruitment War

by Todd A. Ryska

Texas has become one of the hottest states in the nation for law school recruits. The Office of Admissions has responded to this predicament by bolstering its out-of-state recruiting efforts. Although the state of Texas limits the number of seats available to out-of-state students, the Admissions Office recognizes the potential of this market to enhance the academic level and diversity of each entering class. Out-of-state recruitment efforts historically have targeted students in states contiguous with Texas. In January 2002, Assistant Dean of Admissions and Recruitment Terence Cook discussed strategies with then interim School of Law Dean James Eissinger, to expand these efforts beyond the boundaries of New Mexico, Oklahoma, and Louisiana.

"Essentially, we are being invaded by out-of-state institutions, such as the Ivy-

League schools, who are attempting to recruit the best and brightest students Texas has to offer," said Cook.

The current success of the law school in recruiting out-of-state law students stems from several factors.

"We not only bear the banner for Texas Tech School of Law at national law school forums in Atlanta, Los Angeles, and Chicago, but we have a strong contingency of Texas Tech expatriots at the national level," said Cook.

The broadening base of Texas Tech graduates practicing outside the state has become an influential recruitment tool.

While the Office of Admissions is primarily focused on expanding the name recognition of Texas Tech across national markets, the Student Recruitment Council plays a pivotal role in the admissions effort by promoting more localized activities such as Accepted Students' Day and Scholarship Day. As a contributing member to the Council, Shawn Smith '05 believes the School of Law has been particularly effective in providing applicants extensive personal exposure to both the admissions staff and current law students.

"Our staff and students challenge potential applicants to figure out the best fit for them personally rather than rely on generic law school information," stated Smith.

The reasons that out-of-state students

consider Texas Tech are varied. Many of these applicants take notice of the School of Law based on information sources, including U.S. News and World Report, which highlight the school's high academic standards and comparatively modest costs.

Other applicants simply wish to relocate to Texas.

"We stand the best chance of recruiting those students," claims Cook.

While Gemayel Haynes admits it has been difficult for him to leave many of his family and friends behind in New Orleans, he feels that studying law at Texas Tech offers him the best opportunity to grow both professionally and personally. Haynes currently plans to establish himself in Texas after graduation and work for the United States Attorney's office in the Dallas-Fort Worth Metroplex.

Some applicants wish to return to their home state to practice law after graduating from Texas Tech and ask whether they will be adequately prepared to do so.

"We offer a very broad-based legal education," Cook said, "as well as various strategies to prepare these students academically to return home as competent lawyers such as arranging for visiting student status at home-state institutions and providing specific courses that will help them prepare for their respective state bar exams." ■

Volume 11 were able to make it back for their 25th anniversary.

Law Review is hosting a symposium this fall addressing water law issues. Professor Gabriel Eckstein is arranging for leading water law commentators and experts to speak at the symposium. He is also arranging for the submission of articles on water law to be published in Book Four, an issue of Law Review that will be devoted entirely to water topics. The sponsorship and contributions of School of Law alumni and others have been instrumental in pulling together this symposium.

In addition, Law Review has edited a comprehensive article discussing the legislative history of the 2003 Texas tort reforms, written in part by Texas State Representative Joe Nixon, Texas State Senator Robert Duncan '81 and Michael S. Hull '81. This article is critical in the way the 2003 reforms are interpreted.

In a continuing effort to organize and involve Law Review alumni, Law Review is creating a forum in which alumni can maintain the social ties they enjoyed while on Law Review. The Volume 37 Board of Editors has been pleased to see

that significant numbers of alumni recognize that membership on Law Review is not something that ends on graduation.

These activities have been made possible by donations to Law Review and to the Law School Foundation.

For more information about upcoming events, visit www.texas-tech-lawreview.org. ■

Technology Update

by Mark Methenitis

The Law Library recently gained access to the web resources of the Bureau of National Affairs. This includes U.S. Law Week, Criminal Law Reporter, Family Law Reporter, and Tax Management Portfolios. These resources are available to students and faculty



through BNA's website as well as through both Lexis and Westlaw.

The library has also recently added KeyCite public to two of their computers. Sharon Blackburn, Head of Reference & Instruction, explained, "Attorneys just need to get a guest password to log on to the PCs, then they can run a case, statute, or administrative regulation citation on KeyCite and get a list of citing cases."

This fall, the School of Law unveiled its new web site (www.law.ttu.edu). Although a work in progress, it already offers much more detailed contact information for the entire school, more up-to-date information about law school events, and an improved job listing function for career services. Plans are in place to add a student web log or "blog" system to the site in the future.

The School of Law offered ProDoc training to all law students in the spring. The hour-long training session gave an overview of document assembly and client management using the ProDoc system. The presentation took advantage of new technology as well as it was taught remotely by a ProDoc employee from Houston using a combination of a remotely viewable desktop and voice over IP. ■

Alumni Raise \$250,000 for Governor Smith Endowment

by Joni Ogle

The School of Law announced the Governor Preston Smith, Regent's Endowed Professorship at the Distinguished Alumni Dinner in February. The \$250,000 endowment recognizes the former Texas governor as the one who championed the creation of the School of Law. Numerous alumni dedicated to the vision of Governor Preston Smith were instrumental in the endowment's creation, which is one of the largest ever received at Texas Tech.

"[Governor Smith] is happy tonight because his vision of not just having a law school in West Texas," commented Dean Huffman, "but of having a great law school at Texas Tech known for its students, graduates, and faculty."

"The purpose is to attract outstanding new faculty to join already outstanding faculty. Schools are not known for their administration. Schools are known for their students, graduates, and faculty."

The Governor Preston Smith Regents' Endowed Professorship not only fortifies the School of Law's commitment to quality faculty, but is also an example of the commitment of our alumni to the School of Law. ■



Chancellor Dr. David Smith with Jan Smith Taylor, daughter of Gov. Smith, and Robert Taylor.



Tandy with Dean Walter Huffman and Texas Tech Chancellor Dr. David Smith.

DEA Administrator Tandy Named as Distinguished Alumna

by Joni Ogle

Every year, the School of Law honors an alumnus who exhibits the qualities and achievements that each student strives to model. For 2004, the Texas Tech University School of Law honored Karen Tandy, the first woman to head a major federal law enforcement agency, the Drug Enforcement Administration.

Tandy received a Bachelor of Science from Texas Tech in only three years, and ten days after graduation, she was sitting in her first law school class. Tandy went on to become an Associate Deputy Attorney General, Director of the Organized Crime Drug Enforcement Task Force, and an Assistant United States Attorney before becoming DEA Administrator in 2003.

Despite all of these achievements, Tandy believes her biggest accomplishment is her family. Not surprisingly, her personal accomplishments as a wife and mother coincide with her professional achieve-

ments. As head of the DEA, Tandy leads over 11,000 people in a "shared passion of fighting for the future of the children of this country." As a mother of two teenagers who fears for the safety of her children and the outside influence and peer pressure to use drugs, Tandy's passion to protect her own children correlate with her goals and endeavors as Administrator.

Texas Tech permeates all aspects of Tandy's life, giving her a "framework of discipline and duty and a commitment to hard work; the law school taught me how to think, how to analyze."

Her alma mater is also present in her office. "You can't have a drink in my office without putting a cup on a Texas Tech coaster," Tandy exclaimed. Tandy fondly told of a congratulations letter she received from the Alumni Association on her new appointment, which also informed her of her lapse in membership. Tandy only laughed praising the extraordinary people Texas Tech has at all levels, stating it is the "discipline, organization, hard work, and determination" that she gained at Texas Tech and the "luminaries who give young people a chance to succeed that make me so proud to hang my diploma on the wall."

As fellow classmate Dean Huffman stated, "The goal of Tech Law is to be the best law school we can be, and that is epitomized in Karen Tandy." ■

Recent publications by Tech Law Professors and Alumni

From February 2005 – July 2005

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Law Students Capture World Championship in Ireland

by Omar Villa

Representatives from the United States were involved in negotiations with their counterparts from other countries in Ireland early in July. Yet these representatives were not involved in the G8 Summit across the Irish Sea in Scotland.

While Bush, Blair, and other world leaders were discussing world problems in Scotland, School of Law students Joy Gibbs and Mandy Gundlach were involved in intense negotiation sessions with other students in Dublin. Gibbs and Gundlach won the competition, beating out teams from 13 nations including Ireland, Northern Ireland, Canada, England & Wales, Denmark, Hong Kong, New Zealand, Singapore, Puerto Rico, South Korea, Scotland, and another team from the U.S. – Vermont. In addition to the competition, the students met with the President of Ireland, the Chief Justice of Ireland, and the top attorneys – both solicitors and barristers – from the Republic of Ireland. The group also visited numerous sites – ranging from the historical and cultural to the more contemporary.

The world championship team was coached by Associate Deans Brian



Mandy Gundlach (left) and Joy Gibbs upon receipt of the International Negotiation Competition plaque in Dublin. Photo courtesy of Brian Shannon.

Shannon and Nancy Soonpaa. The School of Law qualified for the competition by finishing second in the American Bar Association's national competition in February in Salt Lake City. Gibbs and Gundlach spent many hours with

Shannon and Soonpaa in preparations leading up to the competition, not to mention the numerous weeks of preparation in the fall and spring before the ABA Regional and National competitions.

Both coaches were extremely proud of the team for advancing to the international competition. Shannon was thrilled about the trip to Ireland and the ultimate win, although he indicated that on the international level, some barriers still had to be overcome.

"Particularly given the political tensions of the day," Shannon said, "we found that many of the representatives of the other nations had somewhat negative, pre-conceived notions and stereotypes about law students from the U.S. or Texas. Dean Soonpaa and I received many compliments throughout our week in Dublin about the great attitudes, approach, and character of both Mandy and Joy. They were great representatives of both our school and our country. Overall, Dean Soonpaa and I have very much enjoyed working with Mandy and Joy throughout the year. It's been a great ride for all of us."

"It was interesting to see the commonalities in negotiating approach even across countries and cultures," Dean Soonpaa





observed. "What we teach at Tech stands the test of international acceptance and custom, and that's wonderful for preparing our students for practice."

Gundlach was extremely excited upon learning that the team would be competing at the international level.

"The trip itself was a reward," Gundlach said. "Winning, using Joy's words, was just 'icing on the cake!'"

On the benefits of the competition, Gundlach emphasized the real-world experience that was gained on an international level.

"It is a great resume builder and something easy to talk about in interviews, but more importantly, it gives us practical experience with negotiators with every skill level and from a variety of backgrounds and nationalities," Gundlach stated. "The experience we had will make it easier to step into a courtroom or boardroom and work with whatever type of people we run into."

"We've now faced men and women of all ages, with none to several years of experience in dealing with others, and have seen all types of strategies at work. We'll be able to recognize our opponent's strategies and know how to deal with them faster and more effectively the first time we see them in a real-life setting."

Gibbs stated that the team's success is owed in great part to the faculty of the School of Law.

"I think this victory demonstrates the ability of the professors of Texas Tech to teach, motivate, and prepare you for actual practice," Gibbs said. "Experience is the best teacher and this goes to the fact that although it isn't real life it is as close as you get before the real deal."

Reiterating Gibbs' point, Dean Walter Huffman praised the team and emphasized the School of Law's practical approach to legal education.

"Competitions like the International Negotiation Competition and those sponsored by the American Bar Association help students develop skills that will serve them in practicing law," Huffman said. "Mandy, Joy, and their faculty coaches have worked very hard this year. We're absolutely thrilled that they had the opportunity to represent both Texas Tech University and the United States at this prestigious international competition – and win! As you will well remember, our law school – your law school – has always been known for its outstanding students and distinguished faculty, and it has had a long tradition of preparing students to practice law from their first day on the job. This world championship further demonstrates the excellence of our students and faculty, and further validates our approach to training students for the practice of law." ■

After Football, the Lights Continue to Shine

by Cynthia Rodriguez

There is a crowd of people around Brian Chavez '96, some holding programs, random pieces of paper, even dollar bills for him to sign. Coming across eager fans is customary for Chavez, who was tight-end and captain of the 1988 Permian High School Panthers. Since the release of the book and movie "Friday Night Lights," Chavez says moments like these are surreal and he is still getting used to all of the attention.

"When I played football," Chavez said, "being a role model was not on my mind; but, when kids come up to me and tell me I inspired them to play football and work hard in the classroom, I feel proud."

Chavez's fans span the globe and are of all ages and backgrounds. Chavez has exemplified the American dream through his leadership, perseverance, and success. Born in El Paso, Chavez grew up in a humble family.

"My grandfather woke up every morn-



Chavez and Texas State Representative Trey Martinez-Fischer.

ing at 5:00 a.m. to drive his dump truck." Chavez said. "I observed hard work at an early age, and respected my grandfather for having pride in what he did."

Settling in Odessa as a child, Chavez went on to graduate in 1989 as valedictorian from Permian High School. After leading Harvard University to the national rugby championship finals, Chavez graduated cum laude with a government degree in 1993, and enrolled at Texas Tech School of Law later that fall.

Chavez returned to Lubbock in April to speak at the Texas Tech Hispanic Law Students Association's annual scholarship banquet. He helped to draw more than 150 guests.

"When I helped found the Hispanic Law Student Association back in 1995, I never imagined it would be this big," Chavez said. "I'm honored to have been a part of something that has grown to be an anchor for Tech Hispanics."

The scholarship banquet was attended by students, administration, faculty, and staff from the School of Law, and local elected officials, including Texas State Representative Trey Martinez-Fischer of San Antonio, who served as master of ceremonies.

Representative Martinez-Fischer and Chavez helped raise an extra \$1,500 at event. Added to the \$3,500 the already raised, the organization has \$5,000 to aid in scholarships for members.

Chavez, who is proud to call Odessa home, gladly returned to the Permian

Tech Law Grad Named Prosecutor of the Year



Bill Turner '78 was honored as the 2004 State Bar Prosecutor of the Year at the Texas District and County Attorneys Association's Annual Criminal & Civil Law Update. Turner currently serves as District Attorney in Brazos County, and has held that position since 1983.



Basin to practice law. Active in the community, Chavez serves on the board of directors for the Odessa Hispanic Chamber of Commerce and is an avid volunteer with the Odessa Boys and Girls Club.

"Don't feel ashamed to go back home," Chavez said with his distinct West Texas accent. "It's important that you don't forget where you came from and it's important to give back to your communities."

As far as "Friday Night Lights" goes, Chavez says he was lucky to have the experience. He was a movie consultant to director Peter Berg and the Friday Night Lights crew and attended the premiere in Los Angeles. Chavez has fond memories of his high school years and was probably the least controversial character in the book and movie. "It was like being a rock star at 17," Chavez said. "Everybody just wanted to be around you." Not much has changed for Chavez; people still swarm around him today. For some, their fifteen minutes of fame can turn into a blessing and responsibility for life. ■

Student Co-Authors LA Times Commentary

by Nick Brock

Dr. John Lott and law student Sonya Jones recently co-authored an editorial piece entitled "Breaking the Siege in the Judge War." The editorial, which comments on the delays in the judicial nomination and confirmation process, appeared in the November 16, 2004 edition of the Los Angeles Times.

Jones met Lott in October 2004 when he visited the School of Law to speak at a Federalist Society event. At the event, the two had the opportunity to discuss Lott's work on handgun laws and his work on the judicial nomination and confirmation process. After continued discussion on the topics, Lott asked Jones to work on the article with him in November, and it was published shortly



Sonya Jones

thereafter in the Times.

In mid-November, Jones received an e-mail from Nick Goldberg at the Times stating that the piece was selected for publication. Jones was thrilled at this news.

"I was ecstatic, as this was my first publication to such a large audience. Since I am interested in working in public policy," Jones stated, "I could not ask for more than to write with someone like John Lott and spend time with the caliber of speakers that are available to The Federalist Society."

Lott is a resident scholar at the American Enterprise Institute in Washington, and Sonya Jones is currently a third-year law student at the School of Law and serves as president of the Federalist Society. ■

Dodge Jones Foundation Sponsors Washington Internship

by Leigh Mauer

Since 1977, the Washington Legal Foundation (WLF) has been an advocate for freedom and justice in the arena of public interest law. Through the generosity of the Dodge Jones Foundation, 32 student interns from the School of Law in have interned with WLF.

The internship opportunity includes

involvement in every aspect of what the Washington Legal Foundation does, from bringing original lawsuits, filing of amicus briefs, intervention in court cases, and the petitioning of agencies for rulings. Since their founding, WLF has litigated 946 court cases, participated in 673 administrative and regulatory proceedings, initiated 137 judicial misconduct investigations, and filed 164 attorney and judicial reform actions and petitions.

Students that have participated in the internship program in the past said that one of the most rewarding aspects was that WLF is involved in major national litigation as well as current events and policy. This is something one does not usually get at most regional law firms.

Third-year student Christina Lee said was excited about the opportunity.

"The internship is in Washington, D.C.," Lee stated, "and that is a great opportunity to work on my researching and writing skills."

The Dodge Jones Foundation of Abilene, has made it possible for 32 students from the School of Law to have this opportunity. In 1954, on Christmas Day, the first meeting of the Board of Directors of the Dodge Jones Foundation met at the Fort Worth Club. The foundation was established by Ruth Legett Jones for her only male sibling, Dodge who had died as a young man in the 1940s.

Lawrence Gill and Joseph Canon of the Dodge Jones Foundation approached the faculty of the School of Law in 1991 to establish the scholarship. Professor Alison Myhra recalls their enthusiasm.

"[They] decided that they, with their genuine interest in students, wanted to take West Texans and put them in Washington, D.C. and then bring them back to share their perspective with others here," Myhra said. "Continuing from 1991 until now, this opportunity has been made possible from their generous, long standing support." ■

Why I Give to Texas Tech School of Law



I was accepted by exactly one law school - Texas Tech. I have always been grateful Texas Tech gave me the

opportunity to continue my education. My life would have been dramatically altered had I not been accepted to Texas Tech School of Law.

While I was attending Texas Tech from 1978-1981 we were such a young law school there was not any scholarship money available, or at least it wasn't available to students like me. I knew I could and that I wanted to change that situation for the next generation of law students following me.

In giving directly to student scholarships, I believe I have a profound effect on the lives of the Tech students. I get a tremendous amount of satisfaction out of helping these law students. Giving comes from a grateful heart. Each time that I feel that I have been enriched, I feel like passing some of it on to people who have made my life better. After I had my heart attack I learned you can't take your money with you, so I decided to do something important with it while I was still here.

I want Texas Tech School of Law to continue to advance in reputation and in our ability to produce "practice ready" graduates. Giving and participating in the life of the Law School has allowed me a tangible way to put action in to my aspirations. I appreciate what has been given to me and I am happy to have the opportunity to serve and give back to the schools who changed my life.

— Tom Hall



Tech Law Alumni Named Rising Stars of 2005 by *Law & Politics* and *Texas Monthly*

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My personal thanks to all of you who contributed this year to our Annual Excellence Fund campaign. Your unrestricted donations to the Excellence Fund are especially important because, among other things, they help support our student competitions around the nation, internships with key government offices and agencies, and distinguished visiting speakers to our school. These funds are also critical to our ongoing effort to build our Alumni network and assist our Alumni through increased publications (such as this magazine), and a wide range of Alumni events. Thanks again for your contribution to this very important fund. Please continue your contributions, and this year, encourage a fellow Alum to contribute as well. We all want Excellence.

Sincerely,

Walt Huffman
 Dean

2nd Annual Tech Law Alumni & Friends Golf Tournament at the Rawls Course
April 14



Tech Law Alumni Reception at the Amarillo Club
March 29



Distinguished Alumni Dinner honoring **Karen Tandy ('77)** at the Merket Alumni Center
February 18



Reception at the State Bar of Texas Annual Meeting at the Wyndham Anatole, Dallas
June 23



Reception honoring Texas Supreme Court Justice Phil Johnson
June 9



Judicial Clerkship Reception at the Texas Tech Law School
April 14



Tech Law Welcomed our Newest Alumni during the Graduation Ceremony at the United Spirit Arena
May 14





TEXAS TECH
UNIVERSITY
SCHOOL OF LAW

Texas Tech University School of Law Alumni

1973

Charles W. Hurd has been named one of the "Best Lawyers in America". The Best Lawyers in America annual directory is compiled from thousands of peer-review surveys from the nation's top lawyers. Hurd has been a partner in the Houston office of Fulbright & Jaworski since 1981. He handles a wide range of tort and insurance litigation, including products liability and health care defense.

1976

David R. Seidler has joined the Fort

Worth office of Hughes & Luce as a partner. Seidler's practice focuses on insurance defense and complex commercial litigation. Since 1992, Seidler has conducted more than 500 mediations involving cases ranging from aviation disasters to law firm breakups to medical negligence and nursing home disputes.

1978

The Commissioner of the Texas Department of State Health Services has appointed **James "Mac" Stewart** to a six-year term as a member of the Texas Medical Disclosure Panel. The policy-making group, made up of attorneys and physicians from around the state, was created by the Texas Legislature to draft and implement the rules which govern the informed consent process. Stewart is one of three lawyers in the group. He is with the firm Stewart & Stimmel, L.L.P., which specializes in providing



legal services to hospitals, physicians and other health care providers.

1981

David B. Weinstein was selected to be the Managing Partner of the Houston office of Pillsbury Winthrop Shaw Pittman, L.L.P. on May 1, 2005. Weinstein practices primarily in the areas of commercial and product liability litigation.

1983

Jimmy "Skip" Hulett is named President-Elect 2005 for the Association of Attorney - Mediators. Hulett is a former State District Judge. He has extensive experience in litigation, negotiation, and mediation. He presently serves as General Counsel for Goodman Networks, Inc. and "Of Counsel" with the law firm of Ball & Weed, P.C.

Mary Alice McLarty has been certified

as a member of the Million Dollar Advocates Forum. The Million Dollar Advocates Forum is recognized as the most prestigious group of trial lawyers in the United States. McLarty specializes in personal injury, wrongful death, CRPS/RSD injury cases, school and fraternity hazing cases, Deceptive Trade Practices in real estate, including denied insurance claims and disclosure failures, and credentialing cases.

1985

Doug Atnipp has joined the firm of Greenberg Traurig in its new Houston office. To learn more about the firm, go to www.gtlaw.com.



M. Sue Kurita was featured in Joanne Gordon's book, "100 Women that Love Their Jobs". The book was reviewed in the May 16, 2005 issue of USA Today. The article in the book highlights Kurita's days at Texas Tech Law School. Kurita is the presiding judge of El Paso County Court at Law Number Six.

Deborah Sterling has joined the Dallas office of Fulbright & Jaworski as counsel. Sterling's experience includes product liability defense involving individual and mass torts; health law liability; and general civil litigation including personal injury and wrongful death, commercial and business matters. A former assistant city attorney, Sterling has also represented and advised numerous public entities and officials on various matters including condemnation, civil service, employment, zoning, housing, and police and fire protection.



1986

The healthcare law firm of Stewart & Stimmel L.L.P. has announced that **Ken Braxton, Jr.** has joined the firm as an

associate. Braxton, a former municipal judge, spent 14 years of his legal career as the director of the professional liability division at Texas Tech University Health Sciences Center. As such, he represented over 900 physicians throughout West Texas and managed their self-insurance fund for medical negligence claims and lawsuits.

“

*A law is valuable
not because it is law,
but because there is
right in it.*

”

Bill Mateja has joined Fish & Richardson as a principal in its Dallas and Washington, D.C. offices. Mateja previously spent 13 years as a federal prosecutor with the Justice Department, serving most recently as Senior Counsel to Deputy Attorneys General Larry D. Thompson and James B. Comey in Washington, D.C., where he was the point person for President Bush's Corporate Fraud Task Force and oversaw the Department's white collar crime prosecutions, including its corporate and health care fraud efforts.

1987

Holland N. O'Neil was voted one of the "Best Lawyers in Dallas" according to D Magazine. To compile its "The Best Lawyers in Dallas" listing, D Magazine



solicited nominations from more than 2,000 of the city's attorneys. O'Neil is a partner in the Financial Services Group of Gardere Wynne Sewell L.L.P., with a comprehensive financial services practice including complex bankruptcies, workouts and private acquisitions.

1989

Terry W. Hammond was recognized as a leader protecting and serving Elderly and Disabled Adults; he received the LULAC Project Amistad Award on April 28, 2005. Hammond is with Terry W. Hammond & Associates in El Paso.

Lex Herrington of Floydada was recognized at the Annual Awards Luncheon of the College of the State Bar of Texas during the College's Spring Training educational program held in Fort Worth. The Bar College is an honorary society made up of lawyers who complete twice the minimum continuing hours of legal education as set by the State Supreme Court to keep their legal knowledge and skills at peak levels. Less than six percent of Texas lawyers qualify to be members of the College.

1990

Margaret Leachman was named Outstanding Federal Lawyer by the El Paso Bar Association for 2005. Leachman is Chief of the El Paso Division of the U.S. Attorney's Office for the Western District of Texas. As Chief, she supervises one of the busiest divisions in the nation with 30 attorneys who handled more than 2,500 criminal cases last year.

1992

John H. Barr was named a "Rising Star" of 2005 by Texas Monthly Magazine. Barr is a partner in the Houston office of Bracewell & Giuliani.



Thomas A. Greenwald has been named to the 2005-2006 edition of The Best Lawyers in America. Greenwald is a partner in the firm of Goranson, Bain, Larsen & Greenwald, L.C. in Dallas. He was included in the "Best Lawyers in Dallas" by D Magazine and was named a "Super Lawyer of 2005" by Texas Monthly Magazine.

1993

Tracy Burks has joined the international law firm of Fulbright & Jaworski L.L.P. as senior counsel in the Dallas office's real estate practice. Burks has developed a broad-based practice covering a wide range of commercial real estate and mortgage lending matters. His experience includes the representation of developers and investors in the acquisition, development, finance, management and disposition of commercial and retail real estate projects. He has also represented financial institutions in construction loans, permanent loans, conduit loans and franchise loans.

Max Ciccarelli was named a "Rising Star" of 2005 by Texas Monthly Magazine. Ciccarelli is a partner in the Dallas office of Thompson & Knight specializing in Intellectual Property.



Lisa (Mokry) Hubacek was appointed Associate Judge for the Title IV-D cases on January 1, 2005. She presides over child support cases filed by the Attorney General's office in Brazos County and nine surrounding counties. Lisa and her husband, Richard, reside in College Station with their children Emily, 6 and twins, Luke and Rebekah, 5.

1994

Tamie (Knoll) Hopp resides in Rapid City, SD with her husband, Ron, 7 year old son, Joshua, and 9 month old daughter, Sierra. For the past 10 years, she has been working for VOR, a

national advocacy organization for people with mental retardation. For most of those years, Hopp has served as the organization's Executive Director. She has found her "non-traditional" application of her law degree very rewarding. VOR does work in the courts, the legislature and Administration. "The research, writing and analytical skills I acquired at Tech Law positioned me well to effectively serve our constituency with mental retardation."

“
*A pessimist sees
the difficulty in
every opportunity;
an optimist sees the
opportunity in
every difficulty.*
”

Angela Maverick and husband, Sean Baxley, proudly announce the birth of their second son, Tyler Maverick Baxley, on March 24, 2005.

Stanley E. Smith announces the opening of his office as a sole practitioner in Breckenridge, Texas. You may contact him at (254)559-5637 or sesmithlaw@wmconnect.com.

William Paul Smith of Silverton was recognized at the Annual Awards Luncheon of the College of the State Bar of Texas during the College's Spring Training educational program held in Fort Worth. The Bar College is an honorary society made up of lawyers who complete twice the minimum continuing hours of legal education as set by the State Supreme Court to keep their

legal knowledge and skills at peak levels. Less than six percent of Texas lawyers qualify to be members of the College.

1995

Bethann Bernstein Eccles and **James "Beau" Eccles** welcomed a son, Samuel Darden Eccles, into the family on September 23, 2004. Sam joined big sister Mara Ada Eccles (5 years old). The Eccles live in Austin, where Bethann is a partner with Brown McCarroll, practicing in the areas of estate planning, probate, and tax, and can be reached at beccles@mailbmc.com. Beau is an Assistant Attorney General in the general litigation section of the Office of the Attorney General and can be reached at beau.eccles@oag.state.tx.us.

Mullin Hoard Brown is pleased to announce that Chad Farrar has joined the firm as a partner in the Dallas office. Farrar has a litigation practice focused in the areas of insurance defense, non-subscriber employer defense and commercial law.

Gregory Gowan is a partner at the Watts Law Firm, L.L.P. in Corpus Christi. He is board certified in personal injury trial law by the Texas Board of Legal Specialization. Gowan and Mikal C. Watts co-authored American Journal of Trial Advocacy, Volume 26:3, spring 2003.

1996

Alan J. Bojorquez is the author of the Texas Municipal Law & Procedure Manual (5th Edition). Bojorquez is with Bovey, Akers & Bojorquez, L.L.P., in Austin.

Heather Duncan Webb

has relocated her law office and is now practicing with the Law Offices of Nelson & Nelson, P.C. Duncan Webb practices law primarily in the areas of estate planning, pro-



bate, and business transactions. She is also a certified public accountant. Heather was an associate at Sprouse Shrader Smith P.C. and had been associated with the firm since her clerkship in the summer of 1995. The Law Offices of Nelson & Nelson, P.C. are located at 1626 S. Washington Street. Heather can be reached by phone at (806)342-4700.

Andrew R. Evans has been elected shareholder of the Amarillo firm of Sprouse Shrader Smith P.C. His practice focuses on personal injury, transportation, commercial and fiduciary litigation.

Matthew J. Knifton was named a "Rising Star" of 2005 by Texas Monthly Magazine. Knifton is counsel in the Austin office of Thompson & Knight. He specializes in Environmental law.



William D. Mahoney has been elected

to membership in the firm of Cozen O'Connor. Mahoney joined the Firm's Dallas office in May 2003 and practices with the subrogation and recovery department.

Gardere Wynne Sewell L.L.P. has announced the promotion of **John Matney** from associate to partner in the trial section of their Dallas office. Matney's practice focuses on construction law and casualty defense, with experience handling products, professional and premises liability cases.



John E. Mitchell has been named Partner in the Dallas office of Vinson & Elkins. Mitchell is a member of the firm's insolvency and reorganization section. He represents lenders, creditors and debtors in a practice that covers all facets of insolvency



and reorganization, with significant experience in jurisdictional, bankruptcy, and multi-state litigation.

1997

W. Mark Bennett is a partner in the Dallas office of Thompson & Knight. Bennett was named a "Rising Star" of 2005 by Texas Monthly Magazine.



S. Priya Coffey has been elected partner in the Houston office of Jackson Walker. She is in the Business Transactions section and Real Estate practice group. Coffey has experience in assisting clients with complex commercial real estate transactions



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including leasing, acquisition, and disposition of real estate. She represents landlords and tenants in the preparation and negotiation of office and retail leases. She also represents both sellers and purchasers of all types of real estate including raw land, office buildings, and retail centers.

Fernando M. Bustos has accepted a three-year appointment to serve on the Court Advisory Committee of the United States District Court for the Northern District of Texas. The committee assists the court in improving the administration of justice and serving as a resource for attorneys who practice before the court. Bustos is with the law firm of McCleskey, Harriger, Brazill & Graff, L.L.P. in Lubbock.

Cheryl S. Lay received her board certification in consumer bankruptcy law in 2005. Lay is with the firm of Leslie & Lay, P.C. in El Paso. She is also an associate municipal judge.

Sandra Ramos White

is an associate in the San Antonio office of Bracewell & Giuliani where she practices in the firm's Labor and Employment Law section. Her practice includes the representation of management in a full range of labor and employment law matters, counseling and advising corporate managers, formulating preventative strategies, drafting employee handbooks and personnel policies and procedures, representing clients before administrative agencies, mediations, arbitrations, court proceedings, and settlement negotiations. Ramos White was named a "Rising Star" of 2005 by Texas Monthly Magazine.



Debra K. Thomas

was named a "Rising Star" of 2005 by Texas Monthly Magazine. Thomas is an associate in the Dallas office of



Bracewell & Giuliani. She has broad litigation experience with emphasis on media law, privacy and complex business litigation.

1998

Michelle M. Kwon has been elected to partner status in the Dallas office of Thompson & Knight. Kwon specializes in tax law. She was named a "Rising Star" of 2005 by Texas Monthly Magazine.



1999

Charles C. Boettcher is an associate in the Dallas office of Thompson & Knight, specializing in Corporate and Securities. Boettcher was named a "Rising Star" of 2005 by Texas Monthly Magazine.

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Chris Johnson has taken a position with Nix, Patterson & Roach, L.L.P. to help lead the firm's new Shreveport, LA office which is focused primarily on nursing home litigation. Johnson has also become licensed in Texas.

2000

Alyson Outenreath was named a "Rising Star" of 2005 by Texas Monthly Magazine. She is an associate in the Dallas office of Thompson & Knight specializing in Tax law.



George "Toby" Wommack, III, was selected by his peers as one of Tarrant County's Top Attorneys in the Banking section. Wommack is an associate in the Financial Services and Litigation sections of



Jackson Walker's Fort Worth office.

2001

Michael Franklin and **Happy (Lane) Franklin** have moved from Amarillo to Dallas where Michael has joined Vinson & Elkins. Happy has joined the Dallas AG Edwards office.

Susanne (Patterson) Moore is Associate

General Counsel with Texas Tech University Health Sciences Center. She recently authored "Deposition Dissection, A Handbook for Doctors Facing Deposition," available on Amazon and on Lawyers & Judges Publishing, Inc.



Christopher B. Pepper has joined the Austin-based firm of Lloyd Gosselink Blevins Rochelle & Townsend, P.C. as an associate. Pepper joins the firm's Air

and Waste Practice Group, focusing on air quality and environmental permitting matters.

2002

Melissa Cozart has joined the Austin office of Fulbright & Jaworski as counsel. Before joining Fulbright, Cozart practiced civil litigation and served as an Assistant Attorney General in the Bankruptcy and Collections Division of the Office of the Texas Attorney General. She devotes most of her practice to Records Management Solutions. She helps clients prepare, implement, and maintain effective records retention policies by directing and overseeing programs that meet the operational needs of businesses and offer the appropriate level of protection. Cozart also advises clients regarding their retention policies once litigation ensues.



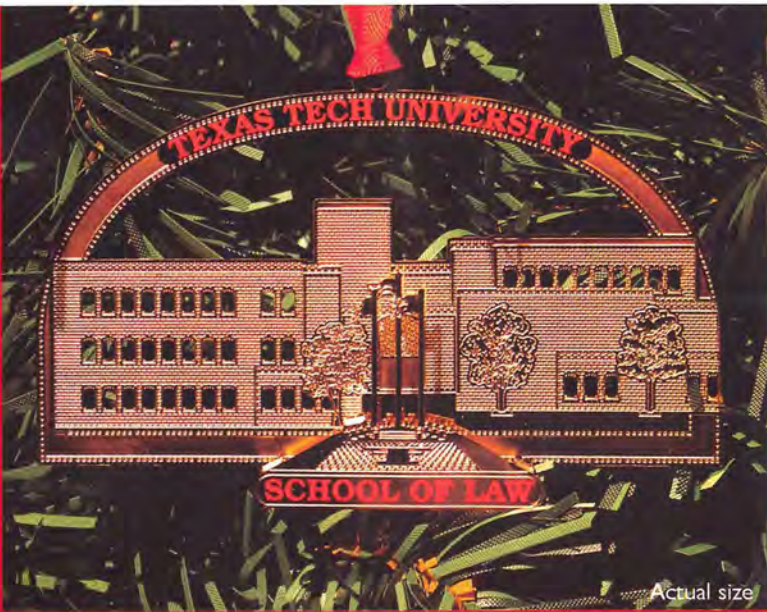
M. Ross Longo is a litigation associate with McFall, Sherwood & Breitbeil, P.C. in Houston. Longo practices commercial litigation and product liability defense. He came to the firm from the Houston office of Abbott, Simses & Kuchler, APLC, where he was a litigation associate.

Ruben E. Vasquez

married Stephanie Kopecky, a 2001 Texas Tech graduate, on July 10, 2004. Stephanie is an elementary music teacher in San Miguel, NM, and graduate student in community and school counseling at UTEP. Ruben E. Vasquez is a partner in the law firm of Johnson and Vasquez, P.C., specializing in bankruptcy. He is a member of the El Paso Bar Association, the Texas Young Lawyers Association, secretary member of the Border Bankruptcy Bar, a member of the National Association of Consumer Bankruptcy Attorneys, and the Texas Bar Association.



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2003

Jeffrey Chandler has joined the San Angelo office of Jackson Walker. Chandler is an associate in the litigation section of the firm. His practice consists primarily in commercial and insurance defense litigation.

Christopher M. Riley

has joined the Fort Worth office of Shannon, Gracey, Ratliff & Miller, L.L.P., as an associate. Mr. Riley was a briefing attorney for the Honorable Sam Day and Bob McCoy, Justices, Second District Court of Appeals, Fort Worth, and formerly a judicial intern for the Ninth District Court of Texas, Beaumont, before joining Shannon Gracey. He clerked for firms in Lubbock, Beaumont, Plano and Abilene. Admitted to the State Bar of Texas in 2003, he is a member of the Tarrant County Bar Association and the



Tarrant County Young Lawyers Association. He is an associate of the Eldon B. Mahon Inn of Court.

2004

Brandon E. Berg has joined Nelson & Nelson in Lubbock, Texas as an associate.

Jeremy L. Harmon has joined the firm of Pope, Hardwicke, Christie, Harrell, Schell & Kelly, L.L.P., in Fort Worth as an associate. You can reach him at (817)332-3245 or jlh_phchsk@sbcglobal.net

Ashley (Ellis) Nadeau has joined the Dallas office of Fulbright & Jaworski as an associate. Nadeau focuses on litigation matters.

Baron T. Oursler has joined the law firm of Scott, Hulse, Marshall, Feuille, Finger & Thurmond P.C., as an associate. Oursler practices in the firm's general liability and insurance and commer-

cial litigation sections.

Jackie L. Riemenschneider has joined the offices of Laney & Stokes, Lawyers, L.L.P. in Plainview, Texas. She is an associate, and her primary areas of practice are bankruptcy and criminal law.

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D Men's Windbreaker Embroidered. Polyester. Zippered front. Available in red or black with white trim. Sizes XS, S, M, L, XL, XXL, XXXL. \$59.95.
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