

## STATE BAR of TEXAS

# *Annual Report 2007-2008*

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Michelle Hunter, *Deputy Executive Director*

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## *From the Executive Director*

June 1, 2008

It is my pleasure to present to the State Bar of Texas Board of Directors the State Bar's first annual report, highlighting the organization's accomplishments during the 2007–2008 fiscal year.

The State Bar Act, as amended by the Texas Legislature in 2003, requires the State Bar to maintain a comprehensive, long-range strategic plan. Every other year, the State Bar drafts a new plan covering a five-year period. The plan includes measurable goals, as well as performance measures tied to those goals that are based on the results and outcomes of operations and services. The State Bar is committed to keeping the strategic plan at the forefront of its decisions and activities.

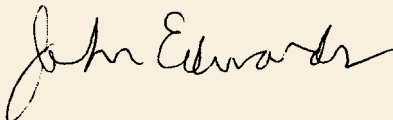
The strategic plan is divided into six areas:

- Service to the Public
- Service to Members
- Protection of the Public
- Access to Justice
- Sound Administration and Resources
- Financial Management

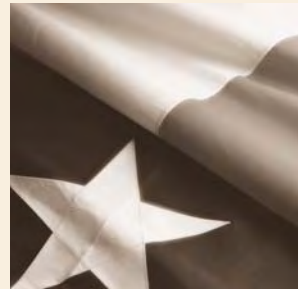
This annual report follows the same structure. In the following pages, you will find brief descriptions of programs and departments of the State Bar along with specific, quantifiable accomplishments from the past year.

It is an honor to serve the lawyers of Texas and to witness the incredible number of hours donated to the profession by board and committee members, CLE presenters, grievance panel members, and so many others. I hope you will be as impressed as I am with the work being done on their behalf.

Sincerely,



John Edwards  
Executive Director





## Background

In 1882, hundreds of judges and lawyers gathered in Galveston to establish the Texas Bar Association, a volunteer organization. Half a century later, seeking to ensure that lawyers maintain the highest ethical standards, the association proposed legislation that would unify the bar and provide more stringent controls over standards of practice. The Texas Legislature passed the State Bar Act in 1939, mandating that all attorneys licensed to practice law in Texas belong to the State Bar of Texas.

The State Bar functions as an administrative agency of Texas' judicial branch. The State Bar receives no state appropriations — it is funded primarily through membership dues and continuing legal education fees — but it is subject to sunset review by the Texas Legislature. The Supreme Court of Texas approves the State Bar budget.

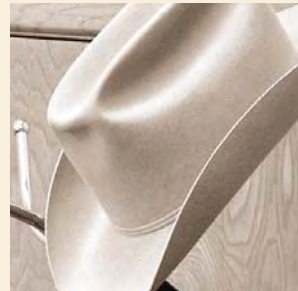
A board of directors made up of lawyers and public members from across the state governs the State Bar. Each year, the State Bar membership elects a lawyer to serve as president. An executive director manages day-to-day operations.

## Mission Statement

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*The mission of the State Bar of Texas is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable its members to better serve their clients and the public, educate the public about the rule of law, and promote diversity in the administration of justice and the practice of law.*

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# *Service to the Public*

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*The State Bar of Texas serves the public by educating the public on the American system of justice and the role of judges and lawyers in the system; helping lawyers provide the highest quality legal and community service; and working for equitable access and participation in all aspects of the justice system by diverse groups within our society.*

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## LAW-RELATED EDUCATION

The State Bar of Texas Law-Related Education (LRE) Department and its subsidiary, Law Focused Education, Inc., provide resources and services for teachers to educate students about the rule of law and the U.S. Constitution.

Since 1983, the LRE Department has been a leader in civic and law-related education in Texas, specializing in curriculum development for elementary, middle, and high school students. Workshops and institutes are available to educators throughout the year. LRE also sponsors several conferences and programs for teachers.

Through a partnership with the Hatton W. Sumners Foundation, LRE manages the Hatton W. Sumners Institutes on the Founding Documents, an editorial contest, the Law Focused Education website ([www.texaslre.org](http://www.texaslre.org)), a student teacher institute, the Texas Citizen Bee, and the Being an American Institute. LRE works with national organizations such as the Center for Civic Education on the We the People and Project Citizen programs. Through the center, LRE has been involved in the CIVITAS International Civic Exchange program, most recently with Hungary, Romania, and Costa Rica.

In 2007–2008, LRE trained more than 8,000 teachers. LRE also learned that it is one of four entities to receive a Play by the Rules National Project grant. In Texas, LRE will target students in the seventh grade. The innovative program is based on a booklet that addresses more than 200 laws. The booklet is being adapted for Texas and reviewed by a Texas law school.



## LAWYER REFERRAL INFORMATION SERVICE

The State Bar of Texas Lawyer Referral Information Service (LRIS) helps Texans in counties where there is no local lawyer referral service to find a lawyer or other referral for their legal issue. LRIS provides Texas lawyers an opportunity to serve their local communities and build their practice. Participating lawyers pay 10 percent of any fees earned of \$500 or more to the State Bar.

In 2007, LRIS received its largest single referral fee payment of \$160,000 for a case that was referred to a participating lawyer. The fee was designated to help increase the State Bar of Texas Client Security Fund, which provides compensation to clients of attorneys who have stolen clients' money or failed to return unused fees. Last year, the Client Security Fund awarded more than \$450,000 to 77 applicants.

LRIS revenues for 2007–2008 represent a 94 percent increase over the previous year. Even without the referral fee mentioned above, it would have been the highest revenue-generating year in the program's history.

LRIS made more than 75,000 referrals over the course of the year. Approximately 56 percent were referred to an attorney; the others were referred to local referral services, legal aid providers, or other community service groups.

## LET'S DO JUSTICE FOR TEXAS

Under the leadership of State Bar President Gib Walton, the Communications Division assisted with the development of *Let's Do Justice for Texas*, a public education initiative to help Texans better understand their role in maintaining justice and preserving the rule of law.

The initiative consists of three primary components:

- radio spots on such topics as jury service and the rule of law that are being broadcast in English and Spanish throughout Texas;
- a YouTube video contest, *Lone Star Stories: Texans on Justice*, believed to be the first YouTube contest sponsored by a state bar association; and
- a series of web-based animations, funded through a grant from the Texas Bar Foundation, about the importance of jury service and participating in the justice system.

The premise for the initiative is that lawyers and judges alone cannot protect and preserve the American system of justice. The rule of law is the foundation for almost everything that any profession, business, or trade accomplishes, yet

most people do not see the connection between the rule of law and their daily lives — their jobs, health, safety, education, environment, and the economy. As guardians, but not exclusive owners, of the rule of law, it is the job of Texas lawyers to communicate this connection and get the message across to all Texans.

In January, in conjunction with the State Bar Board of Directors meeting in Grapevine, an awards ceremony honored the winners of the YouTube contest: Natalie Jordan of Dallas, Raphael and Alexandre Chaumette of Sugar Land, and Huey Fischer of Rockport. Each received a \$2,500 award.

To date, the radio spots have been broadcast 36,000 times reaching 38.5 million listeners (according to Arbitron). The YouTube videos have been viewed more than 10,000 times.



## PUBLIC INFORMATION

The State Bar of Texas Public Information Department serves as a resource to members of the media on issues related to Texas lawyers, and helps educate the public about the legal and judicial systems.

The Public Information Department averages about 70 media inquiries per month. Reporters and others average about 500 visits per month to **[www.texasbar.com/media](http://www.texasbar.com/media)** for access to information designed to help media report on legal issues and locate information about Texas lawyers. Nearly 40 news releases were issued last year to keep media and the public informed about State Bar news and service to the public.

Public Information produces and distributes to consumers a wide variety of public service pamphlets created by the State Bar of Texas and the Texas Young Lawyers Association. Pamphlets are available for download at **[www.texasbar.com/pamphlets](http://www.texasbar.com/pamphlets)**. The web page averaged more than 1,700 hits per month and hard copy pamphlet distribution averaged more than 6,000 per month. The department fields more than 200 calls per month from members of the public seeking information and assistance on a wide range of legal and consumer issues that affect Texans in their everyday lives.

Public Information staff work with the State Bar Public Affairs Committee to coordinate the Texas Gavel Awards to recognize journalistic excellence that helps educate the public about the justice system. Last year, the committee partnered with the Freedom of Information Foundation of Texas to increase the visibility and significance of the awards program.

The Public Affairs Committee also relies on Public Information staff to plan and coordinate an open government forum held in conjunction with the State Bar Annual Meeting. As a public service, the forum is open to the public sector and reporters to help educate them about the Public Information Act and keep them abreast of compliance issues and legislative changes.

## TEXAS YOUNG LAWYERS ASSOCIATION

The Texas Young Lawyers Association (TYLA) consists of the roughly 23,000 Texas lawyers who are 36 years old or younger or in their first five years of licensure. Considering itself the “public service arm” of the State Bar, TYLA aims to facilitate the administration of justice, foster respect for the law, and advance the role of the legal profession in serving the public. Its programs are designed to assist Texas attorneys in their practice of law and to provide public legal education services to Texans.

In 2007–2008, TYLA created three new video projects:

- *Justice 101: The Client's Guide to Litigation*
- *Safeguarding Our Seniors: Recognizing and Reporting Elder Abuse*
- *You're Hired! Now What? Knowing Your Legal Rights on Your First Job*

TYLA also created seven new brochures and pamphlets available to the public:

- *Servicemembers Civil Relief Act*
- *Committed to Healing: Involuntary Commitment Procedures*
- *Ending the Violence: How to Obtain a Texas Protective Order*
- *Protecting the Incapacitated: A Guide to Guardianship in Texas from Application to Oath*
- *The Employer's Guide to General Employment Law*
- *Identity Theft*
- *Special Education Laws and the School Environment: A Guide to Understanding Your Rights as a Parent*

More than 4,000 Texas students attended presentations of a TYLA video created during the previous year, *They Had a Dream Too: Young Leaders of the Civil Rights Movement*. The video was recognized with a regional Emmy award in the Documentary — History category. It also received a LexisNexis Community and Education Outreach Award from the National Association of Bar Executives.





## Service to Members

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*The State Bar of Texas serves its members by providing continuing legal education and other services that promote ethical, efficient, and quality legal services; promote the administration of justice; enhance the public's perception of Texas lawyers; and increase diversity in the legal profession.*

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### ANNUAL MEETING

The State Bar of Texas Annual Meeting is the largest professional gathering of Texas lawyers. Over the course of two days, State Bar members can fulfill most of their minimum continuing legal education requirements for the year while learning from some of the top presenters in the legal community. The conference also provides State Bar Sections a place to conduct their annual meetings.

The 2007 Annual Meeting in San Antonio introduced several innovations. The programming was streamlined to offer fewer conflicting events. A flat registration fee replaced the complex registration packages offered in previous years. Attendees received all CLE materials for all CLE events on a single flash drive. Bestselling author John Grisham delivered the keynote address at the Bar Leaders Recognition Luncheon, which was free for all registrants. The State Bar Litigation Section once again organized a high-profile, well-attended debate.



### ARCHIVES

The State Bar Archives Department preserves and collects historical records of the State Bar of Texas and donations from members of the Texas bench and bar; provides requested research assistance and information to members and the public; develops educational materials interpreting the history of the Texas bench and bar; and coordinates the State Bar's records management program.

In 2007-2008, the department, which staffs the Gov. Bill and Vara Daniel Center for Legal History, completed scanning more than 3,000 continuing legal education articles. The department made preparations to scan the minutes of State Bar Board of Directors meetings. The department also worked with the State Records Office at the Texas State Library and Archives Commission to re-certify the State Bar's retention schedule.

The Archives Department partnered with the Law-Related Education Department to provide resources and information for the Courts in Texas Institute. Staff finished recording an oral history with William B. Carsow, the State Bar's first executive director, shortly before he died, and are in the process of editing the transcript for publication. As a member of the Texas House of Representatives in 1938, Carsow authored the bill that created the State Bar of Texas.



## COMMITTEES

The Committees Department coordinates meetings and maintains rosters, minutes, and correspondence for the standing committees of the State Bar of Texas. The department also provides support to the president-elect during the committee appointment process.

In 2007–2008, the Child Abuse and Neglect Committee received permission to seek outside funding for the development of a Spanish-language version of its DVD on shaken baby syndrome. The Crime Victims Committee developed an MCLE-accredited presentation to take to local bars to educate attorneys about the resources available to crime victims. The committee also developed a resources web page at [www.texasbar.com/crimevictims](http://www.texasbar.com/crimevictims).

The Texas Bar Foundation awarded the Disability Issues Committee a grant for the Sign Up Fund, which reimburses attorneys for sign-language interpretation services. Five disbursements have been made and the committee is working to promote the resource. Members of the Texas Disciplinary Rules of Professional Conduct Committee and the Supreme Court Task Force on the TDRPC are presenting to the Supreme Court recommendations for changes in light of the American Bar Association's model rules.

The Women in the Profession Committee, with the help of TexasBarBooks, has completed preparation of *Rough Road to Justice: The Story of Women Lawyers in Texas*. This book was made possible by a grant from the Texas Bar Foundation and individual and corporate donors. Finally, the Committees Department worked with the Office of Minority Affairs to increase the number of minority applications for committee leadership and membership positions.

## LAW PRACTICE MANAGEMENT

The Law Practice Management Program of the Professional Development Division offers assistance to solo and small-firm practitioners in the management of their practices through telephone consultations, interactive web tools, a reference library, and CLE programming.

In 2007–2008, Law Practice Management presented live webcasts to more than 500 lawyers, a significant increase over the previous year. The department also offered its first two-day CLE event, which featured traditional panel discussions and presentations by experts on law practice management issues as well as workshops and round-table discussions on a range of management-related topics.

## LOCAL BAR SERVICES

Local Bar Services fosters and maintains the relationship between the State Bar of Texas and local bar associations. Outreach to local bars helps to fulfill many goals outlined in the State Bar Act, as well as its strategic plan: increasing access to justice, improving the public's knowledge about the justice system, educating members about Bar services, and assisting local bars with public service and operations.

State Bar officers and staff are committed to traveling the state to provide outreach to local, minority, and specialty bar associations, an average of three visits each month. Requests for attorney rosters, project information, sample documents, and general assistance are filled daily by the Local Bar Services Department.

The Local Bar Services Committee, the Access to Justice Commission, and the Texas Young Lawyers Association partnered to hold a successful Bar Leaders Conference in July 2007. New seminars about lawyer mental health issues and values-based messaging were introduced; local leaders interacted with State Bar officers and directors; and attendees shared their bars' successes and challenges.

The Local Bar Services Committee continued to study and streamline the Stars of Texas Bars Awards. The committee also sponsored Law Day contests and produced the *Bar Leader*, a newsletter for local bar presidents.



## MEMBERSHIP

The Membership Department collects bar member dues, the attorney occupation tax, and the legal services fee; establishes and maintains attorney records; and maintains attorney profiles. Additional functions include establishing and maintaining records for associate divisions, providing extensive customer service, providing and managing provision of bar cards, providing primary information on attorney practice standing (such as letters of good standing), processing large volumes of mail, and processing mailing label requests.

In 2007–2008, the department reduced the costs of conducting the State Bar election, saving approximately \$42,000 in printing costs and \$23,000 in postage costs. Including voter authorization numbers in blast emails to members made it easier for lawyers to vote online in the State Bar election.

The department increased participation in its law firm dues collection project, adding 55 new firms for an 80 percent increase over the previous year. The firm dues collection process makes it easier for large law firms to pay dues for all of their attorneys.

Noncompliance with membership dues and tax requirements has decreased over the past two years. The Membership Department started sending blast emails throughout the summer about outstanding dues and tax balances. Suspensions for nonpayment of dues decreased by 30 percent and suspensions for nonpayment of the occupation tax decreased by 40 percent, which has resulted in a significant reduction in postage expenses.

## MINIMUM CONTINUING LEGAL EDUCATION

Active members of the State Bar must complete a minimum of 15 hours of accredited continuing legal education during each compliance year. At least 10 of the hours must be earned in the form of formal courses or seminars. Five hours can be fulfilled in the form of self-study activities (reading legal periodicals, viewing video, or listening to audio). At least three hours must be in the area of legal ethics/professional responsibility, one of which may be completed in the form of self-study credit.

In 2007–2008, the MCLE Department processed 20,000 applications and certified 18,500 courses.

More attorneys and sponsors utilized MCLE online services for reviewing and

reporting. Use of online accreditation services by sponsors increased 4 percent from the previous year. Online reporting increased 3 percent.

## MINORITY AFFAIRS

The Office of Minority Affairs serves minority and women attorneys and organizations in Texas, enhances employment and economic opportunities for minority and women attorneys in the legal profession, and increases involvement by minorities and women in the State Bar of Texas.

The department works closely with several State Bar committees and sections and organizes several outreach programs, including the Texas Minority Counsel Program and the Texas Minority Attorney Program.

In 2007–2008, the department partnered with TexasBarCLE to develop the Minorities at the Podium (MAP) program to train new speakers, create a database of minority speakers, and market new speakers for continuing legal education seminars and events.

## TEXAS BAR BOOKS

TexasBarBooks publishes authoritative, reasonably priced books, practice manuals, and legal forms designed to help Texas lawyers provide informed and efficient service to their clients and to assist Texas judges in promptly and fairly administering justice. The department's team of attorney editors produces these materials in collaboration with volunteer committees composed of experts in various practice areas. Publications are updated regularly to reflect legislative changes.



In 2007–2008, TexasBarBooks released the fourth edition of *Texas Lawyers' Professional Ethics* and a supplement to the *Texas Probate System*. The revised edition of *Texas Lawyers' Professional Ethics* contains new material on lawyer advertising and IOLTA requirements, and, for the first time, comes with a CD containing the entire book, links to ethics opinions, and useful forms. The department released a DVD featuring trial lawyer and author

Jim Perdue on incorporating storytelling into trial techniques. TexasBarBooks also released supplements to the *Texas Business Entities Forms Manual: Corporations* and the *Texas Real Estate Forms Manual*, as well as a new edition of *Texas Pattern Jury Charges: Family*.

Beginning with the 2008 supplement to the *Texas Business Entities Forms Manual*, the CD versions of manuals include Texas code citations that are hyperlinked to the applicable code section on the Casemaker online database. TexasBarBooks has also added a new feature for online purchasers of certain books, such as the *Texas Pattern Jury Charges*. Purchasers are able immediately to download the full electronic version of the book from the TexasBarBooks website. They will then be shipped a copy of the book. TexasBarBooks used this feature to provide low-cost copies of the *Texas Real Estate Forms Manual* to students at Baylor Law School.

## TEXAS BAR CLE

TexasBarCLE provides continuing legal education to Texas lawyers.

In 2007-2008, TexasBarCLE produced 100 webcasts, covering virtually every practice area. This is up from the 70 webcasts produced in 2006. The average webcast in 2007 garnered 60 paying registrants. The department eliminated an expense item by bringing webcast production in-house with no increase in staff.

The department developed a feature that will allow course registrants to purchase program materials for live and video events in electronic form on USB drives, in addition to, or in lieu of, hard-copy course materials.

In April 2008, TexasBarCLE was able to respond quickly and constructively to the need for attorney ad litem training following the taking into state custody of several hundred children from a polygamist compound near Eldorado. An existing program was updated and a new program developed at no charge to attorneys who volunteered for the effort.

## TEXASBAR.COM

The State Bar of Texas website serves as each attorney's one-stop portal to manage account and attorney profile information, access and maintain MCLE records, and access free tools such as legal research, news, and information.

In 2007-2008, the State Bar launched Texas Bar Circle, the first-ever social and professional network by a bar association. More than 4,500 attorneys have

registered as users of Texas Bar Circle. The site is accessible only by licensed Texas attorneys and provides a secure, trusted environment for attorneys to re-connect with colleagues, make new connections, and find others with similar interests. Texas Bar Circle members can post notices of job opportunities and add RSS feeds of their blogs, which are fed into a blogs page in Texas Bar Circle.

TexasBar.com served as a clearinghouse for volunteers after several hundred children were taken into state custody from a polygamist compound near Eldorado. State Bar members were able to log in and volunteer to serve as attorneys ad litem. The website posted media statements and updated information as it became available.

Website staff made substantial progress toward a major update to the website, including development of a wireframe concept and a rewrite of website content for clarity and usability.

An average of 117,000 unique visitors visited TexasBar.com each month, for a total of more than 25 million page views. Each month, attorneys logged in to their “My Bar Page” more than 60,000 times to manage their accounts.

## TEXAS BAR JOURNAL

The *Texas Bar Journal* is the official publication of the State Bar of Texas. In continuous publication since 1938, the magazine serves as a publication of record for the Supreme Court of Texas, a scholarly legal journal, and the association magazine for the State Bar of Texas. Each month, the *Texas Bar Journal* is distributed to approximately 95,000 subscribers — the only publication reaching every lawyer in Texas.

As the result of a partnership with William S. Hein and Co., State Bar members now have free access to a complete, searchable archive of the *Texas Bar Journal* dating to 1938.

The State Bar Task Force on Hiring, Retention, and Promotion of Minority and Women Attorneys in Large and Medium Size Law Firms and Corporations reported its findings to the State Bar Board of Directors in 2007. The *Texas Bar Journal* Board of Editors consulted with the task force chair and launched an occasional series under the banner “Focus on Diversity.” The articles started appearing in the January 2008 issue of the magazine.

Each year, the Communications Section of the National Association of Bar Executives gives Luminary Awards in five categories. In 2007–2008, the State Bar of Texas entered projects in three of the categories and won all three.

The winning entries in the large bar association division were for excellence in regular publications (*Texas Bar Journal*), special publications (Commission for Lawyer Discipline Annual Report), and public relations (a pro bono brochure). This was the first time a single bar association had won three awards.

## TEXAS LAWYERS' ASSISTANCE PROGRAM

The Texas Lawyers' Assistance Program (TLAP) was created to provide for the identification, peer intervention, and rehabilitation of any Texas attorney or law student whose professional performance is impaired because of substance abuse, dependency, or mental health disorders. Current estimates indicate that anywhere from 10,000 to 15,000 lawyers in Texas suffer from substance use disorders or mental health issues affecting their law practices.

TLAP provides crisis counseling and referrals, peer assistance, and education. It works cooperatively with a variety of entities, including but not limited to the Office of Chief Disciplinary Counsel, Commission on Lawyer Discipline, Board of Law Examiners, Board of Disciplinary Appeals, State Bar Board of Directors, and State Bar staff.

In 2007–2008, TLAP presented a video, *Practicing from the Shadows: Depression and the Legal Profession*, which was developed under the leadership of former State Bar President Martha Dickie, to a variety of lawyer groups.







# *Protection of the Public*

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*The State Bar works to protect the public through its powers to regulate the conduct of lawyers and by promoting ethics and professionalism.*

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## ADVERTISING REVIEW

The Advertising Review Department implements the lawyer advertising rules under Part VII of the Texas Disciplinary Rules of Professional Conduct. The rules and the advertising review process are designed to protect the public from false, misleading, or deceptive attorney communications. Staff is responsible for performing the day-to-day activities and general regulatory functions performed by the State Bar Advertising Review Committee.

In 2007–2008, the department reviewed more than 3,000 submissions, an increase of 8 percent over the previous year. The department is also responsible for distributing non-filer notices to attorneys who have not filed an advertisement. The department sent out more than 100 notices. Along with the department's ethics presentations, the department embarked on new educational programs. The department will visit the regional offices of the Chief Disciplinary Counsel and has designed and implemented a program to visit phone book publishers. The Advertising Review Committee published a new interpretive comment regarding the use of lawyers' initials in the name of a firm.



## CLIENT-ATTORNEY ASSISTANCE PROGRAM

The Client-Attorney Assistance Program (CAAP) is a statewide dispute resolution program and service of the State Bar of Texas. It is available to the public and Texas lawyers. It assists clients and attorneys in resolving minor problems affecting their relationships. CAAP also supports the attorney discipline process by providing information about the grievance process and grievance forms upon request. The grievance form was revised in January 2007 to provide more specific information regarding the option of resolving issues through CAAP without the need to file a formal grievance.

In addition, CAAP makes referrals to appropriate State Bar departments, local bar associations, and other state and local programs and agencies that can assist those who contact CAAP for assistance.

In 2007–2008, CAAP was contacted 44,000 times and answered questions, primarily about the grievance process, and made referrals to programs that could assist with specific issues or concerns. CAAP opened approximately 1,000 new dispute resolution files without the need for filing a formal grievance. Complaints about communication and neglect concerns continue to be at the forefront of client concerns. Dispute resolution files regarding family, personal injury, and criminal law remain the top legal matters for which dispute resolution is requested.

## OFFICE OF CHIEF DISCIPLINARY COUNSEL

The Texas attorney discipline system is administered by the Office of Chief Disciplinary Counsel (CDC), which is designed to be the “Bar’s law office,” and whose work is overseen by the Commission for Lawyer Discipline. CDC represents the commission in disciplinary litigation. Emphasis is placed on the quality of disciplinary prosecutions, identification of disability or impairment problems, solutions to deal with attorneys in need of law practice management or other basic skills, and innovative ways to maintain open communication between the public and the bar.

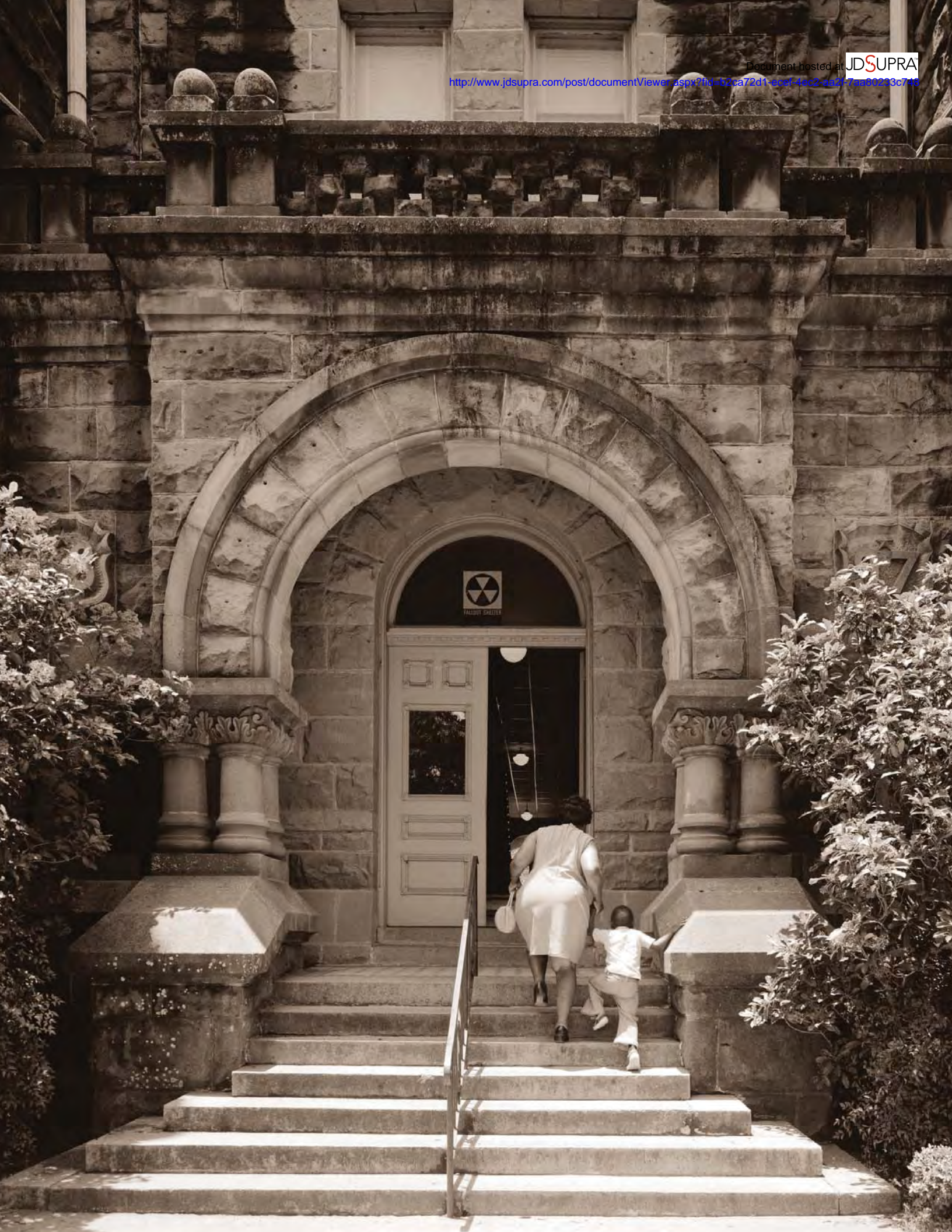
In 2007–2008, CDC formed a centralized intake unit that makes the initial screening of complaints. Previously, the four regional offices handled intake separately. The purpose of centralizing intake was to improve consistency and efficiency in the classification stage. The percentage of reversals from the Board of Disciplinary Appeals decreased from 11 percent to 7 percent. Centralization has facilitated gathering data for reports and analyzing trends in the grievance process.

CDC and the Commission for Lawyer Discipline hosted a grievance symposium in Dallas that brought together participants from different parts of the disciplinary process. To improve customer service, CDC set up a two-day, customer service training for its receptionists.

Last year, the office initiated an aggressive push to seek interim suspensions of Texas lawyers who have been indicted for theft or other serious crimes. The effect is to suspend the lawyer between indictment and conviction when

CDC seeks disbarment by way of compulsory discipline before the Board of Disciplinary Appeals. The period between indictment and conviction and sentencing can take months, during which the indicted lawyer could still practice law and remain in good standing. At least 10 indicted lawyers have now been suspended or resigned in lieu of discipline when faced with the filing of an interim suspension proposal.





# *Access to Justice*

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*The State Bar of Texas works to ensure access to justice for all.*

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## TEXAS LAWYERS CARE

Texas Lawyers Care is the pro bono/legal services support project of the State Bar of Texas. It provides support, technical assistance, training, resource materials, and publications to staff and volunteers of providers of legal services to the poor in Texas.

Texas Lawyers Care organizes the annual Poverty Law Conference and Pro Bono Coordinators Retreat. It also staffs the Texas Access to Justice Commission. The department works closely with the Legal Services Committee of the State Bar Board of Directors and the State Bar Legal Services to the Poor in Civil Matters Committee.

In 2007–2008, the Access to Justice Commission hosted a celebration at the Bob Bullock Texas History Museum in Austin to commemorate the 25th anniversary of Texas Lawyers Care. All of the proceeds of the event — \$186,000 — were donated to the Texas Access to Justice Foundation. More than 300 lawyers from firms of all sizes, members of the state and federal judiciary, corporate sponsors, families, and friends celebrated the work of Texas Lawyers Care and the legal aid and pro bono attorneys who serve as keys to the courthouse for poor and low-income Texans.

The Access to Justice Commission's Technology Committee, after extensive research, recommended a one-time, bulk purchase of computer equipment and software for legal aid programs totaling \$680,000, which would have cost \$900,000 if purchased individually. The Texas Access to Justice Foundation funded the purchase for its 37 grantees.

The bulk purchase included desktop and laptop computers, business-grade printers, color printers, portable printers, scanners, peripheral equipment, and licenses of Microsoft Office 2007, Adobe Acrobat, and Symantec software. Texas Supreme Court Justice Harriet O'Neill, the court's access to justice liaison, presented letters of appreciation from the court to the six chief information and technology officers who serve on the committee for contributing their expertise and time to bringing the project to fruition.



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DEEDS  
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606, to 631

CHATTEL MORTGAGES  
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2100 to 2400.

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and Returned  
since Dec. 1, 1896*

*Deeds  
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Each Month  
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RECORDED.  
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RECORDED.  
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RECORDED.  
**H**

DEEDS  
RECORDED.  
**T U V**

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Bonds &  
Receipts.*

*Public School  
Lands.*

DEEDS  
RECORDED.  
**I J**

DEEDS  
RECORDED.  
**W.**

*Estrays.*

*Paupers  
Bonds  
Peace Bonds*

DEEDS  
RECORDED.  
**X. Y. Z.**

*Reports of Jury  
Service in  
Justice Courts.*

*N. 1. to 1050. in Vault.  
Right hand side.*  
CHATTEL MORTGAGES  
RECORDED.  
3210

# *Sound Administration and Resources*

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*The activities and services of the State Bar shall be administered at a high level of efficiency and professionalism, in conformance with the best practices observed by Texas state agencies and by bar associations of similar size and scope.*

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## HUMAN RESOURCES

The Human Resources Department is responsible for staff recruitment, compensation and benefits administration, personnel policy and procedure development and administration, employee relations and training, and compliance with federal, state, and local laws and regulations. The department also maintains employee personnel and time records. There are 267 employees on the State Bar payroll, compared with more than 300 a decade ago.

In 2007-2008, all managers, including division and department directors, received training in "Achieving Your Leadership Potential," "Leading Change," "Resolving Conflict," and "Making Meetings Work." Non-managers received training in "Taking Charge of Your Development," "Adapting to Change," "Working Through Conflict," and "Contributing to Meeting Success." In total, 64 managers received 24 hours each of in-house training; 176 non-managers received 16 hours each. Approximately 100 employees utilized an online training program to complete software courses or business-skills development courses.

For the first time, a Wellness Fair was organized to educate employees about overall wellness and the organizations and services available to them. The fair took place in March, with 21 vendors participating. In conjunction with the Wellness Fair, a staff Wellness Committee launched "A Walk Around the World," a contest to promote walking and encourage employees to stay active. Pedometers were issued to 185 employees, who divided into teams of five. Over the course of six weeks, employees logged 54 million steps, roughly equivalent to 27,000 miles, or 24 miles per employee per week.

## RESEARCH AND ANALYSIS

The Department of Research and Analysis provides research for State Bar departments, committees, and the State Bar Board of Directors. In 2007-2008,



the Research and Analysis Department prepared statistical profiles for Sections and local bars and conducted surveys and provided support for several State Bar task forces, including the Court Administration Task Force and the Professional Liability Insurance Disclosure Task Force.

## EXECUTIVE INITIATIVES

During 2007–2008, several cross-divisional teams were assigned to research and report on specific issues. A building security task force consisting of Martin Chait (TexasBarBooks), Michael DeLeon (Purchasing and Facilities), Kim Maka (TexasBarCLE), John Richards (Chief Disciplinary Counsel), and John Sirman (TexasBar.com) made recommendations that are being implemented to increase security for employees and visitors to the Texas Law Center.

A business-continuity planning team is developing procedures to ensure that the State Bar's business processes continue in the event of a disaster. The team includes: Martin Chait (TexasBarCLE), Kathy Holder (Membership), Kristina Hutson (Governmental Relations), Don Jones (Executive), Anne McKenna (Chief Disciplinary Counsel), Catherine Nahay (Texas Lawyers Care), Brad Powell (Information Technology), Paul Rogers (Purchasing and Facilities), Kimberly Schmitt (Lawyer Referral), John Sirman (TexasBar.com), and Andrea Stone (Accounting). Staff also served with lawyer volunteers on a committee to review and consider changes to the operation of the State Bar Ethics Helpline.

At each meeting of the State Bar Board of Directors, a State Bar staff member was honored as the Employee of the Quarter. During 2007–2008, the following employees were honored: Chris Beasley (Graphics), Bennie Ramirez (Client-Attorney Assistance Program), Shannon Saucedo (Chief Disciplinary Counsel), and Tammi Sweet (Public Information).

The Continuous Improvement Process (CIP), initiated two years ago, encourages employees to review the goals of the State Bar of Texas and take a fresh look at processes in their area. Employees are responsible for developing multiple personal objectives each year that are specific and measurable, attainable, challenging, supportive of the State Bar's goals and objectives, consistent with their responsibility and authority, understandable, and improvement-oriented.

As awards for their CIP projects, approximately 20 percent of eligible staff members receive a one-time bonus of 3 to 5 percent of annual pay, depending on pay grade, with lower pay grades receiving the higher percentage. The awards are distributed across pay grades, although the highest pay grades and executive

managers are not eligible for awards. The executive director and deputy executive director select the CIP award recipients based on the recommendations of division directors.

In 2007–2008, the following employees were recognized with CIP awards: Sandra Alcoser, Caren Blackwell, Hedy Bower, Paul Burks, Jesus Chacon, Julia Cortez, Linda DeLeon, Ann Foster, Pamela Gilley, Joanna Herzik, Kimira Hysaw, Cozette Langenkamp, Jeff Martinez, Tess Ludes-Meyers, Tracy Nuckols, Ann Nunez, Kevin Priestner, Michele Schweitzer, Mandi Scott, Roger Siebert, Dee Stacey, Sandy Gavin, Tammi Sweet, Patricia Trevino, Tina Weitz, Brenda Whiteaker, Craig Chapman, Chris Slack, Holly Wilkerson, Mandy Wilson, Tom Wubker, and Mary Volk.

## TEXAS LAW CENTER RENOVATION

The State Bar Administration Division and its Purchasing and Facilities Department have been coordinating a \$10-million, multiyear renovation of the Texas Law Center to install safety measures, make infrastructural repairs, maximize space efficiency, and implement a utility savings program.

In 2007–2008, staff oversaw replacement of the roof and installation of a new cooling tower and condenser pumps; restoration of the Jaworski Plaza and Fountain; replacement of the building's elevators; conversion of the second floor into a staging area; creation of two conference rooms on the first floor; re-modeling of floor P1 (including the creation of the Gov. Bill and Vara Daniel Conference Room); remodeling of floor 6 (including window replacement); and renovation of the historic Stewart-Morris Board Room and updating its technological capabilities. Next year, floors 3 through 5 will be remodeled.

To facilitate the moving of employees from floor to floor as the building is renovated, a Move Team was created. Throughout the renovation project, the Move Team has met with departments to prepare them for each move, coordinated the logistics of packing and labeling, provided support, and apprised staff of changes to the move schedule. The Move Team consists of Ann Foster (Texas Lawyers' Assistance Program), Brenda Whiteaker (Information Technology), Michael DeLeon (Purchasing and Facilities), Paul Rogers (Purchasing and Facilities), and Rachel Madorsky (Texas Lawyers' Assistance Program).

The Texas Law Center was dedicated in 1976, but has since received minimal infrastructural investment. To ensure the renovated building remains well cared for, staff provided support to the State Bar Board of Directors Administration Committee and its Facilities and Equipment Subcommittee as they developed a preventive maintenance program and capital equipment replacement plan.



# Financial Management

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*The State Bar of Texas shall conduct its fiscal affairs in conformance with the best management practices observed by Texas state agencies and by bar associations of similar size and scope.*

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## FINANCE DIVISION

The Finance Division of the State Bar of Texas consists of budgeting and financial reporting for the General Fund, Book Fund, Client Security Fund, 13 special revenue funds, and 44 Sections; accounts receivable and collections; accounts payable; sales order processing; and payroll.

Maxwell, Locke & Ritter, L.L.P. performed the State Bar's financial audit for fiscal year 2006–2007. The State Bar received an unqualified opinion, the best financial audit opinion given. The State Bar Board of Directors accepted the financial audit report at its quarterly board meeting in January.

Padgett Stratemann & Co., L.L.P. performed the State Bar's internal audit for fiscal year 2006–2007. Departments of the State Bar are selected for internal audit every year on a rotating basis. Eight departments were selected for internal audit, all of which the internal auditors determined to be in compliance with Texas statutes and State Bar policies and procedures. The board accepted the internal audit report at its January meeting.

The Accounts Payable Department generates a large volume of paper documents that are maintained in filing cabinets within the division. The Finance Division is developing a procedure to scan all accounts payable materials and use electronic filing to maintain these records. The Finance Division's ultimate goal is to have all materials currently produced in paper format converted to electronic storage. In recent months, the Accounting Department has transferred approximately 200 boxes of printed materials to off-site storage.



## Measuring Performance

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*Listed below are a few of the more than 100 workload and performance indicators the State Bar of Texas tracks each month as part of its strategic plan.*

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	Average Per Month		
	FY 2008	FY 2007	FY 2006
Ads submitted to Advertising Review Department	276	233	262
Full-time employees per 1,000 Texas lawyers	3.15	3.16	3.28
Referrals by Texas Lawyers' Assistance Program	91	69	89
Referrals by Lawyer Referral Information Service	6,424	6,553	6,002
Calls to Client-Attorney Assistance Program	3,685	3,513	4,532
Courses certified for MCLE credit	1,542	1,483	1,398
Lawyers not in MCLE compliance	662	691	773
Public information pamphlets distributed	6,164	5,623	4766
Teachers trained by Law-Related Education Department	672	506	418
Visitors to TexasLRE.org	12,681	6,323	2,667
Visitors to TYLA.org	24,392	12,372	9,649
Visitors to TexasBar.com	119,972	99,187	78,435

### ABOUT THE PHOTOGRAPHS

In 1975, Houston photographer Geoff Winningham was commissioned to photograph 18 Texas courthouses for a book on American courthouses funded by the Seagram Co. in celebration of the nation's bicentennial. The book that resulted from the project, *Courthouse*, published by Horizon Press in 1976, is now considered a classic architectural study. Winningham has continued to photograph courthouses across Texas. Among the courthouses featured in this annual report are those for Bexar, Colorado, Ellis, Fort Bend, Lavaca, Leon, Presidio, and Shelby Counties.

For more information, visit [www.geoffwinningham.com](http://www.geoffwinningham.com).

# PRESIDENTS AND CHAIRS OF THE BOARD OF DIRECTORS

## PRESIDENTS

Angus G. Wynne, <i>Dallas</i>	1939-40
Few Brewster, <i>Temple</i>	1940-41
Gordon Simpson, <i>Tyler</i>	1941-42
Claude E. Carter, <i>Harlingen</i>	1942-43
Major T. Bell, <i>Beaumont</i>	1943-44
Joseph B. Dooley, <i>Amarillo</i>	1944-45
John H. Bickett, Jr., <i>Dallas</i>	1945-46
James L. Shepherd, Jr., <i>Houston</i>	1946-47
H. Grady Chandler, <i>Austin</i>	1947-48
Robert G. Storey, <i>Dallas</i>	1948-49
Allen Crowley, <i>Fort Worth</i>	1949-50
Albert P. Jones, <i>Houston</i>	1950-51
Cecil E. Burney, <i>Corpus Christi</i>	1951-52
J. Glenn Turner, <i>Dallas</i>	1952-53
Everett L. Looney, <i>Austin</i>	1953-54
R.N. Gresham, <i>San Antonio</i>	1954-55
Maurice R. Bullock, <i>Fort Stockton</i>	1955-56
Newton Gresham, <i>Houston</i>	1956-57
Virgil T. Seaberry, <i>Eastland</i>	1957-58
Leo Brewster, <i>Fort Worth</i>	1958-59
A.J. Folley, <i>Amarillo</i>	1959-60
Paul Carrington, <i>Dallas</i>	1960-61
William L. Kerr, <i>Midland</i>	1961-62
Leon Jaworski, <i>Houston</i>	1962-63
Buster Cole, <i>Bonham</i>	1963-64
Joyce Cox, <i>Houston</i>	1964-65
Clint C. Small, Jr., <i>Austin</i>	1965-66
W.O. Shafer, <i>Odessa</i>	1966-67
Thomas M. Phillips, <i>Houston</i>	1967-68
Ralph W. Brite, <i>San Antonio</i>	1968-69
Josiah Wheat, <i>Woodville</i>	1969-70
Morris Harrell, <i>Dallas</i>	1970-71
James C. Watson, <i>Corpus Christi</i>	1971-72
Jim D. Bowmer, <i>Temple</i>	1972-73
Leroy Jeffers, <i>Houston</i>	1973-74
Lloyd Lochridge, <i>Austin</i>	1974-75
John M. Lawrence III, <i>Bryan</i>	1975-76
Gibson Gayle, Jr., <i>Houston</i>	1976-77
Travis D. Shelton, <i>Lubbock</i>	1977-78
Cullen Smith, <i>Waco</i>	1978-79
J. Chrys Dougherty, <i>Austin</i>	1979-80
Franklin Jones, Jr., <i>Marshall</i>	1980-81
Wayne Fisher, <i>Houston</i>	1981-82
Orrin W. Johnson, <i>Harlingen</i>	1982-83
Blake Tartt, <i>Houston</i>	1983-84
Tom B. Ramey, Jr., <i>Tyler</i>	1984-85

Charles L. Smith, <i>San Antonio</i>	1985-86
Bill Whitehurst, <i>Austin</i>	1986-87
Joe Nagy, <i>Lubbock</i>	1987-88
James B. Sales, <i>Houston</i>	1988-89
Darrell Jordan, <i>Dallas</i>	1989-90
James N. Parsons III, <i>Palestine</i>	1990-91
Charles R. "Bob" Dunn, <i>Houston</i>	1991-92
Harriet Miers, <i>Dallas</i>	1992-93
Lonny D. Morrison, <i>Wichita Falls</i>	1993-94
James L. Branton, <i>San Antonio</i>	1994-95
David J. Beck, <i>Houston</i>	1995-96
M. Colleen McHugh, <i>Corpus Christi</i>	1996-97
W. Frank Newton, <i>Lubbock</i>	1997-98
Richard Pena, <i>Austin</i>	1998-99
Charles F. Aycock, <i>Farwell</i>	1999-00
Lynne Liberato, <i>Houston</i>	2000-01
Broadus A. Spivey, <i>Austin</i>	2001-02
Guy N. Harrison, <i>Longview</i>	2002-03
Elizabeth D. Whitaker, <i>Dallas</i>	2003-04
Kelly Frels, <i>Houston</i>	2004-05
Eduardo R. Rodriguez, <i>Brownsville</i>	2005-06
Martha S. Dickie, <i>Austin</i>	2006-07

W.C. Haley, <i>Waco</i>	1961-62
W.O. Shafer, <i>Odessa</i>	1962-63
Ralph W. Brite, <i>San Antonio</i>	1963-64
J.L. Shook, <i>Dallas</i>	1964-65
R.E. Schneider, Jr., <i>George West</i>	1965-66
Howard G. Barker, <i>Fort Worth</i>	1966-67
Fred T. Porter, <i>Dallas</i>	1967-68
Morris Harrell, <i>Dallas</i>	1968-69
Curtiss Brown, <i>Houston</i>	1969-70
Jim D. Bowmer, <i>Temple</i>	1970-71
Lucius D. Bunton, <i>Midland</i>	1971-72
Mark Martin, <i>Dallas</i>	1972-73
John M. Lawrence III, <i>Bryan</i>	1973-74
Emil C. Rassman, <i>Rockport</i>	1974-75
Donn C. Fullenweider, <i>Houston</i>	1975-76
William B. Hilgers, <i>Austin</i>	1976-77
Louis J. Weber, Jr., <i>Dallas</i>	1977-78
Kleber C. Miller, <i>Fort Worth</i>	1978-79
Joe B. Cannon, <i>Groesbeck</i>	1979-80
Charles L. Smith, <i>San Antonio</i>	1980-81
Joel P. Kay, <i>Houston</i>	1981-82
Bryan F. Russ, <i>Hearne</i>	1982-83
Oliver S. Heard, Jr., <i>San Antonio</i>	1983-84
David F. Chappell, <i>Fort Worth</i>	1984-85
James B. Sales, <i>Houston</i>	1985-86
Jerry Lastelick, <i>Dallas</i>	1986-87
D. Hull Youngblood, Jr., <i>San Antonio</i>	1987-88
James B. Barlow, <i>Fort Worth</i>	1988-89
Willis E. Gresham, Jr., <i>Lamesa</i>	1989-90
Richard C. Hile, <i>Jasper</i>	1990-91
Tom Cunningham, <i>Houston</i>	1991-92
M. Colleen McHugh, <i>Corpus Christi</i>	1992-93
Pearson Grimes, <i>Houston</i>	1993-94
Michael J. Crowley, <i>Austin</i>	1994-95
Otway B. Denny, Jr., <i>Houston</i>	1995-96
Lynne Liberato, <i>Houston</i>	1996-97
Guy N. Harrison, <i>Longview</i>	1997-98
Elizabeth D. Whitaker, <i>Dallas</i>	1998-99
David E. Keltner, <i>Fort Worth</i>	1999-00
Richard T. Miller, <i>San Saba</i>	2000-01
Vidal G. Martinez, <i>Houston</i>	2001-02
Charles W. Schwartz, <i>Houston</i>	2002-03
Kim J. Askew, <i>Dallas</i>	2003-04
William D. Elliott, <i>Dallas</i>	2004-05
Tom Godbold, <i>Houston</i>	2005-06
Robert A. Black, <i>Beaumont</i>	2006-07

## CHAIRS OF THE BOARD

J. Cleo Thompson, <i>Dallas</i>	1939-40
Gordon Simpson, <i>Dallas</i>	1940-41
William Jarrel Smith, <i>Pampa</i>	1941-42
C.C. Renfro, <i>Dallas</i>	1942-43
G.W. Parker, Jr., <i>Fort Worth</i>	1943-44
John A. Rawlins, <i>Dallas</i>	1944-45
Murray G. Smyth, <i>Houston</i>	1945-46
H. Grady Chandler, <i>Austin</i>	1946-47
Allen Clark, <i>Greenville</i>	1947-48
Austin C. Hatchell, <i>Longview</i>	1948-49
W.P. Abernathy, <i>McKinney</i>	1949-50
C.A. Williams, <i>Childress</i>	1950-51
Traylor Russell, <i>Mt. Pleasant</i>	1951-52
Wilford W. Naman, <i>Waco</i>	1952-53
Vernon B. Hill, <i>Mission</i>	1953-54
Virgil T. Seaberry, <i>Eastland</i>	1954-55
Leo Brewster, <i>Fort Worth</i>	1955-56
Frank D. Stubbeman, <i>Midland</i>	1956-57
F.W. Hustmyre, <i>Orange</i>	1957-58
Buster Cole, <i>Bonham</i>	1958-59
Homer E. Dean, Jr., <i>Alice</i>	1959-60
W. Pat Camp, <i>San Antonio</i>	1960-61

## *The Lawyer's Oath*

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On my oath I will support  
the constitutions of the United States  
and of this state  
and will honestly demean myself  
in the practice of law  
and will discharge my duty  
to my client to the best of my ability.

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