

MARK YOUR CALENDAR - SEPTEMBER 2006

S	M	T	W	T	F	S
					1	2
3	4 Labor Day Government offices closed	5	6	7 AABA Board Meeting 11:45 a.m., Amarillo Club Retirement Reception for Justice Reavis 4:30-6:30 p.m., Amarillo Club	8	9
10	11	12	13	14 Bar Luncheon 11:45 a.m., Amarillo Club	15	16
17	18	19	20	21 New Lawyer Orientation and Reception 5:00-7:00 p.m., Amarillo Club	22	23
24	25	26	27	28 AAEPC Joint Meeting 11:45 a.m., Amarillo Club	29 AABA Kickoff Party Tri-State Fairgrounds	30



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www.amarillobar.org

A Publication of the Amarillo Area Bar Association

Judge Mary Lou Robinson

The Chief Justice Charles L. Reynolds Lifetime Achievement Award Winner

The AABA is pleased to name Judge Mary Lou Robinson as a recipient of the Chief Justice Charles L. Reynolds Lifetime Achievement Award.

Judge Robinson earned a degree from Amarillo College, then a B.A. degree from the University of Texas in 1948. She received her L.L.B. from the University of Texas School of Law in 1950. She was one of only six women in her graduating class. Judge Robinson returned to Amarillo that year and became one of two women practicing law in the city. She and her husband, A. J. Robinson, opened up the law firm of Robinson & Robinson. In 1955, she was appointed judge of the Potter County Court at Law, and she was reelected to that position in 1956 and 1958. She was elected judge



Judge Mary Lou Robinson

a "Legal Legend" by *Texas Lawyer*.

In 1998, Judge Robinson received national acclaim for the manner in which she handled the Oprah Winfrey trial in Amarillo. She achieved this by conducting the trial in the same manner that she always does: strictly and orderly but fairly. This event demonstrated that all cases, even high-profile cases, can be handled properly, fairly, and with dignity, and it exemplifies Judge Robinson's contributions to our community, our profession, and our justice system.

Judge Robinson has also been active in a number of community organizations over the course of her career. Judge Robinson is involved in the Rotary Club of Amarillo and has participated in their mentoring program, introducing young women to the legal profession and encouraging them to pursue their goals. She is a former member of the Board of Directors of the State Bar of Texas and is a long-time active member of the Amarillo Area Bar Association.

The Chief Justice Charles Reynolds Lifetime Achievement Award was created in 2001 by the Executive Committee of the Amarillo Area Bar Association to honor the memory and achievement of Justice Reynolds, who served as Chief Justice of the Amarillo Court of Appeals for many years. The award is presented to an area lawyer or judge with a lengthy distinguished legal career who, over that person's lifetime, has made substantial contributions to the Amarillo Area Bar Association, the community, and the legal profession.

of the 108th District Court in Amarillo in 1960 and subsequently reelected in 1964, 1968, and 1972.

Judge Robinson became the first female appellate judge in the State of Texas when she was appointed Associate Justice of the Texas Court of Civil Appeals in Amarillo in 1973, a position to which she was reelected in 1974. In 1977, she was appointed Chief Justice of the Court of Civil Appeals for the Seventh Supreme Judicial District and was reelected to that position in 1978. In 1979, Judge Robinson was appointed by President Jimmy Carter as United States District Judge for the Northern District of Texas, Amarillo Division, her current position.

Judge Robinson has received the Sandra Day O'Connor Award for professional excellence from The Texas Center for Legal Ethics and Professionalism, and has been named

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112 West 8th Ave., #617
Amarillo, Texas 79105

A Publication of the Amarillo Area Bar Association

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President's Corner

by
Mark D. White

We Have Arrived

If you think about our recent history, you can see that we have matured into a sophisticated, metropolitan bar association that operates professionally and is of tremendous service to our members and the community. In my judgment, it all started with Judge Abe Lopez' presidency, when he pushed for the extension of our reach to the twenty-six counties of the Northern District of Texas, making this the Amarillo "Area" Bar Association. Subsequent leadership has ensured that we are not smalltime any more. We have an executive director, an office, and we coordinate with the State Bar of Texas on great programs. We also have a website, a photo directory, good membership numbers, and, most importantly, old-fashioned camaraderie.

Continuity is important. Following up on last year's agenda, our projects for this year include continued urging to have, at long last, security at the Potter County Courts Building. This is a big project that will require finesse, creativity, and money. If you are interested in helping with this, give me a call.

In the spring, we will have the judicial evaluation poll. I have asked Tom Riney to chair a broadbased committee to see that it is conducted timely, professionally, and accurately. The committee includes Vance Ivy, Cindi Barela, Dean Roper, Dee Johnson, Ed McConnell, Matt Hand, Mike Watkins, and Tim Newsom. Thanks to those folks for helping with this important service.

Remember to join us for the AABA 2006 – 07 kickoff party on September 29. I know that Michele Fortunato has great speakers lined up for our luncheons and we hope to see a large turnout there. If you have any suggestions about what the Amarillo Area Bar Association can do for you or the community, I will gladly visit with you. Call me at 468-3306 or send me an email at mark.white@sprouselaw.com. We are here to serve you.

Ethics Hotline
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AMA-LAW

AMA-LAW is published monthly from September through May by the Amarillo Area Bar Association.

Advertisement Rates

	Single Issue
Business Card	\$50
Quarter-Page	\$75
Half-Page	\$150
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Discounted rates are available for multiple issues. Publication of an advertisement does not imply endorsement of any product or service. AABA reserves the right to select and edit materials to be published. Advertisements are limited to those products and services that are substantially related to improving the legal profession and the legal community in the northernmost twenty-six counties of the Panhandle of Texas. Contact Jo Ann Holt, Executive Director, at 371-7226 or amabar@arn.net for more information about advertising in AMA-LAW.

Contact Us

For more information about your local area bar association or for address changes, contact Jo Ann Holt, Executive Director, at:

Amarillo Area Bar Association
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112 West 8th Avenue, Suite 617
Amarillo, Texas 79101
e-mail: amabar@arn.net

Phone: 806-371-7226

Also visit our website at www.amarillobar.org for information and links to both local and state-wide legal resources.



Legal Yarns

Better Lucky than Good

By James Wester

If you recall from the prior story, Jim Durham and I had traveled to Huntsville, Alabama, for depositions and were lucky enough to get tickets to see the Gallagher show. The "rest of the story" picks up the next morning during our approximate two-hour drive from Huntsville to Red Bay, Alabama (the actual site of the depositions).

Please realize that Jim and I traveled to Huntsville the day before, had dinner and went to see Gallagher, so we had spent many hours together. Probably less than an hour into our drive, while we are enjoying the scenery, discussing Gallagher, and chatting about a myriad of things, Jim said to me, "How did you find the court reporter for the depositions?" My response was, "WHAT?"

At this point, we were both looking at each other and realizing that neither one of us was joking. I remember saying something like, "These are your depositions so I assumed (we all know the old adage of what happens when you "assume" anything) you arranged for a court reporter." Jim said something like, "You scheduled all of the depositions of your folks so I assumed (see above) you arranged for the court reporter." At this point, it would be safe for you to assume that we both were riding a wave of panic.

Jim and I quickly put on our "thinking caps" to address the immediate need for a court reporter that could meet us in Red Bay in about an hour or so. Jim, being the much wiser of the two of us, suggested that we stop at the courthouse in the next county. Under the circumstances, that seemed as logical as any of our other ideas and was preferable to staying another night in Huntsville or Red Bay and taking the depositions the next day.

We asked directions to the nearest county seat for whatever northern Alabama county we were in at the time and headed that direction. Upon finding the courthouse that could easily be mistaken for any courthouse in any small county in the Texas Panhandle, we simply walked into the courthouse and asked for the names and numbers of the nearest court reporters. As luck would have it, the judge was in that particular county on that particular day along with his court reporter. The clerk was kind enough to take and introduce us to the court reporter. As we introduced ourselves and explained our plight to the court reporter,

Calendar September 29 for Fun!

Invitations will soon be mailed for the 2006-2007 Bar Year Kickoff Party to be held Friday night, September 29, at the Coors Cowboy Café on the Tri-State Fairgrounds. The event is presented by the AABA and AAYLA and sponsored in part by Great Western Distributing Company. The cost will be \$15 per person, a good deal for great food and fun. We plan on seeing you there!

he informed us that he was from Panhandle, Texas, and had gone to court reporting school here in the Panhandle. I am not making this up, it really happened! Not only was the court reporter able to provide us some guidance, he was willing to get permission from the judge, stop what he was transcribing, and travel over to Red Bay for the depositions.

As Jim says, "It is better to be lucky, than good."

Want to see your legal yarn appear here? We do! Please help your colleagues get their monthly dose of legal entertainment by contacting James Wester at James.Wester@uwlaw.com with your story idea.

Amarillo Area Estate Planning Council

The AAEP is sponsoring a joint meeting of attorneys, bankers, CPAs, and insurance professionals at 11:45 a.m. on September 28, 2006, at the Amarillo Club. The meeting allows professionals to meet and network, and will feature Austin attorney Jerry Frank Jones as the speaker. CLE credit is available. The cost for this event is \$15. For more information, contact Val Henneman.

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Check out the Amarillo Area Bar Association's website at www.amarillobar.org.



AAYLA UPDATE

By Dusty Stockard

Here it is, the moment you have all been waiting for, another exciting installment of AAYLA in your AMA-LAW. If you are anything like me, you have been sitting on the edge of your seat waiting and wondering if questions will be answered and if Tye Lamberth survived the immunity challenge. He did not and I am now writing this column for the next nine months.

I am excited about the coming year for AAYLA. As we have done in years past, AAYLA will host the new lawyer orientation designed for new lawyers or those who are new to town. This offers a great opportunity for new lawyers of every field to meet the judges and get to know other new lawyers in town.

Thanks to Jo Ann Holt, the year for

both the AAYLA and the AABA should start out on the right note with a Kick-Off Party scheduled for September 29. We look forward to working with the AABA on this project and on other projects this year including Wills for Heroes. Last year both organizations, with the help of NALS, were able to assist with simple estate planning for several area firefighters. This year the plan is to present the same program to our local police officers.

I must mention that the AAYLA will again sponsor a CLE in Las Vegas. Over the past eight years this has provided quality, and I must say entertaining, CLE for young and old lawyers alike. In the past this CLE has been scheduled during February; however, this year it will be held in April to give everyone the opportunity to win their taxes back. (Disclaimer: This is not a guarantee of winnings and in fact is a dire warning that gambling is addictive but more fun than musing Chris Jensen's hair.)

I must say thank you to our past-president, Tye Lamberth. Under Tye's guidance, leadership, and all-around support AAYLA was again recognized at the State Bar's leadership conference in July. An award was presented for single project and another award in the comprehensive category.

To those young lawyers who are not yet members of the AAYLA, I would encourage you to take a look at the application which will be sent out this month and see that AAYLA is a very worthwhile organization with much to offer young lawyers.

Finally, I would like to thank our won-

derful executive committee and board members in advance for all of the time and effort devoted to making our association one of the best legal associations in the State. Special thanks to Tye Lamberth whose words of advice on this year as president included, "Here is the box with all of the stuff in it." Thank you, Tye.

Upcoming CLE

- **West Texas Bench Bar Conference**, September 8-9, at the Inn of the Mountain Gods in Ruidoso, New Mexico. The conference is approved for eight hours of participatory Texas MCLE, including 1.5 hours of ethics. Cost is \$199; \$149 for judges. For more information, contact Mike Willson at 432-685-8567 or mwillson@cbtd.com.

- **ADR in the Mountains 2006**, September 18-21, at the Ruidoso Convention Center in Ruidoso, New Mexico. Workshop options are Basic Mediation Training or Family Mediation Training. For more information, contact the Dispute Resolution Department of Lubbock County at 806-775-1720 or drc@co.lubbock.tx.us.

- **Advanced Personal Injury 2006** will be held September 28-29 in the second-floor training room at Eagle Center, 112 W. 8th Ave., in Amarillo. The \$400 course is approved for up to 19.5 hours of CLE credit, including up to 2.75 hours of Ethics. For more information, contact Laura Hamilton at 371-7002 or attorney@arn.net.

NEW LAWYER ORIENTATION

September 21, 2006

Reception for All Lawyers 5:00 - 7:00 at the Amarillo Club
This event is for all new lawyers or those new to town.

Please contact Joni Paul Kleinschmidt to attend the orientation: phone 468-3205; e-mail jk-leinschmidt@GWINNROBY.COM

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Young Lawyer of the Month

September's Young Lawyer of the Month is Liberty Lay, an associate at Peterson Farris Pruitt & Parker, P.C. Liberty joined the firm in September of 2004.



Liberty Lay

a Baylor Bear, graduating in 1997 with a degree in Journalism and English.

She tried her hand as a newspaperwoman at the *Waco Tribune-Herald* and *Lubbock Avalanche-Journal* for a while, but soon felt something calling her back to school. His name was Frank Sobey. Liberty and Frank met while graduate students in the English Department at Texas Tech University. After a few weeks of classroom observation and just two dates, Frank boldly proposed marriage and Liberty bravely accepted. They were married a few months later in May of 1999.

After completing their master's degrees, the newlyweds went to Baylor, where Frank began work on a Ph.D. in English and Liberty attended law school. They moved to Amarillo in 2004 when Liberty joined Peterson Farris Pruitt & Parker. Frank has since joined the English Department faculty at Amarillo College.

The couple has one daughter, Lily

Grace, who is one year old. Like her parents, Lily is fond of books, but prefers to chew rather than read them.

When not practicing law and soliciting contributions to AMA-LAW, Liberty en-

joys reading, traveling, cooking, crafting, debating with Frank the superiority of the Green Bay Packers to the Dallas Cowboys, and teaching Lily to say "Sic 'em."

Legal Briefs



- Amarillo attorneys **John S. Irwin**, **Johnny K. Merritt**, **Joel R. Hogue**, and **Walter T. ("Four") Price IV** have formed a new law firm, Irwin Merritt Hogue & Price, P.C. The firm is located at 320 S. Polk, Suite 500, in Amarillo, and can be reached at 806-322-1440. Irwin Merritt Hogue & Price, P.C. provides a wide range of civil legal services. Mr. Irwin primarily practices in the areas of oil and gas and real estate law. Mr. Merritt focuses his practice on real estate, business organizations, and litigation. Mr. Hogue concentrates in civil litigation and trial practice. Mr. Price devotes his practice to estate planning, probate, and commercial business transactions. Attorney **Jimmy Ross**, who was a general practitioner in Dimmitt for forty years, is Of Counsel with the firm.

- **Christian (Chris) D. Stewart** is pleased to announce the opening of the Law Office of Chris Stewart, P.C. Mr. Stewart's practice will continue to focus on trademarks, copyrights, licensing, trade secrets, technology and computer law, and civil litigation. He can be reached at 301 S. Polk, Suite 700, Amarillo, 79101; phone: 806-322-1251; email: Chris@ChrisStewartLaw.com.

- **Wendy A. Humphrey** has become a partner in Lovell, Lovell, Newsom & Isern, L.L.P. She joined the firm in 2001 after graduating from Texas Tech University School of Law.

- **Courtney Cook** has joined Lovell, Lovell, Newsom & Isern, L.L.P. Ms. Cook is a graduate of Baylor Law School, and she is anxiously awaiting the Texas bar results.

- **Allan B. Adkins** has opened a new office at The Cedar Forum, 3012 S.W. 26th Ave. #300, in Amarillo. Mr. Adkins has over 40 years of experience in the practice of real estate, deeds, contracts, commercial transactions, wills and probate, and general practice. His phone number is 806-353-7022.

If you have news, we want to hear from you. Send your information to the AABA: email director@amarillobar.org, fax 379-9259, or call 371-7226.

New Printed Directory

A new AABA printed directory is in the works for this fall. It will include all 2006-2007 bar year members who have paid their dues by the September 29, 2006, deadline. Members who have not previously had their pictures taken still can make an appointment at Gray's Studio. These photos will appear in the printed directory and will also be placed on the website. This directory is free to all AABA members. Additional copies can be purchased by bar members only.

WANTED:

Person experienced with database program called "ACT!" to input data.

Call Jon T. Oden at 373-4333
or jontoden@nts-online.net

Board of Law Examiners Applicants Sought

The Supreme Court is seeking applications for a six-year appointment to the nine-member Board of Law Examiners. Applicants must be licensed to practice law in Texas, be at least 35 years of age, and have a minimum of ten years' experience in the practice of law. Applicants may not be employed as an instructor, teacher, or professor at any law school. Service on the Board requires a substantial commitment of time, usually in excess of 400 hours annually. Annual compensation for service on the Board is \$30,000. Applications and more detailed information about board duties are available on the Court's website (www.supreme.courts.state.tx.us). Interested persons should send an application, a resume, and references to Lisa Hobbs, Supreme Court of Texas, P.O. Box 12248, Austin, TX 78711, or call (512) 463-1312.

Potter County Collections Department

Potter County has organized a Collections Department dedicated to the collection of court costs, fines, and appointed attorney fees in criminal cases. Pursuant to Texas Senate Bill 1863 and guidelines set by the Office of Court Administration, all such charges are generally due at the time of sentencing or pleading. Defendants unable to pay in full at that time must appear in the Collections Department to make arrangements for an extension.

The Collections Department is located in Room 101 of the County Courthouse at 500 S. Fillmore. Please contact Stacey M. Lawlor, Collections Coordinator, at 379-2235, for more information.

Questions from the Website

Are you a symbol? Does your face appear on the website as the logo of the AABA? Why don't you have your picture on the website? The AABA office gets calls daily from around the world asking questions about who you are and what you do. Since we do not have a certified referral service, we cannot answer these questions. We can only refer the caller to our Attorney Locator Service.

Did you know that the State Bar of Texas directs callers to our website? It's not too late to "show your face." Just call Gray's Studio for an appointment. The sitting fee is still an affordable \$15.

Do you have an enhanced page that explains your practice? If so, does the section called "description of practice" really describe what you do? If you don't have an enhanced page, why not? It's still a \$20 set-up fee and \$10 year. Call the AABA office to learn more.

Spring Institute Recap

The AABA held its annual Spring Institute on May 12-13, 2006. Golf Chairman Sam Karr delivered on his guarantee for excellent weather. About 90 good and not-so-good golfers turned out to enjoy the weather and the super prizes. The seminar started bright and early on Saturday with bagels and Roasters coffee donated by the Lawyers Auxillary. Seminar presentations included Wayne Schiess who entertained us with stories about ethical legal writing and Ann Graham who covered the new Business Organizations Code. The seminar concluded with a panel discussion featuring the Justices from the Seventh Court of Appeals who shared their wisdom and advice about winning an appeal (hint: win at the trial court).

At the banquet on Saturday night, Chief Justice Brian Quinn installed the officers of the AABA and AAYLA. The AABA honored Judge Mary Lou Robinson with the presentation of the Chief Justice Charles L. Reynolds Lifetime Achievement Award, which was presented by AABA President Tom Riney. Pat Swindell and Pizzazz entertained us with music suitable for dancing and a few brave souls showed off their ballroom dancing moves. It wasn't exactly "Dancing with the Stars."



Justices from the 7th Court of Appeals (James Campbell, Brian Quinn, Don Reavis and Mackey Hancock)



University of Texas Senior Lecturer Wayne Schiess



Texas Tech Professor Ann Graham and AABA President Tom Riney



AABA President Tom Riney presents the Chief Justice Charles L. Reynolds Lifetime Achievement Award to the Honorable Mary Lou Robinson

September Bar Luncheon Speaker

Jim Jordan of Munsch Hardt Kopf & Harr P.C. will be the luncheon speaker at September's bar meeting. He will discuss trade secrets and covenants not to compete.

Mr. Jordan has represented companies ranking among the nation's leaders in the fields of telecommunications, hospitality, restaurants, computer services, software development, financial services, engineering, and manufacturing. His practice focuses on commercial litigation, trade secrets, and covenants not to compete. He also served as his firm's Chairman and Chief Executive Officer from 1998 through 2005. The *Dallas Business Journal* has named him one of the six most influential leaders in the Dallas/Fort Worth legal community, and *Texas Monthly* has twice named him a Texas Super Lawyer.

Mr. Jordan earned a bachelor's degree in journalism from the University of Missouri (1978), an M.B.A. from the University of Illinois (1982), and a J.D. from the University of Illinois College of Law (1982).

Texas Advanced Paralegal Seminar

The Paralegal Division of the State Bar of Texas is sponsoring the 2006 Texas Advanced Paralegal Seminar (TAPS) on September 20-22 in Addison (North Dallas) at the Crowne Plaza Hotel. TAPS is a three-day multi-track CLE seminar that includes advanced CLE, networking opportunities, and socializing.

A registration packet is available at www.txpd.org. Early registration ends September 6. For more information, contact Leticia ("Tish") Martin, CP, at 817-551-8639.

Notice from U.S. District Court, Northern District of Texas

The District Judges of this Court have adopted amended local civil rules LR 1.1, 4.1, 5.1, 7.1, 10.1, 15.1, 56.6, 77.1, 79.1, 83.13, and 83.18, adopted new local civil rule LR 11.1, and repealed local civil rule LR 12.1. The judges have also adopted amended local criminal rules LCrR 1.1, 47.1, 49.2, 49.3, 49.4, 53.1, 55.1, and 57.13, and adopted new local criminal rules LCrR 49.5 and 49.6.

For the complete text of Special Orders 2-63 and 2-64, please visit www.txnd.uscourts.gov.

The amendments take effect on September 1, 2006, and shall apply to all proceedings in civil and criminal actions thereafter commenced and, insofar as just and practicable, all proceedings in civil and criminal actions then pending.

State Bar Lauds AABA

Michele Fortunato accepted two awards on behalf of the Amarillo Area Bar Association at the Bar Leaders Recognition Luncheon during the State Bar Annual Meeting. Here, State Bar of Texas President Eduardo R. Rodriguez presents Ms. Fortunato with the **Outstanding Partnership Award** (awarded for AAYLA's "Legal Assistance for Lives on the Line") and a **Certificate of Achievement** (awarded for the AABA's 50-Year Lawyer Luncheon).



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