

17th Annual Advanced Texas Administrative Law Seminar
September 1-2, 2022 • AT&T Conference Center • Austin, TX
September 1-2, 2022 • Live Webcast

Thursday Morning, Sep. 1, 2022

Presiding Officer:

Hon. Holly Vandrovec, State Office of Administrative Hearings - Austin, TX

| | |
|----------------------------|--|
| 7:30 am In Austin Only | <p>Registration Opens</p> <p>Includes continental breakfast.</p> |
| 8:20 am | <p>Welcoming Remarks</p> |
| 8:30 am 0.50 hr | <p>Case Law Update: Part I</p> <p>Examine significant administrative law cases issued during the last year.</p> <p>Matthew Arth, Locke Lord LLP - Austin, TX Carrie Collier-Brown, Locke Lord LLP - Austin, TX</p> |
| 9:00 am 0.50 hr | <p>Texas Public Information Act and Texas Open Meetings Act</p> <p>Hear the latest legal developments and gain practice tips.</p> <p>Brian O'Reilly, Locke Lord LLP - Austin, TX Lori Fixley Winland, Ogletree Deakins - Oklahoma, OK</p> |
| 9:30 am | <p>15-Minute Break</p> |
| 9:45 am 0.50 hr | <p>The Roots of the APA and How They Grew</p> <p>When the APA was passed in 1975, it rested upon well-established, fundamental principles and practices. Explore several of those principles and practices embedded in the APA with attention to how they have stood the test of time.</p> <p>Linda B. Secord, Office of the Attorney General - Austin, TX Co-Author: Sara J. Ferris, Office of the Attorney General - Austin, TX</p> |
| 10:15 am 0.75 hr | <p>SOAH Update</p> <p>The State Office of Administrative Hearings has adopted an entirely new system for tracking and setting cases. Learn about our new docketing and case-assignment procedures, and how they will allow SOAH to provide high-quality hearings services to Texans.</p> <p>Hon. Kristofer S. Monson, State Office of Administrative Hearings - Austin, TX</p> |
| 11:00 am In Austin Only | <p>Pick Up Lunch (in Austin)</p> <p>Included in registration.</p> |

Thursday Afternoon, Sep. 1, 2022

Presiding Officer:

Karen L. Watkins, Office of the Attorney General - Austin, TX

LUNCHEON PRESENTATION

| | |
|---------------------|--|
| 11:30 am 0.50 hr | <p>How Smart People Deal with Difficult People</p> <p>In these polarizing times, we must rely on intelligence when interacting with difficult others. We'll discuss the science behind avoiding contempt, recognizing motive attribution asymmetry, and learning to coexist with disagreement so that we can behave ethically—even when we don't feel like it.</p> <p>DeDe Church, DeDe Church & Associates, LLC - Austin, TX</p> |
| 12:00 pm | <p>15-Minute Break</p> |
| 12:15 pm 0.50 hr | <p>Making and Responding to Objections at SOAH</p> <p>This presentation discusses the role of objections at final merits hearings at SOAH or at trial. Learn how to play offense and defense, and how to preserve error.</p> <p>Brad Anderson, Jackson Walker LLP - Austin, TX Co-Author: Susan Dillon Ayers, Jackson Walker LLP - Austin, TX</p> |
| 12:45 pm 1.00 hr | <p>"I Can Still Work After I Get Out, Right?" Licensed Professionals in Texas Before and After A Criminal Case</p> <p>Occ. Code Chapter 53 empowers state agencies to deny or revoke occupational licenses based on criminal history, but that power is limited in crucial ways. Explore how to advise criminal defendants about licensing consequences before they plea in a criminal case and explore the options available after a conviction or a deferred adjudication.</p> <p>Joseph T. Marcee, Law Office of Joseph T. Marcee - Georgetown, TX Jon Eugene Porter Jr., McDonald, Mackay, Porter & Weitz, LLP - Austin, TX Trevor Theilen, Texas Department of Licensing and Regulation - Austin, TX</p> |
| 1:45 pm | <p>15-Minute Break</p> |
| 2:00 pm 1.00 hr | <p>Judicial Panel</p> <p>Engage in an unscripted round-robin discussion, with time for questions from the audience. Please submit your questions in advance to ConferenceQA@utcle.org.</p> <p>Moderator: Hon. Rachele Nicolette Robles, State Office of Administrative Hearings - Austin, TX Panelists: Hon. Jessica L. Mangrum, 200th Civil District Court - Austin, TX Hon. Edward Smith, Third Court of Appeals - Austin, TX Hon. Evan A. Young, Supreme Court of Texas - Austin, TX</p> |

| | |
|---------------------------|---|
| 3:00 pm 1.00 hr ethics | <p>Ethics and the Agency Lawyer: Conflicts, Fiduciary Duty, and Confidential Information</p> <p>A brief refresher and update on these ethical areas, including a discussion of typical scenarios faced by agency professionals.</p> <p>Claude E. Ducloux, Attorney at Law - Austin, TX Franklin Hopkins, Germer Beaman & Brown PLLC - Austin, TX</p> |
| 4:00 pm | Adjourn |
| In Austin Only | <p>Networking Reception (in Austin from 4:00 p.m. - 5:00 p.m.)</p> <p>Join us for drinks and hors d'oeuvres with program faculty and attendees.</p> |

Friday Morning, Sep. 2, 2022

Presiding Officer:

Janet I. Monteros, TX Health and Human Services Commission - El Paso, TX

| | |
|---------------------------|--|
| 7:30 am In Austin Only | <p>Conference Room Opens</p> <p>Includes continental breakfast.</p> |
| 8:30 am 0.50 hr | <p>Case Law Update: Part II</p> <p>Examine significant administrative law cases issued during the last year.</p> <p>Matthew Arth, Locke Lord LLP - Austin, TX Carrie Collier-Brown, Locke Lord LLP - Austin, TX</p> |
| 9:00 am 1.00 hr | <p>Readable Legal Writing</p> <p>Creating readable legal writing requires several techniques: accessible format, clear organization, manageable sentences, and correct mechanics. This presentation addresses each of those briefly, offering current recommendations and best practices.</p> <p>Wayne Schiess, The University of Texas School of Law - Austin, TX</p> |
| 10:00 am | 15-Minute Break |
| 10:15 am 1.00 hr | <p>Tips and Strategies for Working with Expert Witnesses</p> <p>Hear insight and gain practical tips on expert witness selection, preparation, and strategical concerns, as well as discovery and cross-examination. Explore the role of expert witnesses in pursuing enforcement actions, including a look at the developing technology in the post-COVID landscape.</p> <p>Moderator: Hon. Kristofer S. Monson, State Office of Administrative Hearings - Austin, TX Panelists: Antonio A. Cobos, Sharp & Cobos - Austin, TX Norman J. Gordon, Attorney and Counselor at Law - El Paso, TX Jessica Hurtado, Texas Department of Licensing & Regulation - Austin, TX</p> |

| | |
|--|--|
| <p>11:15 am 1.00 hr 0.50 hr ethics</p> | <p>Privacy and Security Roundtable</p> <p>Join Information Technology and Risk Management experts to discuss risks, strategies and ethics in today's legal environment.</p> <p>Moderator: Adrian P. Senyszyn, Germer PLLC - San Antonio, TX</p> <p>Panelists: Cathy Bryant, Texas Medical Liability Trust - Austin, TX Ray Mitchell, Sigma Information Group, Inc - Austin, TX Cory Wallace, Sigma Information Group, Inc. - Austin, TX</p> |
| <p>12:15 pm In Austin Only</p> | <p>Pick Up Lunch (in Austin)</p> <p>Included in registration.</p> |

Friday Afternoon, Sep. 2, 2022

Presiding Officer:

Franklin Hopkins, Germer Beaman & Brown PLLC - Austin, TX

LUNCHEON PRESENTATION

| | |
|-----------------------------------|---|
| <p>12:45 pm 0.50 hr</p> | <p>Agency Spotlight: Texas Department of Public Safety</p> <p>Exploring the various regulatory programs within the Department of Public Safety.</p> <p>Valerina Walters, Texas Department of Public Safety - Austin, TX</p> |
| <p>1:15 pm</p> | <p>15-Minute Break</p> |
| <p>1:30 pm 0.75 hr ethics</p> | <p>Board of Disciplinary Appeals</p> <p>An overview of BODA and suggestions for how to avoid grievances.</p> <p>Michael C. Gross, Gross & Esparza, P.L.L.C. - San Antonio, TX</p> |
| <p>2:15 pm 1.00 hr ethics</p> | <p>Ethics as an Elected Official and an Attorney</p> <p>Two practitioners, from different types of practice, but with the same ultimate message, talk about how to technically do what's right and how and why to just do right.</p> <p>Anne Temple Peters, Texas Legislative Counsel - Austin, TX Kirk Watson, Austin, TX</p> |
| <p>3:15 pm</p> | <p>Adjourn</p> |