

18th Annual Advanced Texas Administrative Law Seminar
September 7-8, 2023 • AT&T Conference Center • Austin, TX
September 7-8, 2023 • Live Webcast

Thursday Morning, Sep. 7, 2023

Presiding Officer:

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

7:30 am In Austin Only	Registration Opens Includes continental breakfast.
8:20 am	Welcoming Remarks
8:30 am 0.50 hr	Case Law Update: Part I Examine significant administrative law cases issued during the last year. Linda B. Secord, Austin, TX Karen L. Watkins, Office of the Attorney General - Austin, TX
9:00 am 1.00 hr ethics	Wellness in the Practice of Law: What Every Lawyer Should Know A look at statistics on lawyer wellness and explore evidence-based tips on how to manage stress and anxiety to avoid losing enthusiasm for the practice of law. Michelle Fontenot, Texas Lawyers' Assistance Program - Austin, TX
10:00 am	15-Minute Break
10:15 am 0.50 hr	Legislative Update A focus on select bills enacted by the 88th Texas Legislature that impact administrative law practitioners. Katherine Farrell, Teacher Retirement System of Texas - Austin, TX Sara J. Ferris, Office of the Attorney General - Austin, TX
10:45 am 0.75 hr	Navigating the Shifting Tides: Helping Courts Handle Administrative Law Transfers and the Potential Effects of the new 15th Court of Appeals Join us as esteemed Texas Court of Appeals justices discuss the transfer of complex administrative law cases from Austin's 3rd Court of Appeals to courts throughout the state. The panel discusses strategies and collaborative solutions to better assist transferee courts (and thus your clients) when handling these specialized administrative law cases. The panel also discusses the potential changes that the newly-formed 15th Court of Appeals could have on the administrative law landscape. Moderator: Hon. Jeff Rose, Rose Resolution Group - Austin, TX Panelists: Hon. Lawrence M. Doss, Seventh Court of Appeals - Amarillo, TX Hon. Yvonne T. Rodriguez, Eighth Court of Appeals - El Paso, TX

11:30 am
In Austin Only

Pick Up Lunch (in Austin)

Included in registration.

Thursday Afternoon, Sep. 7, 2023

Presiding Officer:

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

LUNCHEON PRESENTATION

12:00 pm
0.75 hr

Texas Public Information Act and Texas Open Meetings Act: How They Work

An overview of the requirements and procedures under Texas' government transparency statutes and a look at some common issues.

James A. Hemphill, Graves Dougherty Hearon & Moody - Austin, TX

12:45 pm

15-Minute Break

1:00 pm
0.50 hr

Well, Well, Well ... A Holistic Approach to Wellness through the Texas Employees Group Benefits Program

Comprehensive health insurance is only the start. Learn how your employer-sponsored benefits can help you achieve physical, emotional, and financial wellness.

Lacy Wolff, Employees Retirement System of Texas - Austin, TX

1:30 pm
1.00 hr

The Administrative Law Case: From A to Z

Taking a case through the SOAH process: a practical outline for prehearing procedures, preparing for the hearing, uploading and organizing evidence, handling the hearing, drafting briefing and exceptions, and appealing the agency final order to the courts.

Craig R. Bennett, Jackson Walker LLP - Austin, TX

2:30 pm

15-Minute Break

2:45 pm
1.00 hr

Judicial Panel

Engage in an unscripted round-robin discussion, with time for questions from the audience. **Please submit your questions in advance to ConferenceQA@utcle.org.**

Moderator:

Hon. Kristofer S. Monson, State Office of Administrative Hearings - Austin, TX

Panelists:

Hon. James "Jimmy" Blacklock, The Supreme Court of Texas - Austin, TX

Hon. Rosa Lopez Theofanis, Third Court of Appeals of Texas - Austin, TX

Hon. Maria Cantú Hexsel, 53rd Civil District Court - Austin, TX

3:45 pm 1.00 hr ethics	<p>Implicit Bias: What Your Brain is Up to When You're Not Paying Attention</p> <p>Implicit bias refers to the attitudes or stereotypes that affect our thoughts, actions, and decisions in an unconscious manner. Because they occur without a person's awareness or control, they can have a significant and potentially negative impact on the day-to-day lives of lawyers and judges.</p> <p>Hon. Audrey Moorehead, Dallas County Criminal Court #3 - Dallas, TX Jonathan E. Smaby, Texas Center for Legal Ethics - Austin, TX</p>
4:45 pm	Adjourn
In Austin Only	<p>Networking Reception (in Austin from 4:45 p.m. - 5:45 p.m.)</p> <p>Join us for drinks and hors d'oeuvres with program faculty and attendees.</p>

Friday Morning, Sep. 8, 2023

Presiding Officer:

Katherine Farrell, Teacher Retirement System of Texas - Austin, 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>Linda B. Secord, Austin, TX Karen L. Watkins, Office of the Attorney General - Austin, TX</p>
9:00 am 0.50 hr 0.25 hr ethics	<p>AI in the Study and Practice of Administrative Law</p> <p>ChatGPT and its large language model cohorts have captured the public imagination and, for many, raised the specter of an AI-driven revolution to legal education and practice. Survey challenges and opportunities, and report on existing or potential approaches to the use or restriction of modern AI in legal practice and education.</p> <p>John M. Golden, The University of Texas School of Law - Austin, TX</p>
9:30 am	15-Minute Break
9:45 am 1.00 hr	<p>Research on Legal Writing</p> <p>Discuss information about empirical research on legal writing techniques. Research supports plainer writing, reduced use of intensifiers, reduced use of "emotional" words, and use of narrative. Research also supports "connectives" (transitions), priming, and the value of resources, i.e. money.</p> <p>Wayne Schiess, The University of Texas School of Law - Austin, TX</p>

10:45 am 1.00 hr	<p>2023 Sunset Process for Three Environmental Agencies of Texas</p> <p>During the summer of 2022, the Sunset Advisory Commission initiated its review of 21 entities in preparation for the 88th Legislative Session. Included in this process were three of the most important environmental agencies in the state of Texas, the Texas Water Development Board, the Texas Commission on Environmental Quality, and the Public Utility Commission of Texas. The speakers provide an overview of the sunset process for their respective agencies and the changes each agency will undergo as a result.</p> <p>Emily Lindley, Texas Commission on Environmental Quality - Austin, TX David Smeltzer, Public Utility Commission of Texas - Austin, TX L'Oreal Stepney, Texas Water Development Board - Austin, TX</p>
11:45 am In Austin Only	<p>Pick Up Lunch (in Austin)</p> <p>Included in registration.</p>

Friday Afternoon, Sep. 8, 2023

Presiding Officer:

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

LUNCHEON PRESENTATION

12:15 pm 0.75 hr	<p>Changing the Makeup of the Courts</p> <p>Learn about the Texas Legislature's efforts in the last several years at making significant changes to the structure of the judicial branch of government. The speakers address issues such as redistricting, business courts, the 15th Court of Appeals, the jurisdiction of the Supreme Court over the Court of Criminal Appeals, and other proposed and passed judicial branch bills.</p> <p>Hon. Darlene Byrne, Third Court of Appeals - Austin, TX Hon. Amy Clark Meachum, 201st Judicial District Civil Court - Austin, TX</p>
1:00 pm	<p>15-Minute Break</p>
1:15 pm 0.50 hr	<p>Licensure with a Criminal Record</p> <p>"My attorney said taking probation would make it go away!" Criminal matters almost always carry consequences for licensed professionals. Learn how to navigate in-state and out-of-state criminal charges, how to assure your client is making an informed decision, and how to provide the best post-plea evidence to State agencies.</p> <p>Jason Ray, Riggs & Ray, P.C. - Austin, TX</p>
1:45 pm 0.75 hr	<p>Consideration of Diversity, Equity, and Inclusion in Agency Affairs</p> <p>The 88th legislature and directives from the Governor banned offices and programs that promote diversity, equity and inclusion at publicly funded colleges and universities. This mandate will reshape what agencies can and cannot do. Examine recent legislation and its potential impact on agency affairs.</p> <p>Angela Downes, UNT Dallas College of Law - Dallas, TX Hon. Rudolph K. Metayer, Graves Dougherty Hearon & Moody - Austin, TX</p>

2:30 pm
1.00 hr ethics

Working with Your Colleagues: Not Working Against Your Enemies

Elevate civility and communication practices by addressing uncollegial or uncooperative behaviors and developing plans to foster civil and collegial communications. Hear both government and defense counsel discuss their experiences of poor communication and ways to provide civil and frank discussions.

Christopher M. Palazola, Texas Medical Board - Austin, TX
Jon Porter, McDonald, Mackay, Porter & Weitz, LLP - Austin, TX

3:30 pm

Adjourn