

36th Annual Conference on State and Federal Appeals
June 11-12, 2026 • The Otis Hotel Austin • Austin, TX
June 11-12, 2026 • Live Webcast

Thursday Morning, June 11, 2026

Presiding Officer:

Hon. Daryl L. Moore, Ahmad Zavitsanos & Mensing PLLC - Houston, 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>Judicial Rules Update</p> <p>The presentation addresses the proposed and final rule amendments recently issued by the Supreme Court of Texas, including a focus on amendments impacting appellate practitioners.</p> <p>Kennon L. Wooten, Scott Douglass & McConnico LLP - Austin, TX</p>
9:00 am 0.75 hr	<p>Supreme Court of Texas Panel</p> <p>Hear a candid conversation among the Justices about what is new at the Court, the state of the docket, and ways practitioners can improve their chances of securing discretionary review for their clients.</p> <p>Moderator: Amanda G. Taylor, Butler Snow LLP - Austin, TX</p> <p>Panelists: Hon. Jane N. Bland, The Supreme Court of Texas - Austin, TX Hon. James P. Sullivan, The Supreme Court of Texas - Austin, TX Hon. Kyle D. Hawkins, The Supreme Court of Texas - Austin, TX</p>
9:45 am 1.00 hr	<p>Supreme Court of Texas Update</p> <p>Explore recent opinions issued by the Court in the current term.</p> <p>Hon. J. Brett Busby, The Supreme Court of Texas - Austin, TX Kurt Kuhn, Kuhn Law PLLC - Austin, TX</p>
10:45 am	<p>15-Minute Break</p>
11:00 am 0.50 hr	<p>Supreme Court of Texas by the Numbers</p> <p>The rules have just changed. What do the numbers suggest about how the new process might affect your cases?</p> <p>Don Cruse, Law Office of Don Cruse - Austin, TX</p>

<p>11:30 am 0.50 hr ethics</p>	<p>Ethical Implications of the Legislature’s New Judicial Performance Standards</p> <p>The Legislature’s New Judicial Performance Standards have serious ethical implications for lawyers and judges alike. What are they and how do they impact the practice of appellate law in Texas.</p> <p>Scott Rothenberg, Law Offices of Scott Rothenberg - Bellaire, TX</p>
<p>12:00 pm In Austin Only</p>	<p>Pick Up Lunch (in Austin)</p>

Thursday Afternoon, June 11, 2026

Presiding Officer:

Jane M. N. Webre, Scott Douglass & McConnico LLP - Austin, TX

LUNCHEON PRESENTATION

<p>12:30 pm 0.75 hr ethics</p>	<p>Ethics Game Show</p> <p>Watch shameless appellate practitioners try to outgame each other as they answer ethics questions savvy practitioners need to know.</p> <p>Moderator: Brandy Wingate Voss, Law Offices of Brandy Wingate Voss, PLLC - Edinburg, TX</p> <p>Panelists: Hon. Karin Crump, Third Court of Appeals - Austin, TX Sam Houston, Houston Dunn, PLLC - San Antonio, TX</p>
<p>1:15 pm</p>	<p>15-Minute Break</p>
<p>1:30 pm 0.75 hr 0.25 hr ethics</p>	<p>Why Courts Find Waiver and How Advocates Can Prevent It</p> <p>A panel discussion focused on the adequacy of briefing and the preservation of argument necessary for your appeal.</p> <p>Hon. Lori Massey Brissette, Fourth Court of Appeals - San Antonio, TX Hon. David M. Gunn, First Court of Appeals - Houston, TX Chad Baruch, Johnston Tobey Baruch - Dallas, TX</p>
<p>2:15 pm 0.75 hr 0.25 hr ethics</p>	<p>The New Petition for Review Practice</p> <p>On January 1, 2026, TRAP amendments went into effect to make practice before the Supreme Court of Texas more like practice before the U.S. Supreme Court. Discuss how the rule amendments are playing out in practice, whether the changes are living up to expectations, and insights from SCOTUS practice.</p> <p>Lisa R. Eskow, University of Texas School of Law Supreme Court Clinic - Austin, TX Dana Livingston, Cokinos Young - Austin, TX</p>
<p>3:00 pm</p>	<p>15-Minute Break</p>

3:15 pm 0.50 hr 0.25 hr ethics	<p>Taming the Fee Dragon: Emerging Issues and Trends in Attorney’s Fees Recovery</p> <p>Delve into emerging developments concerning the recovery of attorneys’ fees in Texas courts as intermediate continue to grapple with the application of the standards set in <i>Rohrmoos Venture</i> and include a discussion of recent cases and ethical considerations arising from these decisions.</p> <p>Amy L. Prueger, Clark Hill PLC - Austin, TX</p>
3:45 pm 0.75 hr 0.25 hr ethics	<p>Early Appeals Cast Long Shadows: Just Because You Can Doesn’t Mean You Should</p> <p>Clients often ask whether they can challenge an important early trial court ruling by appeal or mandamus. The key to answering such questions is to consider not whether they <i>can</i> appeal, but whether they <i>should</i>.</p> <p>Hon. Tanya Garrison, 157th District Court - Houston, TX Russ Hollenbeck, Wright Close Barger & Guzman, LLP - Houston, TX</p>
4:30 pm	<p>Adjourn</p>
In Austin Only	<p>Networking Reception (in Austin from 4:30 p.m. - 5:30 p.m.)</p> <p>Join us for drinks and hors d’oeuvres with program faculty and attendees.</p>

Friday Morning, June 12, 2026

Presiding Officer:

Connie H. Pfeiffer, Yetter Coleman LLP - Houston, TX

8:30 am In Austin Only	<p>Conference Room Opens</p> <p>Includes continental breakfast.</p>
9:00 am 0.50 hr	<p>The Supreme Court of Texas on Contract Interpretation</p> <p>A review of recent and obscure cases dealing with the confusing world of contract interpretation.</p> <p>David Keltner, Kelly Hart & Hallman LLP - Fort Worth, TX</p>
9:30 am 0.50 hr 0.25 hr ethics	<p>Procedures and Problems with Sealed Records</p> <p>Procedures for sealing court records are straightforward in federal court, as is the procedure for making sealed record available on appeal. Not so in Texas state courts, thanks to Rule 76a. Serious appellate problems can result from the failure to follow proper sealing procedures in Texas state courts, and those problems may not surface for years, at which point correcting them on appeal may be difficult.</p> <p>Reagan W. Simpson, Yetter Coleman LLP - Houston, TX</p>
10:00 am 0.50 hr ethics	<p>Ethical and Practical Challenges of Amicus Participation</p> <p>Rounding up the right friends to set off into the wild west of Texas amicus practice. Including pointers, pitfalls, and practice tips for both state and federal amicus practice.</p> <p>Tyler Talbert, Scanes Yelverton Talbert, LLP - Waco, TX</p>

10:30 am	15-Minute Break
10:45 am 0.50 hr	Rule 166a: Adapting to the Upcoming Changes Discuss the substance of the Supreme Court's rewrite of Rule 166a governing summary-judgment motions and the strategic implications of the new rule. Hon. Harvey Brown, The Lanier Law Firm - Houston, TX
11:15 am 0.50 hr	Judgment Formation: Getting What You Want Learn tools every good pilot uses to ensure to not overlook what is needed in judgment. Steven K. Hayes, Law Office of Steven K. Hayes - Fort Worth, TX
11:45 am 0.50 hr	The Name's Bonds: Supersedeas Bonds Address both the legal and practical considerations of superseding a judgment during an appeal. Also look at recent legislative enactments that impact that process. Jody S. Sanders, Kelly Hart & Hallman LLP - Fort Worth, TX
12:15 pm In Austin Only	Pick Up Lunch (in Austin) Included in registration.

Friday Afternoon, June 12, 2026

Presiding Officer:

Dana Livingston, Cokinos | Young - Austin, TX

LUNCHEON PRESENTATION

12:45 pm 0.50 hr	The Road Less Traveled: Arguing Divergences in State and Federal Law Parties often rely on federal courts' interpretations of similar federal laws when litigating state law claims at the Supreme Court of Texas, despite textual differences. Discuss several areas that Justices have expressed a desire to revisit the Court's jurisprudence to develop Texas law. Adam Shniderman, Alexander Dubose & Jefferson LLP - Dallas, TX
1:15 pm	15-Minute Break
1:30 pm 0.75 hr	Update from the Clerk of the Fifth Circuit An operational update on court operations with an emphasis on practice tips and new applications designed to assist the appellate practitioner. Lyle Cayce, U.S. Court of Appeals, Fifth Circuit - New Orleans, LA

2:15 pm
0.50 hr

U.S. Fifth Circuit Update

This presentation covers key cases about civil litigation from the U.S. Court of Appeals for the Fifth Circuit in the past year.

David S. Coale, Lynn Pinker Hurst & Schwegmann, LLP - Dallas, TX

2:45 pm
0.50 hr

U.S. Supreme Court Update

An overview of major decisions and trends from the U.S. Supreme Court's 2025-2026 term.

Aaron L. Nielson, The University of Texas School of Law and Kirkland & Ellis LLP - Austin, TX

3:15 pm

Adjourn