

THE WOMEN'S ADVOCATE

A CATALYST FOR 2003

Women and the Law Section Newsletter
www.txwomenlawsection.org

April 2004

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EMERITUS VOTING MEMBER

Louise B. Raggio, Dallas

COUNCIL TERMS EXPIRING 2005

Georgina Benavides, McAllen
Kathy Cannon, Austin
ronnie Harrison, Houston
Carolyn Moore, Lubbock
Carmen Samaniego, San Antonio

COUNCIL TERMS EXPIRING 2004

Ralph H. Brock, Lubbock
Avo Stevens Butler, Sherman
Sherry Wetsch, Houston
Jennifer Rustay, Houston

BOARD ADVISORS

Kim J. Askew, Dallas
Linda R. Butter, Longview

MESSAGE FROM THE CHAIR

Dear Women and the Law Section Members:

NEW WOMEN / OLD ISSUES!

A few recent headlines have served as a reminder that women's issues are still of concern. *Lea Fاستو to be tried for her connection with Enron* _ How much did she know about her husband's dealings? *Andrea Yates convicted of drowning her children, but Deanna Laney, who bludgeoned her sons to death, is acquitted* _ Where is the line drawn when dealing with mental health or abuse in Texas' insanity law? *University of Houston for the third time in 10 years is asked to provide maternity leave to female faculty members* _ Why in January 2004 was it necessary for the University of Houston to open a women's center (along with Rice, Texas A&M, UT at Austin and UT at El Paso) to provide referrals and information about health, counseling, child care, scholarships, employment, legal assistance and women's organizations? HOW FAR HAVE WOMEN'S LEGAL STATUS AND RIGHTS REALLY COME SINCE THE 1967 MARITAL PROPERTY ACT?

As of 12/31/03 the in-state membership of the State Bar of Texas was 66,358 members. Women comprise 29% or 21,147 of the lawyers in Texas. The questions to be asked include: WHY are only 5% of the voting board members of the SBOT women; WHY is the Women and the Law Section now a small section; WHY is the WAL section only .02% of the licensed female attorneys in Texas?

We, as attorneys, do a good job in honoring those individuals who have been instrumental in advancing the issues of women in the legal profession and in the community. The Women and the Law Section has its own **Sarah T. Hughes and Ma'at Justice** Awards. The American Bar Association has the Margaret Brent Award and now the Texas Center for Legal Ethics and Professionalism has the Sandra Day O' Connor Award; but substantive women's issues are still alive and can affect each one of our personal and working lives.

Congratulations to our very own *Texas Tornado*, Louise Raggio and the Honorable Rose Spector on being the first recipients of the Sandra Day O'Connor Award! To paraphrase the words of Louise, the fight for the rights of women and their legal equality is "not finished yet".

The Women and the Law Section of the State Bar of Texas encourages and facilitates the active, effective participation of women in the legal profession and in the community, and works to address the current needs and issues affection women.

I challenge the Bar leaders, women lawyers of Texas and all others with an interest in the rights of women to re-join the WAL Section, recruit others, and actively participate in gender-related issues of today, so, as a united Texas voice, the NEW WOMEN of Texas remember and continue to overcome OLD ISSUES.

See you at our annual meeting and reception on Thursday, June 24, 2004 at 10:00 AM at the State Bar Annual Meeting in San Antonio.

-- Judy

IT'S THAT TIME OF THE YEAR, AGAIN!

Don't forget to renew your membership to the Women and Law Section of the State Bar of Texas. Each May, Bar members must pay their dues--when you do this year, remember to check the box for the Women and Law Section membership.

NOMINATING COMMITTEE REPORT AND NOTICE OF ELECTION

The State Bar of Texas Women and the Law Section's 2004 Nominating Committee, led by Chair-Elect Teresa A. Oxford, recommends the candidates listed below for election to the Women and the Law Section Council for the 2004-2005 Bar Year. Ralph Brock, Suzanne Duvall, and Judy Ney served on the committee. The election will be held at the Section's Annual Meeting on Thursday, June 24, 2004, 10:00 a.m. – 12:00 p.m., at the Henry B. Gonzalez Convention Center in San Antonio, Texas during the SBOT Annual Meeting.

OFFICERS

Chair	<i>Teresa A. Oxford</i> (San Antonio)
Chair-Elect	Mara Blatt (El Paso)
Vice-Chair/Membership	D'Metria Benson (Dallas)
Vice-Chair/Newsletter	Lisa Smith (San Antonio)
Secretary	Avo Stevens Butler (Sherman)
Treasurer	Ralph Brock (Lubbock)
Chronologist	Suzanne Duvall (Dallas)
Immediate Past Chair	<i>Judy Ney</i> (Houston)
Emeritus Voting Member	<i>Louise Raggio</i> (Dallas)

COUNCIL POSITIONS EXPIRING 2005

Georgina Benavides (McAllen)
Kathy Cannon (Austin)
Ronnie Harrison (Houston)
Carolyn Moore (Lubbock)
Carmen Samaniego (San Antonio)

COUNCIL POSITIONS EXPIRING 2006

Lisa Hernandez (Dallas)
Sherry Wetch (Houston)
Tonya Carter (Houston)
Laura Benitez Geisler (Dallas)

Officers and council members in italics have already been elected or appointed to their positions in accordance with the Bylaws.

STATE BAR OF TEXAS WOMEN AND LAW SECTION CLE JUNE 24, 2004 10:00A.M. – 12:00P.M.

WOMEN AND THE LAW: TODAY'S ISSUES, TODAY'S STRUGGLES

FEATURED SPEAKERS: CHARLYE O. FARRIS HONORABLE PAMELA MATHY

The State Bar of Texas Women and Law Section will host its annual CLE program, entitled "Women and the Law: Today's Issues, Today's Struggles" in conjunction with the State Bar of Texas Annual Meeting. The program will feature two women who have excelled in the practice of law and blazed a trail for other women to follow. Ms. Charlye Farris from Wichita Falls, Texas and the Honorable Pamela Mathy from San Antonio will kick off the program, sharing their views and experiences as Texas lawyers and the struggles we all face in today's environment.

Ms. Farris became the first African-American woman to be licensed to practice law in Texas and the first African-American woman to serve as a judge in the South since Reconstruction. She achieved that honor while serving as Special County Judge Pro Tem in Wichita County in 1954.

Ms. Farris struggled with discrimination and overcame many obstacles when she attempted to obtain a law degree. Graduating from Prairie View A & M College when she was eighteen, she became a teacher upon her parents' recommendation. She gave up teaching a year later in order to pursue her dream of being an attorney. At the time she began to apply for law school, Texas colleges did not admit African-Americans. Undeterred, Ms. Farris entered law school at the University of Denver and transferred to Howard University where she graduated with a law degree in 1953. That year, she returned to Texas and passed the bar exam. She then became the first African-American woman attorney in the state of Texas.

Ms. Farris returned to Wichita Falls where she opened her own law office and established a reputation for honesty and fairness during the fifty-odd years that she has practiced. Ms. Farris has received

many accolades and awards from the state and national bar associations, honoring her achievements.

Judge Mathy has excelled in the practice of law, legal education, and the judiciary, bringing a great deal of varied work experience to all of her endeavors. Currently, Judge Mathy serves as a United States Magistrate Judge for the United States District Court Western District of Texas. She has held that position since 1998. Previously, Judge Mathy worked as a law clerk at the U.S. Court of Appeals for the Seventh Circuit, and later as Senior Staff Attorney where she was in charge of the Circuit's civil case settlement program. She has also taught classes in copyright, trademark, and unfair trade practices. Also a writer, she has published law review articles on topics as varied as arbitration, civil and criminal procedure, class actions, and professional responsibility. Before becoming a professor and judge, Ms. Mathy worked as First Assistant in the Criminal Division of the U.S. Attorney's Office for the Western District of Texas, where she supervised criminal prosecutions and investigations in the District, which stretches from Austin to El Paso, Del Rio to Midland, and San Antonio to Waco. She was the first woman to hold this post in the District.

The Women and Law Section is proud to host this year's annual CLE program with such honored guest speakers. The Section invites attendees to share in this year's program. To reserve your seat please contact Teresa A. Oxford at (210) 227-3200 or via email at teresaoxford@sbcglobal.net.

Sponsored by the Bexar County Women's Bar Association and Esquire Deposition Services. One (1) hour CLE applied for.

WOMEN'S ADVOCACY PROJECT

by Carolyn Moore

The Women's Advocacy Project (the Project), a nonprofit organization, was created in 1982 by a group of women – mostly lawyers – who saw a need for a confidential legal hotline to answer women's questions about employment equity. From the beginning, however, the hotline was overwhelmed with calls about family law. Women wanted to know what legal rights they had to protect themselves from family violence.

Founders of the Project learned quickly that one out of every three Texas women is abused by her husband or live-in partner. Every year, 50,000 Texas women report being beaten on a weekly basis. A second hotline was soon created for family violence questions. Now the Project maintains two separate toll-free hotlines, which assist women from all parts of Texas. One hotline (1-800-374-4673 (HOPE)) is staffed with volunteer attorneys to provide fast, crucial advice about family violence. The other (1-800-777-3247 (FAIR)) is staffed with volunteer attorneys to answer questions about family law.

Eight-five percent of the women the Project serves fall below the federal poverty level and cannot afford to hire a private attorney. Each year it assists over 20,000 women and children from all corners of Texas. Most of the calls to the family violence hotline are from women who fear their mates will take their kids along with all their assets. Many of the women and children are victims of serious domestic violence who have no access to lifesaving legal services, advice and protection. Often, they receive referrals to volunteer lawyers in their own towns who have agreed to give informational referrals and referrals to other legal aid organizations as well.

When a hotline attorney (staff or volunteer) finishes a call for the Project, the caller knows what her legal rights are, where to go for more help, and, most often, how to help herself. Perhaps more importantly, she knows that a woman professional cares enough to give her a hand as she struggles to leave an abusive spouse, to pursue a harassment case or to help her child get out of jail. The Project's goal is to help one woman at a time, with one call at a time.

In 1994, with funding from Texas Rural Legal Aid, the Project created a Pro Se Protective Order Packet, available in both English and Spanish, for women without access to pro bono lawyers. Four years later, the Project announced the publication of a new Packet with Violence Against Women Act Information and Referral Sources, including new information about protection, particularly for battered immigrant women, and listing statewide resources.

In 2002 the Project revised the Pro Se Protective Order Packet again, including information on crime victim's compensation, and distributed the packets to district and county attorneys and clerks throughout Texas. The District and County Attorneys Association was so impressed that it sought permission to list the packet on the Association's web site.

The Project's mission has evolved over the years is to provide legal advice, expand legal education, and promote access to justice for Texas women in need. By 2002, when the Project was 20 years old, the number of calls it receives yearly prove that it is still needed more than ever.

Amy Wright serves as the Executive Director of the Project. Ms. Wright oversees a staff of 20 members whose salaries are paid by grants and contributions. The Project relies upon fifteen attorneys who volunteer to work in the office while 261 lawyers worked on a referral basis in 2002. In 2001, more volunteer attorneys worked 1,779 hours and non-attorneys volunteered 1,318 hours, representing 10,346 clients with 881 cases in English and Spanish.

The Women and Law Section is proud to again feature a fundraising event benefiting the Project. At the Annual Meeting in June, the Section will once again host its Book Sale which will feature approximately 2,000 books.

MINUTES OF THE APRIL 3, 2004 MEETING OF THE WOMEN AND THE LAW SECTION COUNCIL OF THE STATE BAR OF TEXAS

Call to Order

Judy L. Ney of Houston, Chair, called the meeting to order at 10:35 a.m. in Austin, Texas at the State Bar Building, welcomed those attending, and determined that a quorum was present. Teresa Oxford of San Antonio, Chair-elect; D'Metria Benson of Dallas, Vice-chair/Membership; and council members Ralph H. Brock of Lubbock; Kathy Cannon of Austin; Ronnie E.G. Harrison of Houston; Carolyn F. Moore of Lubbock; Deborah Ingraham, emeritus voting member; and Linda Butter, State Bar Board Advisor attended in person. Council members Avo Stevens Butler of Sherman and Carmen Samaniego of San Antonio attended by telephone conference call. Victoria Corcoran, Development Director for Women's Advocacy Project and Beryl P. Crowley, Executive Director of Texas Center for Legal Ethics and Professionalism were guests at the meeting.

Ney explained that the following people sent in reasons for not being able to attend the meeting: Lisa Smith of San Antonio, Vice-chair/Newsletter; Mara Blatt of El Paso, Secretary; Lisa Hernandez of Plano, Treasurer; Suzanne Mann Duvall of Dallas, Chronologist; Misty Ventura of Dallas, Immediate Past Chair; Georgina Benavides of McAllen, council member. Benson moved, with a second from Oxford that the members be given an excused absence. The motion passed.

Announcements from Ney:

-Ney said that Moore would act as secretary during the meeting.

-Jennifer Rustay of Houston, council member whose term expires in June of 2004, and who has worked very hard for the Section, has resigned from the board because of conflicts with her work.

-President-Elect Kelly Frels published a one and one fourth page Update on State Bar Activities.

-The International Human Rights Section may become a section of the State Bar.

-The New Mexico Bar's Women and the Legal Profession Committee sent Ney written materials on their series, "Ask Pat," which has been published in the New Mexico Bar Journal for five years. The series, in the form of questions and answers, is a continuing project of the committee to educate lawyers on such issues as gender discrimination, gender bias, and pay equity.

Secretary's Report

Brock moved, with a second from Benson, to approve the Minutes of the Section's November 24, 2003 Meeting, as corrected to show that Benson attended. The motion passed.

Treasurer's Report

Ney stated that the Section's balance as of April 1, 2004, according to Treasurer Hernandez, is \$2170.83.

Annual Meeting

Moore moved, with a second by Benson, that Ney be the Section's delegate to the State Bar Annual Meeting's Resolution Committee in San Antonio and that Oxford be the alternate delegate. The motion passed.

Harrison explained that she would again have bags and books to sell to attendees at the State Bar's Annual Meeting. Leo Ney will help with sales, which will be in a booth in an area designated for sections. Proceeds of the sales will go to Women's Advocacy Project.

Officers and council members commended Harrison for her past accomplishments in fund raising and agreed that she would have complete control of this year's pro bono project during the State Bar Annual Meeting.

Oxford reported that:

-Charlye O. Farris and the Honorable Pamela Mathy will speak on Women and the Law: Today's Issues, Today's Struggles at the Section's Annual Meeting in San Antonio on June 24, 2004, from 10 a.m. until noon. Oxford has applied for one hour of continuing legal education credit for meeting;

-the Bexar County Women's Bar Association has donated \$500.00 and Esquire Deposition Services has donated \$250.00 for the meeting. In addition, Esquire Deposition Services will give a flower to and take a picture of each leader of a local women's bar association who attends the Section's annual meeting;

-flyers concerning the Section's annual meeting will be mailed to lawyers in the next two weeks;

-both the Ma'at Justice Award and the Sarah T. Hughes Award will be presented at the Section's annual meeting; and

-election of officers and council members will take place at the Section's annual meeting.

Slate of Officers

Ingraham stated that she would like to continue as an emeritus voting member, explaining that she wanted to be a resource for the section, perhaps working on the web site and with the Women's Advocacy Project.

Ney asked that Ingraham step out of the room while the rest of the officers and council members discussed the issue raised by Ingraham. After a short discussion, officers and council members agreed that the section's bylaws should be reviewed to determine what, if any, clarifications need to be made concerning emeritus members and that any needed changes should be proposed at a later time. As an example, Oxford said that perhaps the bylaws should be changed to include past chairs as ex officio members. In addition, officers and council members agreed that until the bylaws are reviewed, Louise Raggio would be the only person to be given an emeritus title.

Oxford moved that the Nominating Committees Slate of Officers be approved. The motion was approved.

The Slate of Officers is as follows:

Officers

Chair	Teresa A. Oxford (San Antonio)
Chair-Elect	Mara Blatt (El Paso)
Vice-Chair/Membership	D'Metria Benson (Dallas)
Vice-Chair/Newsletter	Lisa Smith (San Antonio)
Secretary	Avo Stevens Butler (Sherman)
Treasurer	Ralph H. Brock (Lubbock)
Chronologist	Suzanne Duvall (Dallas)
Immediate Past Chair	Judy Ney (Houston)
Emeritus Voting Member	Louise Raggio (Dallas)

Council Positions Expiring 2005

- Georgina Benavides (McAllen)
- Kathy Cannon (Austin)
- Ronnie Harrison (Houston)
- Carolyn Moore (Lubbock)
- Carmen Samaniego (San Antonio)

Council Positions Expiring 2006

- Lisa Hernandez (Dallas)
- Sherry Wetch (Houston)
- Tonya Carter (Houston)
- Laura Benitex Geisler (Dallas)

Officers who will be voted on include the chair-elect, vice-chairs, secretary, treasurer, chronologist, and all council members whose terms will expire in 2006. Other officers and council members have already been elected.

When Ney asked Ingraham to return to the meeting room, she explained to Ingraham that Ingraham would continue as an emeritus voting member for the remainder of this year, but that her name would not be on the slate of officers for 2004-2005. Ney explained that once the Section's bylaws were reviewed and perhaps changed, Ingraham and other past chairs might be listed as emeritus members.

Newsletter/Mailing

Oxford said that our newsletter editor needs articles for the Section's next newsletter by April 9, 2004. She also said that the Section could save a lot of money by having the newsletter available on line rather than mailing a hard copy of the newsletter to all members.

Oxford moved, with a second from Ingraham, that the Section pay the fee necessary to the State Bar to have the Section on a list serve that will be able to do such things as notify members that our newsletter is available on line. She explained that the fee is \$15.00 a month. The motion passed.

Pro Bono Report

Harrison introduced Victoria Corcoran to speak about Women's Advocacy Project. Ms. Corcoran thanked the Section for donating funds to the project for many years. She explained the history of the project and discussed some current programs. She volunteered to help Harrison and Ney while they sell books in San Antonio at the Annual Meeting.

Membership Report

Cannon said that she would probably be able to help distribute information about the section to newly licensed lawyers at the induction ceremony in Austin on May 24, 2004.

Benson will ask Kathy Casarez at the State Bar to send e-mails to all women lawyers in Texas encouraging them to join this section in 2004-2005.

Chronologist's Report

Ney stated that Duvall would interview federal judge Barbara Lind and Rhonda Hunter, first president of the Dallas Women's Bar, as part of the chronology project of the section.

Ney will ask Duvall to publish a list of all lawyers who have already been interviewed and to list what materials of the Section are located in the archives at The University of Texas at San Antonio.

Old Business

Moore said that the TWL conference in El Paso in February was a success.

Ingraham said she will update the section's web cite and she will determine if it is time to renew the domain name. She will renew it for one year if it is about to expire.

New Business

Sandra Day O'Connor Award

-Beryl Crowley said that the O'Connor award, created this year and sponsored by the Texas Center for Legal Ethics and Professionalism, was never intended to be in competition with the section's Sarah T. Hughes Award. She said that the steering committee did not perform due diligence when it created the new award and apologized to the section that the new award is so similar to the Hughes award. She commented that perhaps some day the Texas Center and this section could combine forces concerning the two awards.

-Crowley said that she received this section's nomination of Louise Raggio to be the first recipient of the award; she has also received other nominations.

-Crowley said that she believes that this section can have a representative on the steering committee for the O'Connor award. She also agreed that Ney could attend this year's award luncheon without charge.

-Ney said that the section welcomes the opportunity to have a representative on the steering committee for the O'Connor award and said that she hopes to attend the award luncheon on May 14, 2004 in Austin.

Washington Summit

-Samaniego will represent both the Bexar County Women Lawyers

and this section at the Washington Summit. She wants to challenge attendees to sign up as organ donors.

-Butler moved, with a second from Oxford, that Samaniego take action necessary to set up an organ donation booth sponsored by this section at the Washington Summit. The motion passed.

National Conference on Women's Bar Associations

-Ingraham moved, with a second by Brock, that the section renew its membership in the National Conference of Women's Bar Associations. The motion passed.

Announcements

-Next meeting will be on June 24, 2004, 10 a.m. until noon. This will be the section's annual meeting and continuing legal education event.

-Ney will attend the State Bar's Council of Chairs meeting on Friday, April 9, 2004.

The meeting adjourned at 2:15 p.m.

Respectfully submitted,

Carolyn F. Moore
Acting on behalf of Myra Blatt, Secretary
(Original signature on file)

AROUND THE STATE

The Women's Bar Leadership Summit 2004 will feature its annual program, this year known as "The Secrets of Our Success," on Friday, August 6, 2004 at the Commerce Club in Atlanta, Georgia. The Summit is a day when leaders of women's bar organizations across the country meet and discuss their successes and problem areas, in hopes that the discussion will encourage new ideas for all who attend. For more information, contact www.newba.org or info@newba.org.

The ABA Commission on Women in the Profession is beginning to compile information for the 2004-2005 edition of the Directory of Associations for Women Lawyers, which will be published in June. Women's bars and or state or local bar associations with a committee addressing issues affecting women are invited to provide information for the directory. For more information, contact Jasamyn Roberts at 312-988-5692 or robertsj@staff.abanet.org.

On April 9, 2004, Judy Ney was elected by the Council of Chairs of the State Bar of Texas to be Section Representative of a Medium Size Section to the State Bar Board of Directors. Ney is currently chair of the Women and the Law Section, which is a medium size section of the State Bar. Ney's position will begin on June 1, 2004 and continue for the next three years. As a section representative, Ney will attend State Bar Board of Director meetings, but she will not be eligible to vote. She will be able to express opinions and discuss issues at the meetings. In addition, she will be appointed to committees of the State Bar Board of Directors.

The Bexar County Women's Bar Association is looking forward to hosting the Women and the Law Section members and their guests at the Annual Meeting and free CLE on June 24th from 10 a.m. to 12 p.m. The CLE will feature speakers Charlye O. Farris and Judge Pamela Mathy. The Honorable Rebecca Simmons is the chair of the SBOT Annual Meeting and Teresa A. Oxford is the incoming Chair of the SBOT Women and the Law Section. The BCWBA invites you to attend the program and meet them.

At its monthly meeting, the Lubbock County Women Lawyers Association hosted Gene Valentini who spoke at the March meeting. Mr. Valentini is the Director of the Lubbock County Dispute Resolution Center, and he explained all of the new mediation procedures implemented by the Lubbock County judges.

In February, the Lubbock Lawyers presented Kyra Blankenship of Abeyta & Blankenship and Nicky Boatwright of Boatwright & Hamilton, LLP. Ms. Blankenship and Ms. Boatwright spoke on jury selection in civil and criminal trials and matters of professionalism when conducting litigation.

In January, the Lubbock Lawyers hosted Cathy Givens, Criminal Assistant District Attorney, Cailen Wevodau, attorney with Legal Aid of Northwest Texas, and Lubbock Police Officer Roy Viergee. From their different areas of legal work, they discussed protective orders and a case study of a murder-homicide in which the protective orders had failed.

IT'S HERE!

We will no longer send out hard copy of the newsletter automatically.

This is the final issue of The Women's Advocate that will be mailed in hard copy form. Future issues will be delivered to all members via email to those members with an email address on file. This electronic distribution will assist us in keeping your dues low. If you are a paid-up member and do not have an email address or internet access, or if you wish to continue to receive a hard copy please mail your request to: Lisa Smith, 1606 N. Alamo Street, San Antonio, Texas 78215.

The hard copy you will receive will be identical to the internet version.

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