

WALS

Lawyers Now



Chair's Message | *Teresa Schiller*

Dear Women and the Law Section Members:

It took 72 years for women to gain the right to vote in the U.S. On November 3, 2020, we'll vote for a President. Whatever your politics, there's no doubt that our decision will change the world. As U.S. lawyers, each of us has heightened opportunities and responsibilities. Here are articles designed to inspire, educate, honor, hear from, and support you.

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Power Lunch Business Development Workshops (beg. Nov. 11)
Free CLE Reasonable Accommodation Under the Fair Housing Act (Nov. 19) & HIPAA During a Pandemic (Dec. 9)
Competition Texas Law Student Writing Competition
Legal Mojo COVID-19 Potential Claims for Retailer and Hospitality
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Sincerely,
Teresa Schiller, Chair
State Bar of Texas Women and the Law Section



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Legal Mojo | ***COVID-19 Potential Claims for Retailer and Hospitality***

Amy Welborn*

Price Gouging

The federal government is currently considering a price gouging law. Only 34 states have price gouging laws. The Texas Deceptive Trade Practices Consumer Protection Act states that “price gouging” is taking advantage of a disaster declared by the governor or President by “selling or leasing fuel, food, medicine, lodging, building materials, construction tools or another necessity at an exorbitant or excessive price[,] or demanding an exorbitant or excessive price in connection with the sale or lease of fuel, food, medicine, lodging, building materials, construction tools or another necessity[.]”¹ While other states have rules regarding deviation of price, Texas does not. Some states hold that a deviation of as little as 10% is excessive. As such, the determination of if something is considered price gouging would be a question of fact, making a summary judgment on this issue unlikely.

Price gouging is illegal during a disaster period, which is defined as the earlier of (a) the date the disaster occurs, (b) the date the Governor declares a disaster, or (c) the date of declaration of a disaster by the President, if any part of Texas is included in a federal disaster area.

Currently, parts of West Texas were declared a disaster very early on for the COVID-19 situation, due to the cost of oil dropping.

Complaints for price gouging can be filed with the Texas Attorney General and can result in fines, and merchants can be required to reimburse the customers. Individuals can bring single price-gouging claims, and class actions can also be filed.

Unfortunately, while a store may not be price gouging, any increase of price on an item can be argued as such. If a supplier increased the cost or an item had been unusually discounted in the weeks before, while the claim is defensible, it would have to be litigated.

False Claims/Product Liability

We have already seen individuals like Jim Bakker and Alex Jones get sued or have complaints against them for making false claims regarding products that they are selling. Bakker alleged his product could cure COVID-19, and Jones alleged his toothpaste killed all COVID viruses. Retailers will need to ensure that the vendors that they are purchasing products from are not making outlandish claims that could result in downstream liability. The elements under the federal Lanham Act and common law are: (1) a false or misleading statement of fact; (2) used in a commercial advertising or promotion; that (3) deceives or is likely to deceive in a material way; and (4) has caused or is likely to cause competitive or other injury to the plaintiff.

If there are products, such as hand sanitizer or soap sold by a retailer, that are claiming or making what a consumer believes to be a false claim or product liability suit regarding COVID-19, the retailer could also be sued. Further, lawsuits will also be filed stating that products were used and failed to prevent a consumer from falling ill. If masks are sold at a retailer, consumers may claim that they fell ill wearing them, as they failed to provide protection.

There is no evidence to support COVID-19 can be transmitted via food or food packaging. Further, like all viruses, COVID-19 cannot grow in food. There is also some evidence that COVID-19 does not survive

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Cont'd | *COVID-19 Potential Claims for Retailer and Hospitality*

well in the stomach due to the stomach's acid content. Regardless, safety measures should still be taken to reduce the risk of a product liability lawsuit. Restaurants, hotels, grocery stores, and other retailers that sell food should be very careful to ensure that the food is not contaminated. Grocery stores must shut down their bulk food items to prevent people from sneezing or otherwise spreading the virus onto the food items. No food should be displayed openly. There should be added protections to ensure that the persons preparing food are healthy.

Membership/Subscription/Fee Claims

Many gyms, health clubs, and other membership-based retailers closed their doors before being required to do so by a local or state order. Others were forced to close upon the entry of an order.

A class action lawsuit has been filed in the U.S. District Court for the District of Massachusetts by members of the Boston Sports Club against its parent company, Town Sports International Holdings, Inc., alleging that the members are being charged their monthly fees when the facility is closed. The lawsuit claims the club is "charging [monthly] membership fees without being able to provide access to its facilities."² The members allege the actions are "unconscionable corporate avarice."³ The company closed its locations in Massachusetts in mid-March. The parties are seeking compensatory relief, injunctive relief, and attorney fees. The company has faced scrutiny from the attorney generals in New York, Pennsylvania, and the District of Columbia, other states in which they operate clubs.

A class action lawsuit has been brought against Liberty University, alleging that the university has been profiting off the pandemic by reducing student services, but not refunding student fees paid for the services. The university, which has kept its dorms open, has moved its classes online. The university has cancelled student activities, closed its recreation centers, and suspended team sports. The lawsuit claims that the University is offering a credit toward the fall semester's tuition if the student selected to receive it by March 28, 2020, but if a student does not intend to return, the student's fees were not returned. The lawsuit alleges that the school stated it would remain open as a pretext to keep the student fees. Drexel University and the University of Miami have had similar lawsuits for student fees filed against them.

Premises Liability Claims

Consumers that visited a retail location and then came down with COVID-19 may bring claims for premises liability. These claims will argue that the retailer did not take proper precautions to ensure the safety of the invitee and that the store itself was a hazardous condition. Of course, the plaintiff will have to prove that it was an unreasonably hazardous condition and that the retailer knew or should have known it existed. The plaintiff may also claim that a retailer failed to warn of a hazardous condition when allowing the consumer to shop in the store or even when bringing merchandise to a vehicle. Plaintiffs may also claim that the retailer failed to make the premises safe by using proper cleaning and safety procedures. Retailers will, of course, be able to argue "act of god." Further, the plaintiff must prove that s/he contracted COVID-19 from the store. This will be very difficult to prove.

Plaintiffs may allege negligence per se if local, state, or national orders were not followed. For example, if a local order limits the number of persons that can be in a particular area and the store allows a group to congregate inside or outside, this could be seen as a violation of the order. If someone gets sick from an individual in that group, a claim could potentially be brought against the retailer.

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Legal Mojo | *COVID-19 Potential Claims for Retailer and Hospitality*

One way to prepare for these types of claims is to save all the footage of local news stories showing people outside. Also, save stories showing the dates that different orders went into effect. In Texas, the governor has not required a quarantine in place, and it is done by local government, as such orders have gone into effect on different dates. Also, be sure and keep track of social media and other places where individuals are posting photos of your stores. For example, if you have a policy requiring person to line up 6 feet apart and that is not being done, a photo of this can be used to show that procedures were not being followed.

The safety measures implemented in a store can be Catch 22s. If you do not have the procedures, you are not protecting the customers, but if you do, they can be used against you when not followed or can be argued to be insufficient. Not unlike policies regarding removing items for high shelves, the policies are in place to protect the customer, but that does not mean the customer will follow them. Unfortunately, here the issues caused by one customer can be the source of litigation for a multitude of potential plaintiffs. If you see an egregious breach of a policy, it would be best to note it as an incident on an incident report. That will protect you from any argument that the company was complacent or allowed persons not to comply with policies and procedures.

Princess Cruise Lines has already been sued for negligence and gross negligence by passengers that were onboard the ship with a significant outbreak. A Missouri couple, Debra and Michael Dalton, allege that the cruise line failed to safeguard them from exposure during a cruise to Hawaii. The suit alleges that they “were simply asked to fill out a piece of paper confirming that they were not sick” in order to board the ship.⁴ The suit alleges there was no “proper screening protocol in place to minimize the risk of exposure of the disease.”⁵ The cruise line also has been sued by the passengers of a ship quarantined off the coast of California for failing to provide for the safety of its passengers.

Princess Cruise Lines will likely argue that the plaintiffs have waived the right to bring these claims because they signed a waiver before boarding a ship, which would have released the cruise line. This waiver argument will be utilized in other cases as they evolve. Further, the use of waivers will become more and more prominent. Before, waivers were used when people went skiing, played paint ball, and did other activities that could lead to injury. Now, going into a simple retail establishment could potentially cause death. Hotels, resorts, and many other establishments will likely require patrons to sign a waiver. However, a waiver argument is only as strong as the waiver itself. And there are bars in most states preventing the waiver of the negligence and/or gross negligence of the establishment itself. Therefore, a waiver will not typically deter litigation.

An Arizona couple, James and Kelea Nevis, have brought suit against Costa Cruises, a Carnival Cruise company, alleging that crew members knew a passenger had COVID-19 symptoms but did not tell the other guests to isolate themselves to their rooms. The Nevises tested positive for COVID-19 after they docked. The Nevises’ lawyer has argued that the waivers are void when the boat docks at a U.S. port.

Additionally, there will be arguments that COVID-19 was in the plumbing. In 2003, SARS was found to be transmitted through sewage pipes. During the SARS outbreak, there were more than 30 people infected and 42 deaths in one apartment complex building due to transmission through plumbing lines. In one case, COVID-19 was found to spread through a housing building. It is suspected to have traveled via the elevator button or the plumbing. The first two patients in the building lived above and below each other. It has been speculated that the virus could travel through a vent pipe, U-trap, or dry pipes. Additionally, a proper ventilation system should be present.

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Legal Mojo | *COVID-19 Potential Claims for Retailer and Hospitality*

The CDC has confirmed that fecal transmission is possible. It is important to keep public restrooms clean and to ensure that proper logs of cleanings are maintained. Customers should be reminded to notify the establishment if there is a problem with a public restroom.

Negligence Claims

Negligence claims could arise from a specific act of an employee. If an employee knowingly comes to work with COVID-19 and has let his/her employer know that s/he is not feeling well, this could be considered negligence and respondeat superior. Further, if proper cleaning is not done daily, this could be seen as a negligent act. Businesses that do not follow proper social distancing policies could also be found negligent. For example, handing a customer a basket that has not been sanitized, touching a guest during an interaction with an employee, or seating customers near one another could all be seen as negligent acts.

Wrongful Death

Wrongful death claims will be filed by the families of those that die from COVID-19. In Cook County, Illinois a family member of a Walmart employee that had died of COVID-19 has brought a case against Walmart.⁶ Wando Evans had worked as an overnight stocker for Walmart for 15 years. He told his store management that he had symptoms consistent with the virus two weeks before, but claims he was ignored. He was sent home sick by his manager two days before his death. The lawsuit alleges that Walmart was negligent in failing to implement and enforce social distancing guidelines and in failing to properly clean and sanitize the store. The lawsuit alleges that because Walmart is a high-volume retailer, it has a responsibility to take additional precautions to protect employees and customers. The suit alleges that Walmart had a duty to provide the employees with personal protective equipment, implement social distancing, and to prevent exposed employees from working.

In late April, suit was brought by Susan and Michael Dorety of Texas because Mr. Dorety contracted COVID-19 after boarding a Princess Cruise Line ship on February 21 and later died. The suit claims that the cruise line had just discharged some infected passengers and took on a new group of passengers without properly cleaning the ship.

Workers Compensation

Many workers will file workers compensation claims for medical bills and loss of income related to COVID-19. However, employers should expect that plaintiffs will also allege gross negligence so as to remove the claims for the limitations put on workers compensation recoveries.

OSHA Litigation

The Occupational Safety and Health Act of 1970 requires under the General Duty Clause that an employer provide a workplace that is free from recognized hazards that are likely to cause death or serious physical harm to the employees.

While employees may allege that they got sick at their place of employment, it will be difficult to prove where a person was exposed to COVID-19.

In the case against Walmart, the attorney for the employee's family has also requested that the Occupational Safety and Health Administration investigate Walmart.

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Legal Mojo | *COVID-19 Potential Claims for Retailer and Hospitality*

Hospitality Litigation

Hotels, event centers, catering companies, and other hospitality and event related companies will see numerous claims over breach of contract. The cancelling of events will result in multiple litigation opportunities. The individuals scheduling an event can sue regarding the rescheduling, the cancellation policy, or to seek a full refund. The sub-contractors and other vendors may still require the hotel to fulfill their contracts, regardless of if the event is moving forward.

While many hotels have completely closed, others remain open. When a hotel remains open, the hotel should take extra precautions to show that extra cleanings and wipe-downs are occurring. This should be recorded daily. Additionally, records of cleaning supplies purchased and used should be recorded to prove that the work was actually performed.

After every customer, a hotel room should be thoroughly sanitized, all linens washed in hot water, and the room cleaned with bleach. If a hotel is not full, every effort should be made to put guests on different floors and keep their rooms as far apart as possible.

Supply Chain Litigation

Many suppliers are having difficulty getting products. Manufacturers are having difficulty obtaining materials to produce products. Additionally, many factories and companies have closed down or halted production due to the quarantine-in-place orders preventing employees from working or the lack of materials. Your manufacturers and suppliers may not be able to provide products for which a company had contracted. This can result in downstream litigation. If an item is promised to a customer on a specific date and cannot be provided due to a vendor issue, the consumer could bring a case against the retailer. The problems with supply chain will continue even after the shelter-in-place is lifted. As such, a hotel may not be able to provide the wine promised for a wedding, even if the wedding can proceed, due to the vineyard being closed.

Securities Litigation

Some shareholder cases have already been filed against companies like Norwegian Cruise Lines, alleging false and misleading claims in SEC filings which caused the stock to be over-inflated. When the markets crashed, companies lost significant value. Shareholders will attempt to allege that this is due to the companies being overvalued prior to the crash, or that the company was not significantly prepared and caused the investors financial damage.

Insurance Litigation

There will also be suits by retailers and hospitality groups against their insurance carriers. Many business interruption policies exclude or do not specifically include pandemics.

Six Chicago bar and restaurant groups have filed a federal lawsuit in the U.S. District Court for the Northern District of Illinois against their carrier, Society Insurance Company, accusing it of wrongfully denying claims related to business interruption insurance. In Napa County, French Laundry Partners, LP has brought suit against Hartford Fire Insurance Company and other entities. Similar claims are being brought in Florida and will soon be filed in all states. The insurance policies all claim that there must be physical property loss in order for the business interruption coverage to apply. The plaintiffs argue that

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Legal Mojo | ***COVID-19 Potential Claims for Retailer and Hospitality***

COVID-19 “physically infects and stays on surfaces of objects or materials.”⁷ The plaintiffs also allege bad faith for the blanket denials of COVID-19 claims. In Illinois and Florida, the plaintiffs are seeking a class action on behalf of all the restaurant and bar owners.

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¹ Tex. Bus and Commerce Code Sec. 17.46(b)(27).

² Class Action Complaint & Request for a Preliminary Injunction & Declaratory Relief, *Delvecchio v. Township Sports Int'l, LLC*, Case 1:20-cv-10666, at 7 (D. Mass., filed Apr. 5, 2020).

³ *Id.* at 1.

⁴ Plaintiffs' Original Complaint and Jury Demand, *Dalton v. Princess Cruise Lines Ltd.*, Case 2:20-cv-02458-RGK-SK, at 5, ¶16 (C.D. Cal., filed Mar. 13, 2020).

⁵ *Id.* at ¶15.

⁶ See Complaint at Law, *Evans v. Walmart, Inc.*, Case No. 2020L003938 (Cir. Ct., Cook Cty., Ill., filed Apr. 6, 2020).

⁷ Complaint for Declaratory Relief, *French Laundry Partners LP v. Hartford Fire Ins. Co.*, Case No. 20CV000397, at 3, ¶20 (Sup. Ct. Cal., Napa Cty., filed Jun. 1, 2020).

Wellness | ***Mindfulness and Meditation – What is It and Why Do Attorneys Need It the Most?***

Christine Rudy*

Stop. Read the next two sentences and then close your eyes. Take a deep inhale and exhale, and notice the sensations in your body, and stay here for three breaths. Then open your eyes. Congratulations! You just engaged in a mindfulness exercise.

Stress is everywhere. Everyone encounters some form of stress each day. Stress may wake you up in the morning and keep you up at night. It shows up in traffic, with family and friends, and -- especially for attorneys -- at work. Stress also finds its best friend, anxiety, and the two can overwhelm an individual, even manifesting physically in our bodies. Oh yeah, and lest you forget, we are in a GLOBAL PANDEMIC! So collectively, we are all experiencing some form of fascinating, yet terrifying, universal anxiety.

Sadly, while we cannot eliminate all the stress of our world, we can change our reactivity (while adding more nonreactivity) to stress. Mindfulness and meditation are buzz words we hear regularly. The concepts are broad-reaching. So...what is mindfulness? What is meditation? I have to sit in silence and turn my brain off? I am an attorney. My mind is literally trained to analyze non-stop. You are telling me to turn it off for 20 minutes?! An HOUR!? How is that possible? All great questions. While this article will never in its limited scope comprehensively address the topics of mindfulness and meditation, my hope is that I pique your interest, such that you at least *attempt* some form of mindfulness and/or meditation practice. Who knows, you may actually find a practice you like and incorporate same into your routine.

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Cont'd | *Mindfulness and Meditation – What is It and Why Do Attorneys Need It the Most?*

Mindfulness and Meditation Defined

We speak about mindfulness and meditation together, as meditation is necessarily included as a mindfulness practice. Meditation is also one of the more well known, though not necessarily well understood, mindfulness practices. Stated simply, mindfulness is the focus and awareness of the present moment. Being exactly as you are, in the space you find yourself. It is a characteristic or a quality. A state of being.

As for meditation, according to the U.S. Department of Health and Human Services,

Meditation is a mind and body practice that has a long history of use for increasing calmness and physical relaxation, improving psychological balance, coping with illness, and enhancing overall health and well-being. Mind and body practices focus on the interactions among the brain, mind, body, and behavior.¹

Think of these concepts as tools or exercises for the mind. Just as the physical body needs to remain active to stay healthy, the mind often works itself into knots with life stressors and overthinking -- especially with attorneys -- myself included.

How do I Practice Mindfulness and/or Meditation?

Just like physical exercise, mindfulness and meditation come in many different shapes and forms. A more common physical practice associated with mindfulness and meditation is yoga. This is because yoga focuses on the link between breath and body, naturally requiring the mind to be in the present moment. I encourage everyone to at least *try* a few different yoga classes. If you have been to one yoga class and hated it, I encourage you to try again. Just like a particular attorney may not jive with a particular client, a specific yoga teacher or type of yoga may not be for you. If the thought of yoga is still appalling to you, please reach out, and I will send suggestions. Okay, I will get off my yoga soapbox.

Other ways to practice mindfulness and meditation are all over the internet. www.Mindful.org has some great articles and is an awesome place to start. Further, a simple internet search will offer infinite results. I invite you to do your own search and scroll through a couple pages to see if any one site stands out to you. Mindfulness is all over social media as well. Check out my “Christine Rudy Law” Facebook and/or Instagram accounts as a starting point. Searching “#mindfulness” on social media is also a good way to find an article, practice, or blog that speaks to you. I will also offer you one of my favorite mindfulness practices at the end of this article to get you started.

Finally, meditation in its most basic form is sitting in stillness, letting go of thoughts as if they are clouds passing in the sky, and finding comfort in the discomfort through silencing your mind. Your eyes are softened closed, and you allow the stillness to flow through you. To start, most practitioners suggest meditating for small increments of time, and then slowly increasing that length of time. There are even meditation retreats where people meditate up to ten days! While I struggle keeping a regular meditation practice myself, guided meditations are my go-to. The Calm App is another great resource that offers 10-minute daily guided meditations with nature sounds, and themes that are often so on point, it is scary. If you have not figured it out already, the biggest key to success to a beneficial practice is to seek one that works for you.

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Cont'd | ***Mindfulness and Meditation – What is It and Why Do Attorneys Need It the Most?***

Conclusion

Overall, each one of us has our own style. What works for one person may not work for another. Even stopping to read this article and taking a moment to inventory the stressors in your life is a mindfulness practice of its own. As attorneys, achieving perfection and ultimately succeeding is often the goal. With mindfulness and meditation, the goal is not perfection, but taking time to reflect, look within, and find some peace.

Try This “Five Senses” Mindfulness Exercise

As mentioned above, below is one of my favorite mindfulness practices. Find the full article, including this exercise, here: <https://medcenterblog.uvmhealth.org/wellness/physical/mindfulness-mindful-monday-exercise/amp/>.

Here are the steps to complete this exercise:

- First, notice 5 things that you can **see**. Look around you, and become aware of your environment. Try to pick out something that you do not usually notice.
- Second, notice 4 things you can **feel**. Bring attention to the things that you are currently feeling, such as the texture of your clothing or the smooth surface of the table you are resting your hands on.
- Third, notice 3 things that you can **hear**. Listen for and notice things in the background that you do not normally notice. It could be the birds chirping outside or an appliance humming in the next room.
- Fourth, notice 2 things you can **smell**. Bring attention to scents that you usually filter out, either pleasant or unpleasant. Catch a whiff of the pine trees outside or food cooking in the kitchen.
- Finally, notice 1 thing you can **taste**. Take a sip of a drink, chew gum, or notice the current taste in your mouth.

**Christine Rudy practices family law in San Antonio. She is a certified yoga teacher who trains other yoga teachers. Christine can be reached at christine@christinerudylaw.com.*

¹See U.S. Dept. of Health and Human Services National Center for Complementary and Integrative Health, “Meditation: In Depth,” at 1 (April 2016) (available at <https://www.nccih.nih.gov/health/meditation-in-depth>) (last visited on November 1, 2020).

Free CLE | *HIPAA During a Pandemic: Is Health Information Still Protected?*

Megan Neel
DumasNeel in Houston

December 9, 2020
12:00-1:00
Zoom

[Register Here!](#)

- Medical Records
- Public Health Exception
- Testing Positive
- Healthcare Providers
- Business Owners

Free CLE | *Reasonable Accommodation under the Fair Housing Act*

Allyssa Wheaton-Rodriguez
U.S. Dep't of Housing and
Urban Development in Fort Worth

November 19, 2020
12:00-1:00
Zoom

[Register Here!](#)

- Housing Discrimination
- People with Disabilities
- Assistance Animals
- Federal and State Enforcement

Power Lunch | *Business Development Workshops*

Laura Kugler
Hawkins, Parnell & Young, LLP in Dallas

Lindsay Owens
Lynch Chappell & Alsup in Midland

Cynthia Barela Graham
Law Office of Cynthia Barela Graham

Teresa Schiller
Beard Kultgen in Waco

*Free! Virtual! Members only.
Registration: Tracy Sheehan at tsheehan@hpylaw.com.*

These videoconferences will cover similar material.
Members may want to register for workshops
targeted to their geographical areas, but
they may register for any of the workshops.
No CLE credit available.

Don't miss a Power Lunch! Supplemental program to be offered in
June 2021 at State Bar of Texas Annual Meeting.

November 11, 2020
12:00-1:00

Dallas/Fort Worth and
North Texas

December 8, 2020
12:00-1:00

Brownsville, El Paso, Laredo,
McAllen, and South Texas

January 13, 2021
12:00-1:00

Houston Area

February 10, 2021
12:00-1:00

Agricultural -- Abilene, Amarillo,
Lubbock, San Angelo, and
Wichita Falls

March 18, 2021
12:00-1:00

San Antonio and
South Central Texas

April 14, 2021
12:00-1:00

Oil/Gas -- Midland, Odessa,
Tyler, and East Texas

May 12, 2021
12:00-1:00

Austin, Waco, and
Central Texas

Competition | *Texas Law Student Writing Competition*

The State Bar of Texas Women and the Law Section (the “Section”) invites students currently attending a law school in Texas to participate in its 2021 Texas Law Student Writing Competition (the “Competition”).

Award

The Harriet E. Miers Writing Competition Award (the “Award”) is named in honor of a lawyer who served as White House Counsel to George W. Bush. She is the first woman to have headed the State Bar of Texas.

Honors

The student who wins the Competition, as determined by the Section in its sole discretion, will receive the Award. The Award includes \$1,000 payable to such student for law-school education expenses. The Section, in its sole discretion, will publish such student’s essay in its newsletter. (The Section reserves the right not to grant the Award.)

The student who wins second place in the Competition (“Second Place”), as determined by the Section, in its sole discretion, will receive Second Place recognition, including \$500 payable to such student for law-school educational expenses. The Section, in its sole discretion, will publish such student’s essay in its newsletter. (The Section reserves the right not to grant Second Place.)

Submissions

Students wishing to be considered for the Award and for Second Place should submit an essay of no more than 2,500 words on the below-referenced topic by no later than February 28, 2021, to Section Chair Teresa Schiller via email to sbotwomenantthelaw@gmail.com with the following subject line: “WAL Student Writing Competition.”

The topic of the essay is to identify and analyze a legal challenge for women in Texas and/or in the United States, based on recent news reports. Imagine that you have been invited to publish an op-ed in a newspaper read by the general public.

- What is the challenge? How are women harmed?
- What is the relevant law(s)?
- How should the challenge be addressed?

Evaluation

Submissions will be evaluated based on criteria including the following:

- legal reasoning
- readability
- thoroughness
- timeliness of topic
- organizational structure
- *Bluebook* citation
- grammar.

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Cont'd | ***Texas Law Student Writing Competition***

Goals

The Section designed the Competition with the following goals:

- to help participating Texas law-school students prepare to tackle legal and societal challenges after graduation and strengthen their written advocacy skills;
- to increase awareness of and involvement with the Section; and
- to further the Section's mission.

The Section's mission is to encourage and facilitate the active and effective participation of women in the legal profession and in the community and to address the current needs of and issues affecting women.

Leaders | ***Tribute to Justice Ruth Bader Ginsburg***

In memory of U.S. Supreme Court Justice Ruth Bader Ginsburg, the section co-hosted a program about her life, work, and legacy on October 30, 2020.

The virtual one-hour program, entitled "Justice Ruth Bader Ginsburg: A Texas Tribute," featured the following speakers:

- Texas Supreme Court Justice Eva Guzman
- Texas Supreme Court Justice Debra Lehrmann
- State Bar of Texas President-Elect Sylvia Borunda Firth
- Texas Women Lawyers President and Section Council Member Deborah Cordova.

They reflected on certain influential events in Justice Ginsburg's life, as well as her achievements as a law professor, civil rights advocate, and judge. The program attracted more than 200 attendees.

The following bar associations joined the section in co-hosting the program: (1) Dallas Women Lawyers Association; (2) Texas Trial Lawyers Association Women's Caucus; and (3) Texas Women Lawyers.

Decisions | ***Council Meeting Highlights***

Here are highlights of recent section council meetings. Thank you to the council for its efforts!

October 2, 2020

- Approved virtual program in memory of Justice Ruth Bader Ginsburg.

October 21, 2020

- Approved a free CLE library for members only.
- Approved a nomination with the Affinity Section Group of a section member for State Bar at-large director.

SQUAD | *Section Leaders*

Teresa Schiller
Chair

Nicondra (“Nikki”) Chargois-Allen
Past Chair

Leigh Goodson
Chair-Elect

Denise Alex
Vice-Chair/Membership

Sarah “Ellis” Iverson
Vice-Chair/Newsletter

Betsy Johnson
Secretary

Natasha Martinez
Treasurer

Laura Kugler
Chronologist

Emeritus Council Members
Judy Ney
Deborah Race

Council Members
Elizabeth Cantu
Lindsay Owens
Patricia Chapman
Cynthia (“Cindi”) Barela Graham
Summer Olmos
Deborah Cordova
Kirby Drake
Judge Maria Salas-Mendoza
Susan Kelly

**Advisors from State Bar of Texas
Board of Directors**
Amy Welborn
Wendy-Adele Humphrey

Leigh Goodson
*Section Representative to State Bar of
Texas Task Force on Diversity, Equity and
Inclusion*

Summer Olmos
*Section Liaison to State Bar of Texas Pro
Bono Workgroup*

**Annual Meeting Committee
Co-Chairs**
Elizabeth Cantu
Nikki Chargois-Allen

Awards Committee Co-Chairs
Patricia Chapman
Hon. Maria Salas-Mendoza
Deborah Race

**Business Development Workshop
Committee Co-Chairs**
Cindi Graham
Laura Kugler
Lindsay Owens

CLE Committee Co-Chairs
Reagan Boyce
Kirby Drake

Finance Committee Co-Chairs
Natasha Martinez
Judy Ney

Membership Committee Co-Chairs
Denise Alex
Dori Kornfeld Goldman

Newsletter Committee Co-Chairs
Tiffanie Clausewitz
Susan Fuertes
Ellis Iverson

**Website and Social Media Committee
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