



AMARILLO-LAW

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A PUBLICATION OF THE AMARILLO AREA BAR ASSOCIATION

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Winning the Other Half of the Battle



Jeffrey C. Tasker

Anyone who has much experience, at all, handling civil litigation matters knows that winning a judgment is only half the battle. Once won, collecting a judgment can prove to be arduous, expensive, and time-consuming. If you would like some insight into various strategies and remedies available to help satisfy a judgment, join us at the December 10, 2015, meeting of the Amarillo Area Bar Association where Jeffrey C. Tasker will be our featured speaker.

Mr. Tasker is a founding partner of the Tasker Peterson law firm in Flower Mound, Texas. Jeff has substantial experience in federal and state courts representing individuals and corporate entities in a variety of matters. He handles a broad range of tort and complex business litigation and commercial transactions on behalf of individuals, privately held businesses, financial institutions, and publicly traded companies. And, he has served as lead attorney in arbitrations, trials, and appeals before state, federal, and bankruptcy courts in Texas and Oklahoma. Perhaps most importantly, Jeff has been an entertaining speaker at the Amarillo Area Young Lawyers Association’s Vegas CLE, which, I understand, is back on again for this coming spring.

Please join us for the AABA December 10, 2015, lunch meeting at the Amarillo Club to hear Mr. Tasker’s presentation concerning the collection of judgments.





PRESIDENT'S PAGE

By: Dusty Stockard

Tis' the holiday season. The time of year when juries are generous (except in Randall County), judges are in good moods (except in Randall County – seriously, this was a joke), and even lawyers wish good will to men. Please consider this article my Christmas card to each of you as I will probably not get around to sending them until December 27. Imagine a nice picture of my children in front of a fireplace.

This time of year is for friends and family and I encourage each of you to attend the Amarillo Area Bar Association's Christmas Reception on Thursday, December 10 at the downtown Happy State Bank. Last year's event provided a great opportunity to mingle and jingle with colleagues that you probably have not seen since last year. Bring a stuffed animal that will be donated to the Amarillo Police Department, Amarillo Fire Department and The Bridge. The Amarillo Area Bar Foundation will also be accepting donations at the event.

Keep in mind that Christmas is a wonderful time of generosity and giving. This may include giving gifts or simply giving undeserved extensions to your fellow lawyers. I'm amazed that other locales still have not figured out what our local lawyers have known and practiced for many years, that it is easier to get along with your fellow lawyer as you never know when you will be the one needing a favor.

As a friendly reminder, remember that while Christmas parties may be filled with Christmas cheer, your clients probably don't want their stories told to strangers. At times I'm surprised that we as lawyers sometimes forget how valuable our client's trust is and how important the attorney-client privilege is as

a pillar of our very practice. Disclosing those confidences to a stranger is no better than letting the other side know their secrets.

Finally, I wish each of you a Merry Christmas and a very prosperous 2016.



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Contact Us

For more information about your local area bar association or for address changes, contact Jo Ann Holt, Executive Director, at:

Amarillo Area Bar Association

Eagle Center
112 West 8th Avenue, Suite 615
Amarillo, Texas 79101
e-mail: director@amarillobar.org
Phone: 806-371-7226

Also visit our website at www.amaril-lo-bar.org for information and links to both local and state-wide legal resources.



AAYLA UPDATE

By Blair Oscarsson



744. As of December 1, that's how many hours remain in 2015. If you have to spend the remaining 744 hours making up the time you didn't bill the first eleven months of the year, you're in trouble because December also means that Christmas is upon us.

Have you finished your shopping? Made Christmas fudge? Taken your kids to see Santa? Moved your Elf on the Shelf? Bought and wrapped presents for your kids'

teachers? Written your assistant a nice note to go with the Christmas present you got her? Sent your Christmas cards?

This time of year, we are very busy, but each of us has 744 hours. You can spend it checking off meaningless items on your to-do list, or you can spend it on things that matter. Christmas fudge? If you make it with your three-year-old. Elf on the Shelf? Only if Sprinkle's hijinks don't involve sweeping.

Teacher presents? Starbucks gift cards from the drive-thru.

Since we can't do it all (and do it all well), we should spend the time we have doing what matters and what we enjoy . . . even if that means something on the to-do list remains un-checked.

Merry Christmas and happy New Year!

SAVE THE DATE

AMARILLO AREA BAR FOUNDATION WINE EVENT

JANUARY 22, 2016
6PM
AMARILLO CLUB





7TH COURT OF APPEALS UPDATE

By Chief Justice Brian Quinn

I've harped about preserving error for review many times. Here is a twist. Sometimes issues are intertwined and build on each other. So, failing to raise one deprives you of the foundation for the other. For instance, in *Taylor v. Lubbock Reg'l MHMR*, No. 07-13-00381-CV, 2015 Tex. App. LEXIS 10392 (Tex. App.—Amarillo October 7, 2015), the appellant argued that the trial court erred in entering a summary judgment against him and referred to evidence he proffered in response to the summary judgment motion. But, the trial court granted his opponent's motion to strike that

evidence. More importantly, appellant failed to question, on appeal, the decision to strike his evidence. Because of that omission, we could not consider the evidence in determining whether summary judgment was appropriate.

Just a reminder that an order saying something like "the motion for summary judgment is granted" is not a final, appealable decree. Why, you ask . . . well because it does not adjudicate the rights of the parties. This has been mentioned before. But it keeps coming up, like in *Mendoza v. Louisiana Stone LLC*, No. 07-15-00133-CV, 2015 Tex. App. LEXIS 10789 (Tex. App.—Amarillo, October 20, 2015). The order needs to tell the parties what they are getting or not getting or who wins or loses. In other words, it has to express a specific settlement of the rights between the parties.

Here's another bit about Anders' briefing. You already know that the appellant is entitled to write a response when his attorney submits an Anders brief. Implicit in that entitlement is the right to review the record. Many attorneys send the record to their client as a matter of course. Many do not. Think about doing the former to avoid delay, especially when an Anders brief was filed in a civil proceeding where parental rights were terminated. Termination appeals are accelerated, which means that we have a mandated time deadline to satisfy. This was discussed recently in *In re L.V.*, No. 07-15-00315-CV (Tex. App.—Amarillo November 9, 2015) (order).

Finally . . . HAVE A GREAT CHRISTMAS!

HISTORY IN THE MAKING
DOWNTOWN AMARILLO'S ORIGINAL HIGH-RISE
CELEBRATES 90 YEARS



The Historic Amarillo Building, built in 1925, proudly celebrates her 90th Birthday!

Restored to its Art Deco grandeur by owners Kevin and Ginger Nelson, Amarillo's history permeates throughout as Amarillo's most respected businesses, accounting and law firms continue to make their mark.

EST 1925
AMARILLO BUILDING

For Leasing Information, kindly call Kevin or Ginger Nelson
806.342.4700 • 301 South Polk Street
Images courtesy The Amarillo Public Library

YOUNG LAWYER OF THE MONTH: LESLIE LOWE

Leslie is originally from eastern Kansas—the part with trees. She rodeoed growing up, which led her to a three-year stint in Huntsville for college. After receiving a degree in arts and crafts (photography) from Sam Houston State, she did what all not-so-grown-up grown ups do, and moved in with her brother and sister in law in Canyon. After deciding that waiting tables at Abuelo's wasn't going to support her shopping habit, Leslie did what all not-so-grown-up grown ups do, and decided to try her hand at law school.

At Baylor, Leslie exceeded at not getting called on, and turned out to be an excellent average student. She did enjoy her time

interning at the EPA Region 6 in Dallas for a quarter and at the DOJ Environment and Natural Resources Division in Washington, DC for her last summer. Leslie also went to New York on Baylor's environmental moot-court team and vaguely remembers something about jurisdictional ponds. Leslie survived practice court alongside her best friend, Stephanie Larsen, and got out of Waco before the biker-gang war erupted. After graduation, Leslie did what all not-so-grown-up grown ups do, and moved in with her brother and sister in law in Happy.

After surviving the bar, Jeremi Young was kind enough to give Leslie a job for a couple months



Leslie Lowe

while his associate was on maternity leave. Leslie is very grateful, and vaguely remembers something about suing your boss. After sending out numerous resumes, Channy Wood was kind enough to give Leslie a shot. Leslie could not be more thankful, and absolutely loves what she does.

Leslie finally moved out of her brother's house and has a dog named Stevie Ray. Leslie works hard so Stevie can have a better life. Leslie would like to thank her family for their love and support. Hi Mom!



Bring a small stuffed animal to be donated to the Amarillo Fire and Police Departments and The Bridge.

You are cordially invited to join
The Amarillo Area Bar Association
for the annual

CHRISTMAS RECEPTION
Thursday, December 10, 2015
Heavy Hors d'oeuvres

6:00 - 8:00p.m.

HAPPY STATE BANK & TRUST COMPANY

701 S. Taylor (Bank Lobby)
Amarillo, Texas
806-373-2265

RSVP by December 8th to Kay Spiller at (806) 342-2448 or kspiller@happybank.com



Fishbowl Drawing

\$25 Charles David Blount
\$50 Cody Pirtle
\$75 Bryan Guymon
None were present to win

Short Course on Estate Planning

The Center for American and International Law, Plano, Texas, announces its 52nd Annual Program, "Short Course on Estate Planning", February 3-5, 2016, Celebrating 50 years with Professor Stanley M. Johanson. For more information, contact the Center at cailaw.org. MCLE and CPE will be available. This is a great program for the experienced lawyer who wants to be reintroduced to the estate planning profession.

If you have news, we want to hear from you. Send your information to the AABA: email director@amarillobar.org, fax 379-9259, or call 371-7226.



NALS of Amarillo, P.O. Box 1044, Amarillo, TX 79105

2016 Red Book Legal Directory is Underway!

If you are an attorney in our area, you will want to be included in the **2016 Red Book Legal Directory**, which will be published in Spring, 2016. You may update your current listing or add a new listing by visiting our website at www.nalsamarillo.com. Please make sure your listing is accurate. As always, listings are free.

NALS of Amarillo is the local chapter affiliated with NALS – the association for legal professionals. Members include legal secretaries, legal assistants and paralegals. Membership is open to all person engaged in work of a legal nature and who agree to comply with the NALS Code of Ethics and Professional Responsibility. For membership information, please contact Becky Braden at nalsoftamarillotexas@gmail.com.

THE AMARILLO AREA BAR FOUNDATION WINE DINNER IS FRIDAY, JANUARY 22, 2016. **PLEASE DON'T MISS THIS GREAT EVENT!!**

Remember, you don't need to be a wine enthusiast or even drink wine to enjoy the evening. It is intended to be a fun night for everyone—tasty wine, excellent food, great fellowship, and a fun auction. This is the fifth Wine Dinner sponsored by the Foundation and each event continues to be more successful in raising funds to benefit the Foundation's major projects. The Foundation awards annual scholarships to students with ties to the geographical area that comprises the Amarillo Area Bar Association and who are pursuing a law degree. The Foundation also helps fund the AABA AABF Trial Academies which provide trial experience to local young lawyers.

CLE SCHEDULE 2015-2016

Dec 3-4 \$300
Advanced Oil, Gas & Energy Law
14.75 CLE HRS 3.25 HRS ETHICS
Sprouse Shrader Smith

Jan 20-21-22 \$400
Advanced Estate Planning &
Probate
21.75 CLE HRS 4.75 HRS ETHICS
Happy State Bank, Basement
Training Room

Feb 19 \$225
Building Blocks of Wills, Estates &
Probate
6.75 CLE HRS 3.5 HRS ETHICS
Basement Training Room,
Eagle Center

Feb 24-25-26 \$400
Advanced Real Estate Law
17.75 CLE HRS 3 HRS ETHICS
Happy State Bank,
Basement Training Room

Las Vegas CLE Date Change

AAYLA is changing the date of the Las Vegas CLE to February 20, 2016, due to unforeseen complications.

AABA History Quiz

WIN A ROLLING BRIEFCASE!

Be the first to correctly answer the question below and send your answer to magnew@bf-law.com and you will win a rolling briefcase provided by the State Bar of Texas.

When was the Randal County Courthouse built and when was its exterior restoration completed?

November Answer: Justice Quinn has been the Chief Justice of the Court for 10 years, and a member for 20 years.



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<u>Terms Expire 2016</u>	<u>Terms Expire 2017</u>
Jeremi Young	Chris Stewart
Walt Weaver	Briar Wilcox
Sarah Pelley	Rhett Hubbard

Blair Oscarsson, AAYLA President
Jo Ann Holt, Executive Director
Matthew Agnew, Editor of AMA-LAW

YOUR BAR EVENTS - DECEMBER 2015

S	M	T	W	T	F	S
		1	2	AABA Board Meeting, Petroleum Room, Amarillo Club	4	5
6	7	8	9	AABA Bar Luncheon, Sunburst Room, Amarillo Club Christmas Reception, Happy State Bank, 6:00 to 8:00 PM	11	12
13	14	15	16	17	18	19
20	21	22	23	AABA Office Closed,	AABA Office Closed,	26
27	28	29	30	AABA Office Closed,	AABA Office Closed,	1