

# AMA-LAW



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## JANUARY SPEAKER: AMY M. STEWART



**Amy M. Stewart**

Our January speaker is Amy M. Stewart with the Stewart Law Group, PLLC in Dallas. Amy is a dynamic speaker, fierce attorney, and former Division I collegiate athlete and coach. Amy is also one of the founding members of her firm, a women- and minority-owned law firm.

Amy is one of those people who hasn't learned the word "no." She simultaneously serves on the Counsel for the Litigation Section of the Texas State Bar, the Board for the Dallas Bar Association and is the Division V. Director for the ABA's Section of Litigation. She has been named as a top 50 female lawyer in Dallas and has received numerous awards including through the Dallas Business Journal and Dallas Bar Association.

Meanwhile, in the courtroom, Amy

fights for clients in disputes of all kinds. She puts her Division I background to good use with measured aggressiveness and tenacity. She is also a certified Arbitrator with AAA, where she is well known for her patience, impartiality, understanding, flexibility, and good listening skills.

Playing on her athletic background, Amy's talk is titled "Huddle Up: Preparing Difficult Witnesses for Deposition and Trial." Amy will share her wisdom and insight in preparing witnesses for depositions and trial, including ethical concerns that arise in witness preparation. We are thrilled to welcome Amy to Amarillo. Please join us on January 9, 2020 at the Embassy Suites at noon.

“Remember this coming year ... technicalities matter.”

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“They were close times, I tell you. A \$5.00 bill was an event.”

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# **PRESIDENT'S PAGE**

By: Joby Mills

## **THANK YOU MEMBERS FOR YOUR GENEROSITY & WISHING EACH MEMBER MUCH JOY AND PROSPERITY IN 2020!**

By the time you are reading this message (of course, I'm making a big assumption you read this article), it's hard to believe we just wrapped up the 2019 calendar year. I am truly amazed at the level of generosity of AABA members. There were many fundraisers and charitable events in 2019 that benefitted many great causes in our communities. For those who attended our annual AABA Christmas party and made the financial commitment to either donate money and/or drop off in-kind items to support the Amarillo Children's Home ("ACH"), we thank each of you for your generous donations to a great organization. We raised \$1,350 in monetary donations and received several hundreds of dollars' worth of donated items for ACH. I am so proud of our AABA members and their wonderful generosity and leadership in our communities.

As I write this article for the January newsletter, I am thinking about my personal "New Year's Resolutions" for 2020. I normally either skip writing such resolutions, or I make resolutions that are hard to quantify and/or difficult to truly evaluate throughout the year. This year, I am renewing my focus on my New Year's resolutions with an effort towards the following:

- 1) Listing 3-4 New Year's resolutions that can truly be measured and achieved;
- 2) Resolutions that center around my spiritual beliefs, family, and career;
- 3) Commit to quarter-end review of each of my resolutions to stay on target; and
- 4) Surround myself with folks who will not only encourage me to achieve my resolutions, but also hold me accountable throughout 2020 (i.e., my wife, my spiritual advisor, and my co-workers).

At the end of next year, I want to truly look back and feel the personal and spiritual growth I have accomplished by successfully reaching each of my resolutions. I reflect back on 2019 and realize I wasted a lot of growth opportunities and missed some very attainable goals. I know this is a common feeling for a lot of us, especially for us folks who are our own worst critics. For areas where I failed in 2019, I set out with renewed optimism and drive to make those areas true strengths in 2020.

To my fellow AABA members, I wish you all much joy, success and prosperity in 2020. May each of you seek and attain your own New Year's resolutions.

## **BAR TO GATHER FOR WINE & WHISKEY DINNER**

Fine wines and a mouthwatering meal will once again be the stars of the Amarillo Area Bar Foundation's Wine and Whiskey Dinner on Friday, January 24. While keeping the things we have always loved about the Wine Dinner, this year whiskey has been added to the offerings along with an Open Bar at a new venue, the Derrick Event Center.

The dinner is the AABF's major fundraiser for the scholarships that are awarded each May to four Panhandle students attending law school.

The evening will feature a live and a silent auction of premier wines and whiskeys, travel, gift certificates, and other items. Assiter Auctioneers has agreed to serve as the auctioneers and Mark White will emcee the event.

The meal features wine pairings with each course, or for those that prefer, an alternate whiskey cocktail.

Guests will have an opportunity to pay for a "wine pull" or a "whiskey pull", where the guest can choose between numerous mystery wines or whiskeys, with the chance to score a fine vintage bottle of wine or a top shelf bottle of whiskey.

Each attendee is requested to bring a first-rate bottle of wine or whiskey and/or a wine accessory to be included in the auction.

The party is not just open to lawyers, so encourage your clients and friends to attend this fun evening.

Firms may purchase a table for eight people for \$1,250.00. Individual tickets are \$125.00 per person. Reservations must be made in advance to Janet Byers, Executive Director of Amarillo Area Bar Association and Amarillo Area Bar Foundation, [director@amarillobar.org](mailto:director@amarillobar.org), (806)371-7226.



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# 7TH COURT OF APPEALS UPDATE

By Chief Justice Brian Quinn

“Woke-up, fell out of bed, dragged a comb across my head ....” I wonder if Paul and John were talking about the morning after the New Year’s party when they wrote that line? Let’s start this year with a short question. Can a home invader with a gun who wakes you up while standing in your bedroom and intending to kill you claim self-defense when you fight back? The defendant in Carrillo v. State, No. 07-18-00154-CR, 2019 Tex. App. LEXIS 9939 (Tex. App.--Amarillo November 13, 2019) thought he could and asked the trial court for an instruction on self-defense. It was denied to him and we affirmed. “Just as a person committing robbery generally has no right of self-defense,” neither does such an invader. You can’t blame defense counsel for trying, though.

I suspect the new year will not end the tide of parental termination cases being filed. Those are tougher to deal with. Anyway, in In re F.R., No. 07-19-00215-CV, 2019 Tex. App. LEXIS 9670 (Tex. App.--Amarillo November 4, 2015), the Mom’s rights to her children had been terminated but she wanted to object to the appointment of the Department of Family Services as their managing conservator. We held that she lacked standing to do it since ending her parental rights divested her of all legal right and duty regarding her children. That truly represents the finality involved in those cases.

I know many non-lawyers think the law is all about technicalities that shouldn’t count, but they do. Take service of process, for instance...without proper service, a trial court never gets personal jurisdiction

over the defendant. And, authority calls for strict compliance with the service rules. That includes identifying, in the return, the person who served process, the person’s identification number if he or she is certified to serve process, and the expiration date of the certification. The date was missing in Bhakta v. Krisu Hosp., L.L.C., No. 07-18-00156-CV, 2019 Tex. App. LEXIS 10096 (Tex. App.--Amarillo November 20, 2019); so, we held the trial court lacked jurisdiction to enter a default judgment against Bhakta. Remember this coming year ... technicalities matter.

With that, I’m done. Go do something new and different with the family because, as Mr. Adkins said, “... you’re gonna wish these days hadn’t gone by so fast ...”

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# AAYLA Update

By Thomas McMillian

"[T]hat a Republic can wield the vast enginery of war without breaking down the safeguards of liberty; can suppress insurrection without, and put down a rebellion, however formidable, without destroying the bulwarks of law." – James A. Garfield, The United States' 14th lawyer-president.

"They were close times, I tell you. A \$5.00 bill was an event." – Benjamin Harrison, The United States' 17th lawyer-president.

A new year is upon us! As I compiled this article, it occurred to me that this is the 20th anniversary of the "Y2K" non-event. So much has happened, and our world has changed so much since then, but it's still hard to believe that we're 20 years into this century. This is also the time of year when we put the past in the

past and look forward to the promise of things to come. President Harrison's reflections on his early years as a lawyer reminds us that even those that have risen to the pinnacle of power have to start somewhere.

Speaking of starting somewhere, on November 6, 2019, we welcomed the newest members of the legal profession to the Amarillo legal community at the annual Swearing In Ceremony hosted by the 7th Court of Appeals. Thanks to Alysia Córdova, Titiana Frausto, and the Court of Appeals for putting this great event together.

It's an even year, so that means it's time for us to pack our bags and head west to Fabulous Las Vegas for the Biennial Las Vegas CLE hosted by the Amarillo Area Young Lawyers Association. This year we are returning to the beautiful Venetian Resort and Casino and have a great state of

speakers presenting on a wide variety of topics. Due to changes in the flight schedule out of Amarillo, the CLE will be held on Friday, February 7, 2020, so plan to arrive on Thursday evening. We will serve brunch mid-morning and release to a happy hour at the conclusion of the program in the afternoon. If you haven't booked your room, go to <https://book.passkey.com/go/raayl> or call (877) 385-3885 and mention group code RAAYL. Suites are available starting at \$129.00 plus tax and resort fee per night. This rate is only good until January 7, 2020, or whenever the block is full, so make your reservations now! If you have any questions, please contact me at (806) 378-9392 or [thomas.mcmillian@amarillo.gov](mailto:thomas.mcmillian@amarillo.gov). We hope to see all of you there!

As we bid 2019 farewell, I wish all of you health and prosperity in the new year!



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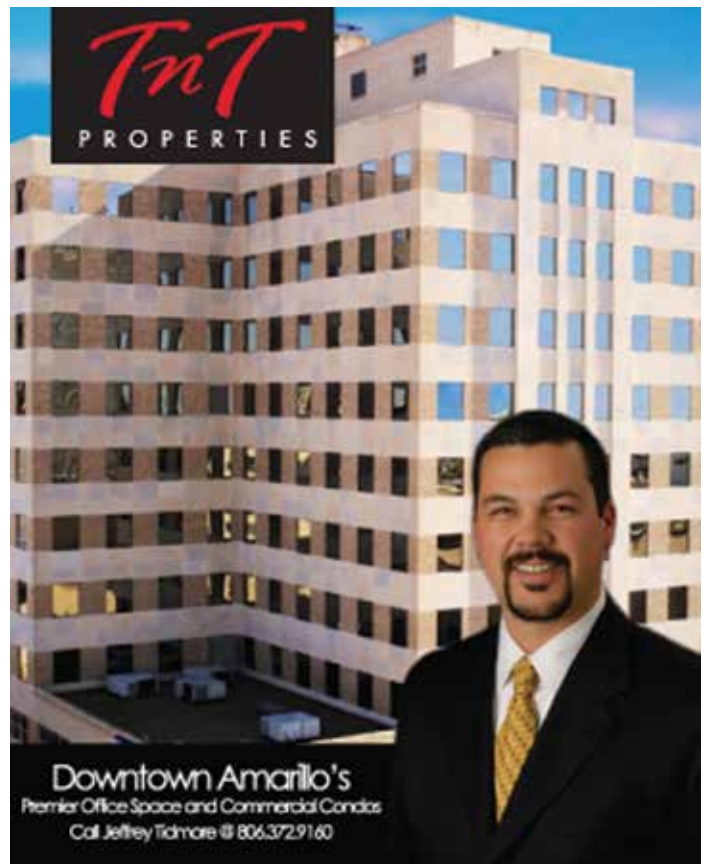
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# YOUNG LAWYER OF THE MONTH: SAIGE LEE



Saige Lee

In 2018, Saige moved to Amarillo to start her legal career as a litigation associate with Sprouse Shrader Smith. Saige grew up in Brownfield, Texas and graduated from Brownfield High School in 2010. She then attended the University of Texas of the Permian Basin in Odessa, Texas, graduating summa cum laude in 2013. Though one can't say UTPB offered a traditional college experience, she jumped at the opportunity to spend a semester in Washington, DC interning at the Supreme Court of the United States.

It was through that experience that Saige decided to pursue a legal career. Her Washington, DC colleagues voted her "Most Likely to Never Leave Texas," but never to be placed in a box, Saige chose to attend law school at the University of Oklahoma. It did not take long (specifically, it took one summer in OKC) for Saige to come to her senses and search for a job in Texas. She takes unearned credit for converting law school classmates Brody Hinds and Douglas Brooking, now attorneys in Amarillo, to the Texas way of life.

In her free time, Saige enjoys hiking, traveling, political podcasts, watching her much cooler younger sister rodeo, and teaching her old dog, Dilly, new tricks.

## AABA History Quiz

### WIN A ROLLING BRIEFCASE!

Be the first to correctly answer the question below and send your answer to [cbyrom@bf-law.com](mailto:cbyrom@bf-law.com) and you will win a rolling briefcase provided by the State Bar of Texas.

The "Six Flags of Texas" is in reference to the six nations that have held sovereignty over some or all of the territory of Texas. What are the six nations?



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# YOUR BAR EVENTS - JANUARY 2020

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	AABA Bar Luncheon, Embassy Suites	10	11
12	13	14	15	16	17	18
19	20	21	22	23	Wine & Whiskey Dinner, Derrick Event Center	25
26	27	28	29	30	31	