

AMA-LAW



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A PUBLICATION OF THE AMARILLO AREA BAR ASSOCIATION

SEPTEMBER SPEAKER: CURT BRANCHEAU



Our September speaker is the Honorable Curt Brancheau, District Judge for the 84th Judicial District Court in Texas. Judge Brancheau has been the presiding judge of the 84th District Court since 2017. The 84th District Court is a court of general jurisdiction covering Hutchinson, Hansford, and Ochiltree Counties. Judge Brancheau received his Bachelor of Science degree from Vanderbilt University in 2004, where he was a three-year letterman on the football team. Judge Brancheau received his JD and MBA from Texas Tech University in 2008. Prior to taking the bench, Judge Brancheau spent five years as a general practice attorney and then matriculated

to the 84th District Attorney's office as an assistant DA. The bulk of Judge Brancheau's current caseload includes family and criminal cases with a sprinkling of just about everything else. Judge Brancheau is married to Jennifer Brancheau and they have three young children, Brady, Brooks, and Dylan.

Judge Brancheau will discuss "The Practice of Law During COVID, a View from the Bench." He will discuss the impacts that COVID has had on handling day-to-day matters in the courts, the impact it has had on holding evidentiary and non-evidentiary hearings, and the potential effects COVID will have moving forward.

“I share many of your sentiments and hopes that soon in-person meetings will resume, even if they are not the same format we are used to.” -Page 2

“The meaning of “team” came back to us.” -Page 4

CONTENTS

President's Page	2
Seventh Court of Appeals	4
AAYLA Update	7
Young Lawyer of the Month	8



PRESIDENT'S PAGE

By: Jennie Knapp

I don't usually shy away from change but will readily admit that the past six months have been enough for me. I'm writing this note in my make-shift home office that has gotten incrementally nicer over the past five months. (My vacation fund now looks like dual-screen monitors instead of a week at the beach. If this lasts much longer, maybe for Christmas I'll get a printer. (That's not a hint, it's a joke.))

We've all learned to adapt to the current climate, which I refuse to call a "new normal." While the climate may last a while longer, it's not normal. Thanks to each of you who filled out the member survey about our luncheons for this next bar year. I share many of your sentiments and hopes that soon in-person meetings will resume, even if they are not the same format we are used to. We plan to take each month as it comes. Please check your AMA-LAW and e-blasts for current announcements about luncheons and (spoiler alert) other events. (As an aside, if you have not been getting emails from the AABA, please let Janet know at director@amarillobar.org.)

Meanwhile, in the "glass-half-full" column, we are putting together a great virtual program of free CLE that you can earn in your PJs and baseball cap. The first luncheon CLE will be September 10. I look forward to seeing all of you, even if just on one of my new monitors! Be checking your inbox for login instructions.

While I haven't checked the AABA archives, this has to be one of the only times the "President's Page" was not written by the President. Our board has been in limbo this summer with the cancellation of the Spring

Institute, and with it the officer and director election. The official election will take place at the September 10 meeting. Thank you to board members who had been scheduled to roll off for continuing their bar work a little longer over the summer and to soon-to-be-elected members (barring a concerted write-in campaign!) for stepping up anyway. And, of course, thank you to Janet Byars who helps the AABA run smoothly.

MEMBERSHIP REGISTRATION AND RENEWALS

If you did not receive your Membership Registration packet, you may find the registration materials on the AABA website, amarillobar.org. Dues are \$65.00 for attorneys licensed five years or less and \$100.00 for those licensed more than five years. Contact Janet Byars at 806-371-7226 or director@amarillobar.org for more information. Membership Registration forms and dues payments can be mailed to AABA, 112 W. 8th, Suite 615, Amarillo, TX 79101. The CLE schedule for the year is also located on the website, amarillobar.org.

AABA History Quiz

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7TH COURT OF APPEALS UPDATE

By Chief Justice Brian Quinn

What a ride since the last installment. I was working on an anecdote given me from James Doores when told that AMA-Law would no longer be published for a while. You know the reason . . . something called coronavirus (regular or novel), China virus, and even Covid-19. Different names but the same little bugger with a medical, economic, educational, political, societal, and legal punch putting to shame one from Mr. Tyson. We all felt it and continue to feel it. “Where have you gone, Joe Dimaggio? Our nation turns its lonely eyes to you.” Simon and Garfunkel’s lyrics capture a sense of loss I hope to replace with new experiences.

And, to new experiences . . . well, how about two primary elections for the same seat on your Seventh Court of Appeals? Not a primary and runoff, but two primaries. To both Larry Doss and Steven Denny, I tip my hat for surviving that and working to put it all behind us. Now I know what a three-legged dog feels like as it tries to chase a squirrel. Thankfully, the Court runs on four legs again.

“Just when [we] thought it was safe to go back in the water,” (thanks, Mr. Benchley), we are attacked. Not by a great white shark baring rows of razor teeth, but another virus, of the electronic variety. On May 8th, all 14 courts of appeals in Texas, the Court of Criminal Appeals, the Supreme Court, the Office of Court Administration (OCA), and various state agencies connected with the OCA fell victim to ransomware. Appellate records, briefs, opinions, drafts, orders, templates, letters, and years of legal research disappeared. It was time to rebuild the proverbial wheel. We have most of it complete, except a spoke or two. The best line I heard describing our situation came from an attorney who will go un-named. Having experienced a delay in receiving an opinion sent by mail (yep, the old post office), he told Rhonda (our chief deputy court clerk): “We aren’t in the stone ages.” Oh, yes, we were, relatively speaking. I think Vivian, our court clerk, even saw Fred and Barney on the street shaking their heads at us. Technology has its pluses and minuses.

But good things happened, too. We learned to survive again, a human characteristic too often ignored and left to wither. The meaning of “team” came back to us. We learned that there’s more to life than tech and televisions. I bet you too felt the vigor of once again going on evening walks and seeing others who you did not know lived next to you. The corona memes and jokes multiplied faster than mosquitoes in an East Texas swamp. To Justice Parker and Bobby Ramirez, I say thanks for memorializing the best on a video montage. We may have to charge to see it given looming State budget cuts. So, we laughed at them and

our ham-handed efforts to regain footing (or as we fell over as one judge did while we tried to perfect our Zoom abilities – there may be a clip of that floating around somewhere, too, thanks to Justice Doss).

And, we began new things . . . like our court Twitter feed. You can see how to follow it by going to our webpage or plugging into <https://twitter.com/7thCourtTexas>. Mr. Ramirez administers it. Tune in and keep up with what your Seventh Court of Appeals does.

“Just remember in the winter, far beneath the bitter snows, lies the seed, that with the sun’s love in the Spring becomes the rose.” Fall may be knocking, and it’s been a wild year. But, I feel the Spring and hear Miss Bette singing out the words of Amanda McBroom’s “The Rose.” The rose comes, as will synopses of our opinions and an anecdote from Mr. Doores.

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July 15, 2020

FOR IMMEDIATE RELEASE

Contact: Baillie Hearne
bhearne@txbf.org

**AMARILLO ATTORNEY
ANDREW R. EVANS SELECTED
AS A 2020-2021 NOMINATING CHAIR
BY TEXAS BAR FOUNDATION**



Mr. Andrew R. Evans with Sprouse Shrader Smith PLLC has been selected to serve as a 2020-2021 Texas Bar Foundation Nominating Chair for District 13. Nominating Chairs for each of the 17 State Bar of Texas districts identify elite nominees to join the Foundation as Fellows. Nominating Chairs of the Foundation are selected for their outstanding professional achievements and their demonstrated commitment to the Texas Bar Foundation. Selection is a mark of distinction and recognition of Mr. Evans' contributions to the legal profession.

Mr. Evans has over 20 years of legal experience. He regularly represents clients in estate, trust, and fiduciary litigation matters, including will contests, estate and trust administration issues, and officer and director liability. Mr. Evans also has extensive experience in business and commercial litigation, representing individuals and companies in matters involving breach of contract, tortious interference, loss of business opportunities, fraud, and purchase and sale of assets. He also has tried many cases involving personal injury, wrongful death, transportation, and real estate disputes.

Selection as a Fellow of the Texas Bar Foundation is restricted to members of the State Bar of Texas. Each year the top one-third of one percent of Texas attorneys are invited to become Fellows. Once nominees are selected, they must be elected by the Texas Bar Foundation Board of Trustees. Membership has grown from an initial 255 Charter Members in 1965 to more than 10,000 Fellows throughout Texas today. If you are a Fellow and have a recommendation for a new member, please contact your District Nominating Chair.

Founded by attorneys determined to assist the public and improve the profession of law, the Texas Bar Foundation has maintained its mission of using the financial contributions of its membership to enhance the rule of law and the system of justice in Texas. To date, the Texas Bar Foundation has distributed more than \$21 million throughout Texas to assist nonprofit organizations with a wide range of justice-related programs and services. More than \$1 million is projected to be distributed for grants this fiscal year. For more information, please visit www.txbf.org.

WHAT DOES THE STATE BAR DO FOR ME?

By James Wester, State Bar of Texas District 13 Director



James Wester

The State Bar of Texas offers many valuable services and benefits to its members. Below are a few of the member benefits available to you, but you can find a full list of the member benefits at texasbar.com/benefits. The State Bar continues to find opportunities to offer discounts and services to each of us as members.

Coronavirus Response Efforts—The State Bar of Texas is working to help ensure the administration of the legal system continues and that Texas lawyers have the tools and guidance they need to carry on their practices throughout the coronavirus pandemic. The State Bar is posting the latest updates online at texasbar.com/coronavirus, including emergency orders from Supreme Court of Texas and guidance from the Office of Court Administration. The State Bar is offering 5.5 hours of free CLE on the TexasBarCLE website, including two webcasts related to the coronavirus. The MCLE Department has instated automatic 60- or 90-day extensions to attorneys who reached compliance deadlines in March, April, May, June, and July. The department is continuing to evaluate extensions for future months as the pandemic continues. Also, the Texas Lawyers' Assistance Program professionals have created a webpage full of resources to assist the attorneys, law students, and families who may be isolated and struggling with a mental health issue or needing recovery support. You can review the resources at texasbar.com/tlaphelps/remotewell-being. Find more information and resources at texasbar.com/coronavirus.

Texas Bar Journal — The Texas Bar Journal is the voice and the official publication of the State Bar of Texas. Every month, except for a combined

July/August issue, the Texas Bar Journal publishes legal articles relevant to practicing attorneys, features on people and topics of interest, State Bar information, technology trends, and much more. With a circulation of more than 100,000 and content distributed digitally and via social media, the Texas Bar Journal reaches every attorney in Texas and provides them with the tools they need to be successful, from the complete archive of the magazine dating back to 1938 to up-to-date events, court orders, ethics opinions, and breaking news.

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Travel and Hotel Discounts—I am adding this information on travel and hotel discounts as we all look forward to these discounts becoming relevant again in the near future. Below are some examples, but please check out texasbar.com/benefits. You as a member can receive a 10% discount on travel through Vonlane, a luxury charter bus service with stops in Austin, Dallas, Fort Worth, Houston, San Antonio, and Oklahoma City (although not in the Texas Panhandle). Hotel discounts available to members may exceed 50%, and average 10-20% savings below market on hotels around the world. Discounts are also available on car rentals, including Alamo, Avis, Budget, Enterprise, Hertz, and National. In addition to travel and hotel discounts, other savings are available for UPS, Office Depot, Office Max, Geico, Schlitterbahn, Brooks Brothers, cyber and data breach prevention and insurance, etc.

If I can be of assistance, please feel free to contact me at James.Wester@uwlaw.com or 806-379-0354.



AAYLA UPDATE

By Richard Biggs

Looks like I picked the wrong year to quit sniffing glue. The Amarillo Area Young Lawyer’s Association is back from summer break and celebrated the occasion by committing what the appellate lawyers call “clear error” by installing me to represent the organization.

Previous presidents have used this space to advertise upcoming events and programs run by the Young Lawyers, but this year, I’ve got nothing. For example: our year typically starts by offering lawyers who are new to the area a tour of the local courthouses, including meetings with the judges (either in courtrooms or in chambers). Understandably, our plan to tour a crowd of folks who are new-to-town hasn’t received its usual enthusiastic response. Our Swearing-In Ceremony also may have to be rethought; the bar exam is supposed to be offered in September and October, and we’ll just wait

and see what happens.

Instead of wallowing in self-pity for the happy hours that we can’t have, I’m going to use the remaining space to focus on the positive developments for the AAYLA and its members. As an organization, AAYLA has been looking into seminars and other programs that can be given over videoconference, as we’re all becoming rapidly becoming proficient in Zoom audio-video production. More on that soon.

We’ve had some notable personal achievements as well. AAYLA’s matchmaking service has been particularly successful, with this year’s AAYLA vice president, Brittany Hinton (née Taylor) recently marrying Joe Hinton, also an AAYLA member. In more professional news, AAYLA’s Secretary, Alysia Córdova, snuck in a jury trial victory on the very last day before Texas courts were ordered closed, and is thus the reigning champion among Amarillo-area civil litigators until they reopen.

A German theologian once remarked that “even if I knew that tomorrow the world would go to pieces, I would still plant my apple tree.” I hope everyone can take this to heart; there could hardly be a more fitting time to plant the seeds for a better tomorrow.

SEARCH FOR WILL

On July 31, 2020, Jean Compton Reeves of Amarillo, Randall County, died. Her only surviving child is Robert Smith of Colorado Springs, Colorado. Robert has reason to believe that she was seeking to revise her will and is believed to have consulted with an Amarillo attorney. Robert is in possession of the 1998 Will executed in Kansas in connection with a trust. She was predeceased by her son, Richard L. Smith in 2006. Richard was an associate of Burdett, Morgan, Williamson & Boykin, LLP. If any member was working with her to update her Will, please call Art Lara’s office at 806-358-8773. Thank you for any assistance.

Art B. Lara, Jr.
Attorney at Law

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YOUNG LAWYER OF THE MONTH: KURT TAYLOR



Kurt Taylor

Kurt Taylor is an Associate with Brown & Fortunato's Litigation Group where he practices healthcare litigation and commercial litigation.

Kurt was born and raised in a small town in rural Missouri. He attended Webster University in St. Louis where he earned degrees in Psychology and Legal Studies. Kurt graduated magna cum laude from Webster in

2016 with high departmental honors and then moved to Atlanta, Georgia to attend Emory University School of Law. At Emory, Kurt was a Notes and Comments Editor for the Emory International Law Review, the same journal that his law review comment was published in. Kurt graduated from Emory in 2019 and joined Brown & Fortunato shortly after.

Kurt has a background in the arts and is a trained pianist. He enjoys performing as well as traveling and spending time with friends.



THOMSON REUTERS

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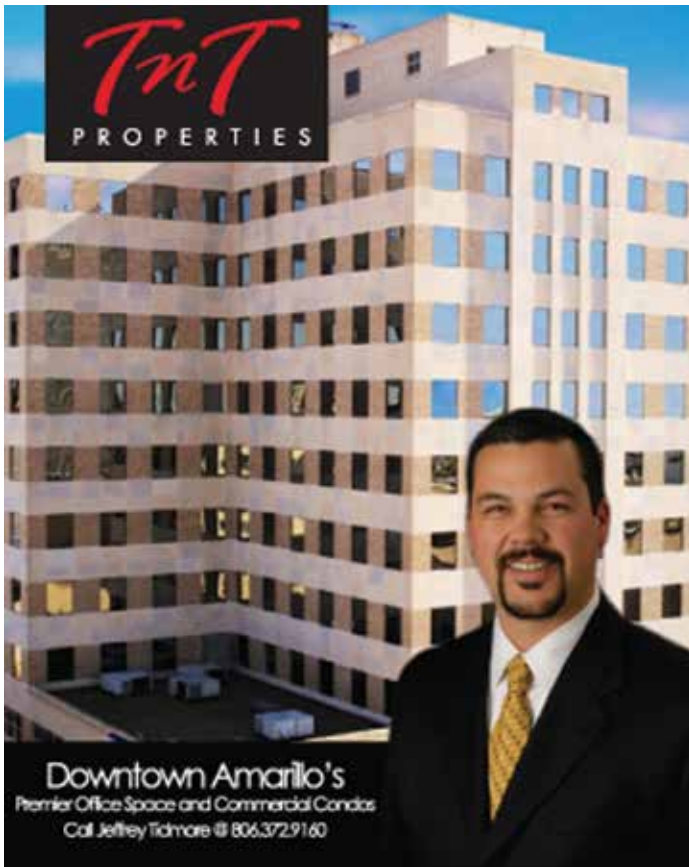


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The AABA Nominating Committee will present the following slate of officers and directors for election at the next virtual meeting on September 10, 2020, at noon:

**SLATE OF AABA OFFICERS AND DIRECTORS
2020-2021**

President	Jennie Knapp
President-Elect	Matt Sherwood
Vice-President	Liberty Lay
Sec/Treasurer	Thomas McMillian
Directors	Terms Expire 2021: John Headrick Blair Oscarsson Tyler Topper
	Terms Expire 2022: Diana Hathaway Sean Taylor Alex Yarbrough

Additional nominations may be made by submission of a petition to the Secretary/Treasurer at least 5 days prior to the election. Such petition shall be signed by 5 or more regular members of the AABA and shall designate the name and office of one or more regular members to be placed among the list of nominees.



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YOUR *BAR* EVENTS - SEPTEMBER 2020

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		1	2	3	4	5	
6	7	8	9	AABA Zoom 10	11	12	
13	14	15	16	17	Trust & Estates Virtual CLE Seminar	18	19
20	21	22	23	24	25	26	
27	28	29	30				