

AAYLA-LAW



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A PUBLICATION OF THE AMARILLO AREA BAR ASSOCIATION

MARCH SPEAKER: GEOFFREY S. CORN



Geoffrey S. Corn

Please join us at the Amarillo Club on March 9th for a presentation by Texas Tech School of Law Professor Geoffrey S. Corn on criminal accountability for international war criminals and Ukraine war crimes.

Professor Corn is the George R. Killam Jr. Chair of Criminal Law and Director of the Center for Military Law and Policy. He was previously at South Texas College of Law Houston where he was the Gary A. Kuiper Distinguished Professor of National Security.

Prior to joining the South Texas College of Law Houston faculty in 2005, Professor Corn served in the U.S. Army for 21 years as an officer, and a final year as a civilian legal advisor, retiring in the

rank of Lieutenant Colonel. Professor Corn's teaching and scholarship focuses on the law of armed conflict, national security law, criminal law and procedure, and prosecutorial ethics. He has appeared as an expert witness at the Military Commission in Guantanamo, the International Criminal Tribunal for the Former Yugoslavia, and in federal court.

He is co-author of Criminal Law: Classroom to Courtroom (forthcoming), The Law of Armed Conflict: An Operational Perspective, The Laws of War and the War on Terror, National Security Law and the Constitution, National Security Law and Policy: a Student Treatise, The Law in War: A Concise Overview, and Principles of Counter-Terrorism Law.

His Army career included service as the Army's senior law of war expert advisor, tactical intelligence officer in Panama; supervisory defense counsel for the Western United States; Chief of International Law for US Army Europe; Professor of International and National Security Law at the US Army Judge Advocate General's School; and Chief Prosecutor for the 101st Airborne Division. He earned his B.A. from Hartwick College in Oneonta, NY, his J.D. with highest honors from George Washington University, his LLM as the distinguished graduate from the U.S. Army Judge Advocate General's School. He is also a distinguished military graduate of U.S. Army Officer Candidate School, and a graduate of U.S. Army Command and General Staff Course.

“I challenge you to find someone to root for, someone you can boost by giving your time and attention.”

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“I encourage you to consider what would make the legal profession more fulfilling for you.”

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PRESIDENT'S PAGE

By: Liberty Lay

The odds are that many of you tuned in for at least part of Super Bowl LVII on February 12. More than 100 million people did. Even for someone like me, with only a passing interest in the NFL, the big game always has a certain appeal. And this year, it featured two good-guy quarterbacks in Patrick Mahomes and Jalen Hurts, not to mention Chris Stapleton singing the national anthem. Count me in.

Of course, we probably would have tuned in regardless of who was playing. My husband, a lifelong Cowboys fan, hasn't had a dog in the fight since 1996, but he wouldn't want to miss the Super Bowl. Just like we won't miss the NBA playoffs, even though it may be years before his beloved Spurs hoist the trophy as frequently as they did in the early aughts. In December, we joined some 1.5 billion-with-a-"b" other people to watch the World Cup, not because our own national team was on the pitch (though the day may come), but to see Lionel Messi and Kylian Mbappe battle it out for Argentina and France.

We like a good contest. We like to root for someone. Whether it's our alma mater, our child's Kids Inc. squad, or teams we don't even know, we are drawn to the action of the game, with a corresponding urge to cheer on the players.

I think that desire goes beyond the sports arena. In our day-to-day lives, we recognize a job well done, a valuable contribution, a nice assist. But we may suppress the urge to praise the one who provided it. (Some Eagles fans not only suppress praise, but actively boo the NFL's Man of the Year. Sheesh.)

This month, I challenge you to find someone to root for, someone you can boost by giving your time and attention. There are people on your team, at work or at home, who could use an encouraging word. Take a moment to let them know how much you appreciate them. We're all in this together. Let's take care of each other.

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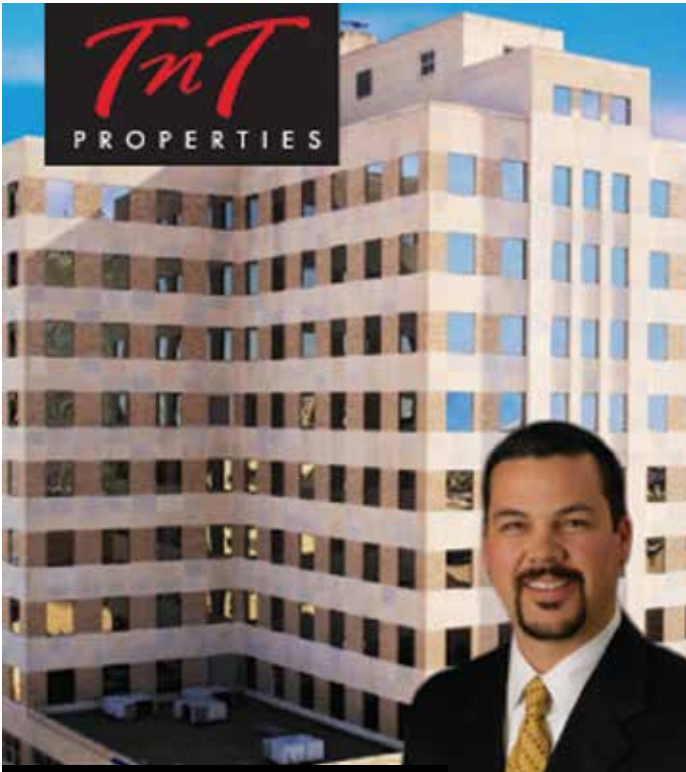
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7TH COURT OF APPEALS UPDATE

By Chief Justice Brian Quinn

I dropped my youngest off at the airport this morning. She needed to catch her pre-dawn Southwest flight back home. In driving away in the dark, my mind slipped into a memory of a conversation between me and Judge Ben Webb.

Having recently assumed the post of judge on County Court at Law # 3 in Lubbock, Ben awaited the start of his first jury trial as “the judge.” “The butterflies were churning,” he recounted, as “forty something people stared at me ready to get going.” He had his script in hand and called the case. Gaining confidence and comfort, his introductions began. After introducing himself, he asked if anyone knew him or had experiences with the court that might affect their ability to serve. A hand spouted up from the back of the gallery. Judge Webb straightened and strained to see if he recognized the woman who raised it. That led to inquiries about how she knew him. Responding, the venire member mentioned having accompanied her husband to an earlier proceeding before the court. Judge Webb was about to ask if that event affected her ability to serve as a juror. Before he could, she said: “After that experience, I lost all hope in the Lubbock legal system, especially County Court at Law Number Three.” At that point, my mind returned to having just left my daughter at the Southwest counter. What was that airline’s jingle? Oh, yeah, “I wanna get away.” And, needless to say, the women did not make the panel.

On another occasion, I didn’t let a judge get away. It was Les Hatch, this time. The Supreme Court assigned him to sit with us, and we had him work on a family law appeal. *Vermillion v. Vermillion*, No. 07-20-00111-CV, 2022 Tex. App. LEXIS 7337 (Tex. App.—Amarillo Sept. 30, 2022, no pet.) (mem. op.). As part of their divorce, wife sued husband for intentional infliction of emotional distress. Question arose as to whether that cause of action remained viable. Do you recall that the Supreme Court, in *Hoffmann-La Roche, Inc. v. Zeltwanger*, 144 S.W.3d 438 (Tex. 2004), labelled it a “gap-filler” and began limiting its viability to situations where other torts were unavailable? Well, it did. Husband argued that there were such other tort causes of action here, like

false imprisonment, assault, trespass, and intrusion on seclusion. Yet, we could not forget *Twyman v. Twyman*, 855 S.W.2d 619 (Tex. 1993), where, years earlier, the Supreme Court allowed the claim’s use in a divorce proceeding. Furthermore, *Hoffmann-La Roche* did not involve a divorce. Feeling bound by *Twyman*, we rejected husband’s argument and allowed wife to retain her \$250,000 judgment. So, while the day may come when *Hoffmann-La Roche* ultimately trumps *Twyman*, that day is not today, at least in the Seventh Court of Appeals.

Maybe Judge Webb didn’t wanna get away, but I hear the call of March and its song of Spring Break. Time to return to that Southwest counter. Hasta luego.

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AAYLA UPDATE

By Alysia Córdova



The Japanese word “ikigai” roughly translates to “the reason for being.” It is a concept about finding your true purpose in life, and thus happiness. According to the theory,

when “what you love,” “what you’re good at,” “what you can get paid for,” and “what the world needs” all intersect, you have your true purpose. Similarly, in his book “Man’s Search for Meaning,” Viktor Frankl opines that man can endure any amount of suffering if he has a “why.”

Although I only recently heard about this concept, when I reflected on my “ikigai,” I was pleased that I selected a career that enables me to check most of the boxes. Admittedly, I do question whether the world needs another civil litigator; Shakespeare certainly would not think so. How then could I achieve the optimum fulfillment in life? Enter AAYLA. As lawyers there are many ways that we can be what the world (or on a smaller scale, our Amarillo community) needs, and not just through our regular law practice. This year, I was honored to serve both AAYLA and the AABA; next year,

brings new opportunities to serve on community boards, to volunteer, and to provide more pro bono services. With that, and echoing the recent “attorney wellness” speakers we’ve brought for the monthly bar lunch, I encourage you to consider what would make the legal profession more fulfilling for you. There are numerous resources to aid in that, including the ones I have mentioned.

I also want to encourage you to join AAYLA in celebrating the upcoming Easter season. On April 7th, we will have our annual Easter Egg Hunt on the courthouse lawn and all members of the legal community and their families are welcome. Followed by our Annual Bunny Hop 5k on April 8th at 9:00 a.m. at Thompson Park. Registration is available through the Active.com website and the direct link is available on the AAYLA Facebook page. Give us a like and follow while you’re there! And although the basketball season isn’t looking to take us as far as I would like, Wreck ‘Em Tech! (At least we beat Texas!)

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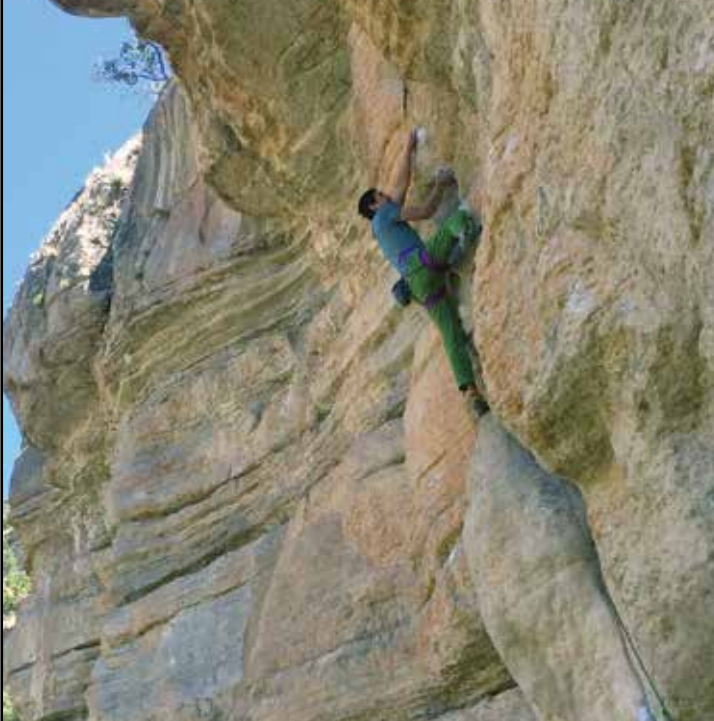
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YOUNG LAWYER OF THE MONTH: JORDAN VOGEL



Jordan Vogel

Jordan Vogel is originally from Canyon, Texas. He is well-conditioned to the Panhandle's heat, cold, constant wind, and occasional smell. He considers a day with fifteen mile per hour wind to be a perfect day for golf, as long as its warmer than fifty degrees, and he calls salad "rabbit food."

In an attempt to culture himself, Jordan attended Texas Tech University, where he was a student in the College of Agriculture. Jordan participated heavily in student leadership at Texas Tech, and he attended sporting events whenever he could. Jordan also attended enough class to earn a BS in Animal Science and minors in Agribusiness Management and Political Science.

Needing to escape the wind, Jordan attended the University of Colorado Boulder School of Law, where

he received his J.D. in 2019.

After graduating from law school, Jordan was admitted into the State Bar of Colorado and he started practicing land-use, construction, and commercial law for a small-firm in Breckenridge, Colorado.

Jordan recently moved back to Canyon, citing the lack of good Mexican food in Colorado, and his desire to be closer to family. He was admitted into the State Bar of Texas and accepted a job offer from Brown & Fortunato, P.C.

In his free time, Jordan likes to golf, spend time with family, travel, and learn about personal finance and cryptocurrency. He looks forward to warmer weather and lower interest rates.



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YOUR BAR EVENTS - MARCH 2023

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