

State Bar Board Meets in Galveston

On Jan. 25, the State Bar Board of Directors met in Galveston for its quarterly meeting. Among the meeting's highlights:

Candidates Approved—The board approved **Trey Apffel** of League City and **Larry W. Hicks** of El Paso as candidates for 2013–2014 president-elect of the State Bar of Texas. (See p. 177.) Voting begins on April 1 and ends at 5 p.m. April 30. **Cindy V. Tisdale** of Granbury was announced as the unopposed candidate for chair of the board of directors for 2013–2014. Tisdale has served on the board as the District 14 representative for the past two years and is an active member of the State Bar. The election for chair will be held at the April meeting.

Elections—New policy provisions regarding run-off elections for president-elect and directors were approved by the board. According to the rules, run-off elections include the two candidates receiving the greatest number of votes, and the dates of ballot distribution and length of voting time is determined by the board. They must cease campaign activities no later than 11:59 p.m. CDT on the day before run-off ballots are distributed. Run-off candidates will not receive additional brochures or campaign funds, according to the policy, and the candidate with the majority of votes is declared the winner. Candidates can begin campaigning on the day the State Bar publishes on its website that a run-off election will be held. For 2013, the board approved May 9 through May 23 at 5 p.m. for a run-off election.

Finance and Budget—The State Bar received an unqualified opinion, or “clean audit,” for its financial audit for FY 2012. The board approved for publication in the *Texas Bar Journal* the State Bar fiscal year 2013–2014 budget. (See p. 264.)

Sections—Four State Bar sections were granted permission to take a position and submit comments regarding rules adopted by the Texas Supreme Court. The Alternative Dispute Resolution Section opposes the Rule for Expedited Actions, which provides for a mandatory expedited-actions process for cases involving \$100,000 or less because the rule will prohibit mediation or other forms of alternative dispute resolution in such cases. The Litigation Section took a position opposing the mandatory requirement of the Rule for Expedited Actions, saying that it would deny parties full access to the civil justice system. The Family Law Section raised technical concerns about the Expedited Actions Rule because the rule may cause unintended consequences in a family law matter. In addition, the Family Law Section raised opposition to the pro divorce forms for couples with no minor children or real

property. The Military Law Section also took a position on the divorce forms, focusing specifically on the Waiver of Service for Military Members. The section believes the waiver is overly broad and unfair to service members.

Amicus Brief—The Board approved an Ad Hoc Submission Committee request to file an amicus brief in the case of *Trevino v. Thaler*, which deals with state post-conviction habeas corpus practices in Texas capital cases. The amicus brief does not take a position in support of either party, but it urges the U.S. Supreme Court to recognize the *Guidelines and Standards for Texas Capital Counsel*, adopted by the State Bar Board of Directors in 2006. The guidelines set out the duties of counsel in post-conviction direct appeal and post-conviction habeas corpus proceedings.

Legal Services to the Poor—The Legal Services to the Poor in Civil Matters Committee received board approval to create a Law Student Pro Bono College. Proposed requirements for admission into the college include enrollment in a Texas law school, good academic standing, and completion of at least 50 hours of pro bono work per year.

Client Security Fund—During this bar year, to date, the Client Security Fund Subcommittee has approved 61 of the 77 applications reviewed this year, providing \$396,536 in grants to individuals who have lost their money, property, or other things of value as a result of an attorney's conduct.

Resolutions—Galveston attorney **Michael J. Guarino** was honored with a resolution for his leadership and dedication to helping others, including his volunteer efforts at veterans' legal clinics sponsored by the Galveston County Bar Association. Guarino, who served as the criminal district attorney of Galveston County from 1983 to 2003, is also active in many civic and community organizations. Board members also approved a resolution honoring Kelley Jones King, who recently retired as the State Bar Deputy Executive Director after 29 years of service.

Employee of the Quarter—State Bar Executive Director Michelle Hunter presented the Employee of the Quarter Award to Alexandra Myers Swast, director of the State Bar Archives Department. Alexandra was hired in 2011 to direct the Archives Department and was designated the records management officer in 2012. In her two years at the State Bar, she has improved key service areas of archives, transforming it into an authoritative resource for documents and artifacts evidencing the history of the bar. Alexandra also serves as the staff liaison to the Texas Bar Historical Foundation and is an appointed member of the Supreme Court of Texas Court Records Preservation Task Force.