

THE UNIVERSITY OF TEXAS SCHOOL OF LAW
ADMINISTRATIVE AND PUBLIC LAW SECTION OF THE STATE BAR OF TEXAS

17TH ANNUAL
**ADVANCED TEXAS
ADMINISTRATIVE LAW SEMINAR**



September 1–2, 2022
AT&T Conference Center ■ Austin, Texas
📺 Live Webcast September 1–2

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Times listed are in Central Time

THURSDAY MORNING, SEP. 1, 2022

Presiding Officer:

Hon. Holly Vandrovec, State Office of
Administrative Hearings, Austin, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. .50 hr

Case Law Update: Part I

Examine significant administrative law cases issued during the last year.

Matthew Arth, Locke Lord LLP, Austin, TX
Carrie Collier-Brown, Locke Lord LLP, Austin, TX

9:00 a.m. .50 hr

Texas Public Information Act and Texas Open Meetings Act

Hear the latest legal developments and gain practice tips.

Brian O'Reilly, Locke Lord LLP, Austin, TX
Lori Fixley Winland, Ogletree Deakins, Oklahoma, OK

9:30 a.m. 15-Minute Break

9:45 a.m. .50 hr

The Roots of the APA and How They Grew

When the APA was passed in 1975, it rested upon well-established, fundamental principles and practices. Explore several of those principles and practices embedded in the APA with attention to how they have stood the test of time.

Sara J. Ferris, Office of the Attorney General,
Austin, TX
Linda B. Secord, Office of the Attorney General,
Austin, TX

10:15 a.m. .75 hr

SOAH Update

The State Office of Administrative Hearings has adopted an entirely new system for tracking and setting cases. Learn about our new docketing and case-assignment procedures, and how they will allow SOAH to provide high-quality hearings services to Texans.

Hon. Kristofer S. Monson, State Office of
Administrative Hearings, Austin, TX

11:00 a.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

Karen Watkins, Office of the Attorney
General, Austin, TX

LUNCHEON PRESENTATION

11:30 a.m. .50 hr

How Smart People Deal with Difficult People

In these polarizing times, we must rely on intelligence when interacting with difficult others. We'll discuss the science behind avoiding contempt, recognizing motive attribution asymmetry, and learning to coexist with disagreement so that we can behave ethically—even when we don't feel like it.

DeDe Church, DeDe Church & Associates, LLC,
Austin, TX

12:00 p.m. 15-Minute Break

12:15 p.m. .50 hr

Making and Responding to Objections at SOAH

This presentation discusses the role of objections at final merits hearings at SOAH or at trial. Learn how to play offense and defense, and how to preserve error.

Brad Anderson, Jackson Walker LLP, Austin, TX
Co-Author:
Susan Dillon Ayers, Jackson Walker LLP, Austin, TX

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12:45 p.m. 1.00 hr

**"I Can Still Work After I Get Out, Right?"
Licensed Professionals in Texas Before and After A Criminal Case**

Occ. Code Chapter 53 empowers state agencies to deny or revoke occupational licenses based on criminal history, but that power is limited in crucial ways. Explore how to advise criminal defendants about licensing consequences before they plea in a criminal case and explore the options available after a conviction or a deferred adjudication.

Joseph T. Marcee, Law Office of Joseph T. Marcee,
Georgetown, TX
Jon Eugene Porter Jr., McDonald, Mackay, Porter &
Weitz, LLP, Austin, TX
Trevor Theilen, Texas Department of Licensing and
Regulation, Austin, TX

1:45 p.m. 15-Minute Break

2:00 p.m. 1.00 hr

Judicial Panel

Engage in an unscripted round-robin discussion, with time for questions from the audience. Please submit your questions in advance to ConferenceQA@utcle.org.

Moderator:

Hon. Rachelle Nicolette Robles, State Office of
Administrative Hearings, Austin, TX

Panelists:

Hon. Jessica L. Mangrum, 200th Civil District Court,
Austin, TX
Hon. Edward Smith, Third Court of Appeals,
Austin, TX
Hon. Evan A. Young, Supreme Court of Texas,
Austin, TX

3:00 p.m. 1.00 hr ethics

**Ethics and the Agency Lawyer: Conflicts,
Fiduciary Duty, and Confidential Information**

A brief refresher and update on these ethical areas, including a discussion of typical scenarios faced by agency professionals.

Claude E. Ducloux, Attorney at Law, Austin, TX
Franklin Hopkins, Germer Beaman & Brown PLLC,
Austin, TX

4:00 p.m. Adjourn to Reception

NETWORKING RECEPTION

4:00 p.m. to 5:00 p.m.

Join us for drinks and hors d'oeuvres with program faculty and attendees.

FRIDAY MORNING, SEP. 2, 2022

Presiding Officer:

Janet Monteros, TX Health and Human Services Commission, El Paso, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. .50 hr

Case Law Update: Part II

Examine significant administrative law cases issued during the last year.

Matthew Arth, Locke Lord LLP, Austin, TX
Carrie Collier-Brown, Locke Lord LLP, Austin, TX

9:00 a.m. 1.00 hr

Readable Legal Writing

Creating readable legal writing requires several techniques: accessible format, clear organization, manageable sentences, and correct mechanics. This presentation addresses each of those briefly, offering current recommendations and best practices.

Wayne Schiess, The University of Texas School of Law, Austin, TX

10:00 a.m. 15-Minute Break

10:15 a.m. 1.00 hr

Tips and Strategies for Working with Expert Witnesses

Hear insight and gain practical tips on expert witness selection, preparation, and strategical concerns, as well as discovery and cross-examination. Explore the role of expert witnesses in pursuing enforcement actions, including a look at the developing technology in the post-COVID landscape.

Moderator:

Hon. Kristofer S. Monson, State Office of Administrative Hearings, Austin, TX

Panelists:

Antonio A. Cobos, Sharp & Cobos, Austin, TX
Norman J. Gordon, Attorney and Counselor at Law, El Paso, TX
Jessica Hurtado, Texas Department of Licensing & Regulation, Austin, TX

11:15 a.m. 1.00 hr | .50 hr ethics

Privacy and Security Roundtable

Join Information Technology and Risk Management experts to discuss risks, strategies and ethics in today's legal environment.

Moderator:

Adrian P. Senyszyn, Germer PLLC, San Antonio, TX

Panelists:

Cathy Bryant, Texas Medical Liability Trust, Austin, TX
Ray Mitchell, Sigma Information Group, Inc, Austin, TX
Paul Norwood, Sigma Information Group, Inc, Austin, TX

12:15 p.m. Pick Up Lunch

Included in registration.

FRIDAY AFTERNOON

Presiding Officer:

Franklin Hopkins, Germer Beaman & Brown PLLC, Austin, TX

LUNCHEON PRESENTATION

12:45 p.m. .50 hr

Agency Spotlight: Texas Department of Public Safety

Exploring the various regulatory programs within the Department of Public Safety.

Valerina Walters, Texas Department of Public Safety, Austin, TX

1:15 p.m. 15-Minute Break

1:30 p.m. .75 hr ethics

Board of Disciplinary Appeals

An overview of BODA and provide attorneys with suggestions on how to avoid grievances.

Michael C. Gross, Gross & Esparza, P.L.L.C., San Antonio, TX

2:15 p.m. 1.00 hr ethics

Ethics as an Elected Official and an Attorney

Two practitioners, from different types of practice, but with the same ultimate message, talk about how to technically do what's right and how and why to just do right.

Anne Temple Peters, Texas Ethics Commission, Austin, TX
Kirk Watson, Austin, TX

3:15 p.m. Adjourn



UT Law CLE is committed to helping attorneys meet their annual Texas MCLE requirements. Following the event, customers will receive a free, on-demand eSupplement that will bring their total available hours to 15.00, including 3.00 hours of ethics.

UT Law CLE is committed to Practice Excellence.

We are here to support our community while we navigate the coronavirus pandemic together. Information and updates regarding our in-person conferences and live webcasts will be posted at www.utcle.org.

In addition, we continue to offer multiple educational opportunities online—both live and on-demand—by bringing practitioners together virtually. We are fortunate to serve so many of you who strive for excellence in the practice of law.



M C L E

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 12.00 hours, of which 3.25 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#169).

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*Planning Committee member

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Mail:

The University of Texas
School of Law
ATTN: CLE
PO Box 7759
Austin, TX 78713-7759

Fax:

512.475.6876

Questions? 512.475.6700

If you have dietary requirements or would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or service@utcle.org at least 10 days prior to the conference.

REGISTRATION BENEFITS

Comprehensive Course Materials: Access course materials in "Your Briefcase" approximately 48 hours before the live event, and enjoy unlimited access to the final, complete course materials – downloadable PDFs of papers and slides.

Accredited eConference: Complimentary access to the eConference – with papers, slides, and video – accredited for one year in both TX and CA are available in "Your Briefcase" 4–6 weeks after the event.

TX MCLE Credit Reporting: UT Law CLE can report credit on your behalf directly to the State Bar of Texas. Track the Texas MCLE credit reported on your behalf at "Your Account" after you've logged in at www.utcle.org.

TROUBLE LOGGING IN?

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Still Need Assistance? Contact customer service at 512.475.6700 or service@utcle.org during business hours.

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AL22

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Includes Electronic Course Binder Download (PDF) in "Your Briefcase." Special group registration rates available. Call 512.475.6700.

Please select location type:

- Live, In-Person Event Registration
 Live Webcast Registration

Please select registration type:

- Individual Registration \$545 | \$595 after August 24
 Government Attorney Registration \$275 | \$325 after August 24
 Administrative Public Law Section Member – Individual \$520 | \$570 after August 24
 Administrative Public Law Section Member – Government Attorney \$250 | \$300 after August 24

Printed and Shipped Binder with Registration (Shipping Included) – Available for order through Friday, September 2, 2022

Please note that the printed binder will arrive 2–3 weeks after the scheduled webcast. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

- Printed and Shipped Course Binder \$70.36 (\$65*)

Webcast Add-on

Register for the in-person conference and add on the webcast format for attendance flexibility.

- Webcast Add-on \$75

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- Individual eConference \$595

Post-Course Binder – For Research and Self-Study

Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

- Electronic Post-Course Download (PDF) \$265.21 (\$245*)
 Printed Post-Course Binder \$319.34 (\$295*)

TOTAL POST-CONFERENCE PRODUCTS \$ _____

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- Check (make check payable to The University of Texas at Austin)
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AUSTIN

September 1-2, 2022

CONFERENCE LOCATION



AT&T Conference Center

The University of Texas at Austin

1900 University Avenue

Austin, TX 78705

877.744.8822 (reservations)

Parking:

Please visit www.utcle.org/conferences/AL22
 for daily and overnight rates

KEY DATES

August 24, 2022

Last day for early registration rates

August 26, 2022

Last day for full refund cancellation

August 29, 2022

Last day for partial refund cancellation

\$50 processing fee applied

September 1, 2022 8:20 a.m., CT

Seminar begins

September 2, 2022

*Last day to order a printed and shipped course binder
 with in-person or webcast conference registration.*

REASONS TO ATTEND

The **Advanced Texas Administrative Law Seminar** brings together members of the judiciary, regulatory, and academic communities to engage with practitioners about the latest legislative and case law updates, rule changes, and other timely topics. 2022 highlights include:

- Updates on significant administrative law cases and legislative activity during the last year, Texas Open Meetings Act, and new changes at SOAH.
- Tips and strategies on improving your legal writing, working with expert witnesses, managing information technology risks, and dealing with difficult people.
- The always popular unscripted round-robin discussion during the *Judicial Panel*, including a Q&A for attendees.
- 3.25 hours of ethics, including presentations on *Ethics and the Agency Lawyer: Conflicts, Fiduciary Duty, and Confidential Information, Board of Disciplinary Appeals, and Ethics as an Elected Official and an Attorney.*
- Multiple networking opportunities with program faculty and fellow practitioners, including the Thursday Evening Networking Reception.

Following the seminar, attendees will receive a free, on-demand eSupplement containing additional programming, ensuring attendees can earn their required 15.00/3.00 Texas MCLE hours for the year.