UT Law CLE logo

19th Annual Advanced Texas Administrative Law Seminar
September 17-18, 2024 • AT&T Conference Center • Austin, TX
September 17-18, 2024 • Live Webcast

Tuesday Morning, Sep. 17, 2024

Presiding Officer:
Karen L. Watkins, Office of the Attorney General - Austin, TX

7:30 am In Austin Only	**Registration Opens** Includes continental breakfast.
8:20 am	**Welcoming Remarks**
8:30 am 0.50 hr	**Case Law Update: Part I** Examine significant administrative law cases issued during the last year. Karen L. Watkins, Office of the Attorney General - Austin, TX
9:00 am 0.50 hr	**Judicial Review** A view from the bench. Hon. Laurie Rayson Eiserloh, 455th District Court - Austin, TX
9:30 am	**15-Minute Break**
9:45 am 0.75 hr 0.25 hr ethics	**Guide to Representing Impaired Professionals** A discussion of representing impaired professionals, including the prevalence of substance abuse/mental health struggles in professional practice, nuances of representing impaired professionals, and resources for helping impaired professionals. The panelists discuss working with impaired nurses from the defense attorney's perspective and the perspective of the peer assistance program. Moderator: Darrin Dest, Lype, Dest & Smith, PLLC - Austin, TX Panelists: Brittney Majefski, Texas Nurses Foundation - Austin, TX Betty Smith, Lype, Dest & Smith, PLLC - Austin, TX
10:30 am 1.00 hr	**Hearsay and Evidence at SOAH** Addressing and mastering common evidentiary issues in contested case hearings. Craig R. Bennett, Jackson Walker LLP - Austin, TX
11:30 am In Austin Only	**Pick Up Lunch (in Austin)** Included in registration.

Tuesday Afternoon, Sep. 17, 2024

Presiding Officer:
Kristen L. Worman, Texas Department of Criminal Justice - Austin, TX

LUNCHEON PRESENTATION

12:00 pm 0.50 hr	**Secretary of State: Helping Agencies Achieve Transparency for Texas** Learn about the procedures for submitting agency rules and open meetings notices to the Secretary of State and review common questions regarding these processes. Adam Bitter, Office of the Secretary of State - Austin, TX
12:30 pm	**15-Minute Break**
12:45 pm 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 regarding substantive administrative law issues to ConferenceQA@utcle.org**. Moderator: H. Carl Myers, Office of the Attorney General - Austin, TX Panelists: Hon. Jeff Boyd, The Supreme Court of Texas - Austin, TX Hon. James "Jimmy" Blacklock, The Supreme Court of Texas - Austin, TX Hon. J. Brett Busby, The Supreme Court of Texas - Austin, TX Hon. Evan A. Young, The Supreme Court of Texas - Austin, TX
1:45 pm 0.50 hr 0.25 hr ethics	**How to Get it Right: Agendas, Closed Sessions, and Remote Meetings** Go beyond the basics and focus on the often-overlooked aspects the Open Meetings Act. Learn how to avoid common pitfalls and enhance your agendas, closed sessions, and remote meetings. Rosalind L. Hunt, Office of the Attorney General - Austin, TX
2:15 pm	**15-Minute Break**
2:30 pm 0.75 hr 0.25 hr ethics	**35 Years with Chief Justice Nathan L. Hecht** A view from The Supreme Court of Texas. Hon. Nathan L. Hecht, The Supreme Court of Texas - Austin, TX
3:15 pm 0.75 hr	**Parallel Investigations: Regulatory and Enforcement (DOJ)** What to consider when caught in the crosshairs of both regulatory and enforcement agency investigations. How to discern the aims and objectives underlying the investigations, balance competing pressures of a criminal or regulatory exposure, and evaluate when (or when not) to disclose information to investigative bodies. Ashlee Martin, Gerger Hennessy & Martin LLP - Houston, TX
4:00 pm 0.75 hr	**History of the Third Court of Appeals** With administrative law jurisdiction moving to the Fifteenth Court of Appeals, it is the end of an era for the Third Court of Appeals. Two retired Chief Justices who led the Third Court of Appeals provide a

	retrospective discussion of landmark administrative law cases, and their thoughts on the future of administrative law practice. Moderator: Laurie Ratliff, Laurie Ratliff LLC - Austin, TX Panelists: Hon. Marilyn Aboussie, Chief Justice (Retired), Third Court of Appeals - San Angelo, TX Hon. James Lee Carroll, Chief Justice (Retired), Third Court of Appeals - Temple, TX
4:45 pm	**Adjourn**
In Austin Only	**Networking Reception (in Austin from 4:45 p.m. – 5:45 p.m.)** Join us for drinks and hors d'oeuvres with program faculty and attendees.

Wednesday Morning, Sep. 18, 2024

Presiding Officer:
Franklin Hopkins, Germer Beaman & Brown PLLC - Austin, TX

7:30 am In Austin Only	**Conference Room Opens** Includes continental breakfast.
8:30 am 0.50 hr	**Case Law Update: Part II** Examine significant administrative law cases issued during the last year. Karen L. Watkins, Office of the Attorney General - Austin, TX
9:00 am 1.00 hr	**Agency Hearing Processes** Summaries of bringing and presenting cases before the Public Utility Commission of Texas, the Railroad Commission of Texas, and the State Office of Administrative Hearings. Review filing and providing notice, conducting discovery, and a breakdown of the formal hearing process and appeals. Hon. Hunter Burkhalter, Public Utility Commission of Texas - Austin, TX William "Bill" Hayenga II, McElroy, Sullivan, Miller & Weber, LLP - Austin, TX Johnathan Stone, Office of the Attorney General - Austin, TX
10:00 am	**15-Minute Break**
10:15 am 1.00 hr ethics	**ChatGPT Ethics** Topic description generated by ChatGPT: Using ChatGPT for legal purposes promises efficient information processing, yet raises ethical concerns including client confidentiality and the risk of providing inaccurate advice. It is paramount that attorneys ensure adequate supervision, maintain professional discretion, and stay vigilant about the tool's limitations to uphold their ethical obligations. Henson Adams, Haynes Boone, LLP - San Antonio, TX Adam Sencenbaugh, Haynes Boone, LLP - Austin, TX
11:15 am 0.50 hr	**Recent Changes and Updates to the Public Information Act** An overview of the recent changes to the Public Information Act during the 88th Legislative Session and their practical application. Also, a look at any recent court cases and rule changes that affect the Public Information Act.

	Tamara Smith, Office of the Attorney General - Austin, TX
11:45 am In Austin Only	**Pick Up Lunch (in Austin)** Included in registration.

Wednesday Afternoon, Sep. 18, 2024

Presiding Officer:
Sara J. Ferris, Office of the Attorney General - Austin, TX

LUNCHEON PRESENTATION

12:15 pm 0.75 hr 0.25 hr ethics	**Your Hearing/Deposition Will Be "Remote" But You Can't Be "Distant"** Sue Ayers remembers using a mimeograph machine to copy final exams for her high school students. She got her first email address in law school. She cried when her family made her give up her Blackberry. If she can take a virtual deposition, or participate in a two week contested hearing at SOAH remotely, so can you! Susan Dillon Ayers, Hutcheson | Bowers LLLP - Austin, TX
1:00 pm	**15-Minute Break**
1:15 pm 0.50 hr	**The New Fifteenth Court of Appeals** Focus on the new Fifteenth Court of Appeals: the legislation, what we know, and where we go from here. Kellie E. Billings-Ray, Office of the Attorney General - Austin, TX
1:45 pm 0.50 hr	**Readable Legal Writing** Cover 10 writing techniques legal writers can implement to make their writing more concise, easier to skim, and more pleasing to readers. Each tip comes with a short "how to" recommendation for implementing the technique in your own writing. Wayne Schiess, The University of Texas School of Law - Austin, TX
2:15 pm 1.00 hr	**Agency Deference, Federal and Texas Developments** SCOTUS recently overruled the *Chevron* doctrine, under which federal agencies' interpretations of ambiguous federal laws within their areas of expertise were granted deference. What is—or was—the *Chevron* doctrine, how did it come to be, and how will its being overruled affect agencies in their implementation of their enabling acts? Does Texas have its own state-law *Chevron*-like doctrine, and if so, how does it differ from *Chevron*? What is the current and future role of Texas agencies in the interpretation and implementation of Texas law? Hon. Kristofer S. Monson, State Office of Administrative Hearings - Austin, TX David F. Brown, Ewell, Brown, Blanke & Knight LLP - Austin, TX Linda B. Secord, Austin, TX
3:15 pm	**Adjourn**