

2003 Conference on State and Federal Appeals
June 5-6, 2003 • Four Seasons Hotel • Austin, TX
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Thursday Morning, June 5, 2003

8:50 am In Austin Only 1.00 hr	Frap Amendments and Traps in the Fraps
9:00 am In Austin Only 1.00 hr	Appellate Procedure Update
9:00 am In Austin Only 0.42 hr	Appellate Procedure Update A review of the new TRAP amendments, conflicts jurisdiction after Schein, and other recent developments in Texas appellate procedure. Stephen G. Tipps, Baker Botts - Houston, TX
9:00 am In Austin Only 1.00 hr	Sponsored Friday Optional Lunch with Judiciary
9:15 am In Austin Only 1.00 hr	U.S. Supreme Court Update
9:25 am In Austin Only 1.00 hr	Court of Appeals Panel
9:25 am In Austin Only 1.00 hr	Court of Appeals Panel Appellate court justices discuss the effect of the new TRAP amendments and budget cuts on the appellate courts. Topic will focus on the use of the new procedure for memorandum opinions. William Guy Arnot III, Eleventh Court Of Appeals - Eastland, TX Scott A. Brister, Supreme Court Of Texas - Austin, TX Susan J. Larsen, Susan Larsen, Attorney at Law - Austin, TX Daryl L. Moore, Houston, TX Jan Patterson, 3rd Court Of Appeals - Austin, TX
9:45 am In Austin Only 1.00 hr	Fifth Circuit Update

10:30 am In Austin Only 1.00 hr	Short Update Topics on Federal Issues
10:40 am In Austin Only 1.00 hr	Preservation Strategies
10:40 am In Austin Only 0.42 hr	Preservation Strategies An examination of the rules for preserving appellate complaints with an emphasis on practicalities and strategies for preserving error. Reagan W. Simpson, King & Spalding LLP - Houston, TX
11:05 am In Austin Only 1.00 hr	Charge Update
11:05 am In Austin Only 0.32 hr	Charge Update The court's charge after Casteel and Harris County vs. Smith: Back to the future? Jo Ann Storey, Joann Storey, P.C. - Houston, TX
11:25 am In Austin Only 1.00 hr	Short Update Topics on State Issues
11:25 am In Austin Only 0.75 hr	Short Update Topics on State Issues Topics covered: Supersedeas Update Understanding Deemed Findings Hot Topics in Courts of Appeals Elaine Carlson, South Texas College Of Law - Houston, TX Stacy R. Obenhaus, Gardere Wynne Sewell - Dallas, TX Timothy Patton, San Antonio, TX
11:35 am In Austin Only 1.00 hr	Legislative Update

Thursday Afternoon, June 5, 2003

1:15 pm In Austin Only 1.00 hr	Supreme Court Panel
1:30 pm In Austin Only 1.00 hr	Avoiding Sanctions on Appeal

1:30 pm In Austin Only 0.50 hr	Avoiding Sanctions on Appeal As if life does not have enough problems, we now worry about sanctions on appeal. This review of the law on appellate sanctions will be geared toward assuring the listeners are never faced with sanctions. Alice Oliver-Parrott, Burrow & Parrott LLP - Houston, TX
2:00 pm In Austin Only 0.50 hr	Ethical Issues in Appellate Practice A discussion of current ethics issues that arise in appellate practice. William David Underwood, Mercer University - Macon, GA
2:00 pm In Austin Only 1.00 hr	Ethical Issues in Appellate Practice
2:15 pm In Austin Only 1.00 hr	The Worst Supreme Court Argument in History
2:30 pm In Austin Only 0.50 hr	Supreme Court Update A justice of the Texas Supreme Court reviews recent decisions from that court. Nathan L. Hecht, Supreme Court Of Texas - Austin, TX
2:30 pm In Austin Only 1.00 hr	Supreme Court Update
3:05 pm In Austin Only 1.00 hr	Legal Research Implications of the Trap Amendments
3:15 pm In Austin Only 1.00 hr	Damages Issues on Appeal Actual Damages Statutory Caps and Gaps in the Caps Constitutional Challenges Remittitur Elizabeth G. Bloch, Brown McCarroll - Austin, TX Warren W. Harris, Bracewell & Giuliani - Houston, TX Scott Rothenberg, Law Offices Of Scott Rothenberg - Bellaire, TX Jane M. N. Webre, Scott Douglass Luton Et Al - Austin, TX
3:15 pm In Austin Only 1.00 hr	Damages Issues on Appeal
3:25 pm In Austin Only 1.00 hr	Appellate Briefs: The Strategy of Argument Structure
4:15 pm In Austin Only 1.00 hr	Thinking 'Bout the Government: Recent Appellate Cases Involving Government Entities

4:15 pm In Austin Only 0.50 hr	<p>Thinking 'bout the Government: Recent Appellate Cases Involving Government Entities</p> <p>During its last two terms, the Texas Supreme Court has decided numerous cases, in a variety of settings, interpreting when and how government entities can be sued. No matter which side you represent, analyzing these cases will help keep you off the pavement.</p> <p>Philip Durst, Deats Durst Owen & Levy, P.L.L.C. - Austin, TX</p>
4:45 pm In Austin Only 0.67 hr	<p>Who's Driving the Bus and Where Is It Going?</p> <p>A frank and animated discussion of appellate trends and Supreme Court practice by two former justices of the Texas Supreme Court.</p> <p>James A. Baker, Hughes & Luce - Dallas, TX Pamela Stanton Baron, Austin, TX Deborah G. Hankinson, Law Offices Of Deborah Hankinson PC - Dallas, TX</p>
4:45 pm In Austin Only 1.00 hr	<p>Who's Driving the Bus and Where is it Going?</p>

Friday Morning, June 6, 2003

8:50 am In Austin Only 0.42 hr	<p>FRAP Amendments and TRAPS in the FRAPs</p> <p>Your mastery of the TRAPS may be of little use when your appeal is under the FRAPs. Learn about the perils and pitfalls of federal practice.</p> <p>Jeffrey S. Levinger, Carrington Coleman Sloman & Blumenthal L - Dallas, TX</p>
9:15 am In Austin Only 0.50 hr	<p>U.S. Supreme Court Update</p> <p>Affirmative action, free speech, civil procedure, and more. All the latest developments from the U.S. Supreme Court, with special attention to the ones that impact appellate practice in Texas.</p> <p>David Michael Gunn, Beck, Redden & Secrest LLP - Houston, TX</p>
9:45 am In Austin Only 0.50 hr	<p>Fifth Circuit Update</p> <p>A summary of significant developments and trends of the past year.</p> <p>David S. Coale, Carrington Coleman Sloman & Blumenthal L - Dallas, TX</p>
10:30 am In Austin Only 1.07 hrs	<p>Short Update Topics on Federal Issues</p> <p>Topics covered: Federal Maximum Recovery Rule and Its Implications Supervening Decision Doctrine A Decade of Daubert Federal Stay and Supersedeas Issues</p> <p>Dana Livingston Cobb, Alexander Dubose Jones & Townsend LLP - Austin, TX Clinard J. Hanby, The Woodlands, TX Lori Renee Ploeger, Cooley Godward LLP - Palo Alto, CA Russell Stanley Post, Beck Redden & Secrest - Houston, TX</p>

11:35 am
In Austin Only
0.42 hr

Legislative Update

The latest on rules, amendments and actions taken by the 78th Legislature that may affect your practice.

Deborah Johnson Race, Ireland Carroll & Kelley - Tyler, TX

Friday Afternoon, June 6, 2003

1:15 pm
In Austin Only
1.00 hr

Supreme Court Panel

A panel of Supreme Court justices answers frequently asked questions about practices before the court.

Nina Cortell, Haynes & Boone - Dallas, TX
Harriet O'Neill, Supreme Court Of Texas - Austin, TX
Thomas R. Phillips, Baker Botts LLP - Austin, TX
Michael H. Schneider, United States District Judge - Tyler, TX
Hon. J. Dale Wainwright, The Supreme Court Of Texas - Austin, TX

2:15 pm
In Austin Only
0.57 hr

The Worst Supreme Court Argument in History

Let David Holman and David Keltner show you how not to win friends and influence justices at argument.

James A. Baker, Hughes & Luce - Dallas, TX
William J. Boyce, Fulbright & Jaworski, LLP - Houston, TX
David W. Holman, The Holman Law Firm, PC - Houston, TX
J. Woodfin Jones, Alexander Dubose Jones & Townsend - Austin, TX
David E. Keltner, The Keltner Law Firm - Fort Worth, TX
Harriet O'Neill, Supreme Court Of Texas - Austin, TX

3:05 pm
In Austin Only
0.32 hr

Legal Research Implications of the TRAP Amendments

Where to find unpublished opinions and how to cite to them properly.

Tracy L. McGaugh, South Texas College of Law - Houston, TX

3:25 pm
In Austin Only
0.75 hr

Appellate Briefs: The Strategy of Argument Structure

A survey of appellate briefs with a focus on ways practitioners structure an argument to make it more persuasive.

Robert B. Dubose, Alexander Dubose Jones & Townsend LLP - Houston, TX
Robert M. Roach Jr., Cook & Roach - Houston, TX