

2004 Conference on State and Federal Appeals

June 3-4, 2004 • Four Seasons Hotel • Austin, TX

Thursday Morning, June 3, 2004

Presiding Officer:

Nina Cortell, Haynes & Boone - Dallas, TX

9:00 am 0.50 hr	Texas Supreme Court Update Texas Supreme Court Justice Priscilla R. Owen reviews recent decisions from that court. Priscilla R. Owen, Austin, TX
9:30 am 0.50 hr	Tripping on the TRAPs In the six-plus years since the “new” Texas Rules of Appellate Procedure went into effect, appellate judges and practitioners have identified a number of issues that have yet to be resolved by amendment or judicial interpretation. The smartest way to avoid tripping over these TRAPs is to make sure you know they exist. Scott Rothenberg, Law Offices Of Scott Rothenberg - Bellaire, TX
10:00 am 0.50 hr	U.S. Supreme Court Update An overview of this term’s decisions, including headline makers and cases that may change the way you practice. Lisa R. Eskow, Weil Gotshal & Manges - Austin, TX
10:45 am 0.50 hr	Texas Procedure Update Recent developments in the Texas Rules of Civil Procedure and the case law interpreting them. Alexandra W. Albright, Univerisity Of Texas Law School - Austin, TX
11:15 am 1.00 hr	Court of Appeals Panel Appellate judges from across the state discuss their perspectives on advocacy, appellate practice, and the art and science of judicial decision-making. Hon. Jane Nenninger Bland, Justice 1st Court Of Appeals - Houston, TX William J. Boyce, Fulbright & Jaworski, LLP - Houston, TX John Hill Cayce Jr., Fort Worth, TX Susan J. Larsen, Susan Larsen, Attorney at Law - Austin, TX Hon. Robert Pemberton, 3rd Court of Appeals - Austin, TX

Thursday Afternoon, June 3, 2004

Presiding Officer:

David Michael Gunn, Beck, Redden & Secrest LLP - Houston, TX

1:30 pm 0.67 hr	Offers of Settlement and Supersedeas Elaine Carlson, South Texas College Of Law - Houston, TX Kimberly Robinson Phillips, Gardere Wynne Sewell LLP - Houston, TX
2:10 pm 0.32 hr	Interlocutory Appeals An update, including venue appeals and Supreme Court jurisdiction. Frank Gilstrap, Hill Gilstrap PC - Arlington, TX
2:30 pm 0.75 hr	Where Will the Big Cases Come from after House Bill 4? A panel of practitioners discusses hot spots in litigation in light of the recent HB4 legislation. Robert E. Goodfriend, McKool Smith - Dallas, TX Deborah G. Hankinson, Law Offices Of Deborah Hankinson PC - Dallas, TX Brent Marcus Rosenthal, Dallas, TX
3:30 pm 0.75 hr	Former Appellate Advocacy Fifth Circuit Judge Robert Parker offers observations and insights into practice before the Fifth Circuit. Robert M. Parker, Parker, Bunt & Ainsworth, P.C. - Tyler, TX Deborah Johnson Race, Ireland Carroll & Kelley - Tyler, TX
4:15 pm 1.00 hr	Panel Discussion: Arguing Like an Advocate, Thinking Like a Judge A panel of experienced appellate practitioners discusses how to develop a successful strategy for appellate persuasion, particularly when the court is not inclined to go your way. Douglas W. Alexander, Alexander Dubose Jones & Townsend LLP - Austin, TX Nina Cortell, Haynes & Boone - Dallas, TX Michael A. Hatchell, Locke Liddell & Sapp LLP - Austin, TX P. Michael Jung, Strasburger & Price LLP - Dallas, TX William C. Powers Jr, University of Texas at Austin - Campus Mail, G3400

Friday Morning, June 4, 2004

Presiding Officer:

Pamela Stanton Baron, Austin, TX

8:30 am 0.25 hr	What's New at the Supreme Court Clerk's Office Clerk's office pet peeves and solutions — what you can do for us and why you would care to. Clarence Andrew Weber, Kelly Hart & Hallman LLP - Austin, TX
8:45 am 0.50 hr	Fifth Circuit Update A summary of significant developments and trends of the past year. Gwendolyn Johnson Samora, Vinson & Elkins LLP - Houston, TX

9:15 am 0.32 hr	Formation of the Judgment and Calculation of Interest Learn how to form the best judgment for your client, including how to calculate settlement credits and pre-judgment and post-judgment interest. Anne McGowan Johnson, Haynes And Boone - Dallas, TX
9:35 am 0.32 hr	Mandamus & Interlocutory Appeals in Federal Court The latest developments on federal interlocutory appeals and mandamus, including a guide to seeking appellate review before final judgment. Dana Livingston Cobb, Alexander Dubose Jones & Townsend LLP - Austin, TX
10:10 am 0.50 hr	Class Actions: Developments at the State and Federal Level An update of significant developments in class action law. Ray Donley, Scott Douglass Et Al - Austin, TX
10:40 am 0.32 hr	MDL Comes to Texas One of the unheralded provisions of House Bill 4 was the creation of a multidistrict litigation procedure for Texas. Texas MDL has arrived, and the differences from the federal model are already apparent. Stephen G. Tipps, Baker Botts - Houston, TX
11:00 am 0.67 hr	Broad-Form Submission Richard P. Hogan Jr., Pillsbury Winthrop Shaw Pittman LLP - Houston, TX Russell Stanley Post, Beck Redden & Secrest - Houston, TX
11:40 am 0.32 hr	Review of Damages for Excessiveness Macey Reasoner Stokes, Baker Botts LLP - Houston, TX

Friday Afternoon, June 4, 2004

Presiding Officer:

Marcy Hogan Greer, Fulbright & Jaworski LLP - Austin, TX

1:15 pm 1.00 hr	Supreme Court Panel A panel of Supreme Court justices will answer frequently asked questions about practice before the court. Scott A. Brister, Supreme Court Of Texas - Austin, TX David Michael Gunn, Beck, Redden & Secrest LLP - Houston, TX Wallace B. Jefferson, The Supreme Court Of Texas - Austin, TX Harriet O'Neill, Supreme Court Of Texas - Austin, TX Thomas R. Phillips, Baker Botts LLP - Austin, TX
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2:15 pm 0.00 hr 0.33 hr ethics	The Attorney Discipline System There's a new attorney discipline system in town. Learn the significant procedural changes to the processing, investigation, and litigation of grievance matters. Linda A. Acevedo, State Bar Of Texas - Austin, TX
2:35 pm 0.00 hr 0.67 hr ethics	Breach of Ethical Duty as Malpractice Clark Richards, Hilgers Bell & Richards LLP - Austin, TX
3:15 pm 0.75 hr	What Jalapeño Hal Can Teach Appellate Practitioners about Brief Writing: Using Techniques from Children's Books to Make Your Brief More Interesting and More Persuasive Justice Wanda Fowler and children's author Jo Harper offer insights and examples of writing techniques to give your briefs more punch. Wanda McKee Fowler, 14th Court Of Appeals - Houston, TX Jo Harper, Houston, TX