

36TH ANNUAL CONFERENCE ON STATE AND FEDERAL APPEALS



June 11–12, 2026

The Otis Hotel Austin ■ Austin, Texas

 **Live Webcast June 11–12**

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Times listed are in Central Time

THURSDAY MORNING, JUNE 11, 2026

Presiding Officer:

Hon. Daryl L. Moore, Ahmad Zavitsanos & Mensing PLLC, Houston, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. .50 hr

Judicial Rules Update

The presentation addresses the proposed and final rule amendments recently issued by the Supreme Court of Texas, including a focus on amendments impacting appellate practitioners.

Kennon L. Wooten, Scott Douglass & McConnico LLP, Austin, TX

9:00 a.m. .75 hr

Supreme Court of Texas Panel

Hear a candid conversation among the Justices about what is new at the Court, the state of the docket, and ways practitioners can improve their chances of securing discretionary review for their clients.

Moderator:
Amanda G. Taylor, Butler Snow LLP, Austin, TX

Panelists:
Hon. Jane N. Bland, The Supreme Court of Texas, Austin, TX
Hon. James P. Sullivan, The Supreme Court of Texas, Austin, TX
Hon. Kyle D. Hawkins, The Supreme Court of Texas, Austin, TX

9:45 a.m. 1.00 hr

Supreme Court of Texas Update

Explore recent opinions issued by the Court in the current term.

Hon. J. Brett Busby, The Supreme Court of Texas, Austin, TX
Kurt Kuhn, Kuhn Law PLLC, Austin, TX

10:45 a.m. 15-Minute Break

11:00 a.m. .50 hr

Supreme Court of Texas by the Numbers

The rules have just changed. What do the numbers suggest about how the new process might affect your cases?

Don Cruse, Law Office of Don Cruse, Austin, TX

11:30 a.m. .50 hr ethics

Ethical Implications of the Legislature's New Judicial Performance Standards

The Legislature's New Judicial Performance Standards have serious ethical implications for lawyers and judges alike. What are they and how do they impact the practice of appellate law in Texas?

Scott Rothenberg, Law Offices of Scott Rothenberg, Bellaire, TX

12:00 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

Jane M. N. Webre, Scott Douglass & McConnico LLP, Austin, TX

LUNCHEON PRESENTATION

12:30 p.m. .75 hr ethics

Ethics Game Show

Watch shameless appellate practitioners try to outgame each other as they answer ethics questions savvy practitioners need to know.

Moderator:
Brandy Wingate Voss, Law Offices of Brandy Wingate Voss, PLLC, Edinburg, TX

Panelists:
Hon. Karin Crump, Third Court of Appeals, Austin, TX
Sam Houston, Houston Dunn, PLLC, San Antonio, TX

1:15 p.m. 15-Minute Break

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1:30 p.m. .75 hr | .25 hr ethics

Why Courts Find Waiver and How Advocates Can Prevent It

A panel discussion focused on the adequacy of briefing and the preservation of argument necessary for your appeal.

Hon. Lori Massey Brissette, Fourth Court of Appeals, San Antonio, TX
Hon. David M. Gunn, First Court of Appeals, Houston, TX
Chad Baruch, Johnston Tobey Baruch, Dallas, TX

2:15 p.m. .75 hr | .25 hr ethics

The New Petition for Review Practice

On January 1, 2026, TRAP amendments went into effect to make practice before the Supreme Court of Texas more like practice before the U.S. Supreme Court. Discuss how the rule amendments are playing out in practice, whether the changes are living up to expectations, and insights from SCOTUS practice.

Lisa R. Eskow, University of Texas School of Law Supreme Court Clinic, Austin, TX
Dana Livingston, Cokinos | Young, Austin, TX

3:00 p.m. 15-Minute Break

3:15 p.m. .50 hr | .25 hr ethics

Taming the Fee Dragon: Emerging Issues and Trends in Attorney's Fees Recovery

Delve into emerging developments concerning the recovery of attorneys' fees in Texas as intermediate courts continue to grapple with the application of the standards set forth in *Rohrmoos*, including ethical considerations arising from the courts' decisions.

Amy L. Prueger, Clark Hill PLC, Austin, TX

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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 3.00 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).

3:45 p.m. .75 hr | .25 hr ethics

Early Appeals Cast Long Shadows: Just Because You Can Doesn't Mean You Should

Clients often ask whether they can challenge an important early trial court ruling by appeal or mandamus. The key to answering such questions is to consider not whether they can appeal, but whether they should.

Hon. Tanya Garrison, 157th District Court, Houston, TX
Russ Hollenbeck, Wright Close Barger & Guzman, LLP, Houston, TX

4:30 p.m. Adjourn

NETWORKING RECEPTION

4:30 p.m. – 5:30 p.m.

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

FRIDAY MORNING, JUNE 12, 2026

Presiding Officer:

Connie H. Pfeiffer, Yetter Coleman LLP, Houston, TX

8:30 a.m. Conference Room Opens

Includes continental breakfast.

9:00 a.m. .50 hr

The Supreme Court of Texas on Contract Interpretation

A review of recent and obscure cases dealing with the confusing world of contract interpretation.

David Keltner, Kelly Hart & Hallman LLP, Fort Worth, TX

9:30 a.m. .50 hr | .25 hr ethics

Procedures and Problems with Sealed Records

Procedures for sealing court records are straightforward in federal court, as is the procedure for making sealed records available on appeal. Not so in Texas state courts, thanks to Rule 76a. Serious appellate problems can result from the failure to follow proper sealing procedures in Texas state courts, and those problems may not surface for years, at which point correcting them on appeal may be difficult.

Reagan W. Simpson, Yetter Coleman LLP, Houston, TX

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10:00 a.m. .50 hr ethics

Ethical and Practical Challenges of Amicus Participation

Rounding up the right friends to set off into the wild west of Texas amicus practice. Including pointers, pitfalls, and practice tips for both state and federal amicus practice.

Tyler Talbert, Scanes Yelverton Talbert, LLP, Waco, TX

10:30 a.m. 15-Minute Break

10:45 a.m. .50 hr

Rule 166a: Adapting to the Upcoming Changes

Discuss the substance of the Supreme Court's rewrite of Rule 166a governing summary-judgment motions and the strategic implications of the new rule.

Hon. Harvey Brown, The Lanier Law Firm, Houston, TX

11:15 a.m. .50 hr

Judgment Formation: Getting What You Want

Learn tools every good pilot uses to ensure nothing necessary for inclusion in a judgment is overlooked.

Steven K. Hayes, Law Office of Steven K. Hayes, Fort Worth, TX

11:45 a.m. .50 hr

The Name is Bonds: Supersedeas Bonds

An overview of the legal and practical considerations of superseding a judgment during appeal, as well as recent legislative acts that impact supersedeas.

Jody S. Sanders, Kelly Hart & Hallman LLP, Fort Worth, TX

12:15 p.m. Pick Up Lunch

Included in registration.



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

FRIDAY AFTERNOON

Presiding Officer:

Dana Livingston, Cokinos | Young, Austin, TX

LUNCHEON PRESENTATION

12:45 p.m. .50 hr

The Road Less Traveled: Arguing Divergences in State and Federal Law

Parties often rely on federal courts' interpretations of similar federal laws when litigating state-law claims in the Supreme Court of Texas. Some justices have expressed a desire to revisit the Court's jurisprudence in several of those areas, which warrant discussion.

Adam Shniderman, Alexander Dubose & Jefferson LLP, Dallas, TX

1:15 p.m. 15-Minute Break

1:30 p.m. .75 hr

Update from the Clerk of the Fifth Circuit

An operational update on court operations with an emphasis on practice tips and new applications designed to assist the appellate practitioner.

Lyle Cayce, U.S. Court of Appeals, Fifth Circuit, New Orleans, LA

2:15 p.m. .50 hr

U.S. Fifth Circuit Update

A summary of key civil cases from the U.S. Court of Appeals for the Fifth Circuit in the past year.

David S. Coale, Lynn Pinker Hurst & Schwegmann, LLP, Dallas, TX

2:45 p.m. .50 hr

U.S. Supreme Court Update

An overview of major decisions and trends from the U.S. Supreme Court's 2025-2026 term.

Aaron L. Nielson, The University of Texas School of Law and Kirkland & Ellis LLP, Austin, TX

3:15 p.m. Adjourn

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"High and Lonesome 2024" by Emma Woelk (Philip Durst Studio)

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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" 6–8 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 utcle.org.

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AP26

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Live, In-Person Event Registration \$745 | \$845 after May 22

Live Webcast Registration \$845

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

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AUSTIN

June 11–12, 2026

CONFERENCE LOCATION

The Otis Hotel Austin
1901 San Antonio St.
Austin, TX 78705
512.473.8900

Special Room Rate: \$199
good through May 20, 2026

Visit www.utcle.org/conferences/AP26/#venue
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Parking:

\$25 Daily Self-parking
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KEY DATES**May 22, 2026***Last day for early registration rates***June 5, 2026***Last day for full refund cancellation***June 8, 2026***Last day for partial refund cancellation*

\$50 processing fee applied

June 11, 8:20 a.m., CT*Conference begins***June 12, 2026***Last day to order a printed and shipped course binder
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UT Law CLE's **36th Annual Conference on State and Federal Appeals** – designed for advanced-level civil appellate practitioners – has earned a reputation as the premier program on appellate practice and procedure in Texas and is a must-attend event for Texas civil appellate practitioners.

Topics include:

- Supreme Court of Texas by the Numbers
- Procedures and Problems with Sealed Records
- Supreme Court of Texas Panel
- Ethical Implications of the Legislature's New Judicial Performance Standards
- Why Courts Find Waiver and How Advocates Can Prevent It
- The New Petition for Review Practice
- Taming the Fee Dragon: Emerging Issues and Trends in Attorney's Fees Recovery
- Ethics Game Show

Following the conference, attendees will receive a bonus eSupplement to ensure practitioners can earn their required 15.00/3.00 Texas MCLE hours for the year.

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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.

