



May 2015

Vol. 32, No. 5

THE DICTA

The Docket

May 12 (Tuesday)
DAYL Lawyers Promoting Diversity Committee Meeting
Noon, Belo Mansion

May 12 (Tuesday)
DAYL Swearing In Ceremony
4:00 p.m., Belo Mansion

May 13 (Wednesday)
DAYL ACE Committee Meeting
Noon, Belo Mansion

May 13 (Wednesday)
DAYL Solo / Small Firm Committee Happy Hour
6:00 p.m., Stoneleigh P

May 13 (Wednesday)
DAYL Law Student Assistance Committee Meeting
6:30 p.m., Capitol Pub

May 14 (Thursday)
DAYL CLE – Seeing the Forest and the Trees
6:00 p.m., Haynes and Boone

May 16 (Saturday)
Strut Your Mutt
9:00 a.m., Trinity Groves

May 17 (Sunday)
DAYL Generation Generosity Event – Ciclovía
12:00 p.m., Uptown

May 18 (Monday)
DAYL Solo / Small Firm Committee Meeting
Noon, Belo Mansion

May 19 (Tuesday)
DAYL Elder Law Committee Meeting
Noon, Belo Mansion

May 20 (Wednesday)
DAYL Lunch and Learn CLE
Noon, Belo Mansion

May 21 (Thursday)
DAYL Animal Welfare Committee Meeting
Noon, Belo Mansion

May 21 (Thursday)
DAYL YELL Happy Hour
6:00 p.m., Braintead Brewery

May 27 (Wednesday)
DAYL Equal Access to Justice Committee Meeting
Noon, Belo Mansion

May 28 (Thursday)
DAYL Social and Managing Partners CLE
5:00 p.m., British Beverage Company

May 29 (Friday)
DAYL CLE Committee Meeting
Noon, Belo Mansion

May 30 (Saturday)
DAYL Generation Generosity Habitat Build Day
8:00 a.m.

DAYL ONE TO WATCH

Andy Jones has been selected as the May 2015 DAYL One to Watch! To find out why, visit www.dayl.com.

Karaoke, Judges, Managing Partners, and CLE Social

Join DAYL at British Beverage Co. (2800 Routh Street) on **Thursday, May 28th** for the DAYL May All-in-One Social, sponsored by **Randy Block**, owner of **Performance Legal Placement**. Attend the Managing Partners Roundtable CLE (1.00 hour participatory, .50 ethics) from 5:00 p.m. – 6:00 p.m., featuring leaders from Andrews Kurth, Winstead, and Munsch Hardt. At 6:00 p.m., the Social begins with a Karaoke contest judged by actual Civil Court Judges! Prizes for Best Solo, Best Duo/Group, and Worst Singer will be awarded.

This month's sponsor, Randy Block,

has been in the Dallas legal market for 20 years and has placed attorneys at almost every major firm and boutique. He has the relationships and track record necessary to get candidates into their dream jobs. Randy used to practice litigation at a large Texas firm and taught Trial Advocacy at SMU Law for several years. For more information, please visit www.performancelp.com or call 214-497-5004.

Entry to the May DAYL Social is \$3.00 for DAYL members and \$5.00 for non-members. The entry fee will get you two drink tickets. Valet is available and free parking is available in the AMLI garage at the end of the complex.

Ethical Dilemmas Faced by Young Lawyers

On **Wednesday May 20th**, DAYL will host a lunch and learn CLE on common ethical issues that arise in the practice of law. The panel will focus on ethical dilemmas that young lawyers often face - whether it's in the courtroom or with a difficult client, partner, or opposing counsel - and how to handle those situations.

The panel discussion will feature **The Honorable Catharina Haynes**, United States Court of Appeals for the Fifth Circuit, **The Honorable Mark Greenberg**,

Dallas County Court at Law No. 5, **Michael K. Hurst**, Gruber Hurst Elrod Johansen Hail Shank LLP, and moderator **Chalon Clark** of Husch Blackwell.

The event will be held at the Belo Mansion at noon and is free for DAYL members. Non-members may attend for \$10. Parking is available at Belo, and lunch is available for purchase. The course has been approved for .75 hours of ethics CLE credit.

RSVP to **Cherie Harris** (cherieh@dayl.com).

Be Part of A Legacy of Leadership

Leadership DAYL applications are now available.

Application deadline is June 8th, 2015

Contact Cherie Harris (cherieh@dayl.com) for information or see insert in this month's DICTA.

THE DICTA

Charles Gearing, Editor

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Copy Deadline for June Issue:

May 15, 2015

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From the President

Ten Tips for Being a Standout Junior Associate



Jonathan Childers

For attorneys who are in their first four years of practice, here are ten tips for excelling during those beginning years of practicing law:

1. Take Ownership of Your Work. Take ownership of a file, anticipate problems, and offer solutions to your supervising attorneys. Recognize how individual assignments connect to the overall case/deal. Work towards managing cases/deals.

2. Develop your Craft. Become a technically proficient lawyer. If you practice litigation or trial law, attend the **DAYL Trial Skills Boot Camp on June 6, 2015**. If you do transactions, attend the **DAYL Deal Boot Camp on September 19, 2015**.

3. Practice Accountability. Take responsibility for your actions as well as those of staff members who assist your work. Do not blame team members. Instead, lead by example. Practice managing and delegating when you can. Record your time punctually and accurately.

4. Be Proactive. Anticipate and plan for the future before it occurs. Minimize emergencies. Resolve conflicts with partners by asking for priorities and by keeping them informed on the status of projects. Want help? Read Chapters 1 through 3 of *The Seven Habits of Highly Effective People* by Stephen R. Covey, and understand the difference between the “urgent” and the “important.”

5. Become Results-Oriented. Economics and efficiency matter. Strive to deliver correct results quickly, through professional and succinct work product. Focus on the issues material to the Judge’s decision. View the law as a service business, identify your clients’ priorities, and

value your clients’ time and money.

6. Build and Maintain Friendships. Rainmaking results from years of effort, and from *friends*, not from strangers. The friendships you cultivate now provide the foundation for client development later in your career. Want a great head-start? Apply for the 2015 DAYL Leadership class; the deadline is **June 8, 2015**.

7. Think Strategically. Sometimes, the best way to accomplish more, is to slow down – especially when you are in a hurry. Examining and analyzing early will prevent headaches later. *Always* outline before writing - this makes your writing concise, pithy, and logical. For all court filings, include a one paragraph summary of argument.

8. Be Resilient. Learn from mistakes but do not dwell on them. Do avoid making the same mistakes twice. Rest assured the partners at your firm evaluate associates by how they respond to adversity as well as to success.

9. Adopt and Apply Your Firm’s Vision and Business Practices. Be a team player who takes a personal interest in the firm’s success. Make the priorities of the firm’s partners your priorities and look for ways to make the law firm shine.

10. Practice Good Self Care, Have Boundaries, and Develop a Support System. Take care of your physical, mental, and spiritual health. Set reasonable boundaries, and know your non-negotiables. Find people that you can trust to share problems, successes, and issues. People to consider for your support system: a mentor; a friend who is your legal peer; your significant other; a physician; a minister; a psychologist/life coach; a workout buddy. To learn more, check out DAYL’s Wellness Committee events.

Strut Your Mutt with the SPCA of Texas and DAYL

On Saturday, May 16th, at 9:00 a.m., the SPCA will hold its 10th Annual “Strut Your Mutt” 3K & 5K run / walk at Trinity Groves. In support of the SPCA, the DAYL Animal Welfare Committee is once again organizing a team for anyone to join or sponsor. So come out with your pup to run a 5K or walk a 3K. While you’re there, get some free food, a

free t-shirt, and all sorts of perks for your pet from participating sponsors and vendors. Your participation will help raise funds for the SPCA of Texas’ rescue and shelter programs.

Strut Your Mutt will be held in Trinity Groves at the base of the Margaret Hunt Hill Bridge. You can sign up to join or sponsor the DAYL’s team by visiting this link: <http://bit.ly/1KRt3Mu>.



**The DAYL Swearing-In Ceremony
will be held on Tuesday, May 12th, 2015
beginning at 4:00 p.m. at the Belo Mansion.**

The Honorable Craig Stoddart (5th District Court of Appeals) will swear in the newly-licensed attorneys. Participants should bring their letter indicating that they have met all criteria and are ready to take the oath.

The Swearing-In Ceremony is free, and family and friends are welcome to attend. RSVP is required to Cherie Harris (cherieh@dayl.com).

DAYL Foundation Accepting Grant Applications

The DAYL Foundation, a 501(c)(3) organization, is accepting grant applications for law-related projects and charitable organizations that meet one or more of the following criteria: 1) Law-related scholarship and education promoting knowledge and awareness of the rule of law; 2) Charitable and legal aid for the public, including improving the delivery of legal services to the indigent and im-

proving the administration of justice; 3) Foster honor, integrity and public confidence in the profession of law; 4) Assist the legal profession by enhancing the quality of client services and improving the self-regulation of the profession; and/or 5) Historical preservation and observances.

Grants typically range from \$500 - \$2,000. Organizations that have received DAYL Foundation grants in the past include: DOORS, Dallas CASA, Dallas Law

Magnet, Workers’ Defense Project, Aberg Center for Literacy, Texas Legal Services Center, Human Rights Initiative, and Mosaic Family Services, to list a few.

If you are aware of an organization that could benefit from a DAYL Foundation grant, please have them contact **Cherie Harris** (cherieh@dayl.com) for additional information. The grant application deadline for the DAYL Foundation is **May 18, 2015**.

**Grab a Hammer and Volunteer with DAYL Habitat for Humanity
on Saturday, May 30th. Volunteer shifts between
8:00 a.m. – 5:00 p.m., with the largest need being
in the morning and early afternoon. Contact Cherie Harris
(cherieh@dayl.com) if you can help!**

Volunteer with DAYL, Metropolitan Dallas YMCA, and Uptown at Uptown Ciclovía

The DAYL Wellness and Generation Generosity Committees invite you to participate/volunteer at Uptown Ciclovía on Sunday, May 17th from 10:00 a.m. to 3:00 p.m. From Noon to 3:00 p.m. DAYL volunteers will be stationed at the Sports Zone Reclovia in groups of 8 to 10, and will volunteer in one-hour time slots. DAYL volunteers will oversee and have an opportunity to participate in an obstacle course, free throw contest, football toss, soccer challenge, perfect pitch, corn hole, croquet, and bowling, all while being entertained by a live band. Other activities along the route will include yoga, Pilates, boot camp, fitness challenges, and fitness testing.

Anywhere from 10,000 to 15,000 members of the public are expected to

attend this family-friendly event. RSVP to **Cherie Harris** (cherieh@dayl.com, and please specify in your email the hour(s) during which you are available to volunteer. Maps and parking information will be provided to volunteers who RSVP.

What is Uptown Ciclovía? Ciclovías turn major city streets into safe and open, car-free environments for pedestrians, cyclists, and fitness-health-wellness enthusiasts of all ages. Originating in Bogota, Colombia over 30 years ago, Ciclovías are now held in hundreds of cities worldwide. Together with the Metropolitan Dallas YMCA, Uptown will host this one-mile, car-free

route to connect the Katy Trail to Klyde Warren Park via Cedar Springs Road. You may have seen the orange bikes around Uptown promoting the event, like the one below. For more information about Uptown Ciclovía, visit www.uptownciclovía.org.



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**Dallas Association of Young Lawyers
2015 DAYL Leadership Class Application
Application Deadline: Monday, June 8, 2015**

The DAYL Leadership Class enables lawyers of all backgrounds to meet each other and other leaders in the city, community, and Bar to not only network, but also to develop their leadership skills and explore how attorneys can make a difference in their profession and community. Each year the DAYL selects a Class of about 40 (forty) members from applications submitted by lawyers of all practice areas, firm sizes, and levels of experience.

The 2015 Class will meet for an **overnight, out-of-town, mandatory Leadership Retreat from 7:00 a.m. on Friday, August 7 to 10:00 p.m. on Saturday, August 8.** A series of luncheons will follow, featuring local and state leaders speaking on their personal experiences in leadership positions, and leadership opportunities for young lawyers. Participation in the Leadership Class will greatly enhance your business contacts, and will provide opportunities that would not have existed otherwise. At the completion of the program, the Class traditionally organizes a community-service project.

Name (attorneys only): _____

Firm and Mailing Address: _____

Telephone: _____ Cell: _____ Number of Years in Practice: _____

E-Mail Address: _____ Area(s) of Practice: _____

Are you a DAYL member? (membership required) ___ Yes Can you attend the mandatory retreat as noted above? ___ Yes

How did you hear about the DAYL Leadership Class? _____

The 2015 Leadership Class will meet promptly from 11:30 a.m. - 1:00 p.m. on the following dates: **August 27, September 17, October 8, October 29, November 19, January 7, and January 28.** There will also be a class happy hour on **July 21** from 6:00 - 8:00 p.m., as well as a class activity on **October 22** from 4:00 - 9:00 p.m. Be prepared to attend all class lunches and events.

I. Attach your résumé, which shall include bar association, business/professional and civic activities in which you have participated. List any awards or special recognitions you have received. Also separately attach (preferably via email) a professional photo that can be used in Class materials.

II. On a separate sheet of paper, briefly describe: (a) what leadership means to you; (b) why you wish to participate in this program; and (c) how you expect to use your experience in this program.

III. Please provide a letter of recommendation from someone who has known you for at least two years.

IV. There is a \$550.00 administrative/enrollment fee. This fee covers the retreat, all lunches, and materials. If necessary, the \$550 may be made in installments, with \$250 due before the retreat, and \$300 due by October 15. Partial scholarships may be available to those who need assistance. Please indicate your need on an additional sheet of paper.

V. Applicants are requested, but not required, to provide the following information. Please indicate which of the following categories utilized by the EEOC best describes you (circle one):

- | | | | |
|-------|---------------------------|---|-----------------------------------|
| Asian | Black or African American | Hispanic or Latino | American Indian or Alaskan Native |
| White | Two or More Races | Native Hawaiian or Other Pacific Islander | |

VI. I represent that the information provided herein and on the attached pages is true and correct. Also, by signing below, I indicate that I understand that the DAYL Leadership Class will require a substantial time commitment and participation on my part. I will be an active participant of the 2015 Leadership Class, which includes attending the required retreat and luncheons connected to the program as stated above, participating in small group activities that will be held periodically throughout the program, and participating in the Class project.

Signature of applicant: _____ Date: _____

Mail, fax, or email this application (**as one document with photo separate**) to: Cherie Harris, Executive Director • cherieh@dayl.com
Dallas Association of Young Lawyers • 2101 Ross Avenue • Dallas, Texas 75201 • 214.220.7420 phone • 214.220.7422 fax

Seeing the Forest and the Trees: How Young Trial Lawyers Helped Win Major Jury Verdicts While Maintaining Caseloads

Join the DAYL Attorneys for Career Enhancement Committee on **Thursday, May 14, 2015** for an insightful discussion with three of Dallas' top young trial lawyers who will explain how they made significant contributions to headline grabbing judgments while they juggled the demands of their other cases and commitments.

The panel includes **Jeremy Fielding**

of Lynn Tillotson Pinker Cox, who helped secure one of the largest jury verdicts in Dallas County history; **Leslie Chaggarris** of Reese Gordon Marketos, who helped win a \$136 million verdict against a luxury car manufacturer in a business case; and **Trey Crawford** of Gruber Hurst Elrod Johansen Hail Shank, who helped win a \$49 million verdict in a case over two luxury business jets. The program will be

moderated by **Nick Sarokhanian** of Greenberg Traurig.

The event will take place on May 14, 2015 at Haynes and Boone, (2323 Victory Avenue, 7th Floor) in Dallas and will kick off at 6:00 p.m. with a cocktail reception, sponsored by Minibar and VenueSM. The discussion and program will be held from 6:30 - 7:30 p.m. RSVP to **Cherie Harris** (cherieh@dayl.com). CLE credit is pending.

DAYL Trial Skills Boot Camp

On **Saturday, June 6, 2015**, DAYL will present **Trial Skills Boot Camp**, a CLE program at the George Allen Courthouse where participants will spend the day interacting with and learning from preeminent Dallas trial lawyers and judges. Attendees will at-

tend seminars and demonstrations regarding voir dire, cross examination, pretrial conference, jury charge conference, and closing arguments. Participants will also have an opportunity to practice their cross examination skills in front of a Dallas County District judge and receive feedback from sea-

soned trial lawyers. You do not want to miss out!

The program schedule is outlined below. There is no cost for DAYL members to attend. Participants will receive 5.75 hours of CLE credit. Questions and RSVPs should be sent to **Cherie Harris** (cherieh@dayl.com).

DAYL TRIAL SKILLS BOOT CAMP SCHEDULE

8:15 - 8:45 a.m. - Breakfast and Registration (Sponsored by Ricoh)

9:00 - 10:30 a.m. - Voir Dire Seminar and Demonstration: Presented by **Lisa Blue** (Baron and Blue), **Pete Marketos** (Reese Gordon Marketos LLP), and **Jason Bloom** (Bloom Strategic Consulting)

10:45 - 11:45 a.m. - Cross Examination Seminar and Demonstration: Presented by **Victor Vital** (Greenberg Traurig) and **Mark Werbner** (Sayles Werbner)

12:00 - 1:00 p.m. Lunch (Sponsored by Community Trust Bank) - Pretrial Conference and Jury Charge Conference presented by: **Judge Ken Molberg**, **Judge Ken Tapscott**, **Judge Martin Hoffman**, and **Jeff Levinger** (Levinger PC)

1:15 - 2:30 p.m. - Cross Examination Practice: Participants will receive a small packet of materials approximately two weeks before the event, which will include a brief fact pattern, deposition excerpts, and exhibits. Participants will split into small groups of 4-6 lawyers to conduct a 10 minute cross examination. Participants will receive feedback from Dallas County District Court judges, including **Judge Tonya Parker**, **Judge Martin Hoffman**, and **Judge Bonnie Goldstein**, as well as some of the top trial lawyers in Dallas.

2:30 - 3:30 p.m. - Closing Arguments Seminar: Presented by **Michael K. Hurst** (Gruber Hurst) and **Jeff Tillotson** (Lynn Tillotson)

3:30 p.m. - Happy Hour (Sponsored Charles River Associates)

SAVE THE DATE

**DAYL Lawyers Promoting Diversity Committee
invites you to the *tenth anniversary* of**

Dinner & Dialogue

**“10 Years of Changing the Face of the
Modern Workplace”**

**Thursday, July 16, 2015
6:00pm - 8:30pm | Belo Mansion**

1.5 hours of ethics credit pending

Additional details and registration form coming soon.

SAVE THE DATE

Saturday, November 14, 2015



DAYL CHARITY BALL

ANOTHER EPIC NIGHT
at
TRINITY GROVES

**Benefiting EPIC and Dallas
Habitat for Humanity**

Tips for Handling Issues Related to Transgender Employees in the Workplace

by Amber Rogers

At least 19 states, the District of Columbia, and Puerto Rico prohibit discrimination based on gender identity or expression. Moreover, approximately 225 cities and counties, including Dallas and Dallas County, prohibit employment discrimination on the basis of gender identity. Gender identity refers to a person's innate identification as male or female, which may or may not correspond to the person's designated sex at birth.

Transgender employees, those whose self-identified gender identity does not conform with his or her sex assigned at birth, can present numerous workplace challenges, such as which restroom they should use, what clothing they should wear, and which pronoun should be used when referring to them. Below are tips for employers on how to handle issues concerning transgender employees.

Adopt anti-discrimination policies. Despite an employer's size, it is generally a best practice to have a policy (or policies) that expressly prohibits discrimination in hiring, firing, promotions, compensation, and other employment decisions. The policies should designate protected categories, and specifically include sexual orientation, and gender identity and expression. Additionally, employers should periodically train employees (and have the employees acknowledge that they were trained) on topics such as discrimination prevention, sexual harassment, and methods for reporting inappropriate conduct. Policies should be readily available to employees, and included in areas such as break rooms, or employee handbooks.

Appearance standards/dress codes. Employers have the right to regulate employee appearance and behavior in the workplace, as long as it does not infringe on an employee's legally-protected rights. Transgender employees should be permitted to dress consistently with his or

her gender identity. Transgender employees, however, should abide by their employer's dress code. Dress codes should be modified to avoid gender stereotypes, and should be uniformly applied.

Privacy. While it is hard not to notice if one day your coworker is Mary, and the next day he is Mike, employers should respect a transgender employee's privacy. A transgender employee's medical information and disability status should be kept confidential and only disclosed to appropriate personnel. Employers should discourage coworkers from gossiping about a transgender employee's transition.

Pronouns. Employers should use a transgender employee's preferred name and correlating pronouns. Employers may also consider changing workplace identifiers to acknowledge a transgender employee's new name, such as name plates, badges, phone directory, and email addresses. Transgender employees should not be referred to with derogatory terms such as "shem," or "shemale." It is prudent to keep employee records, such as payroll and insurance documents, under the individual's legal name.

Restrooms. One of the most discussed and controversial issues surrounding transgender employees in the workplace involves which restroom the employee should use, i.e., the one designated for her sex assigned at birth, or the one designated for how she self-identifies. The issue is sensitive because it involves coworkers, and typically the only location in a workplace that is segregated based on sex. While options will often depend on the employer's workplace, the number and types of bathrooms that are available, and the employees at issue, it is advisable for the transgender employee and a member of the employer's human resources department, or supervisor, to work together on this issue. Employers

may consider creating a single-use, gender-neutral restroom. Additionally, employers should consider the employees' gender presentation and permit the employee to use the corresponding restroom. Forcing a transgender employee to use the restroom that matches her designated sex at birth could be considered discriminatory or harassing.

As new laws are enacted and more court decisions are decided, employers should be proactive and consider creating a transition plan to prepare to deal with issues that may arise with a transgender employee.

This article presents the views of the author, and is for general information and education purposes. It does not necessarily reflect those of Hunton & Williams LLP or its clients. No legal advice is intended.

Amber Rogers is a Senior Attorney at Hunton & Williams LLP where she defends management in all areas of labor and employment law. She is a Co-Chair of the DAYL's Young Employment Labor Lawyer Committee, and is a member of DAYL's 2014 Leadership Class. She can be reached at arogers@hunton.com.

Join the DAYL Young
Employment & Labor
Lawyers (YELL)
Committee on
Thursday, May 21st,
2015 from 6:00 –
8:00 p.m., for a happy
hour at Braindead
Brewery in Deep Ellum.

Contact Jay Forester
(jforester.law@gmail.com)
for more information.



DAYL Young In-House Counsel Committee Happy Hour on April 16th at Henry's Majestic.



DAYL Young In-House Counsel Committee Happy Hour on April 16th at Henry's Majestic.



DAYL members Jonathan Childers, Sara Romine, Nnamdi Anozie, and Chris Simmons recieved a warm welcome from the Houston Young Lawyers Association when they travelled to Houston to present My Other Hometown.



Andy Jones moderated a CLE for the DAYL Solo / Small Firm Committee on April 14 featuring Judge Gena Slaughter, Judge Brenda Hull Thompson, and Judge David Lopez.



DAYL's Get Involved Lunch on April 16 offered many ways for DAYL members to get more involved with DAYL. If you missed it, contact Cherie Harris (cherieb@dayl.com) for ways that you can get involved!