



## The Docket

- February 2 (Thursday)  
DAYL Dallas Ripple Committee Meeting  
6:00 p.m., Manny's (Oak Grove location)
- February 3 (Friday)  
DAYL Generation Generosity Committee Meeting  
Noon, Belo Mansion
- February 3 (Friday)  
DAYL Judicial Intern Application deadline
- February 6 (Monday)  
DAYL Social Committee Meeting  
6:00 p.m., Social House
- February 7 (Tuesday)  
DAYL Board of Directors Meeting  
6:00 p.m., Belo Mansion
- February 8 (Wednesday)  
DAYL CLE - *Assisted Reproduction: Creating New Life and New Law*  
Noon, Belo Mansion
- February 8 (Wednesday)  
DAYL Mock Interviews at SMU  
5:30 p.m., SMU Dedman School of Law
- February 8 (Wednesday)  
DAYL Solo & Small Firm Networking Happy Hour  
6:00 p.m., People's Last Stand
- February 9 (Thursday)  
DAYL Pro Bono Partners Committee Meeting  
Noon, Belo Mansion
- February 9 (Thursday)  
DAYL Mock Interviews at SMU  
5:30 p.m., SMU Dedman School of Law
- February 10 (Friday)  
DAYL Freedom Run Committee Meeting  
Noon, Belo Mansion
- February 13 (Monday)  
DAYL Volunteer Opportunity  
6:00 p.m., Promise House
- February 13 (Monday)  
DAYL Charity Ball Committee Meeting  
6:30 p.m., Duffee + Eitzen
- February 15 (Wednesday)  
DAYL Trial Skills Committee Meeting  
Noon, George Allen Courthouse
- February 15 (Wednesday)  
DAYL Special Interest Group Book Club Meeting  
6:30 p.m.
- February 16 (Thursday)  
DAYL Animal Welfare Committee Meeting  
Noon, Belo Mansion
- February 17 (Friday)  
DAYL Special Interest Group Moms in Law Meeting  
11:30 a.m., Beto & Son
- February 21 (Tuesday)  
DAYL Elder Law Committee Meeting  
Noon, Belo Mansion

## Mac's Southside to Host DAYL

**L**ooking to discover or re-discover one of Dallas's hottest new dive bars? Join DAYL at **Mac's Southside** on **Thursday, February 23, 2017** when they host the DAYL for its monthly Social. Owned by fellow lawyers **Mark Melton, Dave Wishnew, Aaron Burke, James Deets, and Khanh Nguyen**, Mac's is a great low-key sports bar that offers Zalat Pizza, plenty of parking, and a great atmosphere.

The February Social will be held from 6:00 – 8:00 p.m. at Mac's Southside, 1701 S. Lamar, in Dallas. The cost to attend is

\$3.00 for DAYL members and \$5.00 for non-members.



## IVF and Surrogacy and Sperm Donation, Oh My!

**J**oin DAYL for a CLE presentation regarding the effects advancements in assisted reproduction techniques have had on various legal areas. Moderated by **Professor Loren Jacobson** of the UNT Dallas College of Law, the panel will educate us on developing practices and corresponding ethical issues. **Dean Gresham**, a partner at Steckler, Gresham and Cochran, will discuss an emerging area of the plaintiffs' personal injury practice: sperm bank negligence. American Academy of

Assisted Reproductive Technology Attorneys fellow **Jenny Womack** will discuss evolving issues surrounding gamete donation and surrogacy. Finally, **Professor Maxine Harrington** with Texas A&M University School of Law will advise on some of the ethical issues that have arisen in the advent of these technologies.

The one-hour CLE will take place on **Wednesday, February 8, 2017** at noon at the Belo Mansion and will include .25 hours of ethics credit.

RSVP to **Cherie Harris** ([cherieh@dayl.com](mailto:cherieh@dayl.com)).

February 21 (Tuesday)  
DAYL Politically Aware Committee Meeting  
6:30 p.m., KoonsFuller Law Office

February 22 (Wednesday)  
DAYL Equal Access to Justice Committee Meeting  
Noon, Belo Mansion

February 23 (Thursday)  
DAYL CLE Committee Meeting  
Noon, Belo Mansion

February 23 (Thursday)  
DAYL Social  
6:00 p.m., Mac's Southside

February 24 (Friday)  
DAYL Solo & Small Firm Committee Meeting  
Noon, Belo Mansion

February 27 (Monday)  
DAYL Membership Committee Meeting  
Noon, Belo Mansion

February 28 (Tuesday)  
DAYL Lawyers Promoting Diversity Committee Meeting  
Noon, Belo Mansion

March 1 (Wednesday)  
DAYL Judiciary Committee Meeting  
Noon, Belo Mansion

### DAYL ONE TO WATCH

**Rachel Lindsey** has been selected as the February 2017 DAYL One to Watch! To find out why, visit [www.dayl.com](http://www.dayl.com).

# THE DICTA

Alex Bolton, Editor

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Copy Deadline for March Issue:

**February 15, 2017**

**Alex Bolton**

Email: [abolton@duffee-eitzen.com](mailto:abolton@duffee-eitzen.com)

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## From the President

### What is Your Theme?

I recently had the privilege and honor of attending the Dallas Bar Association's Martin Luther King, Jr. Justice Award Luncheon. The Rev. Richie Butler of St. Paul United Methodist Church was the MLK, Jr. Justice Award recipient. Rev. Butler gave a resounding message that challenged attendees to define the theme in their life. As Rev. Butler noted, every superhero has a theme song. He then posed the following question to the attendees: What is your theme? In essence, he was asking, what is your purpose in life?

This is an extremely important question for us as young lawyers. As young lawyers, our day-to-day tasks and work usually are not within our control. Our law firms and the partners to whom we report often control when and how much we work. More important to this discussion of theme, our law firms and partners often dictate *how* we practice law.

I remember during my first year in practice, my boss told me how to respond to opposing counsel. I realized that I was not responding in my voice, but rather simply was a vessel through which my boss spoke to opposing counsel. Fortunately, my boss was ethical and I never was placed in the difficult position in which I had to refuse to be his vessel. Not everyone is as fortunate.

When we are faced with those difficult decisions, it's important that we have already established our theme. Let that theme be your guide to handling those situations, both professionally and in your

daily life. So, what is your theme? If you can't answer that question, it does not mean you do not have a theme; you just likely have not defined it clearly.

My theme is to help others. This shapes and guides how I practice law and how I manage my firm. Regularly we take calls from people with questions about their employment or employees. My firm does not charge a consultation fee even though we know that 90% of these individuals have no legal claims and simply need direction, guidance, or a simple sounding board. I know these people would pay a consultation fee and from a business perspective that would increase our revenue, but my theme tells me that we cannot and will not operate that way.

If you were not able to immediately answer the question about your theme, I challenge you to take some time to reflect upon and define that answer. Define your mission in life and make sure you are doing something to further that mission every day.

I mentioned at the outset that Rev. Butler noted that every superhero has his or her own theme song. So in closing, I will leave you with the theme song from one of my favorite childhood cartoon superheroes:

*Captain Planet, he's our hero,  
Gonna take pollution down to zero  
Gonna help him put us under,  
Bad guys who like to loot and plunder.*

Paul W. Simon is a Founding Partner at Simon Paschal PLLC practicing in Labor & Employment Law.



Paul W. Simon



## DAYL Calls for Nominations for Prestigious Awards

- **Outstanding Young Lawyer Award** - Recognizing a young lawyer who is 36 years of age or younger as of June 1, 2016 and who is licensed in Texas in good standing with the State Bar. The DAYL Awards Committee will consider all outstanding qualities of a nominee, including (1) exemplified professional proficiency; (2) service to the profession; and (3) service to the community.
- **Liberty Bell Award** - Recognizing a non-lawyer of any age who has made a selfless contribution to the community by strengthening the effectiveness of the American system of justice. Criteria to be considered include someone who: (1) promotes a better understanding of our form of government, especially the Bill of Rights; (2) encourages greater respect for the law and the courts; (3) stimulates a deeper sense of individual responsibility; (4) contributes to the effective functioning of our institutes of government; and (5) instills a better understanding and appreciation of the rule of law.
- **Outstanding Mentor Award** - Recognizing a lawyer in Dallas who has consistently demonstrated a commitment to mentoring young lawyers. Nominees must be licensed to practice law in Texas and in good standing with the State Bar. Criteria to be considered include: (1) service as a role model to young lawyers; (2) fostering the development of young lawyers; and (3) significant contributions to the profession and/or the community.

Nominations may be made by individuals, groups of individuals, or organizations. The nomination deadline for each award is **March 13, 2017** and nomination forms are located at <http://dayl.com/awards/>. Questions? Email **Jennifer Ryback** ([jryback@mcsllaw.com](mailto:jryback@mcsllaw.com)).

## In Case You Missed It...How to Best Use Your Legal Team: Managing Paralegals and Other Associates

by Amanda Thurman

**O**n January 11, 2017, the DAYL presented *How to Best Use Your Legal Team: Managing Paralegals and Other Associates*. The terrific panel consisted of **Sarah Rogers** of Thompson, Coe, Cousins & Irons, LLP, **Bill Richmond** of Platt Cheema Richmond PLLC, and **Timothy Newman** of Haynes and Boone, LLP. **Alex More** of Carrington, Coleman, Sloman & Blumenthal, L.L.P. served as moderator. The discussion focused on how to interpret and apply Rules 5.01, 5.02, 5.03 and 5.05 of the Texas Disciplinary Rules of Professional Conduct, and also featured some practical tips for working with junior associates and non-lawyer staff. Some highlights from the program:

- If you are a partner or senior associate supervising another attorney, frequent communication is critically important – you have to make your management duties a priority. You want to instill confidence in the supervised attorney to complete the work even in your absence, but be careful that important checks are not skipped.
- Be proactive in spotting and address-

ing potential ethical issues – try to anticipate issues and take them to your ethics committee or general counsel before they become problems. If possible, it's best to bring them in before a final decision is made as how to proceed. Tip: If you don't have an ethics committee or general counsel readily available to you, the State Bar of Texas has an ethics helpline. Your malpractice insurer may have one, as well.

- If you hire someone outside your firm for a particular job, it's best to treat them as if they are in-house as much as possible. Communicate with them regularly about what they are working on. Let them know your expectations and try to talk through potential issues at the outset (i.e. conflicts, storage of sensitive information, maintaining confidentiality in shared offices).

- When delegating work to junior attorneys, paralegals and staff, take into account which people have the skills, experience and knowledge for the task – not just whether they're available at the moment. Think down the road and predict potential pitfalls, and build in checkpoints for them

to check in with you. Make sure they know which information they can share with other parties, and what they can agree to (and what they cannot). If there is a confidentiality order in the case, make sure everyone on the team (including staff) knows about it.

- Starting out as a young lawyer, it's a good idea to do everything yourself at first. As you become more proficient and comfortable, you can begin delegating more tasks to staff and paralegals. Remember that, as the attorney, you are still responsible for the work product at the end of the day – so be sure to review and ensure it is accurate and complete.

- If you have more experience with a certain type of technology than other people on your team, it can be helpful to sit down and walk them through it. Be creative: think about what other types of technology or programs your team is not currently using that could be useful or increase efficiency. If you know you are going to be working with a certain technology or program often, see if you can request specialized training for the members of your team.

**DALLAS ASSOCIATION OF YOUNG LAWYERS  
2017 SUMMER JUDICIAL INTERN PROGRAM  
APPLICATION DEADLINE FEBRUARY 3, 2017**

The Dallas Association of Young Lawyers invites first- and second- year law students to apply for this summer's Judicial Intern Program. Judges from Dallas-area civil, criminal, probate, family, and appellate courts will be participating. Applicants must have completed first-year civil procedure and legal writing courses before June 2017. Courses in evidence and criminal or appellate procedure are helpful, but not required.

Internship selections will be made by the participating judges in February and March. Applicants must be willing to commit to a six-week, full-time voluntary internship during the summer months and are expected to honor any commitments made to the judges. The internship is unpaid and individual schedules will be determined by the judges. A \$500 stipend may be available to law students who demonstrate a financial need.

For more information about the program or the stipend, visit <http://www.dayl.com/judicial-intern>.

## DAYL Expands Lawyer on Loan Program

*by Adrian Bower*

**D**AYL has expanded its Lawyer on Loan Program to include opportunities in Carrollton, Dallas, Plano, Rockwall, and Royse City. The program, which began as a pilot program in the Fall of 2016, helps young lawyers gain valuable courtroom and trial experience. Lawyers selected to participate in the program are supervised by experienced prosecutors and have the opportunity to try minor criminal offenses to juries and to judges. The assignment is an unpaid position.

Depending on the location, participants will try cases one day weekly or monthly for a three- to six-month period. The program participants will be respon-

sible for reviewing case files set for trial, selecting a jury, giving opening statements, examining the witnesses, preparing jury charges, and making closing arguments, all with the guidance and supervision of an experienced prosecutor.

One past participant described the program as a "great opportunity to practice trial procedures in the presence of actual jurors, judges, and opposing counsel."

The DAYL Lawyer on Loan Committee wishes to thank the City of Carrollton, City of Dallas, City of Plano, Rockwall County, and Royse City for participating in this program and creating an environment where DAYL members can improve their advocacy skills in

actual trial settings.

Congratulations to **Hansary Laforest**, **Francis Nathan**, and **Andrew Wooley** who were selected to participate in the 2016 pilot program! Congratulations also goes to the following participants who were selected for the spring of 2017: **Ben Parsons** (Parsons Law Firm), **Barrett Robin** (Norton Rose Fulbright), **Brittney Johnson** (Sedgwick), **Claire Carroll** (Munsch Hardt), **Gabriela Vega** (Equal Justice Center), and **Jason Miller** (Miller Law Firm).

For information about upcoming opportunities to participate in the DAYL Lawyer on Loan Program, please email **Cherie Harris** ([cherieh@dayl.com](mailto:cherieh@dayl.com)).

The DAYL Law Student Assistance Committee is seeking volunteers to conduct mock interviews with law students at each of the area's three law schools. By serving as a mock interviewer, you will be helping law students prepare for their upcoming interviews for summer internships and clerkships. The interviews will be held as follows (click the link to sign up):

SMU Mock Interviews (Feb. 8 & 9, 5:30 – 8:00 p.m.):  
<http://www.signupgenius.com/go/409044eaca82aa0f85-mock>

A&M Mock Interviews at the Belo Mansion (March 8 & 9, 5:30 – 7:30 p.m.):  
[www.SignUpGenius.com/go/20F094BAAA923A2F94-texas](http://www.SignUpGenius.com/go/20F094BAAA923A2F94-texas)

UNT Dallas Mock Interviews (March 21, 11:45 a.m. – 12:45 p.m. & 4:45 p.m. – 5:50 p.m.):  
[https://unt.az1.qualtrics.com/SE/?SID=SV\\_9WyX4nb6GCPqccZ](https://unt.az1.qualtrics.com/SE/?SID=SV_9WyX4nb6GCPqccZ)

# Top 10 Free and Low-Cost Legal Research Resources

by Ashley Withers



When I graduated from law school, I knew that there was Westlaw and Lexis. I had no idea of the abundance of legal research resources beyond these databases. I now specialize in legal and business research as a Research Attorney at Jackson Walker, LLP. I am writing today to share some free and low-cost research tools beyond the resources you may have learned about in law school.

**1. Texas State Law Library E-books and Databases**, <https://www.sll.texas.gov/library-resources/collections/digital-collection/>

Access federal and Texas-specific e-books, Texas statutes dating back to 1879, law journal articles on EBSCO and HeinOnline, a National Survey of State Laws on Gale Virtual Reference Library, and more. All you need to do is register online for a library card.

**2. Texasbarcle.com**, <http://www.texasbarcle.com/CLE/OLHome.asp>.

Search the State Bar of Texas's online library of CLE articles from the past several years. The state bar has several introductory 101 courses in employment law, family law, bankruptcy, immigration, and more, which can guide you in how to handle your first case. Likewise, the State Bar has articles in advanced areas of the law. Most articles are less than \$30. Better yet, take the full course under Online Classes / mp3s, <http://www.texasbarcle.com/CLE/OCSearch2.asp>

**3. Texas Legislature Online**

A great source to search for old versions of Texas law, legislative history, and the status of pending legislation. When conducting legislative history in Westlaw or Lexis, you'll see a Case History or Credits at the end of the statute section you are looking at. To review the bill file of the relevant legislation, you can look up the House or Senate bill dating back

to 1989 here: <http://www.capitol.state.tx.us/Home.aspx>

And when you need to look up old versions of statutes, search here: <http://www.statutes.legis.state.tx.us/StatutesByDate.aspx>

**4. Legislative Reference Library of Texas**, <http://www.lrl.state.tx.us/legis/billSearch/index.cfm>

Contains access to legislative bill files from the 63rd Legislature (1973) to the present.

**5. Worldcat.org**

Search across multiple local libraries to quickly locate primary and secondary sources. You'll find that the Dallas Public Library, our local law schools, and the Dallas County Law Library house vast resources.

**6. Texas Transaction Guide**

My favorite resource for transactional legal forms and explanations is the Texas Transaction Guide, which is a LexisNexis publication and is available online with a subscription. You can also access this resource in print at no-cost at the Dallas County Law Library.

**7. EDGAR**

Another great resource for transactional sample documents is EDGAR, which contains corporate filings of publicly-traded companies. Exhibits of the companies' yearly and quarterly filings often contain legal agreements such as executive employment agreements, operating agreements, and consulting agreements. Note that legal agreements are typically filed as an Exhibit that begins with a "10." Perform a full-text search here to identify sample agreements:

[https://searchwww.sec.gov/EDGAR/FSClients/jsp/EDGAR\\_MainAccess.jsp](https://searchwww.sec.gov/EDGAR/FSClients/jsp/EDGAR_MainAccess.jsp)

**8. Sample Litigation Forms & Guides**

In the realm of litigation, there are several incredibly helpful guides and secondary sources. Many of these are available online for a fee through Lexis

or Westlaw. However, many of these resources you can access at no cost at a local library. Use Worldcat.org to find the location of the resource quickly.

- Dorsaneo's Texas Litigation Guide;
- Moore's Federal Practice;
- O'Connors;
- Texas Practice Guide in various practice groups, including real estate litigation and insurance litigation; and
- Casemaker, which is available through your State Bar of Texas account, provides you access to low-cost forms in several practice areas.

**9. Legal Research Guides**

When you are delving into an area of law that you are unfamiliar with, sometimes, you don't know where to start. When you find yourself in that situation, reference a relevant research guide. Many law schools publish research guides. Georgetown Law has several excellent resources, <http://guides.ll.georgetown.edu/home>.

**10. Casemaker and Fastcase**

Conduct case law and statutory research at no cost through you State Bar of Texas account.

*Ashley Withers is a Research Attorney at Jackson Walker, LLP. She can be reached via email at [awithers@jw.com](mailto:awithers@jw.com) or phone at (214) 953-6027.*

## VOLUNTEERS NEEDED

Join DAYL for a volunteer project with homeless youth at the Promise House (<https://promisehouse.org>).

Volunteers will decorate cookies, make cards, and play games with the kids from 6:00 – 8:00 p.m. on **Monday, February 13**. If you are interested in volunteering, RSVP to **Cherie Harris** ([cherieh@dayl.com](mailto:cherieh@dayl.com)).



*Alex More, Tim Newman, Sarah Rogers, and Bill Richmond present a CLE program at the Belo Mansion in January.*

*DAYL 2017 Committee Chair Orientation: 2015 DAYL Leadership Class members turned 2017 DAYL Committee Co-Chairs.*



*DAYL's 2017 Executive Committee: Justin Gobert, Paul Simon, Charlie Gearing, Alex Bolton, Jennifer Ryback, and Stephanie Gause*



*DAYL 2017 Committee Chair Orientation: Representing the DAYL Assisting Lawyers in Transition Committee Adrian Bower, Kevin Segler, Michael Thicksten, and Jason Kathman*



*DAYL 2017 Committee Chair Orientation: Representing the DAYL Lawyers Against Domestic Violence Committee Lindzi Timberlake, Anna Ruzani, and Matthew Agnew.*



*DAYL 2017 Committee Chair Orientation: Matthew Rittmayer, Whitney Keltch, Leslie Chaggaris, and Brian Hill.*