

35th Annual Course

Advanced Civil Appellate Practice

Join us in Austin a day early for Civil Appellate Practice 101

LIVE Austin • December 2-3, 2021 • Austin Marriott Downtown

WEBCAST REPLAY • January 13-14, 2022 • Watch from your computer or mobile device!

COURSE POSTPONED • *New Dates in December!*



MCLE CREDIT 12.5 Hours (3.75 Ethics)

▼ Downloadable Course Materials



TexasBarCLE.com | 800.204.2222, x1574

Education by the Bar, for the Bar

Join us a day early in Austin for

Civil Appellate Practice 101

Separate registration required



Lawyers licensed 5 years or less
save \$50!

LIVE Austin

December 1, 2021

Austin Marriott Downtown

WEBCAST REPLAY

January 12, 2022

Watch from your computer
or mobile device!

PLEASE NOTE: Because the health and safety of staff and attendees is our top priority, **this course was postponed to a later date.** TexasBarCLE and host hotels will follow the latest CDC guidelines for in-person events. Attendance will require you to comply with protocols that promote a safe environment. [See more details.](#)

If an event is rescheduled or changed to webcast, registrants will be seamlessly transferred or you may request a refund.

MCLE CREDIT

6.25 Hours (.5 Ethics)

MCLE Course No: 174122673

Applies to the Texas Bar College and to the Texas Board of Legal Specialization in Civil Appellate, Civil Trial, Construction, Family, Labor and Employment, and Personal Injury Trial Law.



Scan to report your MCLE hours.

WEDNESDAY

6.25 hours including .5 ethics

8:15 Registration

Coffee & Pastries Provided

8:40 Welcoming Remarks

Course Director

Hon. Jennifer Caughey, *Houston*
Former Justice, Jackson Walker

8:45 Appellate Practice Nuts and Bolts .5 hr

Meredith B. Parenti, *Houston*
Parenti Law PLLC

9:15 Tips on Briefing and Argument .75 hr

Hon. Paul W. Green, *San Antonio*
Former Justice, Alexander Dubose & Jefferson

Michael Ritter, *San Antonio*
Fourth Court of Appeals

10:00 Error Preservation .5 hr

Leslie Ritchie Robnett, *Fort Worth*
Attorney at Law

10:30 Break

10:45 Jury Charge .5 hr

Andrew Johnson, *Houston*
Thompson Coe Cousins & Irons

11:15 Post-Verdict and Post-Judgment Motions .5 hr

Brandy Wingate Voss, *Edinburg*
Law Offices of Brandy Wingate Voss

11:45 Lunch on Your Own

Optional Brown Bag Lunch Presentation

12:15 Preparing for the Specialization Exam - with Q&A (No MCLE Credit)

Jennifer R. Brannen, *Austin*
Third Court of Appeals

Benjamin L. Mesches, *Dallas*
Haynes and Boone

1:00 Break

1:15 Mandamus .5 hr

Hon. Beth Watkins, *San Antonio*
Justice, Fourth Court of Appeals

1:45 Interlocutory Appeals .5 hr

Marie Jamison, *Houston*
Wright Close & Barger

2:15 Standards of Review .5 hr

J. Joseph Vale, *McAllen*
Atlas Hall & Rodriguez

2:45 Practice Before the Texas Supreme Court .5 hr

Nina Cortell, *Dallas*
Haynes and Boone

Chris Knight, *Fort Worth*
Haynes and Boone

3:15 Break

3:30 Finality of Judgments .5 hr

Tyler Talbert, *Waco*
Scanes & Routh

4:00 Ethics on Appeal 101 .5 hr ethics

Joshua J. Caldwell, *San Antonio*
Davis & Santos

4:30 Comparing and Contrasting State and Federal Appeals .5 hr

Yvonne Ho, *Houston*
Bracewell

Stephani Michel, *Houston*
Bracewell

5:00 Adjourn

TexasBarCLE presents the 35th Annual Course

Advanced Civil Appellate Practice

Cosponsored by the Appellate Section of the State Bar of Texas



Register early to **save up to \$125!**

Lawyers licensed 5 years or less take **half off!**

(See page 5 for details.)

LIVE Austin

December 2-3, 2021

Austin Marriott Downtown

Register by **Nov. 18** to save!

WEBCAST REPLAY

January 13-14, 2022

Watch from your computer or mobile device!

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MCLE CREDIT

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Scan to report your MCLE hours.

Thank You to Our Sponsor



WEDNESDAY

2:30pm – 4:30pm

Early Registration & Check-In

THURSDAY

7.5 hours including 2.5 ethics

8:00 **Registration**
Coffee & Pastries Provided

8:40 **Welcoming Remarks**
Course Director
Hon. Brett Busby, *Austin*
Justice, Supreme Court of Texas

8:45 **U.S. Supreme Court Update** .5 hr
Daniel L. Geysler, *Denver, CO*
Haynes and Boone

9:15 **Tips and Tools for Serving as the Appellate Attorney on Your Trial Team** .5 hr
Hon. Dustin M. Howell, *Austin*
Judge, Western District of Texas
Kirk L. Pittard, *Dallas*
Durham Pittard & Spalding

9:45 **Break**

10:00 **Ethical Interactions with Clients** .5 hr ethics
D. Todd Smith, *Austin*
Butler Snow

10:30 **The Rise in Civil Mandamus Filings** .5 hr
Hon. Gina M. Benavides, *Corpus Christi*
Justice, 13th Court of Appeals

11:00 **Getting and Keeping Appellate Court Jurisdiction** .5 hr
Christopher Dove, *Houston*
Locke Lord

11:30 **Break - Lunch Provided**

11:50 **Texas Appellate Hall of Fame Inductee Presentation** (No MCLE Credit)

12:05 **Luncheon Presentation: Implicit Bias** 1 hr ethics
Kevin Dubose, *Houston*
Alexander Dubose & Jefferson
Hon. Tonya Parker, *Dallas*
Judge, 116th Civil District Court
Denise Peterson, *Houston*
Texas Volunteer Mediator Association

1:05 **Break**

1:20 **Everything Appellate Lawyers Always Wanted to Know About Insurance but Were Afraid to Ask** .5 hr (.25 ethics)

William J. Chriss, *Corpus Christi*
The Snapka Law Firm

1:50 **To Infinity and Beyond: Legal Writing for a New Generation of Appellate Judges** .5 hr

Chad Baruch, *Dallas*
Johnston Tobey Baruch

2:20 **Appellate Issues in a Virtual World** .75 hr

Kirsten M. Castañeda, *Dallas*
Alexander Dubose & Jefferson
Hon. Tracy Christopher, *Houston*
Chief Justice, 14th Court of Appeals
Hon. Emily Miskel, *McKinney*
Judge, 470th District Court

3:05 **Break**

3:20 **Texas Supreme Court Update** .5 hr

Hon. Rebeca Huddle, *Bellaire*
Justice, Supreme Court of Texas
Mark Trachtenberg, *Houston*
Haynes and Boone

3:50 **Attorneys and the Media** .5 hr (.25 ethics)

Connie H. Pfeiffer, *Houston*
Yetter Coleman

4:20 **Understanding What the Court Needs: Obtaining and Winning Petition Grants** .75 hr (.5 ethics)

Michael A. Hatchell, *Austin*
Haynes and Boone
Charles 'Skip' Watson, *Austin*
Greenberg Traurig

5:05 **2021 Patrick A. Nester Outstanding Achievement in CLE Award Presentation**

5:10 **Adjourn**

Welcome Reception

5:20 p.m. - 6:30 p.m.
Join us for cocktails and hors d'oeuvres as we honor the Judiciary.

Sponsored by

STATE BAR OF TEXAS
APPELLATE SECTION

FRIDAY

5 hours including 1.25 ethics

8:00 **Coffee & Pastries Provided**

8:25 **Announcements**

8:30 **Findings of Fact and Conclusions of Law: The Advanced Playbook .5 hr**
Lucy Forbes, *Houston*
The Forbes Firm

9:00 **The Art and Science of a Successful Amicus Campaign .5 hr (.25 ethics)**
J. Carl Cecere, *Dallas*
Cecere PC

9:30 **Legislative Update .5 hr**
Jerry D. Bullard, *Grapevine*
Adams Lynch & Loftin
Hon. Jeff Leach, *Plano*
Texas House of Representatives,
District 67

10:00 **Gene Cavin Award Presentation**

10:05 **Break**

10:15 **Fifth Circuit Update .5 hr**
Hon. Stuart Kyle Duncan, *Baton Rouge, LA*
Circuit Judge, United States Court of Appeals for the Fifth Circuit
Paulette Chu Minitier, *Dallas*
Gibson Dunn

10:45 **Texas Supreme Court Panel .75 hr**
Moderator
Lisa Bowlin Hobbs, *Austin*
Kuhn Hobbs

Panelists

Hon. Nathan L. Hecht, *Austin*
Chief Justice, Supreme Court of Texas

Hon. Jane Bland, *Austin*
Justice, Supreme Court of Texas

Hon. Debra H. Lehrmann, *Austin*
Justice, Supreme Court of Texas

11:30 **The Texas Appellate Bench and Bar: Lessons from Switching Sides .75 hr**
Moderator

Hon. Larry Doss, *Amarillo*
Justice, 7th Court of Appeals

Panelists

Hon. Jason E. Boatright, *Dallas*
Duane Morris

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

Hon. April Farris, *Houston*
Justice, 1st Court of Appeals

12:15 **Lunch on Your Own**

Optional Brown Bag Lunch Presentation

12:45 **Preparing for the Specialization Exam - with Q&A (No MCLE Credit)**
Jennifer R. Brannen, *Austin*
Staff Attorney, Third Court of Appeals
Benjamin L. Mesches, *Dallas*
Haynes and Boone

1:30 **Break**

1:45 **Evolving Permissive Appeals in Texas: Evaluating Sabre Travel and Its Impact .5 hr**
Hon. Renée Yanta, *San Antonio*
Law Office of Renée Yanta

2:15 **No Way Out? Enforcement and Obstruction of Interlocutory Orders Pending Appellate Review .5 hr**
Russell S. Post, *Houston*
Beck Redden

2:45 **Ethics Game Show: Who Wants to Be an Ethics Millionaire? 1 hr ethics**
Host
Scott Rothenberg, *Bellaire*
Law Offices of Scott Rothenberg

Contestants

Elizabeth 'Heidi' Bloch, *Austin*
Greenberg Traurig

Jane M. N. Webre, *Austin*
Scott Douglass & McConnico

3:45 **Adjourn**

Thank You to Our Support Sponsor

Click on the logo to connect



▶ **Advanced Course Director**

Hon. Brett Busby..... Austin

▶ **101 Course Director**

Hon. Jennifer Caughey..... Houston

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Hon. Tracy Christopher Houston

Hon. Larry Doss..... Amarillo

Lucy Forbes..... Houston

Anne McGowan Johnson..... Dallas

Daniel L. Geysler Dallas

Steven K. Hayes Fort Worth

Yvonne Ho..... Houston

Lisa Bowlin Hobbs..... Austin

Hon. Lora Livingston Austin

Kirk L. Pittard Dallas

Russell Post Houston

Scott Rothenberg..... Bellaire

Rachel Stinson Houston

Charles 'Skip' Watson Austin

Hon. Renee Yanta San Antonio

▶ **TexasBarCLE Planning Team**

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Sarah Rich..... Program Coordinator

Yvette Ramirez..... Written Materials Coordinator

Kathy Kasper Meeting Planner

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STATE BAR OF TEXAS

Appellate Section

Join the Appellate Section for just \$25 a year, and get a \$50 discount on tuition for the *Advanced Civil Appellate Practice Course*

Reap these benefits of membership:

Receive The Appellate Advocate, an insightful, first-rate quarterly publication packed with articles, editorials, and reports designed to help you stay current on trends in Texas appellate courts.

Access a wealth of information through the Section's website, www.tex-app.org. View each Texas appellate court's local rules and docketing statements, past issues of The Appellate Advocate, and a member directory that trial attorneys who are looking for appellate counsel can use to find you.

Receive periodic email alerts regarding matters of particular interest and concern to Texas appellate attorneys.

Take advantage of the opportunity to participate on committees with sitting appellate judges and experienced appellate attorneys, helping to improve our appellate system of civil justice.

www.tex-app.org

Reserve Your Hotel Room Early

Hotel rooms have been blocked at special rates on a space available basis. To make a reservation, contact the hotel and indicate that you will be attending this State Bar of Texas course.



LIVE Austin

Austin Marriott Downtown
304 E. Cesar Chavez Street
Austin, TX 78701
(512) 457-1111
\$159 single/double

Hotel Deadline: November 9

Make your reservation online:

www.TexasBarCLE.com?a=CivilApp

Parking: The Marriott is valet only at a discounted rate of \$44 per day for attendees. Additional daily parking may be available at the Austin Convention Center 2nd Street Garage (201 E. 2nd St). See details online: www.austinconventioncenter.com/directions-and-parking

TexasBarCLE.com

Ways to Save on the Advanced Course!

Register by November 18 and Save \$50

Early registrations help us ensure that sufficient course books, seating, and refreshments are available. Course materials and seating will be reserved for preregistrants until the start of the first topic.

GO GREEN and Save \$25

Select the PDF download ONLY for a discount.

Appellate Section Members Can Save \$50

Not a member? To join, visit your My Bar Page and join online, or download a membership form from TexasBar.com/sections to pay by mail. Please do not send section membership payment with your registration fee.

Appellate Section Scholarships for the 101 and Advanced Courses

Deadline to apply is October 20, 2021. For details, please email AdvAppScholarships@gmail.com.

Texas Bar College Members Can Save \$25

To join or learn more, visit texasbarcollege.com or call (800) 204-2222, x1819.

Texas Paralegal Division Members Can Save \$25

To join or learn more, visit txpd.org or call (806) 443-2209.

Earn Discounts by Registering Five or More

from your firm or agency. Contact Firm & Group Sales Manager Laura Angle at (512) 263-2802 or laura.angle@texasbar.com.

HALF OFF for Attorneys Licensed in Texas 5 Years or Less!

Attorney licensed in Texas 5 years or less get half off the full registration fee. See the registration form.

FYI

Scholarship Information

TexasBarCLE offers scholarships for live courses, video replays, online classes, and webcasts. To apply or learn more, call (800) 204-2222, x1490, Mon-Fri 8am-5pm CT. Please apply at least two weeks prior to any live/video replay course or at least one week prior to any webcast or online class.

Active Texas State, County, and Federal Judges, Administrative Law Judges, Hearing Examiners, and Judge's Staff Attorneys may attend out-of-state programs for a discounted rate or in-state programs for free, provided:

(1) the course directly relates to the judge's/tribunal's jurisdiction, (2) the judge is a full-time judge or retired under a judicial retirement system and (3) space is available for all paying registrants. This privilege does not extend to prosecutors, receivers, trustees, other court staff, or persons serving part-time in a judicial capacity. Actual attendance is required to receive course materials.

Parking Information is subject to change and does not guarantee available space.

If You Need Special Accommodations to Attend or Have a Food Allergy, please contact us as soon as possible at (800) 204-2222, x1751.

Registered but Can't Attend? Still Earn MCLE Credit by taking the course online later. If you would rather have a refund, call (800) 204-2222, x1574 or fax your request to (512) 427-4443.

Refund requests must be made at least one business day before the program.

FREE ONLINE BENEFITS! Online Videos and MP3s of the Topics

will be available to registrants 6-8 weeks after the course. Provide your e-mail address when preregistering to be notified when and how these benefits may be accessed. (Note: Presentation lengths may vary from that which was advertised.) There's no extra charge; as a registrant, you're already entitled!

Interested in Sponsoring or Exhibiting at this Course or Others?

Please contact us at clesponsorships@texasbar.com.

Policy of Impartiality The State Bar of Texas does not endorse political candidates. When a candidate for the public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.

REGISTER FOR THE LIVE COURSE



ONLINE

TexasBarCLE.com

Credit Card Only

PHONE

(800) 204-2222, x1574

during business hours

Credit Card Only

MAIL

State Bar of Texas

LB# 676916, P.O. Box 972298

Dallas, TX 75397-2298

check or credit card

Registering five or more?
E-mail Laura Angle at laura.angle@texasbar.com for group discount information

Limited Number of Appellate Section Scholarships Available!

The Appellate Section offers a limited number of need-based tuition scholarships. The application deadline is October 20, 2021. For details, please email AdvAppScholarships@gmail.com.

▶ **Advanced Civil Appellate Practice** [5035]

LIVE Austin • December 2-3, 2021

○ Regular Registrant..... \$795

Take \$50 OFF: Register by November 18

○ Licensed 5 years or less, **HALF OFF**..... \$397.50*

ADV. WEBCAST REPLAY • January 13-14, 2022

To register for the webcast replay, see **Register for the Webcast** information at right.

Your **Live Advanced Course** registration includes:

- Coffee and pastries each morning
- Hot lunch provided on Thursday
- Thursday evening reception honoring the Judiciary
- Complimentary Wi-Fi in the meeting room
- Course materials provided as a PDF download and printed book, or select the *download only* for a discount!

▶ **Civil Appellate Practice 101** [5036]

LIVE Austin • December 1, 2021

○ Regular Registrant \$275*

○ Licensed 5 years or less, **\$50 OFF**..... \$225*

101 WEBCAST REPLAY • January 12, 2022

To register for the webcast replay, see **Register for the Webcast** information at right.

I may attend complimentary because I am a (see p. 5):

- Qualifying judge ○ Judge's staff attorney

*Does not qualify for further discounts in the Discounts section below.

▶ **Course Materials**

Advanced Course • I want my materials format to be:

○ Hard copy book as well as a PDF download of same (both formats included in registration fee)

○ PDF download ONLY so I'll **take \$25 OFF**

101 Course • Materials will be provided as a PDF download only.

Note: Please download the materials *before* you arrive at the course, since internet access may be limited.

▶ **Discounts**

I am entitled to 1 or 2 discounts on the **Advanced Course:**

○ **\$50 OFF** because I am registering by November 18

\$50 OFF because I'm a member of the

○ Appellate Section - **OR** -

\$25 OFF because (choose 1 box only) I'm a member of the:

○ Texas Bar College

○ Paralegal Division

For more information on joining the section, see page 5.

▶ **My total is \$_____ . I am paying by:**

○ Check (enclosed) payable to the State Bar of Texas for \$_____

○ Visa ○ Mastercard ○ Amex ○ Discover

PLEASE PRINT LEGIBLY Account No. _____ Exp. Date _____

Name on card (Please print) _____

Signature _____

State Bar Membership No. _ _ _ _ _

Registrant Name _____

Firm Name/Court _____

Address for Bar-Related Mail _____

City/State Zip _____

Phone () _____ Fax () _____

E-Mail (required for registrant's PDF download option): _____

A confirmation of your registration will be sent to the e-mail address you provide.

REGISTER FOR THE WEBCAST ▶ TexasBarCLE.com

▶ **Webcast Registration and Course Materials**

Webcast registration is offered online using a credit card at TexasBarCLE.com. If you have any questions or would like to register by phone, please call 800-204-2222, x1574. Mail or fax registrations are not accepted at this time.

The **Webcast Replay** fees are as follows:

- **Advanced:** \$595 per regular registrant, or \$322.50 if licensed 5 years or less
- **101 Course:** \$245 per registrant

Additional discounts available online.

Course materials are included as PDFs for the Advanced and 101 webcast.

A hardcopy book is included in your Advanced course registration, or Go GREEN for a discount! When ordering a hard copy book, please confirm your shipping address. Pre-ordered books are generally shipped the week of the program. Book orders placed within 2 weeks of the program date may not arrive before the program begins. For any questions, please email cleregistration@texasbar.com.

▶ **Claiming MCLE Credit**

For the webcast, click the **Claim Credit** tab at the conclusion of your viewing. Please read & acknowledge the instructions, edit any information if needed, then click **Submit Hours** at the bottom of the page.

▶ **Replaying the Webcast**

If you cannot watch the entire webcast at its scheduled time, an archived recording will be available under **My Purchases** within a few days of the live program. You may then complete the program at your convenience and claim MCLE credit through November 30, 2022.

IMPORTANT: Registration for this webcast admits only the registrant.

Registrants are expressly prohibited from allowing nonregistrants access to the program.

For group viewings of a webcast, contact Firm & Group Sales Manager Laura Angle at (512) 263-2802 or laura.angle@texasbar.com.

I can't attend, but would like the materials

FREE Shipping & Handling

To purchase the Advanced hard copy book for \$155 (plus tax), a discounted PDF download of Advanced course materials, or the 101 course book PDF for \$85, search **Publications** at TexasBarCLE.com (available 1-2 weeks after the course). Book orders are shipped separately 1-2 weeks after the live program.

Questions? Please email cleregistration@texasbar.com or call (800) 204-2222, x1574.

MP3 files of topics will be downloadable from TexasBarCLE.com 6-8 weeks after the course. For information on other course products, contact our Flash CLE service at (800) 204-2222, x1575.

QUESTIONS?

(800) 204-2222, x1574
(512) 427-1574