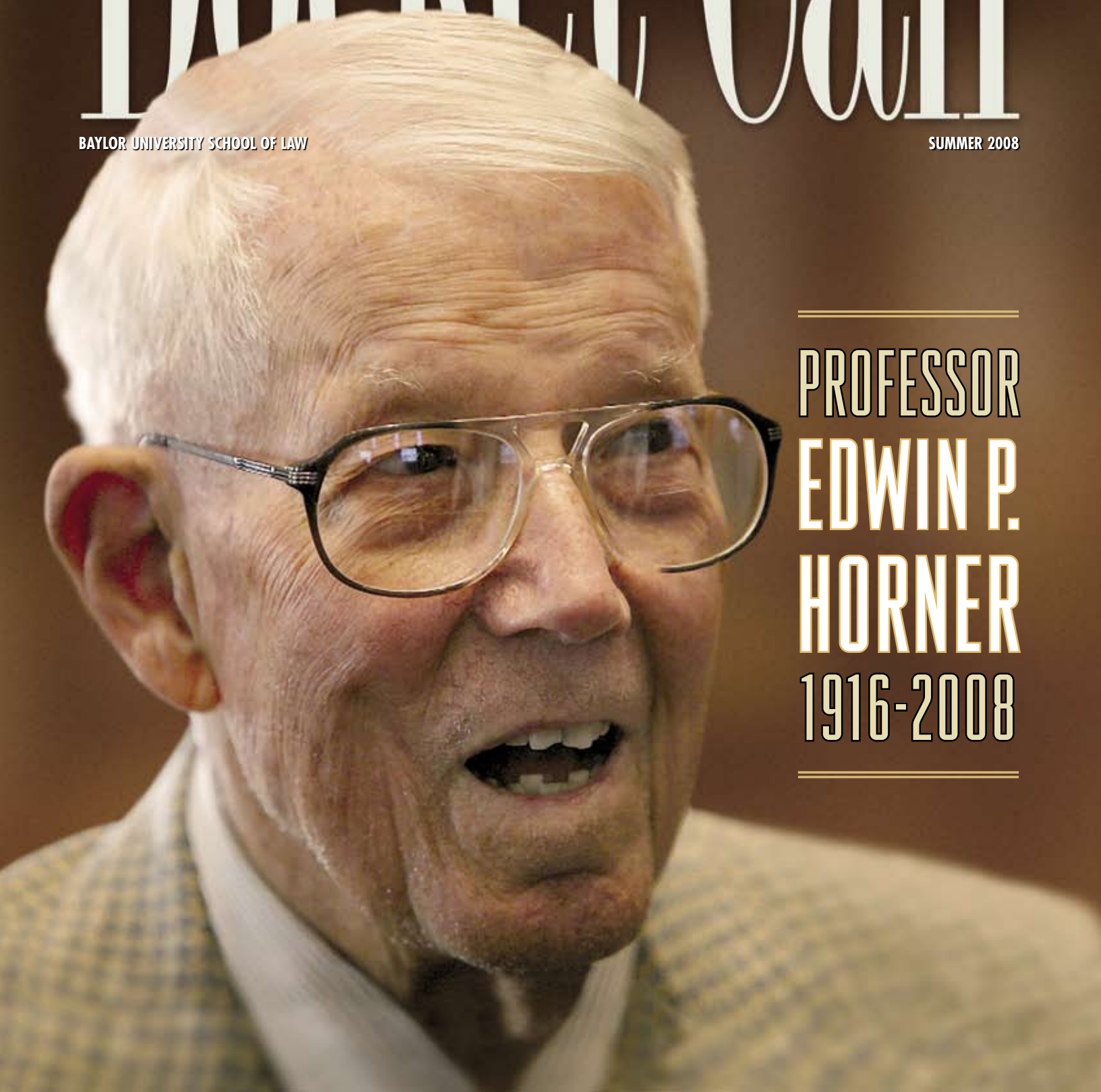


Docket Call

BAYLOR UNIVERSITY SCHOOL OF LAW

SUMMER 2008

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EDWIN P.
HORNER
1916-2008



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WHO PASSED AWAY FEB. 1
AT THE AGE OF 92
AND WHO TAUGHT THOUSANDS
OF BAYLOR LAW STUDENTS
OVER A COURSE OF SEVEN DECADES.



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SUMMER 2008

Docket Call



DEAN'S MESSAGE

THE WEEK IN WHICH OUR FRIEND

ED HORNER

DIED WAS MUCH LIKE ANY OTHER WEEK.

ED WAS AT SCHOOL ALL DAY MONDAY AND TUESDAY. HIS PRESENCE AT THE SCHOOL EACH DAY, FOR THE BETTER PART OF THE DAY, WAS A ROUTINE THAT HE HAD FOLLOWED THROUGH YEARS OF RETIREMENT, THOUGH ED HAD CONTINUED TEACHING A SMALL SEMINAR COURSE UNTIL A HANDFUL OF YEARS AGO. HIS DAYS MORE RECENTLY WERE SPENT READING IN HIS OFFICE, VISITING AROUND THE LAW SCHOOL, HAVING COFFEE WITH OTHER RETIREES ACROSS THE UNIVERSITY, AND MOST IMPORTANTLY, SPENDING TIME EACH DAY AT WESLEY WOODS, AN ALZHEIMER'S CARE FACILITY WHERE ARDEN, HIS WIFE OF 65 YEARS, HAD BEEN A RESIDENT THE LAST FEW YEARS.

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Only a mild cold kept him at home the latter part of the week. On Friday evening, Ed drove to Wesley Woods. He had dinner with Arden, but was not feeling well when he left for home. Ed's granddaughter, Amy, who is Baylor student living with Ed, found Ed when she came home around midnight. EMTs were summoned, but Ed had passed away earlier in the evening upon arriving home.

We have lost a consummate gentleman who had a loving heart for all. Apart

WE HAVE LOST A CONSUMMATE GENTLEMAN WHO HAD A LOVING HEART FOR ALL. APART FROM ARDEN AND HIS FAMILY, ED REGARDED HIS COLLEAGUES AND HIS STUDENTS AS GIFTS WHO WERE GIVEN TO HIM SO HE COULD SERVE THEM IN WHATEVER WAY THEY NEEDED HELP OR GUIDANCE.

from Arden and his family, Ed regarded his colleagues and his students as gifts who were given to him so he could serve them in whatever way they needed help or guidance. Ed would stop by my office nearly every day to ask if there was any task with which he might help. He was a presence at any event touching upon Baylor Law School, whether on campus or across the state.

He so loved Baylor Law School, his colleagues and his students. Since 1963, when the Baylor Lawyer of the Year recognition was first conceived, Ed was the only non-Baylor lawyer to receive the honor, in 1990. He was, indeed, a Baylor Lawyer through and through. To describe Ed as an icon in the Baylor Law community is an understatement.

Ed was devoted to the art and craft of teaching, which he regarded as the

highest calling of a faculty member. He enjoyed nothing more than studying and discussing the law (especially oil and gas law and contracts) with all who shared his interest and passion for learning.

For many years Ed (along with our colleagues Dean McSwain and David Guinn) had been sought out by those Law School friends and alumni who stopped by on an almost daily basis. They simply wanted to share greetings and a moment with him in his office. Whether encountering alumni in his office at the law center, at a Baylor athletic event (Ed

was an inveterate Baylor athletics fan and served for years as the University Faculty Athletic representative to the Southwest Conference and the NCAA), Ed delighted our alumni by being able to not only remember their names, but also by being able to tell them where they sat in his classroom, their hometowns and some interesting piece of information about their background and experiences—all this decades after their graduation. Our alumni revel in stories of Barry and Parry, “don’t put all your eggs in what, what, what . . . one basket,” “don’t write it down until you’ve heard it two, two, three times (if you’ve sat in an Ed Horner class, you’ll understand these references).”

Back in the 80s, the publisher of *TexJur* engaged Ed to re-edit the legal treatise’s coverage of Oil & Gas. I can’t help but think that the publisher was anticipating

that Ed would do a “once over,” updating pertinent sections as necessary, making some editorial adjustments and the like—nothing too overly involved. How I well remember that Ed went way beyond what was likely expected. For several months, Ed painstakingly re-read every case cited in the footnotes of the Oil & Gas coverage (*TexJur* employs long string cites for most propositions). Ed would fret when a case was only obliquely or marginally on point. He’d “make it right” in the sections and in the endless footnotes regardless of how long it took! I saw him, day after day, “spread out” in the faculty library and was reminded each time of what exacting excellence is.

There was a time, after we moved into the new law center in the fall of 2001, when Ed decided to give up his vintage—well, at least quite old—Royal typewriter and take on a computer. It didn’t last long—in fact, only a handful of days. Ed was consistently frustrated by the peculiarities of the word processing program. This gives me pause to remember something that made Ed different from most of humanity: he never got visibly frustrated, *never* spoke an ill word about anyone, and had an enviable equanimity. When uneasy, or when quizzical about anyone or anything, Ed had a signature reaction, one without words: a broad smile, perhaps a shake of the head, perhaps puzzlement, but never an ill word.

A few years ago, Ed wrote a letter of apology to the editorial board of the *Oil & Gas Reporter*, for which he wrote for over four decades, explaining that he felt he was letting the journal down because he could no longer in his late 80’s keep up with developments as he thought he should. As I observed, Ed had forgotten more Oil and Gas Law than the best of o&g lawyers and experts have known. What a completely humble, unassuming man he was!

Another aspect of Ed I found so fascinating was his courthouse photography. While there are published coffee table books that feature the courthouses of Texas, the

Ed developed his own photo collection of all 254 courthouses—each photo taken by him in his travels, including many that tracked additions and renovations. He was attracted by the architecture, the courthouse as symbol of the strength of a community expressed through the justice system, and the history of the community personified in its courthouse. Ed enjoyed traveling by car with a law alumni directory by his side, stopping in on Baylor lawyers as he passed through towns.



Ed joined the faculty in 1948 and retired in 1986, with only an eight-year hiatus in San Antonio so that one of Ed and Arden’s daughters, Claudia, could be in a school program for hearing-impaired children. I always maintained that Ed’s relationship with Claudia was proof that God has a sense of humor—giving a hearing impaired daughter, who early on became adept in lip reading, to a father known as Fast Eddie for his rapid fire mumbling. Somehow, Ed and Claudia developed their own means of connecting through Ed’s non-ASL brand of signing.

There were many moments, some sad, some happy, some a bit alarming, that my colleagues shared with Ed over the past few years. There were even those moments when the question of “the


keys” arose, part of the worries about Ed and his driving. Ed protested that the only places he drove were Wesley Woods, church and home. We would wonder, in quiet humor “so, Ed, there’s no traffic between here and there?” Ahhh . . . the irrepressible Ed!

Over the last few years, Ed had several hospitalizations and needed special assistance with transportation, meals, doctor visits, shopping and the like. Special love and care was given to Ed by our Law School team members Laura Obenoskey (who was a special friend of Ed), Becky Beck-Chollett, Meredith Meyer, Jerri Cunningham and Leah Jackson. They have, along with others, given genuine expression to the meaning of family within the Baylor Law School community.

In his last years, Ed had two fervent desires. The first was to be able, by his and Arden’s generosity, to reach a very ambitious funding level for an endowed student scholarship that he and Arden established years ago and that they consistently augmented. Ed achieved this goal, with room to spare, and the scholarship fund will be even much further enlarged through a remarkably generous charitable remainder trust, as well as the many memorial gifts made by his host of admirers.

The second goal Ed had was, simply put, a determination to outlive Arden. Ed would often tear up just at the mention of Arden as he chatted about his day. How he loved her! Ed was deeply committed to assuring that Arden found her way home before he did so he could tend to her day by day, as he did for so long. Arden survived Ed, but only by just shy of three months. What a glorious reunion that surely was!

Perhaps all the foregoing can most easily be expressed by saying simply that Ed loved all and all loved Ed. —


BRAD TOBEN
Dean, Baylor Law School

A MESSAGE FROM RICK BROPHY, PRESIDENT OF THE BAYLOR LAW ALUMNI ASSOCIATION

Law school was enough years ago that many memories have faded. But some memories will never fade. One of those was the example used by Ed Horner to teach mutual mistake in contracts. I can hear Ed saying, like it was yesterday, “was it Barry or Parry?” One of my classmates even had a Barry or Parry T-shirt. Since I work in Waco and teach part-time at the Law School, I would see Ed fairly frequently. He loved the Law School and was always there, even after he retired from teaching. Many adjectives come to mind when I think about Ed Horner—kind, caring, gentle spirit, dedicated, smart, funny, and on and on. Baylor Law School is a better place due to the years Ed Horner devoted to her.

He will be missed.

Rick Brophy is a founding partner of Beard Kullgen Brophy Bostwick & Dickson, LLP, in Waco. In addition to serving his clients on legal matters, Brophy is extensively involved in the local community, currently serving as Chairman of the Greater Waco Chamber of Commerce, immediate past president of the Waco Rotary Club, and formerly as coach to eight-time Midway Little League Softball World Series Champions. He graduated from Baylor Law School, with honors, in 1977.

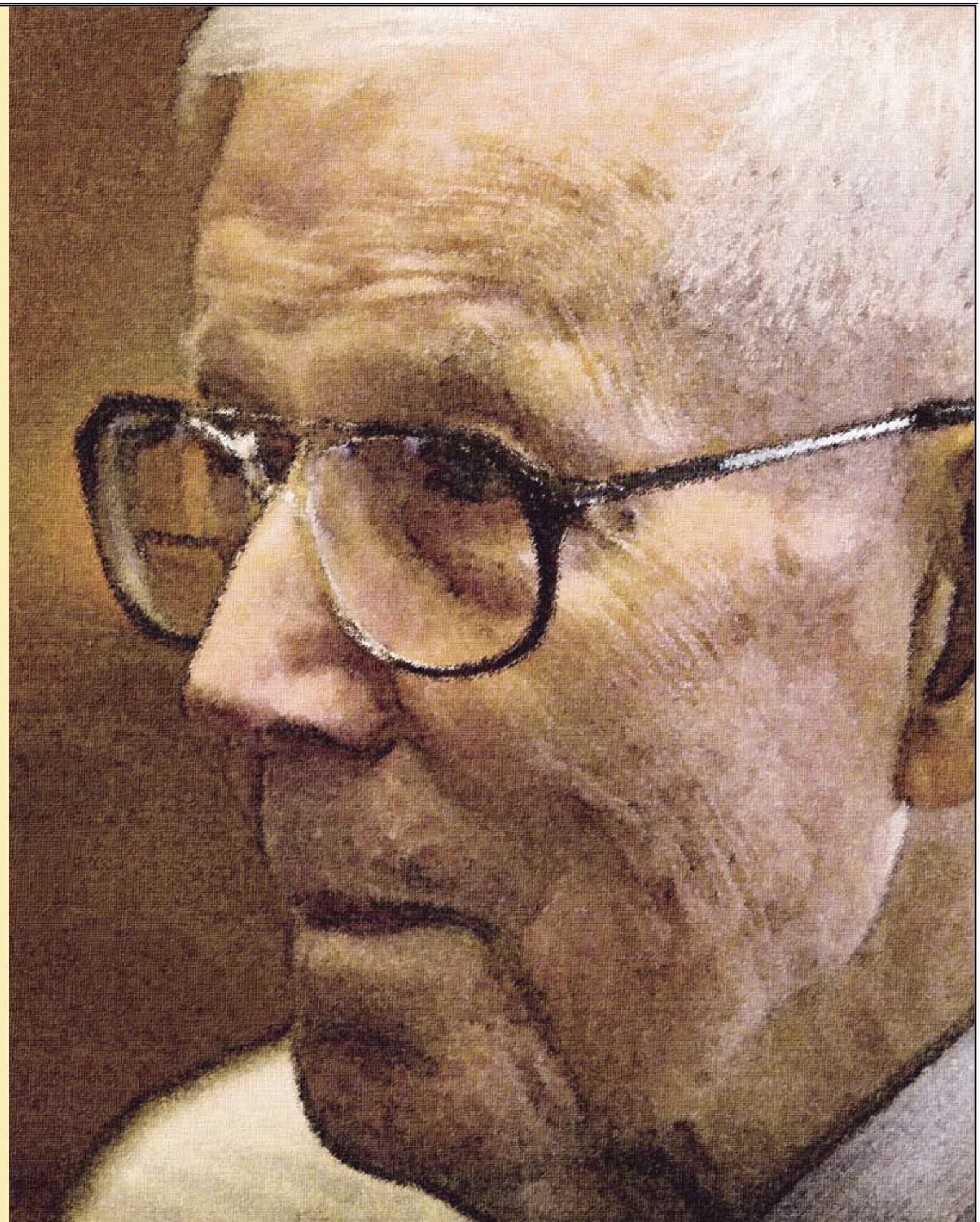


FAREWELL TO FAST EDDIE

Edwin P. Horner, emeritus professor of law and an icon at Baylor Law School, died Feb. 1 at his home in Waco. He was 92. Serving as a faculty member at Baylor Law School during five decades, Horner taught courses at Baylor during seven decades. He served as a co-editor of the *Oil and Gas Reporter*, and was an expert in Texas property and oil and gas law. Although he retired from teaching in 1986, he continued to teach oil and gas law on a part time basis as an adjunct law professor until 2004. Additionally, he continued to write for the *Oil and Gas Reporter*, penning his final article in 2005. He wrote more than 600 articles for the journal. Horner became the first—and only—person to be honored as Baylor Lawyer of the Year who was not a graduate of Baylor Law School. He is survived by truly the love of his life, his wife Arden, who passed away three months after Ed, and his children—Suzy, Roberts and Claudia.

The following is a story written by former *Docket Call* Editor Alan Hunt. The article, titled “Fast Eddie and the Open Road,” appeared in the Spring 1994 issue of *Docket Call* and captured the man who “was a consummate gentleman who had a loving heart for all.”

—Continued on page 10—



AFTER FOUR DECADES OF TEACHING, ED HORNER can post some impressive numbers—4,000 students, two horses, 254 county courthouses, and thousands of miles on the highways and backroads of the Lone Star State.

Ed Horner is a true “teacher’s teacher.” He can point to eight of the 19 members of the Baylor Law School teaching faculty and proudly claim, “They were all students of mine.”

In alphabetical order, the eight individuals are Professors Marianne Auld, Melissa Essary, Tom Featherston, Leah Jackson, Beth Miller, Louis Muldrow, Gerald Powell, and Dean Brad Toben. (Auld and Essary are no longer on the faculty. Auld

total is “perhaps about 4,000.” Others would put the figure much higher.

Interestingly, not only does Ed Horner remember most of the students he had in his class, chances are he also remembers just as clearly the highways and byways of the Texas towns from which they came. Invariably, he has visited their hometown as he pursued his unusual hobby of photographing the courthouses of the sprawling Lone Star State. Horner says it was a fascinating, but time-consuming project. In fact, it took him 23 years to complete the list, visiting all 254 counties in Texas to snap their courthouses.

“I started photographing them in 1948, when my wife and I were returning from a visit to New Mexico,” he recalls. “I spotted

Circleback, Needmore, Utopia, and Agnes, to name but a few, were among those that appealed to him. Then there were expeditions beyond the borders of Texas.

“I have been to every state in the union and have photographed all but two of the capitals,” he says. “I have been to every Canadian province, except three.” The Horner family travels have not been confined solely to the North American continent. There have also been three trips to Europe and one to China. And, of course, he has the pictures to prove it. When Horner officially “retired” from the faculty of the Law School in 1986, his faculty colleagues presented him with a new camera to replace the battered, 30-year-old Agfa he had carried on his travels. He says he also wore out “a car or two” pursuing his hobby.

served on the editorial board of *Oil & Gas Reporter*, published by the Southwestern Legal Foundation in Richardson.

Horner’s deep-rooted love of Baylor and the Law School means he never misses a Homecoming parade. He is usually the first to grab a prime viewing spot on the sidewalk outside the Law School building. As an example of his enthusiasm, a couple of years ago he claimed his space on South Fifth Street just a short time after his release from the hospital following heart surgery!

The Davis, Okla., native continues to endear himself to countless Baylor law students through his kindness and warm personality. “I have never tried to intimidate students,” he says. His approach may explain the generation-spanning fondness that many law graduates feel for “Fast Eddie”—a nickname affectionately bestowed on him because of his speedy way of talking. “My piano teacher said I played too slow and my debate teacher said I talked too fast, so I gave up trying to please them all,” Horner says with a chuckle.

Typical of his close rapport with the students was an incident a few years ago when they brought two live horses into the classroom to help Horner illustrate a legal point.

For years, he had used a pair of imaginary horses called “Parry” and “Barry” to explain the difference between what is intended to be said and what is actually said (objective vs. subjective). But one day in 1981, the students asked Horner to cover his eyes as he entered the classroom. Once inside, he peeked and found a real live “Parry” and “Barry” awaiting him! “The students had a good laugh over that,” he says. “It certainly broke the monotony of study.”

A graduate of the University of Oklahoma, Horner served in the Air Force during World War II and was among the first post-war graduates of Southern Methodist University School of Law, graduating cum laude in 1948. Later, he quit a job in his

father’s bank for the chance to teach at Baylor School of Law. He stayed at Baylor until 1960, when he and his wife, Arden, and family moved to San Antonio to enable their daughter, Claudia, to attend a school for deaf children. (The Horners, married 51 years, have three children.) Horner worked as a trust officer in a bank, but in his spare time he taught at St. Mary’s Law School night division, then located in downtown San Antonio.

In 1968, Professor Angus McSwain, then Baylor Law School dean, offered Horner a teaching job—and “the rest is history,” he says. Over the years he has taught about 10 different subjects, but for more than 20 years he has specialized in teaching oil and gas law and contracts.

Horner also served as Baylor’s faculty representative on the Southwest Athletic Conference and the National Collegiate Athletic Association (NCAA) for 17 years, retiring in 1986. He served as president of the Southwest Conference from 1983-85. His successor as faculty representative is David M. Guinn, who serves as Master Teacher and the Louise L. Morrison Professor of Constitutional Law.

As a youngster, Horner played on a record-setting football team at Davis High School. The record set, however, was unique.

“I say we made a record that may be tied but never broken. We didn’t win a single game that year.”

He adds, “There were 18 on the squad. I played several positions on the team. I was a guard, an end, and I was a quarterback. The coach couldn’t decide. We all sort of drew straws to decide where we were going to play on the team. We had a lot of fun, although it was no fun for the coach. He was ready for the season to end.”

Horner says one of his proudest moments during his long career at Baylor was the decision by Baylor’s law alumni to name him Baylor Lawyer of the Year in 1990. “It’s an honor normally reserved exclusively for Baylor graduates,” he says. “They, in effect, ‘adopted’ me as one of their own in naming me Baylor Lawyer of the Year—and I was very humbled,” he says. “It’s quite an honor, believe me.”

Former student Melissa Essary says the honor of having Ed Horner as a teacher, mentor and friend is one that she and her faculty colleagues, students and alumni will always treasure. “He is simply one of life’s ‘nice people,’” she says. —

AFTER MORE THAN FOUR DECADES OF TEACHING, 78-YEAR-OLD HORNER HAS RUN OUT OF FINGERS AND TOES TRYING TO COUNT THE HUNDREDS AND THOUSANDS OF STUDENTS HE MIGHT HAVE TAUGHT OVER THE YEARS.

is a partner at Kelly Hart & Hallman LLP, and Essary is Dean of the College of Law at Campbell University.)

“They are all excellent teachers,” he says. “It kind of makes me feel proud. I don’t know if I had anything to do with it or not, but I like to think maybe I did.”

After more than four decades of teaching, 78-year-old Horner has run out of fingers and toes trying to count the hundreds and thousands of students he might have taught over the years.

At a conservative estimate, he says the

the Lamb County courthouse at Littlefield, northwest of Lubbock, and something persuaded me to stop and take a picture. After that, it really became something of a challenge. I had a big map of Texas on my office wall and I colored in each county after I took the courthouse picture. It was a hobby that just grew.”

When he had completed all the courthouse pictures, filling three photo albums in the process, Horner continued his Texas travels, taking pictures of some of the more unusual town and city signs. Places with names like Okra, Raisin, Oatmeal, Peacock, Twitty, Quail, Veribest,

Although technically retired, Horner continues to teach one oil and gas course until 1989, and today he still teaches one course in oil and gas drafting—a course he has taught since 1953. “I suppose, technically, I am an adjunct professor these days,” he says.

He maintains an office on the third floor of the Law School, where he can usually be found, early in the morning or late at night, working at the keyboard of his typewriter. An acknowledged expert in Oil and Gas law, Horner is often contacted by former students and other attorneys seeking his opinion on a case. Since 1959, he has

ED HORNER
AND HIS WIFE
ARDEN HORNER



1 MEMORABLE JOURNEY

Ed Horner served as Baylor's faculty representative for athletics for 17 years and as president of the Southwest Conference from 1983-1985 and remained a fan of all things relating to Baylor athletics. Legendary sports writer Dave Campbell first got to know Horner in 1956 and remained friends with him for the next 50 plus years. Below, he recounts a memorable journey with Horner and former Baylor Law Dean and Baylor President Abner McCall.

by DAVE CAMPBELL

IN MORE THAN 60 YEARS OF COVERING SPORTING events and more specifically the Baylor Bears, I believe I have traveled enough miles to circle the globe, maybe even circle the globe twice or three times. But in all that traveling, I don't think I ever made a trip more interesting, more memorable, than the one I made in mid-May of 1956 with two members of the Baylor Law School faculty, Abner McCall and Edwin Horner.

The trip took us from Waco to Fayetteville, Ark., for the spring meetings of the Southwest Conference. Those meetings included the conference's annual track and field meet, the conference tennis tournament and golf tournament, but also—and this was especially important in 1956—the deliberations and decisions of members of the conference's faculty athletic committee.

In addition to serving as dean of the Law School, Abner McCall was Baylor's athletic faculty representative in those years and I presume Horner was his understudy.

Southwest Conference. McCall had spent several of his earlier years with the FBI. He had tried to enlist in military service during World War II and had been turned down. Your teeth are too bad, the military told him. McCall told those people he didn't think they would be wanting him to bite anybody. But rejected, he signed on with the FBI and spent quite a bit of his time chasing draft dodgers, mainly in California.

Some of his stories about those years were unforgettable, and one of them, as best I can remember, concerned a time when he was part of a posse chasing a bank robber. The chase took the posse to the badlands of Utah and wound up with both the pursuers and the pursued exchanging gunfire on a Utah mountain while ducking back and forth behind big boulders. McCall finally made his way up the mountain, trying to capture the man, and the bandit had McCall in his sights at point-blank range when another member of the posse shot him. In McCall's telling, to these young ears, it was like something straight out of Hollywood. Fascinating stuff.

Maybe Ed Horner had heard McCall tell about those experiences before, but they were all new to me.

So was his reminiscing about the conference faculty meeting in May of 1955 at the old Rice Hotel in Houston. Football coach Paul (Bear) Bryant and the Texas Aggies were much in the news at that time. Or even before that time.

In 1954 the Southwest Conference faculty meetings had been held in Waco, at the old Roosevelt Hotel. There had been much talk before those meetings that Texas Tech would finally win an invitation to become a conference member, something Tech had been trying to secure for 20 years. But it didn't happen. Why not? We were informed that A&M, at Bryant's behest, unexpectedly had voted against Tech. When news reporters sought to question A&M's faculty rep, C.H. Groneman, about the switch, they couldn't find him. Some said he had evaded us by going down the hotel fire escape.

Crazy, crazy, crazy, but all that was just prelude to 1955 and the conference faculty meetings in Houston. As noted, A&M once again was much in the news. Bryant and some of his assistant coaches and key supporters had been caught cheating—paying some top high school prospects to sign letters of intent to play for Texas A&M.

McCall told us on that trip to Fayetteville that when he arrived at the Rice Hotel for the faculty deliberations, a University of Texas representative quickly sought him out. Bryant and his people have been caught cheating, caught redhanded, McCall said the UT man told him, “and we're going to kick them out of the conference.”

McCall's response: “Now before you do that, you better think it through. A&M has some strong representation in the Texas Legislature, and if you make their people mad enough, you could wind up seeing the University of Texas have its appropriations slashed to the bone.”

That was the end of talk about kicking Texas A&M out of the Southwest Conference. The faculty fathers opted instead to put Bryant's program on probation for two years and they told those foot-

ball prospects who had signed with A&M that they were free to sign with another school without penalty if they so desired. (Only a couple of them did so. Quarterback Bobby Manning switched to Texas and lineman Tom Sestak to Baylor. Sestak didn't stick around Baylor long. But he did wind up becoming an outstanding pro while playing for Buffalo in the old AFL.)

After A&M had been put on probation, and the NCAA had followed suit, Bryant and his people turned over a new leaf. Harold Ratliff, regional sports editor of the Associated Press, wrote about it. They had become the nice, caring, thoughtful guys of the SWC, he suggested. And all that was part of our conversation as we drove to Fayetteville on that spring day in May in 1956.

The faculty meetings there, and the decisions that came out of them, became major conversation pieces all across Texas. A&M joined other league members in voting unanimously to make Texas Tech the eighth member of the SWC, setting off wild celebrations all over West Texas. And the league fathers voted to revoke A&M's two-year probation sentence and recommended that the NCAA do the same (which the NCAA declined to do, and thus

the 1956 SWC champion Aggies did not get to play in the Cotton Bowl).

So when the trio of McCall, Horner and this young scribe started on our return trip late that Saturday (we stopped in Fort Smith and spent the night), we had plenty to hash and rehash. And it was on that trip that I really got to know Ed Horner, who officially became Baylor's athletic faculty representative in 1969 and served with distinction in that capacity until 1986 before giving way to David Guinn.

In my numerous dealings with him during those years, we hardly ever failed to bring up that memorable trip to Fayetteville, and I have to believe that experience helped make Ed Horner the excellent Baylor athletic faculty representative he turned out to be. In that regard I can only echo the words of David Guinn, his long-time colleague, who says: “Ed Horner was regarded with great affection and respect by all who knew him. He loved the Southwest Conference and he became one of its leaders. He was always on top of his game. And he was green and gold all the way.”

He remained green and gold until the day of his death. —



As Faculty representative for athletics, Ed Horner often took part in press conferences like this one from 1968. Legendary sports writer Dave Campbell can be seen writing in the background.

Remembering a Great Teacher and Colleague

Ed loved to study, analyze and apply the law. Ed loved to teach and challenge the minds of students. Put them together and Ed was the consummate law professor! His one “absolute” demand was that students, lawyers and judges MUST be precise. Sloppiness or laziness would not be tolerated as to an analysis of the facts and/or the law. The “correct” decision could turn on one word in the contract, the deed or the statute or the presence or absence of one fact could make all of the difference. Ed insisted upon and helped students learn that strict discipline of one’s mind and thought processes was an absolute requirement to be an excellent lawyer. Ed believed that most legal problems arose due to misunderstanding or a misuse of words (you can tell he was “the” contracts teacher!). Before he died, he gave me a plaque he had kept in his office all of these years: “I know you believe you understand what you think I said, but I am not sure you realize that what you heard is not what I meant.” We will miss you Ed!!

– **Ron Beal, Professor of Law**

Thirty two years ago, I was taught Contracts by Professor Ed Horner. Many of the concepts were arcane (remember the difference between the subjective and objective tests for offer and acceptance), but Professor Horner’s enthusiasm for the subject matter and his down to earth stories made the material come to life. I vividly recall the mutual mistake case involving “Barry” the race horse, and “Parry” the plough horse. The buyer thought he was buying the race horse and the seller believed he was selling the plough horse.

I can still hear Professor Horner posing a Barry Parry question to my classmate Mike Kelly. The question started slowly but

increased in velocity with every word: “You got Barry a race horse and Parry a plough horse, Barry, Parry, race horse, plough horse, race horse , plough horse, Barry, Parry, what do you got there Kelly”? I have laughed about Barry and Parry for years, but I haven’t forgotten mutual mistake or Professor Horner.

Ed Horner was a great teacher. As I reflect on it, I think what made him great is that he was both Barry and Parry. He was a thoroughbred and a work horse. Because he so obviously loved what he was doing, we loved him, even as we struggled to understand what he was trying to teach us.

There are many reasons why I feel blessed to have attended Baylor Law School, but being taught by Ed Horner is at the top of the list.

– **Ed Blizzard, Partner, Blizzard, McCarthy & Nabers, LLP**

I had the privilege of teaching with Prof. Ed Horner for nearly 40 years. He was without qualification one of the finest men and most outstanding teachers that I have ever had the privilege of being associated with. He deeply loved this law school, was devoted to our mission, and cared deeply about our law students. He was in every sense of the word a scholar, a gentleman, and a devoted Christian. In 42 years, I have been privileged to teach with Frank Wilson, Bill Boswell, Erwin Elias, Peeler Williams, Loy Simpkins, Hulen Wendorf, and John Wilson, to speak only of the dead. We should all be so blessed.

– **David Guinn, Professor of Law**

Professor Ed Horner was a refreshing exception to the “Rambo” litigation and “beat your chest/toot your horn” profes-

sional mentalities that seem to pervade our profession now. He was one of the sweetest and most genuine professors I encountered during my tenure at Baylor Law School. If a student did not like Professor Horner, that student must have had something constitutionally wrong with him.

I attended Baylor Law School from 1975 through 1978 and was privileged to have been a student in Professor Horner’s contracts and oil and gas classes. Anyone who took Professor Horner’s classes will remember his enjoyable “Barry Parry” contract examples and his incredible ability to place geographically almost every small Texas town.

I was not a particularly outstanding student in either of Professor Horner’s courses; neither was I a “suck-up,” so there was no real reason for him to remember me out of the thousands of students who took his courses over his many years at the Law School. Nevertheless, when I ran into Professor Horner a few years ago when I was back at the Law School, he addressed me by name without having been prompted, remembered where I was from, knew where I was practicing and how I was doing, and even remembered the group of people I ran around with while I was in school. To my amazement, he had followed my legal career over the thirty years since I had graduated, as I am sure he did with his other former students. I was also very taken by Baylor Law School’s respect and treatment of Professor Horner in his later years, affording him an office on the faculty floor and allowing him to stay active.

I was very moved when I received the Fall 2006 *Docket Call* and on its cover was a picture of Professor Horner and two of my other former law professors, Dean McSwain and Matt Dawson, under the title “Defining the Baylor Law School Experience.” How appropriate. Those three gentlemen sure defined my law school and law practice experiences.

I believe Professor Horner had a significant positive impact on a number of Baylor lawyers with his simple demeanor and caring attitude. As we all remember, the law school experience was intimidating, stressful, and competitive. However, I never got the sense Professor Horner bought into all of that. I cannot imagine Professor Horner ever having said a mean word to anyone, much less any student. Professor Horner was simply a great guy, dedicated to the law and the subjects of contracts and oil and gas, and determined to provide his students the opportunity to receive his knowledge on the subjects in a non-threatening manner. We are all better off having known Ed Horner.

– **Bill Kirkman, Bourland & Kirkman, LLP**

Professor Horner worked as a trust officer at Frost Bank in San Antonio for several years in the 1960s before he returned to teaching at the law school in 1968. I was a student of Professor Horner’s at the law school in 1979. One day, I mentioned to him that I was interested in working as a trust officer, and he called the head of Frost Bank and told him about me. I attribute Ed Horner to getting me my job at Frost, a job I have held for almost 29 years.

Because of my relationship with Professor Horner, I was given several of the trust accounts that he handled when he worked at Frost. When we would visit over the years, Professor Horner would ask me about those accounts. He was amazing in that he would remember little details about the accounts, even after all those years. He was so well-respected by the bank and continued to consult about oil and gas trusts until recently. We still called him “Fast Eddie” because of how fast he talked.

I saw him for the last time at the Baylor alumni reception during the State Bar of Texas annual meeting. We had the nicest visit. He certainly impacted my life more than I ever expected.

– **Susan Palmer, Senior Vice President, Trust Officer, Frost Bank Trust Department**

Professor Ed Horner was a true gentleman and a gentle man.

Since I was a member of the Class of ‘83, I was not part of the group that actually brought in the live horse during his contract lecture on the now famous Barry vs. Parry issue. I took the Advanced Oil and Gas class, at that time called Gas Problems (the title always cracked me up). Two other friends took the course with me and we sat in the back of the room thinking that Professor Horner was too old, eyesight too poor and hearing too bad to see us cutting up. It was not one of my more mature moments.

On the last day of class, Professor Horner approached us and said that the three of us would never sit together again in any other class in the law school. We were shocked; he laughed. To make amends, we went to the local Pier One Imports and bought a small wooden chair typical of one you would find in a pre-school class. We had a brass plaque engraved, claiming this was the “Edwin P. Horner Endowed Chair of Oil and Gas,” and presented it to him. We all had a great chuckle over his “Endowed Chair.”

Many years passed since that class in 1983 and when the new law school opened, I received a typewritten note from Professor Horner. In it he told me that he had moved to his new location but didn’t think the “savage baggage handlers” would give his “Endowed Chair” the respect that it

was due. He told me he hand-carried the chair from Morrison Constitutional Hall to the new building. That is the true mark of a man to remember a joke and have a decades-long friendship. What a great human being.

– **J. Grady Randle, president Randle Law Office LTD., L.L.P**

The first time I sat in Ed Horner’s office was in December, 1985, during my interview for a faculty position at Baylor Law School. When I joined the faculty in the fall of 1986, Ed was already 70 years old, and though he was still teaching Oil and Gas, he seemed for all practical purposes to be “retired” as a full-time faculty member. I could not have anticipated how much of a fixture he would continue to be at the law school over the next 22 years. But Ed remained an enthusiastic classroom teacher for many years to come, and the loud banging on his museum-quality Royal symbolized for me Ed’s continuing impact as a scholar in the area of Oil and Gas law. I especially could not have anticipated the influence he would have on me as a new teacher, and later as a new husband, and still later as a new father. Ed’s recent passing, of course, demands that we take stock of our time with him. Doing so reveals vividly what those who knew Ed well always realized, that Ed Horner was a one-of-a-kind, top-of-the-line human being.

I remember little today about that first conversation I had with Ed during my interview so long ago. I remember he talked and I listened, perhaps somewhat unusual for me. Yet, over the next two-plus decades, that’s pretty much how it went when I dropped in on him in his office. He mostly talked and I mostly listened. Ed was a story-teller,

continued on page 16

sometimes a long story-teller: stories about teaching; stories about Texas; stories about contract law or oil and gas law; stories about life back in the day—how much things used to cost, how much teachers used to make, how much things and times have changed; stories about family—how he met his wife, Arden; how Ed and Arden responded to the discovery that one of their daughters was profoundly deaf; how his children and grandchildren were doing in their lives; and stories about nearly every photograph, painting, gift, award, and slip of paper that he had saved as a result of his somewhat “packrat” approach to good memories. Ed had a lot of good memories. And I knew I would hear about one (or more) on every visit.

At some point I realized that my visits to Ed’s office were having an effect on the way I looked at certain things—not only on how I viewed Ed, but also on the way I viewed my future as a teacher, on the kind of teacher I wanted to be, on the way I wanted to live my personal life, on the way I looked at growing old, and on the way I someday want to be remembered. Though there are too many stories to tell, there are two visits to Ed’s office that stand out in my mind, two stories that I think come as close as I can to summing up his basic goodness.

On one occasion, Ed told me about an upcoming trip to Los Angeles. Ed must have been about 80, and I couldn’t see him much interested in L.A. even when he was 30. Traveling to Hudson Bay to see polar bears or to China to walk on the Great Wall was more Ed’s style. No, he explained, he wasn’t going as a tourist. There was an elderly woman in L.A., a family friend, who needed help with her legal affairs. She didn’t have the means to hire a lawyer and had no close family members around to help her. So Ed flew to L.A., a city that he was not familiar with, rented a car, and spent several days driving around the city getting the woman’s business and legal affairs in order. The woman? She had once been mar-

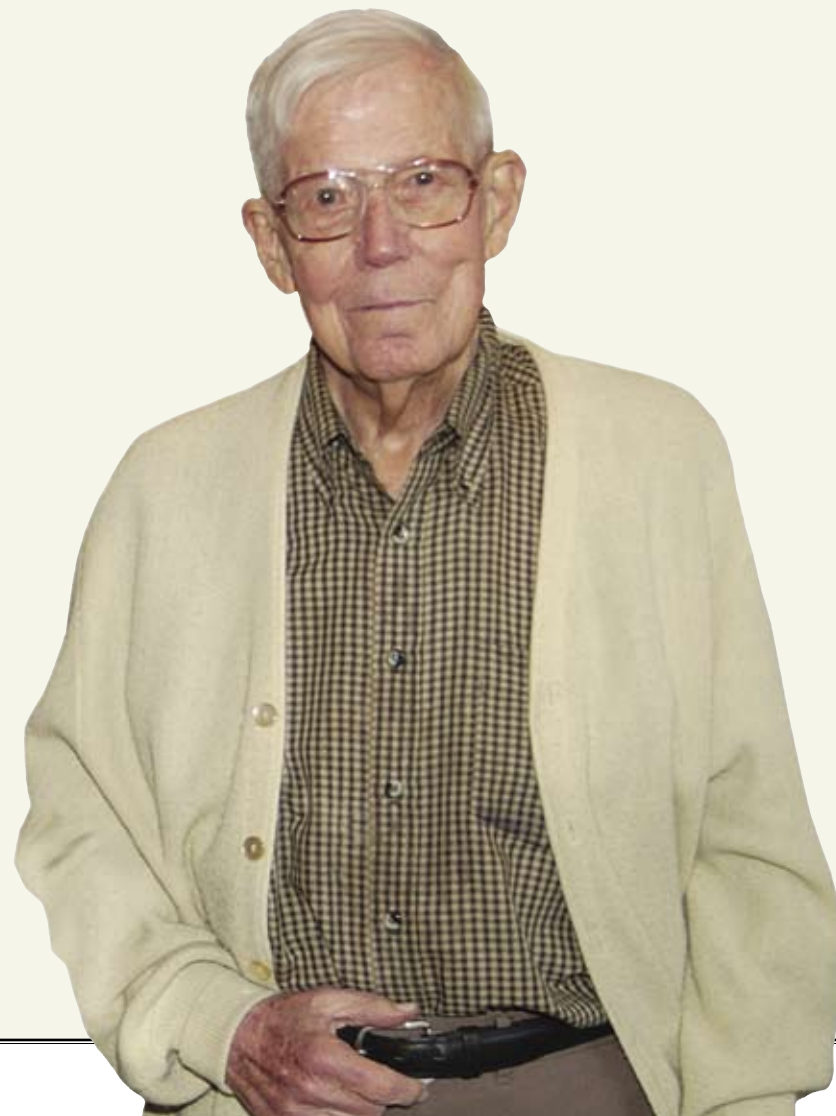
ried to Ed’s brother. Ed’s brother? Passed away some 20 years earlier. The marriage between the woman and Ed’s brother? Ended in divorce another 20 years prior to the death of Ed’s brother. I tried to think of anyone for whom I would go to those lengths under such circumstances. Indeed, I tried to think of anyone who would, in their 80’s, fly cross-country to an unfamiliar city, and spend several days charitably assisting a person who had for over four decades not been married to one’s long-deceased sibling. But that’s Ed. When Ed was good he was exceptionally good—a standard of goodness not only unattainable by most but virtually unimaginable.

On another occasion, after Arden’s failing sight and increasing frailty necessitated her moving to a nursing home, Ed told me again the story of how they met. How she was the most beautiful woman he had ever seen. How surprised he was that she agreed to go out with him. How lucky he felt when he realized that she liked

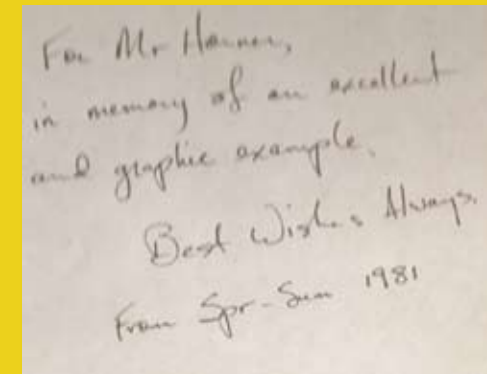
him. How blessed he was to marry her. Ironically, the very day before Ed died, during a conversation with some other colleagues about Ed’s health, I remembered that visit to Ed’s office and that story. I remarked that Ed wasn’t going to die as long as Arden was alive and still needed him. I turned out to be wrong about that. I guess the Lord knew that he was the one who couldn’t live without her. (Just a few months later, Arden joined him.) But even though I had it wrong about the timing of Ed’s death, I know that I was right about Ed’s commitment to Arden, and about his strong desire not to leave this life behind before she did. Because that’s Ed. A strong finisher. A life that had continuing tremendous impact well beyond—22 years beyond—his “retirement.” I was only one of many grateful beneficiaries of that strong finish.

Good-bye, Ed.

— Brian Serr, Professor of Law



THOSE WERE THE DAYS...



Ask students of Ed Horner what they remember most about his contracts class, and most would reply “Barry and Parry”. Barry and Parry were two imaginary horses—one a racehorse and one a plough horse. Prof. Horner used his horse example to illustrate the difference between what is intended to be said and what is actually said (the objective vs. the subjective).

Imagine Prof. Horner’s surprise, when in 1981, he was led blindfolded into his class. Upon taking off the blindfold, he found “Barry” and “Parry” waiting for him, along with a cake decorated with a running horse and a rainbow.

The photos from that day were framed and hung in a prominent place in his office at the Law School.



SUSTAINING PROFESSOR HORNER'S BAYLOR FAMILY

Ed Horner's endowed scholarship ensures his (and students') place in the Baylor Law School family

BY COURTNEY DALE
Director, Development Communications & Strategy

SUSTAINING THE MEMORY OF A LOVED ONE ISN'T hard when he leaves a family legacy—and Ed Horner left several. Of course, there's his immediate family—kids, grandkids and so forth. But then there's also his Baylor family. After devoting so many years to Baylor Law School, Horner built countless bonds with his students. He was known for remembering them, for keeping up with their careers and quizzing them on class material years after they graduated.

But the memory of Ed Horner will always be particularly special to a certain group: the students who benefit from the Edwin P. and Arden Horner Endowed Law School Scholarship.

"When I met him, I was—well, not intimidated—but I wanted to do well," recalled Sherena Shawrieh ('00), legal counsel at Valero Energy Corporation in San Antonio. "I wanted to make him proud."

Though Shawrieh, like many of Horner's scholarship recipients, never got to experience "Fast Eddie" in the classroom, she and others could recognize his footprint in cultivating the Baylor family atmosphere.

"I think his dedication to Baylor Law School is a reflection of his desire to serve," said Shawn Golden ('03), a founding partner of Golden & Barrera LLP in San Antonio. "I think he probably viewed his gift for law and teaching as one passed on to him by grace. So he was a steward of that gift and he passed it on to generation after generation."

"Was the student—focused environment at Baylor Law School a result of people like Professor Horner giving back to the students, or do people like Professor Horner give back because they realize they're in a student—focused environment? The two probably both work together," mused Kendall Gray ('94), a partner at Andrews Kurth LLP in Houston.

For those who did take Professor Horner's courses, earning the scholarship bearing his name was particularly meaningful.

"I think he probably viewed his gift for law and teaching as one passed on to him by grace. So he was a steward of that gift and he passed it on to generation after generation."

Shawn Golden, Golden & Barrera LLP

"Baylor is small enough that your professors are mentors as well as instructors," said Robin Russell ('86), a partner with Andrews Kurth LLP in Houston and recently elected member of the American Law Institute. "Professor Horner felt that Baylor lawyers were special. If you met another Baylor lawyer, that meant something. They had been trained with the same principles, and so you should take care of each other."

With the accomplished Professor Horner as a role model, his scholarship recipients enjoy successful careers. During law school, having financial aid gave them the freedom to be involved with activities such as *Baylor Law Review* and moot court and mock trial competitions—and to study, of course. That well-rounded experience shaped them into accomplished lawyers. They publish, win accolades from various publications and professional organizations and make significant contributions to their

firms, companies and clients. And following in Horner's footsteps, they give back.

"I think it's all of our responsibility to make sure Baylor law students are best-prepared when they graduate and that the best students are able to go to law school. Scholarships promote both those objectives," said Lotte Bostick ('88) assistant general counsel at FirstCity Financial Corporation in Waco. "I appreciate the people who gave so I was able to have a scholarship and hope that through the years, I will be able to return that gift—and I have started on that."

Year by year, more deserving Baylor law students will join Ed Horner's family legacy as they receive the Edwin P. and Arden Horner Endowed Law School Scholarship. Though Professor Horner no longer walks the halls, his memory forever will be sustained at Baylor Law School. —

As beneficiaries of the Edwin P. and Arden Horner Endowed Law School Scholarship, a number of Baylor Law School alumni will be forever grateful to the late Ed Horner.



REMEMBERING AN ICON

DESPITE (AND PROBABLY BECAUSE OF) HIS SKY-HIGH EXPECTATIONS FOR HIS STUDENTS, PROFESSOR HORNER WAS MUCH-BELOVED. PERHAPS THIS IS BEST ILLUSTRATED BY THE MORE THAN 250 HOUSEHOLDS AND BUSINESSES THAT HAVE SUPPORTED HIS SCHOLARSHIP FUND SINCE ITS INCEPTION IN 1980.

YOU CAN HELP. IF YOU'RE INTERESTED IN SUPPORTING THE EDWIN P. AND ARDEN HORNER ENDOWED LAW SCHOOL SCHOLARSHIP, PLEASE CONTACT
JULIE CORLEY AT 254.710.8799 OR JULIE_CORLEY@BAYLOR.EDU, OR DEAN TOBEN.

A portrait of Sam Cummings, a middle-aged man with glasses, wearing a suit and tie, smiling. The background is a dark, textured green.

Sam Cummings

Honored as the 2007
Baylor Lawyer of the Year

“How do we measure success? Is it with the designations after our names, the list of awards on our resumes, the number of zeros in our bank accounts, or is it something else? I believe my father is a success because he has chosen to live simply and uncluttered, anchored in his faith and surrounded by his family and friends. What a better measure of success than being a steward of the gifts that God has given us in service to fellow mankind, and striving to live out God’s plan for our life, one day at a time. Now that is truly a life worth living and one that he has lived well.”

DR. DAVID CUMMINGS
CONTINUED ON PAGE 22

That is quite a tribute, but the Honorable Sam Cummings is quite a man. His son, Dr. David Cummings, spoke those eloquent words when introducing his father as the recipient of the 2007 Baylor Lawyer of the Year. Cummings received the award during a luncheon at the Lubbock Club in November in front of current and former Baylor Regents, Baylor Law faculty, current and former clerks, former law partners, family and friends.

“Judge, we are so proud of you,” said Baylor Law Dean Brad Toben, when presenting the award to Cummings. “We hold each of our Baylor Lawyers of the Year up as models that our students can look to. I can’t think of anything more fitting that adding Judge Cummings’ name to that list.”

Cummings learned he would be the 2007 award recipient during a celebration

of his 20th anniversary on the bench. Former Baylor Regent Bill Brian, who also was a former law partner of the Judge, read the Baylor Lawyer of Year proclamation to a stunned Cummings during a dinner that the Judge regularly holds for his clerks and former clerks.

“I was in a state of shock,” Cummings said. “When Bill was reading the proclamation, I could visualize Judge Wilson (who served as director of the Practice Court program when Cummings was in law school). I spoke to Judge Wilson in my mind and said, ‘Judge Wilson, can you believe this?’ and Judge Wilson answered, ‘Mr. Cummings I can not.’

“I have great memories of Baylor Law School. It is a special place,” he continued. “At Baylor Law School, the professors are intent on seeing that students become achievers, that they must be prepared as they go out to perform service for their communities. Another philosophy is that students must treat everyone with courtesy

and respect. That is something that I have tried to abide by over the years.

“I am so thankful for this award. As a result of this honor my batteries have been recharged, and I am ready to go for another 20 years. Judge Wilson, if you are hearing me from heaven, folks here in this room, because of this recognition, I rededicate to you my efforts to be a better person, a better lawyer and a better judge so that sometime down the road, maybe, just maybe, I might merit a small fraction of this recognition.”

Cummings, who was appointed to the bench in 1987 by then—President Ronald Reagan, received his bachelor’s degree from Texas Tech University and graduated *cum laude* from Baylor Law School in 1970. While at Baylor, he received the American Jurisprudence Award and the Judge Hunter D. Barrow Memorial Scholarship Award.

Following law school, Judge Cummings

entered private practice with the firm of Culton, Morgan, Britain & White in Amarillo and was made a partner after only four years of practice. He remained with the firm until his appointment to the federal judiciary.

As U.S. District Judge, Cummings presides over the Lubbock, Abilene and San Angelo divisions of the Northern District of Texas, which is the single largest land area district over which a single judge presides.

“Sam Cummings is truly one of West Texas’ best legal and judicial minds ever,” said Doug Welch, a former briefing attorney for Cummings and now assistant general counsel at Baylor. “I observed not only his sharp legal mind and quick grasp of the most complex issues, but the true meaning of judicial temperament. I was always impressed by the manner in which he treated the criminal defendants and learned from him that no matter what a person had done, the right and Christian thing to do was to respect each person’s humanity and dignity.”

Current Texas Tech University regent and former Lubbock Mayor Windy Sitton also holds Cummings in high esteem.

“I have witnessed Judge Cummings presiding over some very contentious litigation. He was remarkable with how he maintained his composure, his professionalism and his integrity throughout these very difficult cases. I have never known a man with a more admirable set of values, character above reproach and one with such an impeccable reputation,” she wrote in her letter to nominate Cummings as Lawyer of the Year.

Cummings is a former member of the International Association of Defense Counsel and a member of the American Bar Association. He is a Fellow of the Texas Bar Foundation and former chairman of the District 13 Grievance Committee for the State Bar of Texas. As a U.S. District Judge, Cummings has served as a member of the Local Rules Committee and the Court Operations



The Honorable Sam Cummings with
Baylor Law Dean Brad Toben.

Committee. He also served as chairman of the Jury Utilization Committee for the Court. He has been a member of the faculty at the National Advocacy Center in Columbia, S.C. In January 2008, Cummings became a member of the Fifth Circuit Judicial Council.

An active community volunteer, he also served as vice president of the South Amarillo Kiwanis Club and as a member of the board of trustees for the Presbyterian Children’s Home and Howard Payne University. An Eagle Scout, Cummings remains active in the Boy Scouts of America, serving as a member of the Board of the South Plains Council and as committee chairman of Troop 86. Additionally, he and his wife, Sally, have served on the Baylor Development Council, and he is former president of the West Texas chapter of the Baylor Parents’ League.

For many years, Cummings was a deacon at First Baptist Church, Amarillo. He currently is a member of First Baptist Church of Lubbock.

The Cummings have two children—David of Lubbock and Julie Cummings Whitmarsh of Austin—and one grandchild, Caroline Elizabeth Whitmarsh. Both children also received degrees from Baylor. —

THE LAWYER OF THE YEAR AWARD IS GIVEN ANNUALLY TO AN OUTSTANDING ALUMNUS WHO HAS BROUGHT HONOR AND DISTINCTION TO BAYLOR LAW SCHOOL AND THE LEGAL PROFESSION AND IS THE HIGHEST HONOR THE LAW SCHOOL BESTOWS. PAST RECIPIENTS INCLUDE WATERGATE SPECIAL PROSECUTOR LEON JAWORSKI, FORMER TEXAS LT. GOV. BOB BULLOCK, FORMER F.B.I. DIRECTOR WILLIAM SESSIONS AND FORMER U.S. REP. JACK HIGHTOWER, AMONG OTHERS. THE AWARD HAS BEEN PRESENTED BY BAYLOR LAW SCHOOL SINCE 1963, BUT 2007 MARKED THE FIRST TIME THE AWARD WAS PRESENTED IN THE HOMETOWN OF THE RECIPIENT INSTEAD OF IN WACO.

“CHANGING THE LOCATION ALLOWS THE LAWYER OF THE YEAR TO INVITE FRIENDS, FAMILY AND COLLEAGUES TO THE BANQUET TO SHARE THE HONOR AND, HOPEFULLY, MAKES THE AWARD MORE MEANINGFUL FOR THEM,” SAID BAYLOR LAW DEAN BRAD TOBEN.



Judge Sam Cummings,
Sally Cummings,
Julie Cummings Whitmarsh,
Heather Cummings,
Dr. David Cummings.
First Row:
Caroline Whitmarsh.



SURVEY SHOWS ARTICLES SELECTED BY BAYLOR LAW PROFESSOR A TOP SOURCE FOR ESTATE PLANNING PRACTITIONERS

FOR ALMOST 10 YEARS, BAYLOR LAW PROFESSOR Tom Featherston has served as the trust and estate articles editor for the American Bar Association's *Probate & Property* magazine. Since 1999, he has been responsible for ensuring that each magazine issue has four quality articles on estate planning—articles he hopes will be of value to trusts and estates practitioners. He obviously has been getting it right.

In its 2007 Industry Trends Survey, WealthCounsel found that *Probate & Property* is cited as being second only to State Bar publications as a leading source of current estate planning topics.

According to WealthCounsel, 500 estate planning practitioners from around the country participated in the survey, which looked at industry trends attorneys anticipate, demographics of clients, specific areas of expertise and sources practitioners turn to for professional development and continuing legal education. The survey found that 18 percent of respondents used *Probate & Property* to stay abreast of current estate planning topics (state bar publications were first with 40 percent). The statistics show 17 percent of respondents use *Trusts & Estates* magazine while 13 percent use *Estate Planning* magazine.

"We are particularly proud of the recognition because only half of the articles in *Probate & Property* are dedicated to trust and estate issues. The other half contains real

estate practice articles," Featherston said. "Our competition is dedicated only to trust and estate articles."

Featherston holds the Mills Cox Chair of Law. He earned his J.D. with highest honors from Baylor Law School in 1972 after receiving his B.B.A. from Baylor University in 1971. After graduation, he entered private practice in Houston from 1972 through 1982. He joined Baylor Law School in 1982 and was appointed the Mills Cox Chair in 1990.

Board Certified in Estate Planning and Probate Law by the Texas Board of Legal Specialization, Featherston was elected as an Academic Fellow of the American College of Trust and Estate Counsel in 1991 and as a Fellow of the American Bar Foundation in 1993. He is active in both the State Bar of Texas and the American Bar Association, having served as the chair of the Real Estate, Probate and Trust Law Section of the State Bar and currently serving on the governing council of the Real Estate, Probate and Trust Law Section of the American Bar Association.

In addition to serving as the Trusts and Estates Articles Editor for *Probate & Property*, he has co-authored West's *Texas Practice Guide—Probate and Drafting for Tax and Administration Issues*, ABA publications. Professor Featherston authored the first edition of *Questions and Answers: Wills, Trusts & Estates*, published by LexisNexis, and co-authored the second edition. He is a frequent author and lecturer in the areas of trusts, estates, marital

property, fiduciary administration, and other related topics, the subjects that he teaches at Baylor Law School.

"I'm so proud of Prof. Featherston and his work as editor of this professional journal," said Baylor Law Dean Brad Toben. "He

has, over the many years, through his scholarship and teaching, made a remarkable impact on his practice area. Scholarly work that benefits those who practice in a discipline is of special significance and importance to us because it addresses most directly our mission in a serving profes-

sion. Tom's work intersects with the needs of trusts and estates specialists in a manner that brings honor to the Law School and dovetails with our mission in a meaningful way." —

LAW PROFESSOR'S AMICUS LETTER HOLDS SWAY IN TEXAS SUPREME COURT'S DECISION

"THIS IS WHAT MAKES US AS A SCHOOL SO DISTINCTIVE AND SO SUCCESSFUL—WE ARE ENGAGED IN THE WORLD ABOUT US IN THE TRUEST SENSE IN MAKING A DIFFERENCE IN OUR PROFESSION AND IN THE LIVES OF THOSE SERVED THROUGH OUR WORK IN THE PROFESSION."

— Dean Brad Toben —



BAYLOR LAW PROFESSOR RON BEAL ROUTINELY reads decisions handed down by the Texas Supreme Court. So when a recent decision that was inconsistent with administrative law principles caught his eye, he knew he had to act.

Beal, an expert in administrative law, wrote an *amicus* letter in the case of *El Paso Hospital District, et al. v. Texas Health and Human Services Commission, et al.*, a case that dealt with the Texas Health and Human Services Commission's (HHSC) collection of data used to calculate hospitals' Medicaid reimbursement rates.

According to *Texas Lawyer* magazine, which had an article on the opinion in its March 3 issue, the court's justices agreed with the professor's assessment of the case—that the agency cannot amend a rule through interpretation without going through the rulemaking requirements.

"What they (HHSC) was doing was unlawful," Beal said. "I pointed this out in my letter—that the agency had improperly amended a rule. The court agreed that what the agency had been doing was invalid and they nullified the rule."

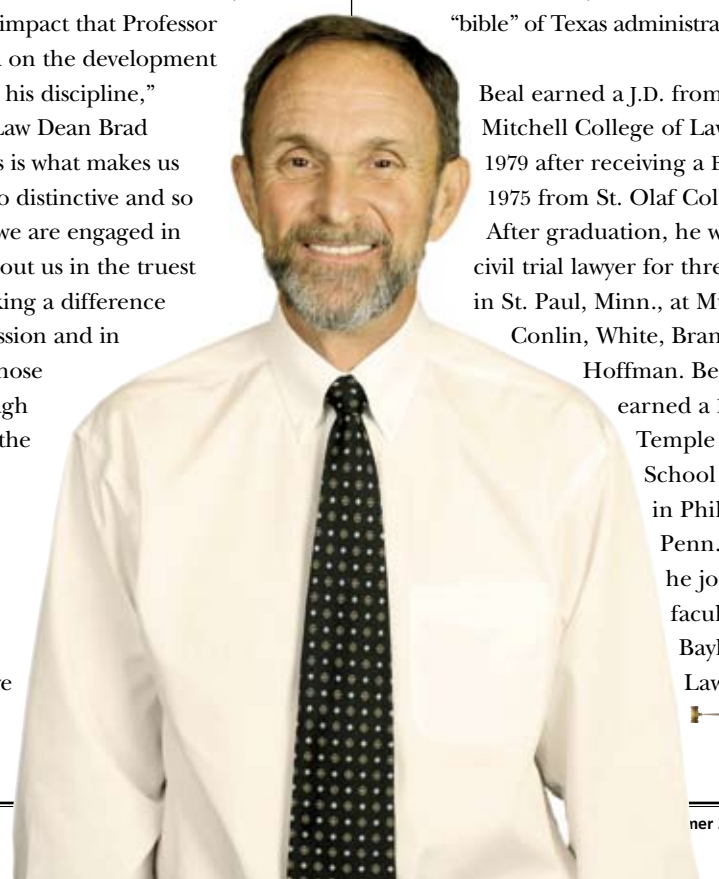
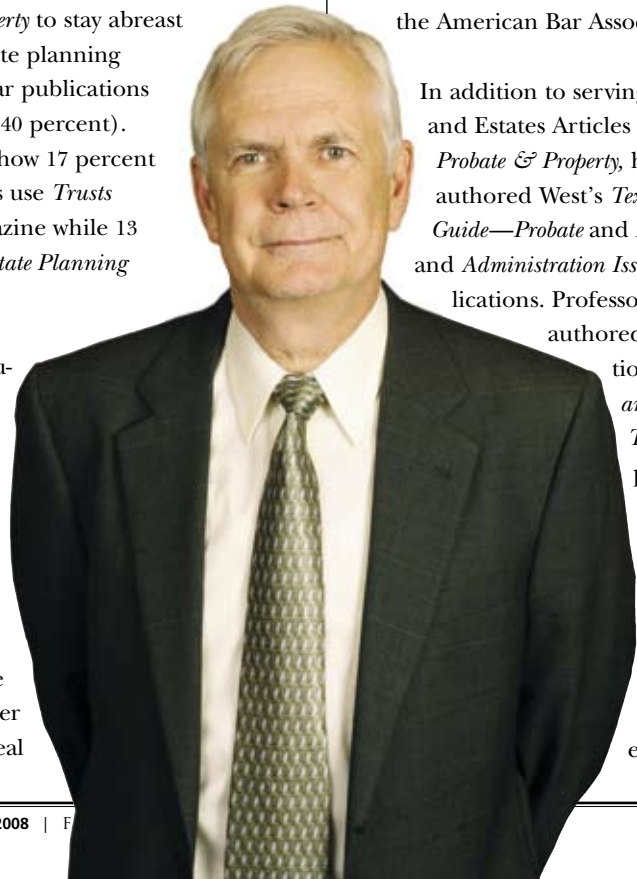
Beal said in his letter that he "has no interest, financial or otherwise, in this litigation. I write solely to preserve the integrity of the administrative process."

"This demonstrates the remarkable, high-profile impact that Professor Beal has had on the development of the law in his discipline," said Baylor Law Dean Brad Toben. "This is what makes us as a school so distinctive and so successful—we are engaged in the world about us in the truest sense in making a difference in our profession and in the lives of those served through our work in the profession."

Beal has developed an expertise in Texas administrative law. He has authored

numerous law review articles that have been cited as authoritative by the Texas judiciary, taught training courses for administrative law judges and lectured in advanced courses for practicing lawyers. In 1991, he was honored by the State Bar of Texas Administrative and Public Law Council for writing the Outstanding Administrative *Law Review* Article and in 1994, Baylor University conferred upon him the award of Outstanding Research Professor. In 1997, he completed a treatise, *Texas Administrative Practice and Procedure*, that is considered the "bible" of Texas administrative law.

Beal earned a J.D. from William Mitchell College of Law in 1979 after receiving a B.A. in 1975 from St. Olaf College. After graduation, he was a civil trial lawyer for three years in St. Paul, Minn., at Murnane, Conlin, White, Brandt and Hoffman. Beal then earned a LL.M. at Temple University School of Law in Philadelphia, Penn. In 1983, he joined the faculty at Baylor Law School.



Getting to Know Baylor's Newest Faculty

Baylor Law School welcomed two new faces to its faculty earlier this year. *Docket Call* caught up with Laura Hernández and Connie Powell to learn more about their backgrounds and why they chose to join the Baylor Law family.

Laura A. Hernández graduated from Stanford University with degrees in Economics and Communications, then obtained her J.D. from Southern Methodist University. While at SMU, she was the Sarah T. Hughes Law Scholar for the Class of 1996, an Articles Editor for the *SMU Law Review*, a member of the winning team in the 1994 Jackson & Walker SMU Moot Court Competition and a member of Phi Delta Phi, an academic honors fraternity. She also served as the President of the Hispanic American Law Student Association from 1994 to 1995.

Following her graduation from law school, Hernández joined the litigation section of Skadden, Arps, Slate, Meagher & Flom LLP in Los Angeles, Calif. In 2000, she returned to her hometown of San Antonio and continued her legal career as Counsel with Akin, Gump, Strauss, Hauer & Feld, LLP. In 2007, she joined Bickel & Brewer in Dallas as a Senior Associate.

Her litigation experience includes the representation of a global entertainment company in a profit participation dispute, and numerous insurance defense actions involving allegations of breach of contract, fiduciary violations and jurisdictional issues. Other representative matters handled by Hernández include patent infringement, securities class actions, telecommunications and probate matters.

Professor Hernández taught Remedies during the Spring Quarter of 2008.

Q Why did you decide to pursue a career in academics

A I decided to pursue an academic career after about five years in practice. It was during this time that I started to become a mentor to more junior litigators. I found myself enjoying this part of my job as much, if not more, than defending lawsuits or arguing at hearings. Mentorship turned into leading training classes for first year litigators that were broadcast firm-wide (or across the nation) by video. I remember thinking to myself, "Nothing can be more fabulous than this!"

Q Why did you choose Baylor?

A I was very impressed by the faculty at Baylor Law. Not only were they seasoned practitioners of law (most came to

continued on page 28



academia after years of practice), they were collegial and witty! I am not sure anyone could pass up an opportunity to join this group.

Q Have you taken part in any special activities since you arrived here?

A One of my personal passions is recruitment of students who are either minorities or come from lower economic

backgrounds. But, recruitment is just the first step. Then, we must retain these students and help them achieve the end goal: graduation and a license to practice law. To promote solidarity and camaraderie, in what is admittedly a stressful environment, I have sponsored lunches for these students to come together, talk and exchange tips on surviving law school. I hope to join Baylor's excellent admissions staff, Becky Beck-Chollett and Angela Cruseturner, on recruitment trips through the Texas Rio Grande Valley and El Paso later this year.

Q What have been your the impressions of the school in the time you have been here?

A I believe we at Baylor Law have superior facilities, an engaged faculty and students who are passionate about their education. It is true—the best DO belong at Baylor.

Q What has surprised you the most?

A I was surprised by the deep, personal investment by the students in Baylor Law. Our students do not see the three years that they spend here as a way to mark time on their way to a legal license. They care about the school. They care about the faculty who teach them. And they care whether they get the best legal education possible. I do not think that our students have any familiarity with the word “apathy.”

Q Tell me about your family.

A I am happily single with no children. But my extended family includes a big sister and a big brother, as well as six rambunctious nieces and nephews. Our father holds court over all of us from his throne in San Antonio.

Q What is one thing about you that people would be surprised to learn?

A I have to admit that I was a disc jockey at KZSU FM, Stanford University's college

radio station. My air name was “The Refugee.” I played alternative music, which at that time was punk, new wave and dirge. I really embraced and tried to embody the attitude of the punk movement and to this day, I prefer wearing black, Doc Martens and am apt to be humming “(Working for the) Clampdown” by the Clash. Sample lyric: “Kick over the wall; cause governments to fall. How can you refuse it?”

Connie Powell earned her J.D. *cum laude* from Indiana University School of Law, Bloomington, in 2000 after receiving her bachelor's degree in biology from the University of North Carolina at Chapel Hill in 1997. Following graduation, she entered private practice with the Chicago law firm of Winston & Strawn, LLP, where she practiced for four years in the firm's Intellectual Property group, representing Fortune 500 companies and major advertising agencies. Powell served as corporate counsel for Blockbuster, Inc., and most recently as corporate counsel for Global Hyatt Corporation where she managed the company's global intellectual property portfolio and provided support to the company on all intellectual property matters, including technology, global privacy, advertising and marketing, and e-commerce. She will be teaching in the areas of contracts and intellectual property, including a course in e-commerce.

Q Why did you decide to pursue a career in academics?

A I love the law and intellectual property, and felt what better way to contribute to the legal profession than preparing lawyers entering the legal profession.

Q Why did you choose Baylor?

A Because I love the law and the practice of law I wanted a law school that valued the practice of law and prepared its students for practice when entering the legal profession. But most of all, I was overly impressed with the faculty, staff and students and the Baylor family.

Q Have you taken part in any special activities since you arrived here? i.e. recruiting trips, lunches with students, etc.

A I have participated as a judge in Moot Court as well as attending the lunches for 1st year students and women in the law. I also participate with the diversity and the law students. (Powell also hosted a backyard barbecue for the Law School's faculty, staff and their families and attended the Baylor alumni reception at the State Bar of Texas' annual meeting).

Q What have been your impressions of the school in the time you have been here?

A It truly feels like a family. I like the fact that the faculty have a genuine interest in the development of the students as lawyers.

Q What has surprised you the most?

A I love Waco. I thought I would miss Chicago, but I truly have coined Waco as the best kept secret in the U.S.

Q Tell me about your family. Children? Spouse?

A I have a four-year old son, Caden Benjamin, who is simply a joy!!!

Q What is one thing about you that people would be surprised to learn?

A I was a roller skating car hop for Sonic during high school and still hold the record for never dropping a tray!





Jacianel McFarland
and Bart Westmoreland



Professor Pat Wilson
and Dom Ayotte



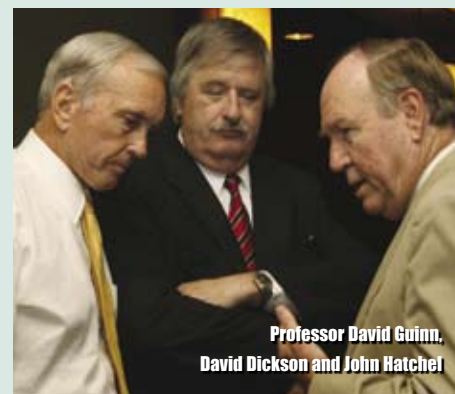
Dee Estes,
State Bar President-Elect
Roland Johnson and Cindy Johnson,
State Bar President Harper Estes



Dean Brad Toben with
Baylor Law Alumni
Association President
JoAl Cannon-Sheridan



New Faculty member Connie Powell
Chats with Marita and Don Duesler



Professor David Guinn,
David Dickson and John Hatchel



Scott and Karen
Ritcheson



John Meredith and
Dean Brad Toben



Charlene Sanders and
Professor Connie Powell



Associate Dean
Leah Jackson and
Rebecca Vela



Linda Hatchel, John Hatchel and Lewis McReynolds



Jennifer Lindsey



John Meredith, Associate Dean Leah Jackson,
Dean Brad Toben, Karen Smith and JoAl Cannon-Sheridan

ALUMNI GATHER AT BAYLOR RECEPTION DURING ANNUAL MEETING OF THE STATE BAR OF TEXAS



Julie Corley and Heather Creed
greet Dee Estes and State Bar President Harper Estes



State Rep. Bryan Hughes
and Amos Mazzant speak with
John Sloan of Longview



Kevin Delaney and
Dean Brad Toben



David Weaver and David Weaver
are both Baylor Lawyers but not
related to each other



Professor David Guinn with Steve Novotny of Houston



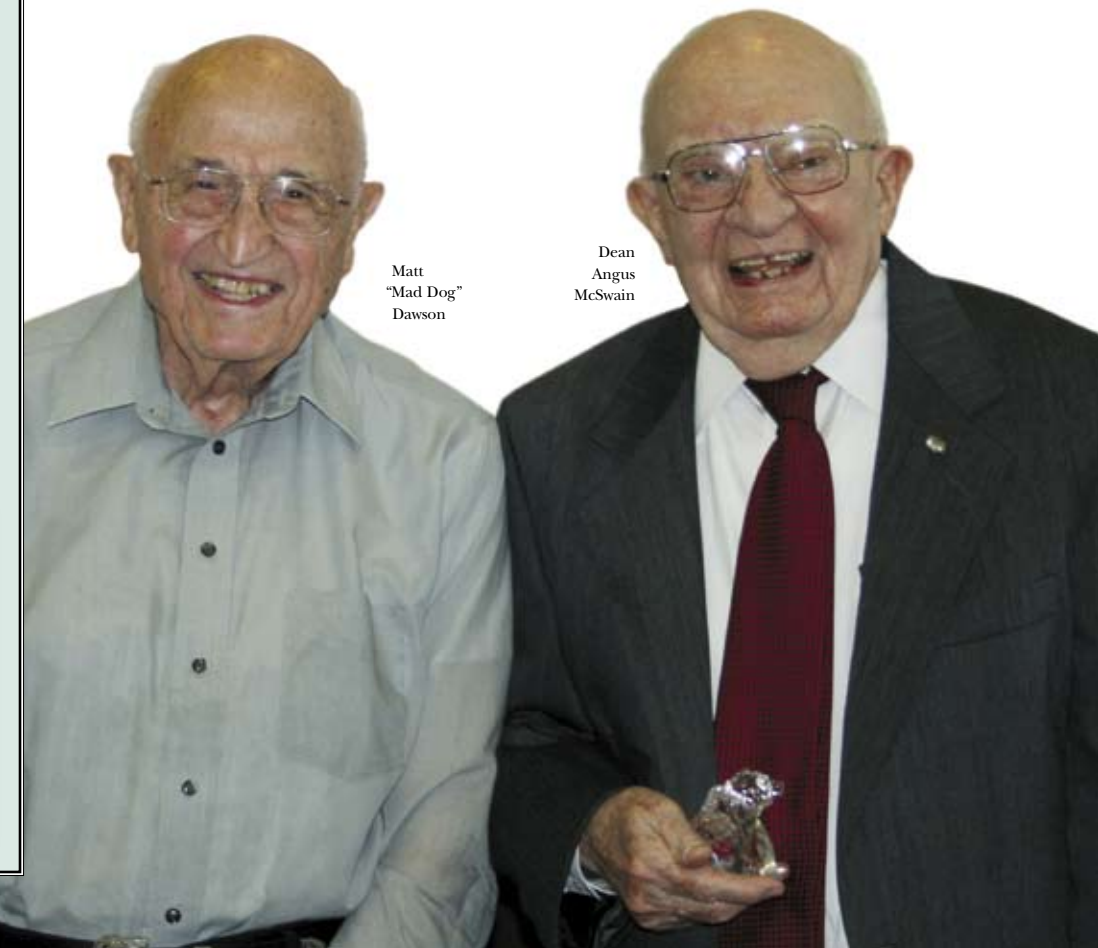
Dean Brad Toben and
Larry Funderburk



Michael Smith and Amos Mazzant

THE ELDER STATESMEN

Baylor Law faculty and staff held a luncheon to mark two milestones in the lives of the Law School's elder statesmen—former Dean Angus McSwain and Matt “Mad Dog” Dawson. Dean McSwain was announcing that he was really and truly retiring from teaching after 60 years, and Dawson was celebrating his 92nd birthday. Dean Brad Toben presented Dean McSwain with a Swarovski crystal bear to commemorate the day. Also in attendance were Dean McSwain's son, Andy, who also is a Baylor lawyer, and daughter-in-law, Chris.



Matt
“Mad Dog”
Dawson

Dean
Angus
McSwain

Welcome to the
Baylor Law
Alumni
Reception

FACULTY SCHOLARSHIP



RON BEAL

Professor of Law

Presentations

"Best Practices: Rulemaking" at the National Association of State Boards of Accountancy national convention in Austin on March 3.



JEREMY COUNSELLER

Associate Professor of Law

Publications

"Rooting for the Restyled Rules (Even Though I Opposed Them)" accepted for publication in *The Mississippi Law Journal*.



TOM FEATHERSTON

Mills Cox Professor of Law

Publications

Co-author of *Questions & Answers: Wills, Trusts & Estates*, second edition, published by LexisNexis, 2008. Co-author is Professor Michael Hatfield, Texas Tech Law School. Continues as the Trust and Estate articles editor of *Probate & Property*.

Presentations

Panel participant on the topic "Ethical Issues in Representing a Fiduciary" at the 2008 ABA's Real Property Trust & Estate Law Section's Spring Symposium in Washington, DC, on May 2.

Paper "Texas Family Property: Integrating Trusts and Estates and Marital Property Laws" to the State Bar of Texas' Advanced Estate Planning and Probate Course on June 13 in Dallas.

Professional Work

Selected by the Texas Board of Legal Specialization to serve a three-year term on the Estate Planning and Probate Law Advisory Commission.

Continues to co-chair the Real Estate, Probate and Trust Law Section's efforts in the re-codification of the Texas Probate Code, including co-presiding over a committee meeting of Texas lawyers in New Orleans on April 25.

Continues in the governing council of the ABA's RETEL section and attended its spring leadership meeting on May 3.



BRIDGET FUSELIER

Assistant Professor of Law

Professional Work

Participated in the National Bar Examiner's Real Property Drafting Committee at its meeting in Santa Fe, NM. She helped edit and draft questions in the area of real property for upcoming bar exams.



DAVID GUINN

Lyndon L. Olson and William A. Olson Chair of Local Government and Constitutional Law

Honors

Elected to membership to the Fellows of the Texas Bar Foundation. Fellows are selected for their outstanding professional achievements and their demonstrated commitment to the improvement of the justice system throughout the state of Texas.



ELIZABETH MILLER

Professor of Law

Publications

"Cases Involving Limited Liability Companies and Registered Limited Liability Partnerships," *PUBOGRAM*, Vol. XXV, No. 2, p. 19. (The *PUBOGRAM* is the newsletter of the LLCs, Partnerships and Unincorporated Entities Committee of the Business Law Section of the American Bar Association.)

Presentations

Recent Limited Liability Company and Limited Liability Partnership Case Law Developments at the "Partnerships and LLCs—Important Case Law Developments 2008" program at the Spring Meeting of the ABA Business Law Section held in Dallas on April 11.

Owner Liability Protection and Veil Piercing at the State Bar of Texas Choice of Entity course on May 23 in San Antonio.

Recent Limited Liability Company and Limited Liability Partnership Case Law Developments at the ALI-ABA Limited Liability Entities program held on March 19 in Philadelphia.



GERALD POWELL

Director, Practice Court Program / Abner V. McCall Professor of Evidence Law

Presentations

"Supreme Court's No Evidence Standard for the 21st Century — Something New or Something Old," Page Keeton Civil Litigation Conference, University of Texas School of Law, Austin, October 26, 2007.



RORY RYAN

Associate Professor of Law

Publications

"The Restyling of the Federal Rules of Civil Procedure: A Solution in Search of a Problem," co-authored with Baylor law associate professor **Jeremy Counseller**, in *Slip Opinions*, an online supplement to *Washington University Law Review*.

"It's Just Not Worth Searching for Welcome Mats with a Kaleidoscope and a Broken Compass" (publication forthcoming in volume 75 of the *Tennessee Law Review*)



BRAD TOBEN

Dean and the M.C. Mattie Caston Professor of Law

Presentations

With **James Underwood**, associate professor of law, on Judges' Perceptions of Jury Verdicts to the T. John Ward American Inn of Court in East Texas on April 16.



JAMES UNDERWOOD

Associate Professor of Law

Publications

Fundamental Pretrial Advocacy: A Strategic Guide to Effective Litigation, co-authored with Charles H. Rose III, published by West Group 2007

Presentation

"What's Happened to Vicarious and Joint and Several Liability: Chapter 33 Questions You Need to Know" at the Page Keeton Civil Litigation Conference at the University of Texas School of Law on Oct. 25.



And the Winner Is...

MATT COLE NOW KNOWS WHAT ACTORS FEEL like when they receive their gold Oscars at the Academy Award ceremony. The recent law graduate was the first winner of the Wortham Top Gun mini-trial competition to receive the actual “Mad Dog,” an 18-inch bronze statuette of Matt “Mad Dog” Dawson, the legendary Baylor law professor who started the tradition of mini-trial competitions during his tenure as director of the Practice Court Program. Cole won the intrascholastic competition in December 2007 and received \$3,000 in addition to the Mad Dog. He was presented with the statuette by Professor Gerald Powell.

The Wortham Top Gun contest wasn’t the only competition in which Baylor Law students took part during the last quarter of 2007 and the first half of 2008. In another intrascholastic contest, the annual Dawson & Sodd P.C. Moot Court Competition, the team of Angela Hackett

and Gavin Smith were declared the winners. The competition, which also honors Dawson, lasts almost three weeks and featured 44 two-person teams. Baylor Law School holds a second intramural moot court competition during the spring.

A number of Baylor Law students also were successful in interscholastic tournaments that took competitors hither and yon. This year, students participated in a broad array of competitions in mock trial, moot court and client counseling.

The Baylor National Trial Competition mock trial team, coached by Powell, won the regional tournament of the NTC. The team of Cameron Weldon and Top Gun winner Cole moved on to compete in the national tournament and finished in the top 12. Additionally, at the regional tournament, the team of Joe Rivera and Casie Rivas finished third. Amanda Jenkins and Aaron Mutnick served as evidence coaches.

Meanwhile, at the ABA Moot Court Regional Tournament, which was held in Dallas, the Baylor team of Melanie Fry, Christopher Kirker and Kayla Michalka went undefeated and advanced to the

Gavin Smith and Angela Hackett were declared winners of the Dawson & Sodd P.C. Moot Court Competition.



Prof. Gerald Powell presented Matt Cole with the “Mad Dog” for winning the Wortham “Top Gun” mini-trial competition.

national tournament. At the national tournament, the team went to the round of 16. Additionally, Fry was named one of the Top 5 Oral Advocates. The team was coached by Professor Brian Serr. Another Baylor team of Joel Bailey, Sophia Lauricella and Timothy Williams also competed in the regional tournament and helped prepare their teammates for the national tournament.

In another regional competition, Baylor students Sarah Lacour and Anastasia Villescas won first place in the ABA’s Client Counseling Competition and finished in fifth place at the national tournament. In the regional competition, the winning team had to battle fellow Baylor students Jolie McCuiston and Scott Fisher

in the finals. The teams were coached by Waco attorney and adjunct professor Vik Deivanayagam. Student coaches were Brandy Harman and Amber Steiss.

The four-person team of Richard Rouse, Kaye Johnson, Christina Smith and Rachel Sonstein placed third at the National Ethics Trial Competition. Students coaches were Gordon Davenport, Ed Cloutman and Tom Jacob. Baylor Professor Mark Osler served as coach.

At the state level, the team of Devin Huggins and Alex Bell were undefeated in the double-elimination Texas Administrative Law Moot Court Competition. Additionally, Huggins

received the top advocate award. Another Baylor team of Rob George and Lane Haygood was defeated in the semi-finals. Joel Bailey, who competed on a third Baylor team, received the runner-up top advocate award. Adjunct Professor Kathy Serr and Professor Ron Beal served as coaches.

Other students who had successful competitions included Rory Brewton, who ranked in the top 10 speakers at the National Criminal Procedure Moot Court Competition; Daniel Keesee and Ryan Gregerson, who won second place in the George Washington University School of Law National Security Law Moot Court Competition; and Tom Jacob, who won the second-place award for individual speakers at that same tournament.

“Our students do well in advocacy competitions because of the strength of our advocacy and skills programs,” said Prof. Gerald Powell, director of the program and Master Teacher. “From the first day of law school our students are taught not only legal theory and doctrine, but also the practical lawyering skills necessary to represent clients. Whether it be drafting of briefs or memoranda, client counseling, estate planning, transactional drafting or trying lawsuits, our students are immersed in learning client advocacy. This emphasis sets Baylor Law School apart.”

Baylor Law’s Trial Advocacy program was ranked eighth best in the country in the law specialty rankings in the 2009 edition of “America’s Best Graduate Schools,” which was released Friday, March 28, by *U.S. News & World Report*. Last year, the Trial Advocacy Program was ranked at 11th best. ★



COMMENCEMENTS

SPEAKERS ADVISE STUDENTS TO BECOME SERVANT-LEADERS

A RENOWNED FEDERAL JUDGE, A LAW DEAN WHO previously served as a popular professor at Baylor, and a current professor who has been compared by some students to Severus Snape, the demanding (and sometimes evil) professor in the Harry Potter books, delivered keynote addresses at the most recent Baylor Law School commencement exercises.

At the November 2007 and February and May 2008 ceremonies, degrees were conferred on 119 students. And as in years past, the graduating class selected who would deliver the invocation, participate in the ceremonial hooding and inspire them with keynote speeches.

The Honorable Priscilla Richman Owen, judge of the U.S. Court of Appeals for the Fifth Circuit, served as keynote speaker at the November 2007 commencement. To the

graduates, Owen spoke of the demanding nature of a Baylor Law education and the challenges that the graduates would face in their professional lives.

"I suspect that there are some challenges that remain constant, both professionally and personally," she said. "I think the overarching challenge is what kind of lawyer and what kind of citizen you plan to be. We all know that lawyers as a group are the subject of a lot of criticism. I think you have the responsibility to make contributions to your profession and your community in a variety of ways. Never forget that the practice of law is a profession, not a business. You will be held to a higher standard by your community, and you should be. The image versus the reality of what our profession is all about is up to us. You are going to be living examples of the law and how it works in people's lives every day."

Melissa Essary, former Baylor Law professor and currently dean of the Norman Adrian Wiggins School of Law at Campbell University, spoke to the 31 students who made up the February 2008 class. She echoed Judge Owen's thoughts on reclaiming the law as a noble profession.

"It's been said that lawyers build no bridges. We raise no towers. We construct no engines. We paint no pictures. There is little of all that we do which the eye of man can see. But we smooth out the difficulties; we relieve stress; we correct mistakes; we take up other men's burdens and by our efforts we make possible the peaceful life of men in a peaceful state.

"Reclaiming the nobility of the legal profession will require you to be servant leaders, invested in your communities, taking on the burdens of others as we work toward a

peaceful state. Remember that Jesus was a rabbi, teacher and master with the power to confer a kingdom, yet he washed feet. You will wield enormous power in society, but always remember the term 'servant-leader.' Stay humble," she said.

Finally, Associate Professor Jeremy Counsellor, who is infamous for his demanding Civil Procedure class, delivered the keynote speech at the May 2008 graduation and often had the audience in tears of laughter.

"My daughter asked me why I was wearing this robe," Counsellor said. "I told her that Daddy is special...Daddy is a Jedi."

On a more serious note, Counsellor reminded the students that they did not achieve their degrees on their own.

"The truth is none of us make something of ourselves by ourselves," he said. "You owe. And it's never even crossed the minds of your creditors that you owe them, and, even if it did, they would never think of demanding repayment. So you have to pay your debt to others. There are lawsuits you need to win, but there are children you need to teach to read. Go build your dream home, but don't forget that there are people who just need a home. Represent the Fortune 500 company, but represent the widow who can't afford to pay. Work hard at the office, but work even harder at home."

He ended his speech by quoting a passage from John Wesley's Covenant Prayer.

"We are no longer our own, but Yours. Put us to what you will, rank us with whom you will; put us to doing, put us to suffering; let us be employed for You or laid aside for You, exalted for You or brought low for You; let us be full, let us be empty; let us have all things, let us have nothing. We freely and heartily yield all things to Your pleasure and disposal.

"I have prayed that prayer many times, but now my goal in life is to one day pray that prayer and to fully mean it," he said. ★

GRADUATES AMONG TOP THREE SCORERS ON BAR EXAM

Two recent Baylor Law graduates were among the top three scorers on the February 2008 Texas Bar Exam. Thomas Keane of Dallas received the second highest score on the exam, while Ashley DeForest of Houston received the third highest score. Stephen Shackelford Jr., who received his law degree from Harvard, was the top scorer. "I find it particularly impressive that while Baylor students represented only 13 percent of the participants who took the exam, two of the exam's top three scorers were from Baylor," said Baylor Law Dean Brad Toben. "This is yet again a testament to our longstanding and proven approach to the education of our students for service within a profession. Thanks go to each person on our team, both within and outside our school, who by their hard work, support and encouragement make the ever-continuing remarkable successes in our program possible." The top three scorers were announced at the Induction Ceremony for New Members of the State Bar of Texas that was held Monday, May 12, at the Frank Erwin Center in Austin. Wallace Jefferson, chief justice of the Texas Supreme Court, administered the Lawyer's Oath. For the sixth straight exam and the 10th time overall since 2002, Baylor law students claimed the top pass rate on the Texas State Bar Exam with 95.83 percent success rate, the highest pass rate for students from the nine Texas law schools. Of the 48 Baylor students who took the three-day exam in February, 46 passed on their first try. The overall state pass rate was 85.01 percent, with 312 successful candidates out of 367 who took the exam for the first time. Texas Tech University was second behind Baylor with a 92.86 percent pass rate, while SMU was third with a 92.31 percent pass rate. Baylor Law School has an unsurpassed record of success on the State Bar Exam, which is given twice a year and qualifies a candidate to practice law in Texas. Baylor Law School had a 97.85 percent success rate on the July 2007 exam, a 100 percent pass rate on the February 2007 exam and also the highest pass rate for the exams given in 2006. "Friends, no matter the time period—three years, five years, 10 years, 15 or 20 years—no one touches Baylor Law on our students' overall performance on the Texas bar exam," Toben said. "The 2007 Carnegie Foundation report on legal education comments on the need for reform in legal education, specifically that 'many law students graduate with little experience working with real clients and an inadequate grounding in ethical and social issues' and that law schools must take seriously the reality that we are a serving profession and have an obligation as professionals to prepare our students for effective and ethical practice. That observation is especially pertinent as we consider our own on-going and remarkable success in preparing our students for practice in a service capacity. Just as we were ahead of the curve on the McCrate report of the 90's, we are likewise ahead of the curve in regard to the Carnegie Foundation's prescription on where legal education needs to go. We must serve the ends that count—those of the future clientele of our students as they move out into the profession to serve and to set an example as to what true professionalism should be about."

BAYLOR LAW SCHOOL AWARDS EQUAL JUSTICE SCHOLARSHIP TO RACHEL SONSTEIN

BAYLOR SCHOOL OF LAW HAS AWARDED AN Equal Justice Scholarship to current law student Rachel Sonstein, who will receive her juris doctor in summer 2008. Sonstein is the second recipient of the scholarship, which is given to students who commit to practice law for at least three years with a recognized legal aid provider. Laurie Burns, who graduated last summer and is practicing law at a legal aid provider in South Texas, received Baylor's first Equal Justice Scholarship in 2006.

The Equal Justice Scholarship, which was developed in partnership with the Texas Access to Justice Commission and the University of Texas at Austin law school,

Legal Aid in Austin, the Consumer Protection Division in the Office of the Attorney General of Texas and in the U.S. Attorney's Office, Eastern District of Texas in Beaumont.

The most rewarding aspect of working in legal aid is providing quality legal work that people otherwise would not be able to access, she said. Many of the clients who touched her the most were challenged not only financially, but also by a lack of means of communication, transportation and family obligations. She was particularly inspired by a young woman who she and a supervising attorney met at a women's shelter outside

"I know a law degree will provide me with the opportunity to advocate the views of those in need and to serve them to the best of my ability."

provided Sonstein with full tuition for four quarters. UT's law school has a similar program for its students.

A native of Austin, Sonstein received her bachelor's degree in communication studies and Spanish from UT. While there, she was on the Dean's List four times, served on the Council for International Education and Exchange, chaired the bilingual mentoring program for the UT Student Volunteer Board and obtained a certificate of training in conflict resolution from the University of Texas Peace and Conflict Studies program.

Additionally, she served as a Spanish/English translator on medical missions to several underdeveloped Indian villages along the coast of Panama.

While she has been in law school, Sonstein held an externship at the Veterans Affairs Regional Counsel and summer internships at Texas Rio Grande

of San Marcos, Texas. The young woman was in an abusive marriage, spoke very little English, and did not have a car, yet she had contacted Texas Rio Grande Legal Aid and was doing all that she could to get out of a very bad situation. Sonstein is particularly eager to help young women in similar circumstances and other young people with family or criminal legal issues.

"I am passionate about serving others," Sonstein said. "Whether my family was adopting another family during the holidays, planting trees with my temple, working for Habitat for Humanity, or tutoring a child, I was always reaching out. Service is engrained in me, and I can't imagine my life without it. I know a law degree will provide me with the opportunity to advocate the views of those in need and to serve them to the best of my ability."

After graduation, Sonstein hopes to return to the Austin area to work, either for the Travis County Juvenile Public Defender, the Travis County Attorney's Office or Texas Rio Grande Legal Aid. ★



NEXT STEP

CAREER SERVICES UPDATE BY HEATHER CREED, ASSISTANT DEAN OF PROFESSIONAL DEVELOPMENT AND STUDENT RELATIONS

THE CAREER SERVICES OFFICE EXPERIENCED MANY CHANGES IN THE 2007-2008 ACADEMIC YEAR—PHYSICALLY, IN STAFF, AND IN PROGRAMMING. LAST FALL WE WERE SURROUNDED BY TARPS AND DUST AS WE STARTED THE PROCESS OF TURNING OUR OFFICE INTO A SUITE. BY THE TIME SPRING INTERVIEWS ROLLED AROUND, WE WERE FINALLY ESTABLISHED IN OUR 'NEW DIGS.' THE SUITE NOW ENCOMPASSES THE NEWLY CONSTRUCTED ASSISTANT DEAN'S OFFICE AND SHELVING FOR ADDITIONAL RESOURCES, AS WELL AS AN OPEN SEATING AREA FOR STUDENTS.

As we were gaining new office space, we were losing one of our colleagues. Katherine Logue '87, who had been the Career Services Director for eight years, left the Law School to start her own headhunting firm, Logue Legal Search. Since that time, Monica Wright, our Office Manager, and I have been holding down the fort while we search for the perfect fit in the Director position. We hope to introduce the newest member of our team in the next few months.

Throughout the changes, we have continued to add to the services and programming available to students and graduates. The launch of the Bear Essentials professional development program was a tremendous success. Several Baylor lawyers came back to campus this spring to share from their experience, including Malinda Gaul '82, as part of the State Bar of Texas Law Student Division Section Mentoring lunch; Sharla Frost '87, for the Powers & Frost LLP Women in the Law lunch; David Henry '85, speaking on the ins and outs of Patent Law; and Brian Kilpatrick '92, for the Jackson Walker LLP Interviewing Skills Workshop.



We also were glad to have some more recent graduates return to campus to speak on the Judicial Clerkship panel: Amanda (Garrett) Taylor '04, currently at Hohmann Taube & Summers in Austin; Josh Hedrick '07, currently clerking for Judge Kinkeade '74 in Dallas; Beth Klusmann '02, currently a briefing attorney for Judge Prado in San Antonio; Eric Porterfield '04, currently at Carrington Coleman in Dallas; and Jeremy Counsellor '00, currently an associate professor at the Law School.

Plans also are in the works to take our graduates to you. Over the next few months, be on the lookout for Off-campus Interviewing days in cities around Texas. We will facilitate the application process, and on one set date, the graduates will come to you for interviews. We hope it will be a convenient way for you to fill the hiring needs in your office...with a Baylor lawyer, of course.



IN WINNING THE CHAMPIONSHIP, THE PAIR had to chase down a corralled 70-plus-pound feral hog with their bare hands, put the hog into a sack and drag the sack across a line. Runge and White accomplished the feat in 7.41 seconds—the world record is 6.7 seconds.

White, who is from Uvalde, had entered the competition before. It was his idea to enter this year and he recruited Runge as his partner.

“If there was anyone at the law school who would want to do it, it would be Carson Runge,” he said.

City-slicker Runge, from Grand Prairie, knew nothing about hog wrestling and had never worked with livestock but he regularly hunts wild pig and was game to enter. The two prepared for the competition by watching videos of previous competitions on YouTube.

GOING HOG WILD

It was a classic showdown of man versus beast, Carson Runge and Stuart White, both in their second year at Baylor Law School, took on a fearsome feral hog and emerged the victors. The pair traveled to tiny Sabinal, Texas, near Uvalde to compete in the World Hog Wrestling competition. Not only did they compete, they WON the whole darn thing and came close to beating the world's record.

“Hog wrestling is a lot like any rodeo event—half is probably what type of pig you draw and the other half is how you do,” White said. “You have to make sure you and your partner go for the hog at the same time and spread out so he can’t get outside of you because if that happens you could be chasing him for minutes. Many of the other competitors had to do that. Once you get close (to the hog) you have to strike quickly and decisively because these hogs are really quick and can change on a dime. Then you have to have rolled the sack down (big secret in the hog wrestling community), to give the sack some form or else the hog will bite the sack and it will take longer to get him in.”

A large group of Baylor Law students, including Ed Cloutman, Shannon Steel, Blaire Knox, Camille Varner, Jessica Walters and Erin Wiegand, joined White and Runge and caravanned to Sabinal. Kelsey, Jessica, and Erin competed in the morn-

ing competition. Kelsey finished in seventh place, and Jessica and Erin finished in fourth place. Blaire and Camille entered in the afternoon competition and also finished in fourth place.

Runge admitted that he was nervous after he had watched other contestants, especially the team in the preceding heat. “They drew about a 100-pound hog and when one of the team grabbed it, he somehow got his arm and hand caught in the hog’s mouth. Those hogs are mean and it just ripped his hand up. He was dripping blood,” he said.

However White and Runge’s strategy paid off. They quickly surrounded the hog and Runge literally scooped it up and placed the squirming swine in the sack that White held. It took both of them to drag it over the finish line. Afterward, the two whooped and hollered like they had just won an NCAA championship.



For their win, the guys received large belt buckles that would make any rodeo rider proud. Runge wears his almost every day and doesn’t mind the teasing from his friends and family.

“My mother isn’t sure whether she should be proud or embarrassed,” he said. White agreed. “Our classmates and the faculty thought it was the most ridiculous thing they had ever heard,” he said. “I guess they thought we were pretty country and that is fine by me.” ★

You can watch Runge and White win the championship by visiting <http://youtube.com/watch?v=Oi9qhRgvo2Y>

**“MY MOTHER
ISN’T SURE WHETHER
SHE SHOULD BE PROUD
OR EMBARRASSED”**



ADMISSION NEWS BY BECKY BECK-CHOLLETT, ASSISTANT DEAN OF ADMISSIONS

IT’S HARD TO BELIEVE THAT THE 2008 ADMISSION SEASON IS COMING TO AN END. OUR SPRING AND SUMMER 2008 STUDENTS ARE ATTENDING CLASSES, AND OUR FALL 2008 ENTERING CLASS HAS BEEN SEATED.

In many ways, this admission season has been a rewarding and exciting one for the admissions team. We enrolled outstanding students in our spring and summer classes and we anticipate that our fall class, once again, will be comprised of students who are academically prepared to excel in our program. Additionally, our minority enrollment for the spring and summer entering classes increased from 12 percent to 22 percent.

While we have been successful with enrolling highly credentialed and diversified classes, the recruitment and admissions process over the years has become extremely competitive. Law schools throughout the nation are seeking to attract the same type student as Baylor. To meet this challenge, we are always initiating new programs to recruit students.

This past year, we created a new section on our website (law.baylor.edu/ProspectiveStudents) where prospective applicants, applicants and admitted applicants could learn a little about our Student Ambassadors, who are currently enrolled students who assist us with various recruitment projects.

For me, one of the fun things that we initiated this year was our online chat program. Throughout this year, we hosted several online chats where applicants and/or admitted applicants could visit with various members of the admissions team, faculty and students. At first we were nervous to see how this program would be received, but everyone involved enjoyed the program. More importantly, the applicants appreciated having the opportunity to chat with members of the law school community.

As we move forward with preparing for the upcoming admission season that is quickly approaching, we would like to solicit you to assist with some of recruiting efforts. The ways you can help include, but are not limited to, the following:

REPRESENT BAYLOR LAW SCHOOL BY ATTENDING A COLLEGE FAIR IN YOUR COMMUNITY.

PHONE OR EMAIL APPLICANTS WHO HAVE BEEN ADMITTED TO OUR PROGRAM.

If you are interested in helping us hunt for quality students, you can go to the following website law.baylor.edu/alumni/alumni_recruiting.htm to let us know of your interest or you can contact me at 254.710.4842 or at becky_beck@baylor.edu. I encourage you to be a part of this exciting hunt.



Paddling His Own Canoe*



**This article is published in anticipation of the semi-retirement of 1961 Baylor University School of Law graduate Robert C. Burleson, Jr., after 47 years of a diverse civil litigation practice (and even more diverse life). His wife and daughters, who have contributed at our request, would note for the record that they have completely forgiven him for the tent collapse in Mariscal Canyon—but that is, apparently, a whole other story.*

Few can share a story with the blunt bravado of Bob Burleson. Whether he's addressing 12 perfect strangers—as in so many times in his 47 years spent arguing cases to jurors—or one imperfect daughter—as he is doing right now—he is never intentionally at a loss for words.

by **LEA BURLESON BUFFINGTON**
Baylor University School of Law 1995, Partner, Burns Anderson Jury & Brenner, LLP, Austin, Texas



I AM SITTING WITH BOB—“DADDY” TO namesake sister Clair and myself—in the library of his Bell County, Texas, home: a comfortable, white stone farm house with Saltillo tile floors and expansive views of the Blackland Prairie, built lovingly with his bride of over 49 years, Mickey. We are surrounded by the possessions he truly values: compilations by Kipling, Twain and Shakespeare, field guides on Texas plants and birds, journals on archeology, science and medicine, Gibson guitars and many, many bluegrass albums. As usual, he’s wearing his uniform—long tolerated by the local legal community: cowboy boots, jeans and an embroidered white guayabera with just a corner of a pocketed red bandana exposed. Giving an approving nod to my legal-sized yellow pad and black Sharpie and locking blue eyes with mine, he clears his throat, and begins.

“Now you see, Baby,” he projects, never minding that I’m less than three feet away, “few know this, but I was actually admitted to Baylor Law School when I was not quite six years old. My daddy had gone off to war, and I was living with my grandmother, ‘Honey,’ Uncle Jim, and Aunt Martha. Jim was still in Baylor Law and Martha was at Baylor, too; so the four of us rented a house—a two story just off campus. Jim was grading papers at the law school, and I would go by myself to campus every day to visit him, getting to know the students, professors and deans along the way. When anyone asked me what I was going to be

when I grew up, I’d say ‘I’m going to be a Baylor lawyer!’ In 1942, I had a place guaranteed for me—provided (with a wink) I lasted that long.”

And lasted that long he did. After an undergraduate “sampling” of several Texas schools (school names “to be withheld out of respect for the schools,” he chuckles), he tested his way into Baylor University School of Law, studying at the revered podiums of those he describes as “the best law professors that existed at that time...as good or better than any at any law school in the U.S.” These Baylor legends included Dean Boswell, Ed Horner, Angus McSwain, Abner McCall and Judge Frank Wilson. “They knew the law and knew how to teach it, and they turned out, collectively, some of the best lawyers to grace Texas courtrooms,” he said.

Evidently, the excellence in teaching paid off. In 1961, Bob took the Texas Bar Examination and passed, earning the number two spot, second only to his best friend and law school study partner, Robert Lee.

With that milestone passed, he explains, a new legal mentor emerged. Jim DeWitt Bowmer, the aforementioned uncle, Baylor lawyer, father-figure and future partner, who was practicing in Temple in 1961, revealed to nephew Bob the virtues of trial by fire through a series of apprenticeships.

“The philosophy behind the way I was trained by Jim was this: Jim felt that he’d benefitted greatly from watching his dad (DeWitt Bowmer) and other top notch lawyers of his day try cases. He wanted me to have the same experience. He arranged for me to try criminal (usually murder) cases with Percy Foreman, Fred Erisman, Charles Tessmer, Warren Burnett and Luther E. Jones, Jr. Those cases and experiences I owe to Jim Bowmer, and I also learned a lot from those lawyers and their methodology.”

Regarding early career lessons, in particular, he continues, “From Luther, more than anyone, I learned the importance of detailed factual preparation and immedi-

ate recall of the law. From others, I learned how to take charge of a courtroom and to make a case that was entertaining to the jury and judge. I was also exposed to some very hard and competent special prosecutors and district attorneys—R.C. Musslewhite, Frank Briscoe, Henry Wade and Les Proctor, to name a few.”

But it was Bowmer—a former president of the Texas Bar Association who practiced until he passed away in 2006—who taught him “in about ten minutes” the power of cross examination and of making your opponent’s seemingly impermeable witness your own. This skill was honed by Bob and passed on by him to many associates and new partners, including Baylor Law graduates Nancy Morrison, Lisa Havens, and Vicky Trompler, M.D., University of Texas School of Law graduate Enid Wade and also to many Baylor School of Law students.

Bob settled in Temple, joining Bowmer’s firm of Skelton Bowmer & Courtney; subsequently Bowmer Courtney Burleson & Pemberton, which after additional name changes now constitutes the Temple office of Naman Howell Smith & Lee where Bob remains a partner. In Temple, Bob forged a career-long representative relationship with the medical community, which included Scott & White Memorial Hospital, Kings Daughters and Metroplex Hospital in Killeen.

He remembers successfully defending the first medical malpractice case “that anyone I know can remember” shortly after he began his civil litigation practice. Thereafter, he defended hundreds of clients in the medical field—placing his success rate at 98 percent. Throughout his practice, he valued and respected his partners, associates and staff, including William Courtney, Tom Normand, Jack Moore, John Cunningham, Eleanor Bosl—his long time assistant—and many others.

Having watched Daddy—Bob—several times in court and heard a lifetime of stories, I decided to ask a few jurists, colleagues, friends and family of their

thoughts of Bob’s legal career at the dawning of his retirement. The answers revealed not only his mastery of the law and skills in the courtroom, but his continuing life as a humanitarian, environmentalist, musician, sportsman, family man and adventurer.

Lifelong friend, the Honorable James “Jimmy” Carroll, former Chief Justice of the Third Court of Appeals and current General Counsel of Scott & White Memorial Hospital in Temple—Bob’s longtime client—shares the following:

“Most people know Bob Burleson as one of the state’s premier court room lawyers, and he is; but he is so much more than just a great trial lawyer: He is an historian, a conservationist, a folk singer and a teller of tales. He is a farmer, a hunter, a dog trainer and an expert in almost any subject you would care to name. More than anything else, he is a devoted Christian, a loving husband and father and a faithful friend. Any endeavor, from a canoe trip to a law suit to a dove hunt generally turned out better, and at least was more fun, if Bob Burleson was part of it, ideally (at least in his mind!) as the leader.”

His brother, the Honorable Joe “Jody” Carroll, Jr. of Bell County’s 27th District Court, is equally exuberant, telling of the time he was presented by Bob with an accurate, hand-drawn diagram of the inner workings of a combine for purposes of immediately educating him regarding the use of the device to harvest seeds. (According to Bob, young Jody was up to the task.) He also shared his favorite of Bob’s sometimes cryptic instructions: “Jody, you don’t ever want to back up on a slick hill.”

My mother, Mickey, herself a Baylor undergraduate who followed in her husband’s footsteps as a Texas Parks and Wildlife Commissioner, recalls the fun they have had together for almost 50 years enjoying canoeing, kayaking, amateur archeology, exploration of the southwest United States, and frequent trips to Mexico for pleasure and social work.

Not one to toot her own horn or his, she simply says: “He is my Renaissance man and walking encyclopedia.” But in truth, she was always an integral part of his success. My sister recalled that Mickey once strolled under the massive power lines crossing a corner of their farm while holding a long fluorescent bulb that flickered on and off as she moved under the lines. Bob took pictures for use in an upcoming trial as my sister and I watched from the safety of our truck.



The young litigator awaiting a jury verdict. Judge James K. Evetts signed the photograph with “Burleson on the Alert.”

Lisa Havens, his former associate who now serves as Director of Risk Management and Associate General Counsel at Scott and White Memorial Hospital, was also kind enough to provide her perspective of a unique practice. “Bob has a special knack for combining business with pleasure, and some of my fondest memories are of him playing his guitar and singing in my office or in my car on our way back home from a deposition or mediation.”

Speaking for both of us, my sister Clair, who has spent 10 years working long hours to raise money for others, provided comments that inspired this article’s title.

“People say that you should ‘learn to paddle your own canoe.’ Dad and Mom have always done just that, and they taught us to do so—to our great advantage in both our personal lives and our careers.”

I have received more than a dozen quotes, stories and comments from colleagues, friends, and family, and I wish I could share them all in this article.

I would be remiss if I did not mention the publication of his book *Backcountry Mexico*, a travelers’ guide and phrase book, published by the University of Texas Press that was painstakingly written with steadfast partner in adventure, David Riskind, currently the Director of Natural Resources for the Texas Parks and Wildlife Division. When asked how their good friends in Mexico would describe Bob, Riskind quickly answers, “Simpatico....One cannot ask for a better characterization. It also connotes that he is one of us. Few of us measure up in our own culture, let alone another. Bob, Roberto, does.”

Writing for a Baylor publication, it pleases me to have a final word from a Baylor icon, Professor Gerald Powell. Professor Powell, from whom I learned so much in the spring of 1994, was kind enough to not only request this article but to provide me with his first experience with Bob.

“I remember taking a trial practice course from him when I was in law school. I always marveled at his advocacy skill, and I wanted to be just like him. Since joining the Baylor faculty, I have had the pleasure of having Bob work with our mock trial teams. He was, as always, masterful and gracious in giving his time and talent.”

Upon being read this quote by his daughter (who was herself so graciously passed in Taxation by Dean Leah Jackson), Bob grinned broadly, and responded “Punkin’.... Baylor’s glory days are ahead of it. Because of Powell, [Noley] Bice, Muldrow, Jackson, Toben and the likes, it keeps getting better and better every year.” This Baylor lawyer would have to agree. ★

NELSON ROACH ELECTED 2008 PRESIDENT-ELECT OF TEXAS TRIAL LAWYERS ASSOCIATION

At its Annual Board and Membership Meeting in Austin, the Texas Trial Lawyers Association elected Baylor Law alumnus and Daingerfield lawyer Nelson Roach as 2008 President-Elect. Roach, partner with Nix, Patterson & Roach, practices in the areas of Commercial Litigation, Products Liability Law, Personal Injury Law, and Toxic Torts.



Roach was born in Syracuse, New York, on March 10, 1959. He received his bachelor's degree from Baylor University in 1981 and graduated, *cum laude*, from Baylor Law School in 1984. Roach was a member of Phi Delta Phi and the *Baylor Law Review*, where he was Notes and Comments Editor in 1983 and Research and Topics Editor in 1984. He also was the author of "The Rule Against Perpetuities; The Validity of Oil and Gas Top Leases, and Top Deeds in Texas After *Pevelto vs. Starkey*," 35 *Baylor Law Review* 399, 1983.

After law school, Roach was a Briefing Attorney to Justice Robert M. Campbell, Supreme Court of Texas. He was admitted to the Texas bar in 1984 and also

is admitted to practice before the U.S. Supreme Court; the U.S. Court of Appeals for the Fifth and Tenth Circuits; and the U.S. District Court for the Eastern District of Texas.

He is a member of Morris County, Northeast Texas and American Bar Associations, as well as the Texas Trial Lawyers Association, the American Association for Justice, and the American Board of Trial Advocates.

The Texas Trial Lawyers Association was founded in 1949 and is a professional association comprised exclusively of attorneys whose primary area of practice is representing plaintiffs in the civil justice system. ★

BAYLOR LAWYER ABELARDO VALDEZ RECEIVES BAYLOR DISTINGUISHED ALUMNUS AWARD

ABELARDO VALDEZ, WHO RECEIVED HIS juris doctor from Baylor Law School in 1970, has been named a Distinguished Alumnus by the Baylor Alumni Association. Valdez was recognized at a reception and black-tie dinner Friday, Jan. 11, in the Cashion Academic Center on the Baylor campus. Before giving his remarks, Valdez was introduced by Baylor Law Professor David Guinn, Master Teacher and the Lyndon L. Olson and William A. Olson Chair of Local Government and Constitutional Law.

Other Baylor alumni receiving the association's highest honor this year included Steven Browning, Virginia Cannaday DuPuy, Mark Hurd and Dr. James Shelhamer.

Valdez is a former U.S. ambassador and chief of protocol for the White House. Today, he practices law out of two offices—one in Washington, D.C., and the other in San Antonio—specializing

in international trade and investment. Valdez was one of the original proponents of NAFTA, the 1994 free trade agreement.

The son of migrant farmers, Valdez grew up mostly in South Texas. When he was a 19-year-old sophomore at Texas A&M, his father died suddenly of a cerebral hemorrhage, making him head of the family, with siblings ranging in age from 16 to six. He worked construction, as an orderly in a hospital, and helped at a grocery store, managing to help support his family while completing his undergraduate studies.

In 1965, he earned a civil engineering degree from Texas A&M University before attending Baylor. He also earned an international law degree from Harvard University in 1974 after studying at The Hague Academy of International Law in The Netherlands. A military aide to President Lyndon Johnson from 1965 to 1967, Valdez was chief of protocol for the White House (which carries the rank



of U.S. ambassador) under President Jimmy Carter from 1979 to 1981.

Presented annually since 1965, the prestigious Baylor Distinguished Alumni Award has honored governors and scientists, artists and denominational leaders, and educators and entrepreneurs. Past recipients of the award include Baylor Law alumni Price Daniel and Mark White, both former Texas governors; Leon Jaworski, who served as special prosecutor during Watergate; longtime Texas Congressman W.R. Poage; Former F.B.I. Director William Sessions; former Texas Lt. Governor Bob Bullock; and Judge Priscilla Owen of the U.S. Court of Appeals for the Fifth Circuit, among others. ★



LAW ALUMNA PRISCILLA OWEN HONORED FOR PUBLIC SERVICE WITH PRICE DANIEL AWARD

THE HONORABLE PRISCILLA RICHMAN OWEN, judge of the U.S. Court of Appeals for the Fifth Circuit, received the Price Daniel Distinguished Public Service Award during Baylor University's commencement ceremonies in May. The Baylor Alumni Association presents the award to individuals closely tied to Baylor, in honor of their work as elected or appointed public officials at the local, state, or national level. The award, named for the late Texas Governor Price Daniel, celebrates commitment to the second half of Baylor's motto, "Pro Ecclesia, Pro Texana."

Owen, a Waco native and 1976 Baylor graduate, earned the JD in 1977 from Baylor Law School, where she served as editor of the *Baylor Law Review* and earned the highest score in the state on the December 1977 Texas bar examination.

A partner at the law firm of Andrews & Kurth for 17 years, Owen won election

to the Texas Supreme Court in 1993 and re-election in 2000. She served until 2001, when she was nominated by President George W. Bush to the federal appellate court. Following her eventual confirmation in 2005, she now serves as judge of the U.S. Court of Appeals for the Fifth Circuit, hearing appeals from federal district courts in Texas, Louisiana and Mississippi, and *habeas corpus* petitions from both federal and state courts.

Owen's previous honors from Baylor include Young Lawyer of the Year and Outstanding Young Alumna, and she was named one of Baylor's Distinguished Alumni in 2006. She is a member of St. Barnabas Episcopal Mission in Austin, where she teaches Sunday school and serves as the head of the altar guild.

A 1932 graduate of Baylor Law School, Daniel is recognized as holding more prominent offices of public trust than any other individual in Texas history.

His career in both state and national politics spanned four decades and included all three branches of government, including service as speaker of the Texas House of Representatives, state attorney general, U.S. senator, the 39th governor of Texas and Texas Supreme Court Justice. During his tenure as governor, he worked to improve highways, fund better care for the mentally ill, raise teacher salaries and enact water conservation regulations.

Past award recipients have embodied the same kind of dedication to public affairs, making their mark on political arenas across the state and nation. Previous recipients include former Texas governors Mark White and Ann Richards, former Baylor presidents Abner McCall and Herbert Reynolds, former FBI director William Sessions, former U.S. Ambassador Lyndon Olson, and former Chief Justice of the Texas Supreme Court Thomas R. Phillips. ★

BAYLOR LAW ALUM ELECTED PRESIDENT-ELECT OF THE STATE BAR OF TEXAS

BAYLOR LAW ALUMNUS ROLAND JOHNSON OF Fort Worth has been elected President-Elect of the State Bar of Texas. Johnson will serve as president in 2009-2010; he will follow another Baylor lawyer, Harper Estes, who began his term as president in June.

“A turtle does not get on top of a fence post without 100 percent help and that

the U.S. District Court for the Northern, Eastern, Western and Southern Districts of Texas; U.S. Court of Appeals for the Fifth Circuit; and U.S. Supreme Court. He is a member of the College of the State Bar of Texas; State Bar of Texas Board of Directors (2003-2006); Texas Legal Protection Plan Board of Directors (2006-2007); The American Law Institute; American Board of Trial

weather watcher for KXAS-TV. He and his wife of 30 years, Cindy, are members of Broadway Baptist Church. They have two sons: Ben, who holds a B.A. in Environmental Studies and Spanish from Southwestern University and Wes, a candidate for a joint M.B.A./M.A. degree in International Relations at Yale University.



Johnson will follow in the footsteps of a number of Baylor Law alumni who have held the post of president of the state bar. Baylor Law predecessors in this position of leadership include A.J. Folley, Leon Jaworski, Gib Gayle, Jim Bowmer, Cullen Smith, Wayne Fisher and Frank Newton.

“Baylor lawyers have always risen to the call of leadership—in the profession, in their communities, in their churches, and in all other venues,” said Baylor Law Dean Brad Toben. “Given this tradition and history, we are especially gratified that we will have Harper and Roland—two Baylor lawyers—serving back-to-back as the President of the State Bar of Texas, the second largest bar organization in the nation.”

The State Bar of Texas is an administrative agency of the Supreme Court of Texas that provides educational programs for the legal profession and the public, administers the minimum continuing legal education program for attorneys, and manages the attorney discipline system. ★

“Baylor lawyers have always risen to the call of leadership—in the profession, in their communities, in their churches, and in all other venues,”

DEAN BRAD TOBEN

is what just happened in this election,” Johnson said. “I am grateful for Baylor lawyers who voted across the state. Baylor lawyers give their best to the profession in so many ways and I believe Baylor Law School prepares you for leadership in the community as well as the courtroom.”

Johnson is the managing shareholder of Harris, Finley & Bogle, P.C., the law firm where he has worked since 1982. He received his bachelor’s degree, *magna cum laude*, from Baylor University in 1976 and his juris doctor degree, *cum laude*, in 1979. While at Baylor Law School, he was associate editor of *Baylor Law Review*. He is board certified in civil litigation, and has over 27 years experience in civil litigation. His practice includes extensive litigation in commercial litigation, legal malpractice defense, and arbitration related issues.

After law school, he began his career with Shannon, Gracey, Ratliff & Miller. He moved to his current firm in 1982. He became Managing Shareholder in 1989.

Johnson holds professional licenses with

Advocates; Texas Association of Defense Counsel; Texas Bar Foundation (Life Fellow); Tarrant County Bar Association (President, 2001-02); Tarrant County Bar Foundation (Board of Directors, Charter Fellow, Sustaining Life Fellow); Texas Center for Legal Ethics and Professionalism (Member); and Texas Association of Mediators (Member);

He was named a *Texas Monthly* Super Lawyer in 2003, 2004, and 2005 and is Eldon B. Mahon Inn of Court President. Additionally, he serves as an Adjunct Professor at Texas Wesleyan University School of Law and received the Distinguished Adjunct Faculty Award in 2005. He also received the Tarrant County Bar Association Professionalism Award in 2004.

His community involvement includes serving as commissioner on the Ft. Worth Civil Service Commission, board member of the Day Resource Center (for the homeless), board member of the Baylor Alumni Association, swine barn superintendent for the Southwestern Exposition and Livestock Show, and



Reich Chandler

WORKING TOGETHER FOR GOOD...

by JULIE CORLEY
WHAT HAPPENS WHEN 14 attorneys, one judge and one former governor,

all of who graduated from six different law schools, come together to combine their time and talents with their respect and admiration for a colleague’s family? An endowed scholarship fund that will help immortalize one of Baylor Law’s finest young lawyers whose life was tragically cut short.

Through the leadership of Judge Joe Clayton of Tyler and Mark White of Houston over \$350,000 has been raised for the Reich O’Hara Chandler Endowed Memorial Scholarship in Law.

“Reich’s all too brief life and career are going to leave in indelible impression upon all whom were touched by his life, which was marked by his delight in his family, a host of friends, a career devoted to service, and a deep and abiding faith,” said Baylor Law Dean Brad Toben. “I believe that these attributes are what will be very fittingly remembered through this scholarship that will help those following in Reich’s footsteps into the profession and into a life of service.”

Reich Chandler received his B.A. and J.D. degrees from Baylor University in 1989

and 1992. He was a state and nationally ranked tennis player who completed his career in tennis by playing for Baylor on a full scholarship, receiving the most valuable player award and winning the Southwest Conference doubles championship his senior year.

Practicing law briefly in Houston and Dallas, he returned to his hometown of Lufkin, Texas, to join his father at the Chandler Law Offices from 1995 to 2006. He had a love for justice and a passionate desire to help and inspire those less fortunate. He was on the Executive Committee of the Texas Trial Lawyers Association and a long-time member of its Board of Directors, Past President of the East Texas Trial Lawyers, and Past President of the Young Advocates of Texas and had been recognized as a Super Lawyer in *Texas Monthly Magazine*.

Reich passed away on October 21, 2006, after a courageous 15-month battle with cancer. He was 39 years old and survived by his wife, Nancy, and daughter, Sydney.

The endowed scholarship began with generous gifts from Walter Umphrey (JD ’65, Beaumont) and John Eddie Williams (JD ’78, Houston). Committee members working to grow the fund include: Jeff Badders (JD ’81, Nacogdoches), Noley Bice (JD

’61, Waco), Donna Bowen (Austin), Debbie Branson (Dallas), Forrest “Duke” Brazelton (JD ’62, Nacogdoches), Arlen “Spider” Bynum (JD ’63, Dallas), Collen Clark (JD ’90, Tyler), Wayne Fisher (JD ’61, Houston), David Guinn (JD ’63, Waco), Jay Harvey (Austin), Jack McGehee (Houston), Bill Nesbitt (JD ’70, Waco), Jeff Paradowski (JD ’92, College Station), Broadus Spivey (Austin), and Don Tittle (Dallas). Their goal is to raise a minimum of \$500,000 so a full tuition scholarship can be given each year to a student who excels academically at Baylor Law School, but more importantly, exhibits the character, faith and professionalism of Reich.

No one made more phone calls to encourage gifts or was more enthusiastic about the scholarship project than Master Teacher David Guinn, who, after 42 years in the classroom, has taught countless Baylor Lawyers including Reich.

“Reich was a superb student...just like his Dad 30 years before. He will be remembered in perpetuity at the Baylor Law School as a result of the creation of this scholarship.” Guinn said.

If you, too, would like to show your support of the Chandler family, mail your gift to Baylor Law School, One Bear Place #97288, Waco, TX, 76798. ★

Texas Trial Lawyers Association Honors Baylor Law Alum/Adjunct Professor Zollie Steakley

Zollie Steakley, adjunct professor at Baylor Law School and shareholder in the Waco firm of Harrison Davis Steakley, P.C., received the Reich Chandler Outstanding Advocate Award at the Texas Trial Lawyers Association annual meeting in late November. ★ The award honors the late Reich Chandler, who graduated from Baylor Law School in 1992 and passed away Oct. 21, 2006. The award is presented to a TTLA Advocates member who embodies the qualities which were hallmarks of Chandler’s life: balance, faith, tradition and professionalism. ★ Steakley received his bachelor’s degree in 1998 from Baylor University and graduated top of his class from Baylor Law School in 2000. He was a member of the Tournament of Champions Mock Trial Team which placed second in the nation and served as Managing Editor, Notes and Comments Editor and Assistant Managing Editor for the *Baylor Law Review*. He was elected Freshman Class President and Executive Vice President of the Student Bar Association and was awarded Outstanding Law Student. He currently helps in Baylor’s Advocacy Program and serves as an Adjunct Professor, teaching Consumer Protection. ★ Steakley joined Harrison Davis Steakley in 2000 as an associate attorney practicing in the area of products liability, personal injury, toxic and mass torts. He earned the distinction of shareholder in 2007. ★ He is a member of both The State Bar of Texas and The Mississippi Bar. He is a member of the Texas Trial Lawyers Association, Association of Trial Lawyers of America, Abner V. McCall American Inn of Court (Associate), the Waco-McLennan County Bar Association, the Waco-McLennan County Young Lawyers Association, the Christian Trial Lawyers Association and First Methodist Church. He also serves as a member of the Board of Directors for the Texas Trial Lawyers Association Advocates, a Trustee for the TTLA PAC and has served on the TTLA Nomination Committee.





1958

WILLIAM S. SESSIONS, former federal judge and director of the FBI and currently partner at Holland & Knight LLP, was recently honored by both the Constitution Project and Holland & Knight. The Constitution Project, an independent think tank known for the work of its bipartisan committees on controversial legal issues, honored Judge Sessions with its inaugural Constitutional Champion Award during its 10th Anniversary gala dinner at the Mayflower Hotel in Washington, D.C. on March 5. Judge Sessions was recognized for his support of the rule of law and for his efforts to counter injustices in our legal system. In addition, Holland & Knight honored Judge Sessions with the 2008 Chesterfield Smith Partner Award, the highest individual honor given by the firm. The award was presented to Judge Sessions on March 14 at a celebration dinner during the firm's annual conference in Orlando.

1961

GARY DEAN JACKSON of Lindale was inducted into the U.S. Army Infantry School Class of 2008 Officer Candidate



School Hall of Fame. Infantry School officials consider induction in the Hall of Fame the highest honor that can be bestowed upon a former graduate. To be eligible, a graduate must attain the rank of colonel, receive a Medal of Honor/and or distinguish himself in his civilian occupation. Col. Jackson graduated from OSC in 1956. He retired as a colonel, U.S. Airforce Reserve, in July 1987. He has served as attorney for the City of Lindale and Lindale Independent School District, as City Judge of Arlington, Texas, and as a U.S.

Department of Justice trial attorney. Additionally, Col. Jackson and his wife, Gloria, celebrated their 50th wedding anniversary on Dec. 22, 2007. He and Gloria practice law in Lindale.

1970

LARRY PRESCOTT, the co-owner of Prescott Legal Search with his wife, Lauren, has sold the company to MPS Group, a NYSE company. Larry left his job as Vice President & General Counsel of a NYSE company in 1981 and founded Prescott Legal Search, which became the largest legal recruiting company in Texas, with offices in Houston, Dallas and Austin. Larry and his wife have retired and will move to Santa Fe later this year.

1972

FELIPE REYNA, Justice with the 10th Court of Appeals of the State of Texas, has been elected to membership to the Fellows of the Texas Bar Foundation. Fellows are selected for their outstanding professional achievements and their demonstrated commitment to the improvement of the justice system throughout the state of Texas.

1978

CARMEN ELAINE EIKER has been promoted to partner at the boutique Family Law firm McCurley Orsinger McCurley Nelson & Downing, L.L.P. She



is Board Certified in both Family Law and Civil Trial Law by the Texas Board of Legal Specialization. Prior to joining McCurley Orsinger in 2005, Ms. Eiker spent nearly 18 years as a sole practitioner in Midland, Texas.

BECKY MCGEE, Vice President-General Counsel of Hunt Petroleum Corporation, served as Co-Chair of the Institute for Energy Law's 59th Annual Oil & Gas Law Conference Feb. 21-22, 2008 in Houston, Texas. A division of the Center for American



and International Law (formerly The Southwestern Legal Foundation), the Institute for Energy Law is one of the earliest pioneers in post-graduate continuing legal education. The Oil and Gas Law Conference, initiated in 1949, is now the country's oldest CLE program in any field.

CINDY FRANKLIN has joined The Growth Co. in Anchorage, Alaska, as senior associate. She is licensed to practice law in Alaska, Colorado and Texas. Franklin earned a Bachelor of Arts from the University of Oklahoma in 1986.

1982

PAUL L. CANNON has been elected advisory director of First Financial Trust & Asset Management Company N.A. Cannon is replacing retiring director, Michael C. Waters, senior consultant to Hendrick Health Systems, who has served on the board since 2004. Cannon, who also received his undergraduate degree at Baylor University, is a corporate and banking attorney and a shareholder with McMahon Surovik Suttle P.C. He is a life member of the Texas Bar Foundation, served on the board of the Texas Young Lawyers Association from 1989 to 1991 and is a past president of the Abilene Young Lawyers Association by which he was named a co-recipient of the Outstanding Young Lawyer Award in 1990. Cannon chairs the Community Foundation of Abilene board, is a past board chairman of the Abilene Industrial Foundation, the city of Abilene Planning and

Zoning Commission, The United Way of Abilene, the YMCA of Abilene and the Abilene Center for Nonprofit Management.

1983

M. KEITH BRANYON, partner in the Tax section of Jackson Walker, has been selected as one of *Fort Worth, Texas* magazine's "Top Attorneys." The magazine annually features the "Top Attorneys" in Tarrant County. The attorneys are chosen as the best in their field by their peers. Branyon practices primarily in



the areas of estate planning, probate, guardianship and tax, with particular emphasis on the taxation of individuals, estates and trusts and all types of transfer taxes (estate, gift and generation skipping taxes). He is Board Certified in Estate Planning and Probate Law and also Board Certified in Tax Law. He is a Fellow of the American College of Trust and Estate Counsel. He is a member of the Tax Section and the Real Estate, Probate and Trust Section of the State Bar of Texas. He served as Chair of the Advisory Commission for the Estate Planning and Probate speciality, Texas Board of Legal Specialization, for five years. He now serves as a member of the Advisory Commission for the Tax Law speciality. He is also a Certified Public Accountant.

1986



TED M. BENN, Partner with Thompson & Knight LLP and a member of the Real Estate and Banking practice, has been appointed a board

member of DOWNTOWN DALLAS. He will serve a three-year term.

1994

MARISSA BALIUS has been named partner at Albin, Harrison & Roach, PLLC. Balius focuses her practice in the fields of family law and collaborative law, particularly issues involving divorce, child custody, post-divorce modifications, paternity, grandparents' rights, and child-support issues. She is a member of the Collin County and Denton County Bar Associations and served for 10 years as Assistant Attorney General with the Child Support Division of the Texas Attorney General's Office primarily practicing in Dallas, Collin and Denton County Courts.

1996

BRAD A. ALLEN has been licensed by the Oklahoma Bar Association. He is a partner at Martin, Disiere, Jefferson & Wisdom LLP and is part of the Insurance Team and heads the firm's Health Law Team. He also was reappointed as the Co-Chairmen of the ConocoPhillips Sporting Clays Tournament Benefiting Special Olympics Texas, which is the largest fundraiser for Special Olympics Texas, and one of the largest sporting clays tournaments in the USA. Additionally, he was reappointed as Editor-in-Chief of *eNEWS*, the online magazine for the Texas Young Lawyers Association.

TODD LILES has joined Cantey Hanger LLP in Dallas as an associate in the Litigation Section. Liles most recently was employed with Downs-Stanford, focusing on litigation, insurance defense and workers' compensation defense. He also has worked with Prager, Metzger & Kroemer, and was in-house counsel for Colonial Casualty Insurance Company.

continued on page 54

1998

R. ANTHONY YOUNG has been named partner at Sheppard, Mullin, Richter & Hampton LLP. A member of the firm's Entertainment, Media and Communications practice group in the Century City office, Young specializes in complex business litigation, particularly institutional entertainment litigation, sports-related matters and other large commercial disputes. Young has experience handling matters for motion picture studios, media conglomerates, broadcasting companies and other businesses regarding various types of claims, including those involving motion picture and television distribution rights, securities laws and regulations, profit participation and other accounting issues, contractual disputes, and complex due diligence analyses relating to large mergers and acquisitions. His practice has included representation of clients in cases involving allegations of fraud, breach of contract, breach of fiduciary duty and a wide range of labor disputes.

2000

MARTA MONTENEGRO MARTIN has been named Director of Alumni and Parent Relations at LeTourneau University in Longview. She was a practicing attorney from 2001 to 2005 in the Houston area. In August 2005, she took a position as development director and interim president of the Talento Bilingue de Houston where she developed funding sources and provided financial, programming and administrative leadership. In December 2006, she became the assistant director of grants and services for the Houston Arts Alliance where she wrote grants and contracts, gave presentations and administered services for local arts organizations and individual artists.

CONNIE PEÑA has joined the law firm of Albin, Harrison & Roach, PLLC, as an employment law litigator. She focuses her practice on employment law, corporate law, and civil litigation with extensive expertise in employer counseling and litigation involving discrimination, retaliation, and sexual harassment claims, as well as other employment related matters such as non-compete agreements and wage/contract claims. She is an active member of the Plano Bar Association and currently serves on the Board as CLE-Director. In addition to her involvement in the legal community, Peña is an active member of The Junior League of Plano.

2006

KIM ANDERSON has been promoted to staff attorney for David Wellington Chew, chief justice of the 8th Court of Appeals in El Paso.

FRANK "RON" WRIGHT IV is working at the Dallas District Attorney's Office as an Assistant D.A. He also received his bachelor's degree from Baylor in 2003.

2007

SEAN CRANDALL has been named an associate at Jackson Walker law firm.

He will practice in the Intellectual Property section in the San Antonio office of Jackson Walker. His practice involves all aspects of intellectual property, including patents, trademarks, copyrights and licensing. He is a



Sean Crandall

Registered Patent Agent authorized to practice before the United States Patent and Trademark Office. Crandall received his B.S. degree in Electrical Engineering from the University of Texas at San Antonio. At Baylor Law School, he served as Senior Executive Editor for the *Baylor Law Review* (2006 - 2007) and Associate Editor for the *Baylor Law Review* (2006).

LAUREN MELHART is working as an assistant district attorney for Henderson County, Texas.

JAMES R. PHELAN has joined the law firm of Maki, Ledin, Bick & Olson, S.C., in Superior, Wisc. He graduated with honors from the University of Wisconsin-Green Bay with a business degree. Phelan is involved in the general practice of law including civil litigation, criminal, family law and corporate law. He lives in Superior with his wife, Katie. ★



I N M E M O R I A M

ARTHUR EUGENE "BO" BOWEN (LL.B. 1949) died on Jan. 2, 2008, at his home in Grapevine. He was 88. A highly decorated veteran of the U.S. Army Air Corps during World War II, he practiced law in Alvin for many years and was the owner and publisher of several Houston-area newspapers. Survivors include his wife of 59 years, Marie Bowen; one son; one daughter; one brother; one sister; four grandchildren; and two step-grandchildren.

ANDY CHANCE (JD 1990), 43, of Dallas, passed away Friday, May 30, 2008, at his home. He was 43. Mr. Chance was born Oct. 5, 1964, in Orange, to Sam Alfred and Carole Ann Parker Chance. He was the valedictorian of his 1983 graduating class at Brady High School, where he was also a National Merit Scholar. Andy received his bachelor's degree from Baylor. He was an attorney for Center ISD and Shelbyville ISD. Andy was preceded in death by paternal grandparents, Houston and Vera Chance; and great-grandparents, Ercy and Ora Beasley. Survivors include parents, Al and Carole Ann Chance of Center; brothers, Brent Chance of Midland, and Chris Chance and wife, Leslie of Woodway; niece, Madelyn Chance of Woodway; maternal grandmother, Dr. Carroll Parker Guevara and husband, Al of Austin; uncles, Cecil Chance and wife, Ora Lee Chance of Broadus, and Clifton Chance and wife, Brenda Chance of Nederland; aunts, Ruby Force and husband, Charles Force of Pineland, and Brenda Posten and husband, Ken Posten of Vidor.

WILLIAM ANDREW CLIFFORD (LL.B. 1950), retired Lubbock attorney and judge, died Nov. 9, 2007, at the age of 85. He was born Jan. 25, 1922, in Jackson, Miss. He was preceded in death by his

wife of 60 years, LaVerne; daughter, Carolyn Fowler; and brother, Charles Leo Clifford. He is survived by two children: Patricia Sielte, and husband Rimas of San Antonio, and William A. Clifford, Jr., and wife Judy of Lubbock, nine grandchildren and 11 great-grandchildren.

MICHAEL WILLIAM GEORGE (JD 1973) of Denton, passed away Saturday, April 26, 2008, at his residence. He was 64. He was born July 25, 1943 in Lexington, Neb., to William A. and Julia Hayek George. He served in the U.S. Marine Corps during Vietnam and practiced law in Denton for a number of years.

He is survived by sons, Robert George, Michael Gerhard, and Christopher B. George; sister, Sandy K. George; niece Tina-Marie Peralta; parents, William and Julie George; and former spouses, Vicki George and Berta George.

CHARLES TIM LEVINS (JP 1994) passed away May 1 after a long illness. Mr. Levins was a retired attorney in the Fort Worth area. He is survived by his mother, Jean Levins; brothers, John Patrick Levins and Michael Cole; uncle, Charles Sherwood; and aunt, Helen Smith.

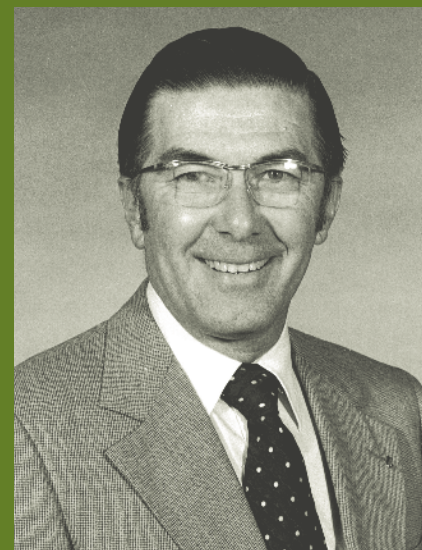
BILLY RAY SNOW (LL.B. 1951), a retired attorney and World War II veteran, passed away Sunday, May 11, 2008, in Haltom City. He was 82. Bill was born Dec. 1, 1925, in Breckenridge to Velma and Charlie Snow. He served in the U.S. Marine Corps in the South Pacific during World War II. He was awarded two Purple Hearts. Following law school, he served as a county attorney in Big Lake. He later entered the private practice of law in Houston and Anahuac.

He also served as an attorney for the National Labor Relations Board. Bill was admitted to practice before the U.S. Supreme Court, and was a member of the State Bar of Texas. He was a 32nd-degree Mason for 50 years, a member of the Stockyard Masonic Lodge 1244 and a Shriner. He was also a member of the Fort Worth Model A Ford Club.

He is survived by his wife, Janet Snow; sons, Joe Ray Snow and wife, Karen; Gary Snow and wife, Linda; daughters, Vicki Cole and husband, Edwin; Shelley Robinson and husband, Jody; grandchildren, Chandler Snow and wife, Michele; Brady Snow and wife, Stephanie; Janna Willingham and husband, Paul; Wes Snow and wife, Pam; Sharon Foust and husband, Paul; Aaron Cole and wife, Ali; Eric Cole and wife, Chrystal; Ashley Reynolds and husband, Clint; Kolton Krottinger, Amanda Robinson, Kourtlyn Krottinger and Joshua Robinson; sister, Lucy West and husband, Carl.

JAMES SPARKS JR. (LL.B. 1965) passed away March 8, 2008, at Christus Hospital-St. Elizabeth in Beaumont. He was 66. A longtime resident of Beaumont, where he practiced law for 40 years, Mr. Sparks had recently lived in Fredericksburg for 5 years.

He is survived by his wife, Martha Dougharty Sparks of Beaumont; two sons, Mark Sparks of Beaumont, James Sparks III and his wife, Nancy of Fredericksburg; one niece, Dana Work and husband, Scott of Houston; and two great-nephews, David and Ethan Work of Houston. He was preceded in death by his parents and one sister, Diana Mills. ★



Former Baylor Law Professor John William Stanford, 81, of Chapel Hill lost his short battle with cancer on March 12, 2008. He was born September 2, 1926, in Meadville, Penn. After graduating from Fort Lauderdale High School, he attended the University of Florida. He served in the U.S. Army Air Corps before returning to the University of Florida to complete his bachelor's degree and where he also received his Law degree in 1954. John practiced law in Fort Lauderdale, Fla., for 22 years and retired in 1976. From there, he started a 30-year career of teaching law at Baylor University, Oral Roberts University and then Regent University. He taught at Baylor Law School from 1976 to 1984.

"John was a superb Christian gentleman who impacted so many lives," said Baylor Law Dean Brad Toben. "A wonderful, committed and caring teacher and educator—apart from his many other roles—has been lost."

Mr. Stanford is survived by his wife of 56 years, Frances Bixler Stanford; son John W. Stanford Jr.; daughter-in-law Pamela; and grandsons John III, Lowell, and Thomas of Southlake, Texas; son David W. Stanford; daughter-in-law Mary Beth; and grandson, Michael, of Chapel Hill, N.C.; and son, James D. Stanford; daughter-in-law, Debbie; grandson, John Thomas; and granddaughter, Staci, of Colleyville, Texas.

BAYLOR LAW SCHOOL

MISSION STATEMENT

AS A MEMBER OF THE BAYLOR UNIVERSITY COMMUNITY, THE SCHOOL OF LAW SHARES IN THE UNIVERSITY'S MISSION TO EDUCATE MEN AND WOMEN BY INTEGRATING ACADEMIC EXCELLENCE AND CHRISTIAN COMMITMENT WITHIN A CARING COMMUNITY.

BAYLOR UNIVERSITY IS DEDICATED TO THE TRADITIONAL RESPONSIBILITIES OF HIGHER EDUCATION: DISSEMINATION OF KNOWLEDGE, TRANSMISSION OF CULTURE, SEARCH FOR NEW KNOWLEDGE, AND APPLICATION OF KNOWLEDGE. MOREOVER, WITHIN THE CONTEXT OF A CULTURALLY DIVERSE COMMUNITY, BAYLOR UNIVERSITY STRIVES TO DEVELOP RESPONSIBLE CITIZENS, EDUCATED LEADERS, DEDICATED SCHOLARS, AND SKILLED PROFESSIONALS WHO ARE SENSITIVE TO THE NEEDS OF A PLURALISTIC SOCIETY.

AS A PROFESSIONAL SCHOOL, THE SCHOOL OF LAW HAS A PARTICULAR OBLIGATION TO DEVELOP STUDENTS WHO HAVE THE CHARACTER, MATURITY, SKILLS, AND VALUES NEEDED TO ASSUME LEADERSHIP POSITIONS IN A PROFESSION CHARGED WITH RESPONSIBILITY FOR MAINTAINING AND IMPROVING OUR NATION'S SYSTEM OF JUSTICE. GIVEN THAT THE LEGAL PROFESSION IS DEDICATED TO PROVIDING SERVICE TO CLIENTS, THIS OBLIGATION MANDATES FIRST THAT THE SCHOOL OF LAW PROVIDE A PROGRAM OF EDUCATION THAT ENDEAVORS TO PREPARE STUDENTS TO PROVIDE LEGAL SERVICES COMPETENTLY UPON GRADUATION.

THE SCHOOL OF LAW THEREFORE SEEKS TO EXPOSE STUDENTS TO THOSE BASIC LEGAL PRINCIPLES THAT SERVE AS THE FOUNDATION FOR OUR SYSTEM OF JUSTICE; TO DEVELOP IN STUDENTS THE CORE LAWYERING SKILLS OF CLEAR THINKING, WRITING, AND SPEAKING; AND TO PROVIDE STUDENTS EXPERIENCE USING THIS KNOWLEDGE AND SKILL TO PERFORM A REASONABLE RANGE OF LAWYERING TASKS.

THE OBLIGATION TO DEVELOP STUDENTS PREPARED FOR PROFESSIONAL LEADERSHIP ALSO MANDATES THAT THE SCHOOL OF LAW EXPOSE STUDENTS TO THE HISTORY, TRADITIONS, AND VALUES OF THE LEGAL PROFESSION. AMONG THESE VALUES IS A COMMITMENT TO PUBLIC SERVICE AND LEADERSHIP WITHIN ONE'S COMMUNITY AND PROFESSION, A COMMITMENT TO ENSURING MEANINGFUL PUBLIC ACCESS TO OUR SYSTEM OF JUSTICE, AND RESPECT FOR AND ADHERENCE TO THE ETHICAL STANDARDS OF THE PROFESSION.

PERHAPS THE MOST FUNDAMENTAL VALUE IN A PROFESSION DEDICATED TO SERVICE OF CLIENTS, HOWEVER, IS THE VALUE OF ATTAINING AND MAINTAINING COMPETENCE IN ONE'S FIELD OF PRACTICE. MEETING THE OBLIGATION OF PREPARING STUDENTS TO ASSUME THEIR RESPONSIBILITIES WITHIN AN HONORABLE PROFESSION THEREFORE IS THE PRINCIPAL MISSION OF THE SCHOOL OF LAW.

AS PART OF THE UNIVERSITY'S MISSION, THE SEARCH FOR NEW KNOWLEDGE IS NECESSARILY A PART OF THE MISSION OF THE SCHOOL OF LAW AS WELL. THE SEARCH FOR KNOWLEDGE THROUGH SCHOLARSHIP, BY FACULTY AND STUDENTS ALIKE, IS ACCORDINGLY ENCOURAGED WITHIN THE CONTEXT OF THE PRINCIPAL MISSION OF TEACHING AND THE SCHOOL OF LAW, BUT THIS PURSUIT IS SECONDARY TO AND IN SERVICE OF THE PRINCIPAL MISSION OF PREPARING STUDENTS FOR THE PRACTICE OF LAW.

CALENDAR

Summer Commencement

August 2

Texas in Washington
Recruitment Program

August 8

Fall Orientation
Sunbelt Minority Job Fair

**August 20 – 21
September 5**

Alumni reception

Tyler
Longview
Daingerfield & Texarkana

**September 9
October 7
TBA**

Fall On-Campus Interviews

September 15-26

Baylor Judges Breakfast

September 15 (tentative)

SWAPLA Law Fairs

Texas Tech
Texas A&M
U.T. Austin
U.T. San Antonio

**(Recruiting Events)
October 27
October 28
October 29
October 30**

LSAC Law Forums

Atlanta
Miami
New York City
Boston
Chicago

**(Recruiting Events)
September 12-13
September 20
September 26-27
September 29
October 11**

Preview Days

(for prospective applicants)

**September 19
October 20
November 17**

Homecoming
Tent Reception during Parade
Morrison Hall

**November 1
8:30 a.m.**

Fall Commencement

November 8

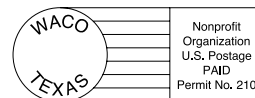
Class Reunions
for classes ending in 7&8

November 15

OF EVENTS

Docket Call

Baylor University School of Law
P.O. Box 97288 • Waco, Texas 76798-7288
ADDRESS SERVICE REQUESTED



BAYLOR
UNIVERSITY