

# Docket Call

BAYLOR UNIVERSITY SCHOOL OF LAW

WINTER 2008

## A "Pilgrim's" Progress

Catching Up With Former Dutch Exchange Student

# Paul Elion

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**An American  
(Law Student)  
in Paris**  
**Christopher W. Martin**  
**Named Baylor**  
**Young Lawyer**  
**of the Year**  
**Baylor Law School**  
**Awards Two Jaworski**  
**Scholarships**  
**Four Baylor**  
**Law Students**  
**To Clerk for Texas**  
**Supreme Court**



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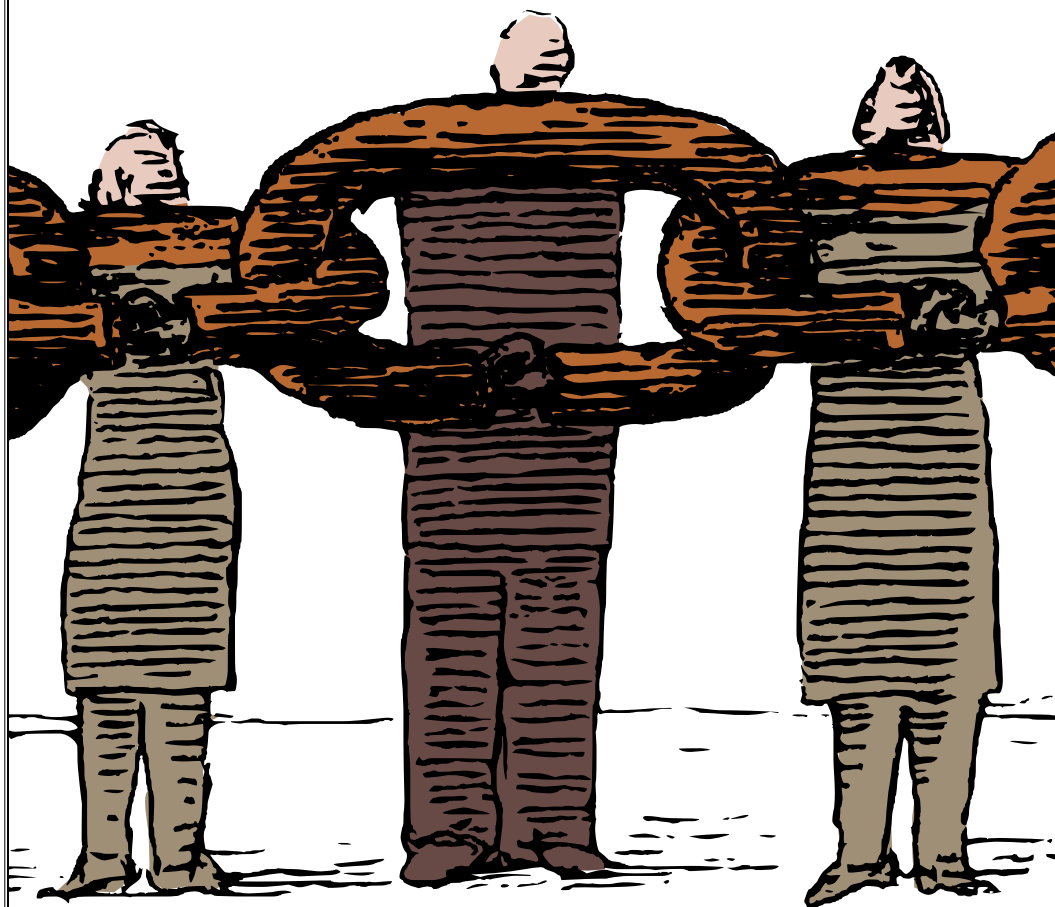
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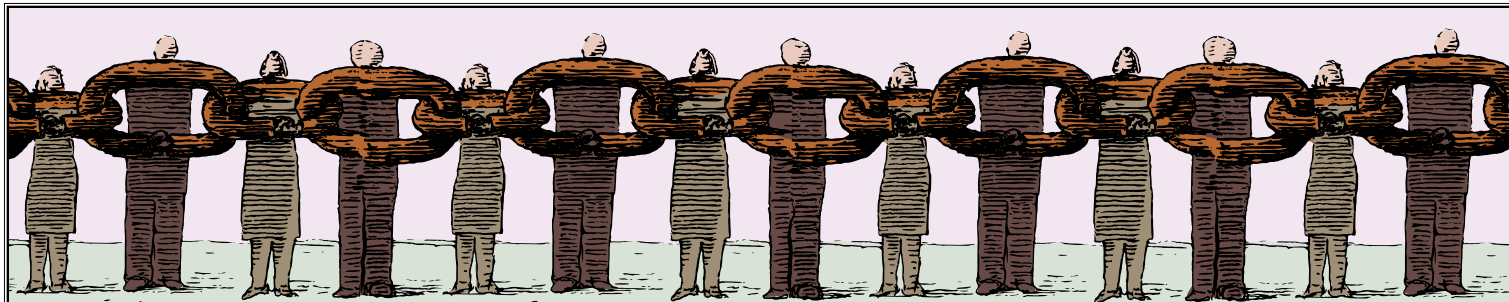


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## DEAN'S MESSAGE

MAKING CONNECTIONS WITH BAYLOR LAW STUDENTS WHO GO ON TO BECOME BAYLOR LAW ALUMNI IS ONE OF THE GREATEST PLEASURES OF MY WORK. DURING THE SUMMER, MY WIFE, BETH, AND I WERE DELIGHTED TO VISIT WITH ALUMNUS PAUL ELION, WHO GRACES THE COVER OF THIS ISSUE, AND HIS FAMILY, WHO WERE VISITING WACO FROM THE NETHERLANDS.

PAUL NOW IS GENERAL COUNSEL FOR G.E. Europe, but Beth and I got to know him back in the 1980s when he was a student at Baylor Law School from Leiden University in the Netherlands. As the recipient of Baylor University's Pilgrim Fathers scholarship, Paul planned to study at Baylor for just a semester, but he enjoyed the academics and atmosphere at the Law School so much that he remained and received his J.D. In fact, he fell in love with the Lone Star State and even proposed to his wife, Carinne, at Dinosaur Valley State Park in Glen Rose.

While Paul returned to his native country following graduation, most of our alumni remain in the U.S. and, in fact, in Texas or the region. I enjoy visiting with them during the alumni receptions that the Law School hosts at venues throughout the state. I hope you will enjoy looking

at some of the photos taken at recent gatherings in Midland/Odessa and in San Antonio at the annual meeting of the State Bar of Texas. We had a number of receptions around the state over the past year and more are in the works for the upcoming months.

The start of the fall quarter also brings a new array of eager students whom my colleagues and I will get to know and whose careers after law school we will eventually follow closely. Already I can tell that our students will continue to uphold the high standard of Baylor Law School. In this issue of *Docket Call*, you will learn about a few of them.

Dominic Braus shares an account of his summer clerking for a law firm in France, while other stories look at recent graduate James Craig, who sang opera professionally

before he entered law school; four students who will clerk for the Texas Supreme Court beginning in fall 2008; and a group of students who gave up a Saturday to volunteer at an intercity school.

Upcoming issues of *Docket Call* will introduce you to more of our amazing students, such as one who biked from Texas to Alaska to raise money for cancer research, or another who fled at age seven, with his parents, from Bulgaria and sought political asylum in the U.S., not knowing a word of English. Yet another is writing a children's book and who hiked the Appalachian Trail last summer.

With students like these, I think you will agree with me that the future of the legal community is in good shape.

BRAD TOBEN  
Dean, Baylor Law School



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

I COUNT IT A REAL PRIVILEGE TO SERVE AS President of the Baylor Law Alumni Association. Baylor Law School continues to achieve unprecedented success in virtually every aspect of its program. I could not be more proud to be a Baylor lawyer.

In recent years, I have had the opportunity to observe Baylor Law School more closely because my oldest daughter, Julia B. Jurgensen, attended and graduated from Baylor law in 2005. I am close to my daughter, so in some respects I had the opportunity to relive the law school experience.

After finishing her first two quarters of school, Julia was furious with me for recommending Baylor law. The course of study was so demanding and overwhelming that she was even threatening to transfer. She was convinced that no other law school demanded so much of its students.

Nonetheless, after much encouragement, she stuck it out (and though she will not admit it, even enjoyed it at times), did very well and, after a year working with John Eddie Williams in Houston, she married, moved back to Waco, and began

practicing with me, an experience we are both enjoying. Like most of us as we look back on our law school experience, Julia now truly appreciates the value of a Baylor law education and is proud to call herself a Baylor lawyer.

As I reflect on Baylor Law School, I am very proud of its many accomplishments. The cover page of the most recent *Docket Call* lists just a few – national mock trial champions, 100 percent pass rate on the recent Texas bar exam, Baylor lawyer Harper Estes elected to serve as State Bar President, another Baylor lawyer, Claudine Jackson, named TYLA Outstanding Young Lawyer, just to name a few. These recent accomplishments by the law school and its graduates are quite impressive.

In addition to the many measurable accomplishments and awards received by the law school, there are other intangible benefits that are of equal value, which I shared with Julia as she went through law school.

First, the friendships formed in law school with other students remain special, even when years pass between visits. There is a common bond among Baylor lawyers, even those you do not

know, that has proven to be beneficial in the practice of law.

The law professors who seem bent on making our lives miserable during law school are all very dedicated professionals who are genuinely interested in developing highly competent lawyers. I have enjoyed watching many of my friends from law school become very important people over the years.

Finally, the practice of law is challenging, rewarding, fun at times, while at times very difficult. But no law school is better at preparing its students for the challenges that lie ahead than Baylor. Thank you for allowing me to serve in this capacity.

*Rick Brophy is a founding partner of Beard Kultgen 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 Vice Chairman of the Greater Waco Chamber of Commerce, President-elect of Waco Rotary Club, and formerly as coach to the eight-time Midway Little League Softball World Series Champions. He graduated from Baylor Law School with honors in 1977.*



# Baylor Law School has awarded two prestigious Leon Jaworski Scholarships

to Ed Cloutman of Dallas and Amy Foster, a native of Wellington, Fla. The full-tuition scholarship, named for the Baylor Law alumnus who served as Special Prosecutor during the Watergate crisis, is awarded to incoming law students who have outstanding records in advocacy programs, such as debate, mock trial and moot court.

Cloutman received his bachelor's degree from the University of Texas where he majored in government and history and minored in sociology. While an undergraduate, Cloutman was a member of the UT Mock Trial team, serving as the A Team captain and vice president. He received the "top attorney" award at the Silver Flight Nationals and was named an "all American attorney" by the American Mock Trial Association. Cloutman also co-owns UT DJs, a deejay company that works with UT-affiliated organizations and events.

Although he had planned on eventually attending law school, Cloutman originally thought he first would teach high school history through the Teach America program. But his mock trial coach persuaded him not to wait.

"My coach, Jamal Alsaffar, was a Baylor Law grad. He knew I wanted to be a trial attorney and convinced me that Baylor was the place to go. I knew I was in the right place when I heard the Associate Dean (Leah Jackson) give her welcome speech at orientation," Cloutman said. "My grandfather went to Baylor Law School. In fact, he was in the first class when the school reopened after World War II. He could not be more ecstatic that I am here. I feel lucky to be part of the Baylor family."

Foster received her bachelor's degree from the University of Missouri in Kansas City, where she majored in English and communication studies with a minor in classical and ancient studies. After her debate results in high school, she was recruited by UMKC to debate for the university. While at UMKC, Foster compiled an impressive debate record, including competing in the National Debate Tournament three times, taking second place at the prestigious tournament in 2007. She also was an active volunteer who worked on multiple Special Olympics equestrian events.

"I always have focused on law as my career choice. Many aspects of it are

similar to debate. I probably want to be a trial attorney, but I also like research and writing, so I will leave my options open," Foster said.

Because of her debate background, Foster was familiar with Baylor, which is well known on the national debate stage. She arrived at the university more than a month before fall classes began to work as a volunteer coach with the undergraduate debate team.

"I hope I will have enough time to go to some tournaments and help coach, but I don't know right now," she said.

Leon Jaworski carved his place in history on Nov. 1, 1973, when he was appointed the Watergate Special Prosecutor. The talented Texas lawyer destined to play a leading part in the Watergate investigation had humble beginnings in the legal pro-

prestigious Houston law firm and later became a managing partner of Fulbright & Jaworski, one of the nation's largest law firms. Jaworski became a leader in the legal profession and held the presidencies of the American Bar Association, the American College of Trial Lawyers and the State Bar of Texas.

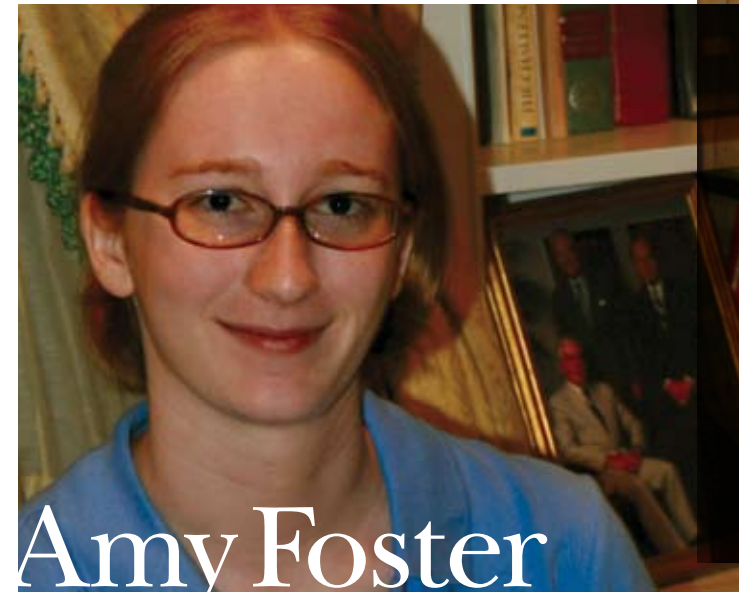
In addition to private practice, he served in the United States Army Judge Advocate General's Department during World War II and was made Chief of the War Crimes Trials Section of the U.S. Army during the late stages of the war in Europe. He personally prosecuted the first major war crimes trial in the European Theater.

Jaworski maintained close links with his alma mater and presented a number of lectures there over the years, including a six-part lecture series he delivered

desk and other furniture and personal artifacts. The items were donated to Baylor Law School by Jaworski's family and by the Fulbright & Jaworski law firm.

Baylor's Texas Collection also holds a substantial collection of Jaworski's papers and letters that trace his distinguished career in the legal profession and his service as the Watergate Special Prosecutor. The bound volumes of transcripts of videotaped interviews with the university's Institute for Oral History also are kept at The Texas Collection and contain Jaworski's comments on many aspects of the Watergate investigation, including references to "Deep Throat," the gap of 18-and-a-half minutes in the White House tape recordings, and his reaction to the pardon granted to Nixon by President Ford.

"Colonel Jaworski was so proud of his Baylor roots, and I know he would be very



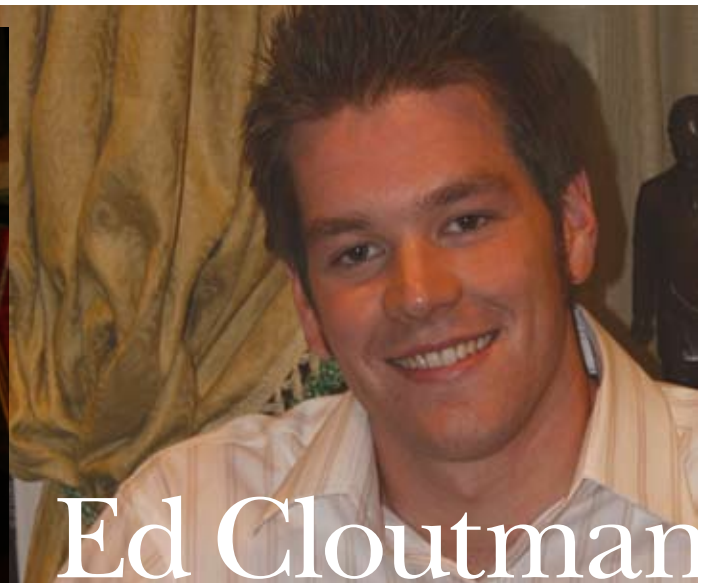
Amy Foster

fession. Born in Waco on Sept. 19, 1905, the son of Polish and Austrian immigrant parents, he received his law degree from Baylor Law School in 1925 and, at the age of 20, he was the youngest lawyer ever licensed in Texas. He "cut" his legal teeth during those early days with a Waco law firm by defending bootleggers during the Prohibition era.

But Jaworski became so skilled as a courtroom lawyer that he was soon hired by a

in September 1980 on "The Lawyer in Society." Two years later, on Dec. 9, 1982, Jaworski died at the age of 77 after suffering a heart attack during a visit to his country home in Wimberly, near Austin.

He is memorialized at Baylor Law School by the Leon Jaworski Center, a major component of the Sheila and Walter Umphrey Law Center, and by the Leon Jaworski Office, a recreation of Jaworski's original Houston office, containing his



Ed Cloutman

proud of our Baylor Law School today," said Baylor Law Dean Brad Toben. "The consistent successes that we have experienced in interscholastic competition have been made possible, in very significant measure, by the support of our outstanding student advocates and by the Leon Jaworski Foundation through the Jaworski Scholars program. The Foundation's magnificent gifts indeed make a difference each year in our program and for these very talented students." —



# CHRISTOPHER W. MARTIN NAMED BAYLOR YOUNG LAWYER OF THE YEAR

Christopher W. Martin, founding partner of the law firm Martin, Disiere, Jefferson & Wisdom, L.L.P., and one of the most recognized insurance attorneys in Texas, was selected as Baylor Law School's Young Lawyer of the Year. Martin, who graduated from Baylor Law School in 1990, was unable to accept his award during the annual meeting of the Baylor Law Alumni Association because of a business conflict. **"I was deeply humbled when I learned that I had been selected for this honor,"** Martin said when he learned he had been chosen Young Lawyer of the Year. **"I would have moved small mountains to be in San Antonio for the alumni reception. If there was any way to have made it, I would have made it happen. I hold the law school in the highest esteem and it means more to me than you will ever know that the administration and faculty think enough of me to provide this recognition."** Since graduating, it has been my goal in everything I do professionally to reflect well on Baylor Law School's investment in me. The administration and faculty worked hard to shape me into a lawyer and make me look good every time I walk into the courthouse or into a law firm. As such, I have always considered it my obligation to return the favor. I hope I have succeeded in some small way in my practice, my publishing and my teaching." **Martin, a native of Carrollton, received his bachelor's degree from Baylor, majoring in political science. However, it was his years competing on Baylor's renowned debate team that hooked him up with Baylor Law School.** "I knew from people who had debated for Baylor and for other universities that Baylor Law School was a phenomenal school if you wanted to be a trial lawyer. I knew that is what I wanted to do," he said. **While a student at Baylor Law, Martin was a team member on the national mock trial team and as such got well acquainted with Professors Gerald Powell and Louis Muldrow. He also worked for Professors David Guinn and Michael Morrison on judicial redistricting projects.** "Clearly, I was the most profoundly impacted by Professors Powell and Muldrow in evidence and Practice Court. As part of the mock trial team, I got to spend a lot of time outside of class with those two guys. I also believe that David Guinn and Mike Morrison were very influential and taught me

much. The opportunity to develop mentors such as these men outside of class makes Baylor Law School unique and was an important development in becoming a good lawyer and a better man," he said. **After law school, Martin went to work for the law firm of Butler Binion, which at the time was one of the state's largest firms. It also was a firm known for giving an active trial docket to its young lawyers. While there, Martin tried a number of asbestos cases and personal injury cases involving the Houston Bus Authority.** "It's unheard of today to be able to try 30 cases to verdict in your first five or six years of practice, but I was able to do that," he said. "Baylor gave me the unique ability to try law suits immediately out of law school. That made me marketable and gave me the ability to attract clients because I knew what I was doing as a trial lawyer. I could not have done that coming out of any other law school." **From Butler Binion, Martin moved to Bracewell & Patterson in 1994. He founded his own firm in 2000. Martin, Disiere, Jefferson & Wisdom is a 44-lawyer trial boutique with offices in Houston, Dallas and Austin. Martin's personal emphasis is on insurance bad faith litigation and insurance coverage disputes.** Martin specializes in the evaluation and handling of insurance matters and disputes involving questions of coverage, industry practices, claims handling, underwriting, legal exposure, inter-insurer disputes, and other legal issues of interest to insurers and their insureds. He is the author of three legal Treatises on Texas Insurance Law and serves as editor of the *Journal of Texas Insurance Law*. He also has served as an adjunct professor at the University of Houston School of Law for 10 years and regularly teaches and writes insurance courses and articles for CLE programs. **His numerous honors include being named the Top Insurance Litigation Attorney in Texas by Chambers USA; one of the world's leading insurance lawyers by Legal Media Group; and one of the top five "Go To" Insurance Lawyers in Texas by Texas Lawyer. He also is a three-time Super Lawyer and one of the Best Lawyers in America (2006).** Martin is married to Dr. Diane Martin, who is chair of the department of history at Houston Baptist University. The couple, active members of Second Baptist Church in Houston, has two children. —

THE YOUNG LAWYER OF THE YEAR AWARD WAS CREATED IN 1995 TO RECOGNIZE AN OUTSTANDING GRADUATE 40 OR YOUNGER WHO HAS BROUGHT HONOR AND DISTINCTION TO BAYLOR LAW SCHOOL AND TO THE LEGAL PROFESSION.





# An American *(Law Student)* in Paris

by Dominic Braus

“IN MY FIRST QUARTER AT BAYLOR, PROFESSOR JEREMY COUNSELLER SAID EVERY INCOMING LAW STUDENT WHO SAYS THAT THEY WANT TO PRACTICE INTERNATIONAL LAW REALLY MEANS THAT THEY WANT TO PRACTICE LAW IN THE SOUTH OF FRANCE.” AS ONE SUCH LAW STUDENT WHO DOES WANT TO PRACTICE INTERNATIONAL LAW, I KNEW HE WAS RIGHT.



HOWEVER, I HAD GOOD REASON TO THINK I could practice in the south of France. I had lived in *Suisse Romande* (the French-speaking part of Switzerland) for two years and was fluent in French. I used this language skill to justify working overseas. When it came time to make plans for last summer, I went about trying to find a summer associate position in France, the south of France, if possible.

Much to my dismay, I found out that nearly 60 percent of all French law is practiced in Paris. Ergo, Cannes and Marseille were virtually out of the question; nonetheless, I could think of worse

a good old-fashioned American legal education. The most exciting distinction is that it is free to all those who can pass the courses. In addition, French legal scholars start their legal training in the French equivalent of college. After successfully completing four years of undergraduate legal studies, Pierre or Marguerite becomes a *juriste*. At this point, they can choose to enter the workforce as a clerk, and after eight years of practicing, seek a promotion to *avocet* or they can opt to continue their education, in which case, they now must decide what type of law they want to practice.

The final option for the legally adept is to go to a different school for three years and exit as an *avocat*. *Avocats* are most similar to the American attorney. They can do everything that isn't reserved for the *notaires*; and, they can appear in court on behalf of their clients. The attorneys I worked for are *avocats à la cour*. While having dinner with the other interns and the representatives of the other firms, we were told that *avocats*, unlike American attorneys, are obligated to help anyone who asks for advice. In France, there is no fee to advise, there is only the duty to inform and guide.

During the course of the summer I had the opportunity to attend several hearings. I immediately noticed that there were three judges presiding, and to my surprise, everyone was dressed exactly the same! All the attorneys are required to wear robes that were remarkably similar to those the judges wore; except, the *avocats* wore different scarves, which distinguish from where he or she hails. Although I didn't see this, I must assume that there is an overwhelming temptation to show up in shorts and a t-shirt under the robes.

places to work than Paris. After much research, I eventually found a study-abroad program through Tulane Law School that encouraged students, who are fluent in French, to work in Paris during the summer. I expressed my interest and was given the names of some firms that had summer associate positions available. I was accepted at *Cabinet de Kap-Herr*, where I was to work from early June until the end of July, as an intern.

I discovered that legal education in France has some glaring differences from



If the aspiring legal mind wishes to become a judge, there is a specific school he or she must attend for three years. After all, judges aren't chosen from the ranks of prominent attorneys as they are in America, they are professionals. With few exceptions, there are at least three judges per court with another 200 or so in the *cour de cassation* (French Court of last resort). Hence, there is ample opportunity for employment.

Another option is to become a *notaire*. This requires attending a different school for three years. In France, only *notaires* are allowed to prepare conveyances of real property and wills; however, they cannot represent clients in court. This undoubtedly gives *notaires* a monopoly on wills and real estate. Still, the government limits the number of *notaires* who can practice, which prevents a flooding of them into the job market. Therefore, a young *notaire* must work under a more established *notaire* until the latter retires or dies.

*Cabinet de Kap-Herr*, the firm I worked for, is a small Parisian firm that handles predominantly domestic disputes ranging from property law, to trust and estates, to corporate law. My first day on the job, I was given the dossier of a company that was trying to declare bankruptcy, and I was told to draft a response to opposing council's arguments. My first challenge was to get up to speed on French law.

I soon learned that research is research all over the world and thanks to my extensive LARC training I made short work of my initial task. In fact, due to the civil nature of the French legal system, it was fairly facile to find what I needed because case law has little importance, and isn't binding. At the risk of sounding conceited, I may have been a little overzealous on my initial work product as I was shortly thereafter "granted" access to the library (affectionately referred to as the "cave") at the *palais de justice* which is the French equivalent to the Supreme Court building.

While in France, I was exposed to several new concepts. One such innovative concept was comparative constitutional law, which is something that is barely considered in the U.S., but is a far more mainstream idea in a European setting. This concept considers consulting other countries' constitutions when interpreting their own.

Overall, my experience this summer was incredible. I learned an enormous amount about European as well as French law and the legal culture. I hope that I am able to incorporate the knowledge and experience, gained this summer, into my study of the law, and to use it to enrich and broaden the already stellar student body at Baylor Law.

*Dominic is in his fourth quarter at Baylor Law School. The Hallettsville, Texas, native would like to intern this summer with a U.S. firm or business that practices overseas.* 🗝️



# A 'PILGRIM'S' PROGRESS CATCHING UP WITH FORMER DUTCH EXCHANGE STUDENT PAUL ELION



*Back in the early 1980s, a young law student in Holland heard about an opportunity to study law in the U.S. Wanting to expand his horizons, he applied for the offered scholarship at Baylor and was accepted.*





FLASH FORWARD MORE THAN 20 YEARS. THAT same Dutchman now serves as General Counsel for GE Equipment Services Europe and credits his Baylor law degree with his success. To reconnect with the university that gave him so much as a student and to introduce a new generation to his American alma mater, Paul Elion brought his family on a vacation to the U.S. during the summer. The trip included a visit to Baylor Law School.

Elion was a law student at Leiden University in Holland when he heard about the Pilgrim Fathers scholarship that was offered by Baylor. It allowed Leiden students to study at Baylor for six months to a year.

“This was a prestigious scholarship because in the early 1980s studying abroad didn’t happen all that much,” Elion said. “But here was a scholarship for students who wanted to expand their horizons and who could spend six months to a year abroad.”

Elion was wrapping up his law studies in Holland, but was eager to learn about the U.S., so he applied for the scholar-

ship. He arrived at Baylor in February 1984 and only planned to stay six months. However, he discovered that he liked the “feel” of an American university. With other scholarship opportunities including a clerkship in Baylor’s Office of General Counsel, he ended up staying at Baylor for almost two years.

“I really felt that I was part of a big family of students and lawyers,” he said. “It was fascinating as a Dutchman to be among the Texans and to get to know so many people. Plus, Baylor had other (international) students and we would have meetings. The students were from Japan, Korea, Guatemala, Germany and other places and it was good to get that exposure to a wide group of backgrounds. We would talk about issues, politics, academic developments and our own countries and backgrounds.”

Elion also enjoyed the academic rigor of the law school that was very different than what he had experienced in Holland. He remembers well the courses he had with Ed Horner, Mike Morrison, Tom Featherston, David Guinn and Dean Brad Toben. And he certainly remembers Practice Court, taught in those days by Matt “Mad Dog” Dawson.

“Practice Court scared the hell out of us because it was such a tough course,” he said. “In that class you were no longer a student; you were a lawyer-to-be. You had to speak up like a lawyer, talk like a lawyer, act like a lawyer. Coming from Europe, the focus was so different. You learn the law in Europe – the black letter rule. You learn what the rule says and how to find the rule. Here, the law is case law and you learn to present your case to a judge. You have to have certain skills that you don’t have to have in Europe, or at least not in Holland.”

Elion survived PC and received his J.D. in November 1985. He then returned to the Netherlands for mandatory military service and later was hired by a Dutch law firm that also had an office in New York City. He also married Carinne, whom he had met while a law student in Holland and who was a Civil Law Notary, a European designation for attorneys who specialize in property and family law.

He and Carinne initially lived in Rotterdam, where Elion practiced law. After a few years, they moved to New York City where he worked for the same firm from 1989 to 1992. Their oldest daughter, Barbara, was born there.

“It was fascinating as a Dutchman to be among the Texans and to get to know so many people.”

PAUL ELION

“It was quite interesting to see the differences between New Yorkers and Texans. In New York, the pace is much quicker, and while New York is very international, it also is very focused on itself,” he said.

Soon after Barbara’s birth, Elion was transferred to the firm’s office in Holland. He stayed with the firm a few more years before he was hired by General Electric as Transaction Counsel for their Plastic Division in Europe. The last seven years, he has been General Counsel for G.E. Equipment Services, which is based in Amsterdam. He has been with G.E. for 14 years.

“I never would have had the opportunity to work in Europe for a U.S. company like G.E. without the Baylor education,” he said. “With the J.D., I had the wonderful opportunity to learn the U.S. system in the broadest sense of the word, and I also understand the European legal system because of my law degree from Leiden University.”

In Elion’s role as general counsel, he serves as a liaison between the companies G.E. operates in Europe and the main office in the U.S. He said he often is called upon to explain the similarities and differences between U.S. and European law.

“I will give an example,” he said. “In U.S. bankruptcy law, there is Chapter 7 and Chapter 11. We have something similar in Europe, but there are significant differences; however, since I know how bankruptcy works in the U.S., I can explain the differences to my colleagues. The same could be said about the differences regarding security interests on assets. It is important that I understand what the differences are.

“The skills I learned in Practice Court are still very useful in my professional career,” he continued. “When I am involved in negotiations or discussions, I still need to persuade a group of people. I need to know what I need to focus on, what is not important and how to get my point across. Those are all things I learned at Baylor.”

In fact, his time at Baylor was so important to Elion that he was determined to introduce his four children to the university. His wife, Carinne, already had her introduction to Baylor and Texas before she and Paul married. He proposed to her at Dinosaur Valley State Park in Glen Rose.

“I wanted to help our children broaden their minds and give a boost to their cultural awareness. This was more than a vacation. We wanted to help them real-

ize the huge differences and similarities between the U.S. and Europe,” he said.

The three-week journey, including a first airline flight for all the children but Barbara, took the Elion family to New York City and New England, Washington, D.C., Dallas, Austin, San Antonio and Waco (with a side trip to Dinosaur Valley). Elion said the children were impressed with all they saw, and he was amazed at the changes the years had brought to Baylor.

“I keep up with Baylor through the website, and we have had friends from the States come to see us, but I still feel a bit out of touch,” he said. “I am fascinated to see what huge changes the campus has gone through – to see all the new, wonderful buildings. It is amazing how well Baylor is doing in what it can offer to students. It makes me very thankful that I had the opportunity to go through here.

“So there has been a dramatic change in terms of buildings and campus life, but equally important is what hasn’t changed. There is still the focus on academic excellence, values, relationships, using your talents to help others. Those qualities were ingrained into me at Baylor.”



Paul and Carinne Elion with their four children -- Barbara, Claudia, Peiter-Paul and Jocelyn -- visited Baylor Law School during the summer





## LAW PROFESSOR CHOSEN PRESIDENT-ELECT OF NATIONAL ACCREDITING BOARD

BAYLOR LAW PROFESSOR JIM WREN HAS BEEN elected to serve as President-Elect of the National Board of Legal Specialty Certifications, the national board certifying organization for various legal specializations. The NBLSC, a nonprofit organization accredited by the American Bar Association, certifies attorneys as specialists in the areas of civil, criminal, family law trial advocacy, and social security disability advocates.

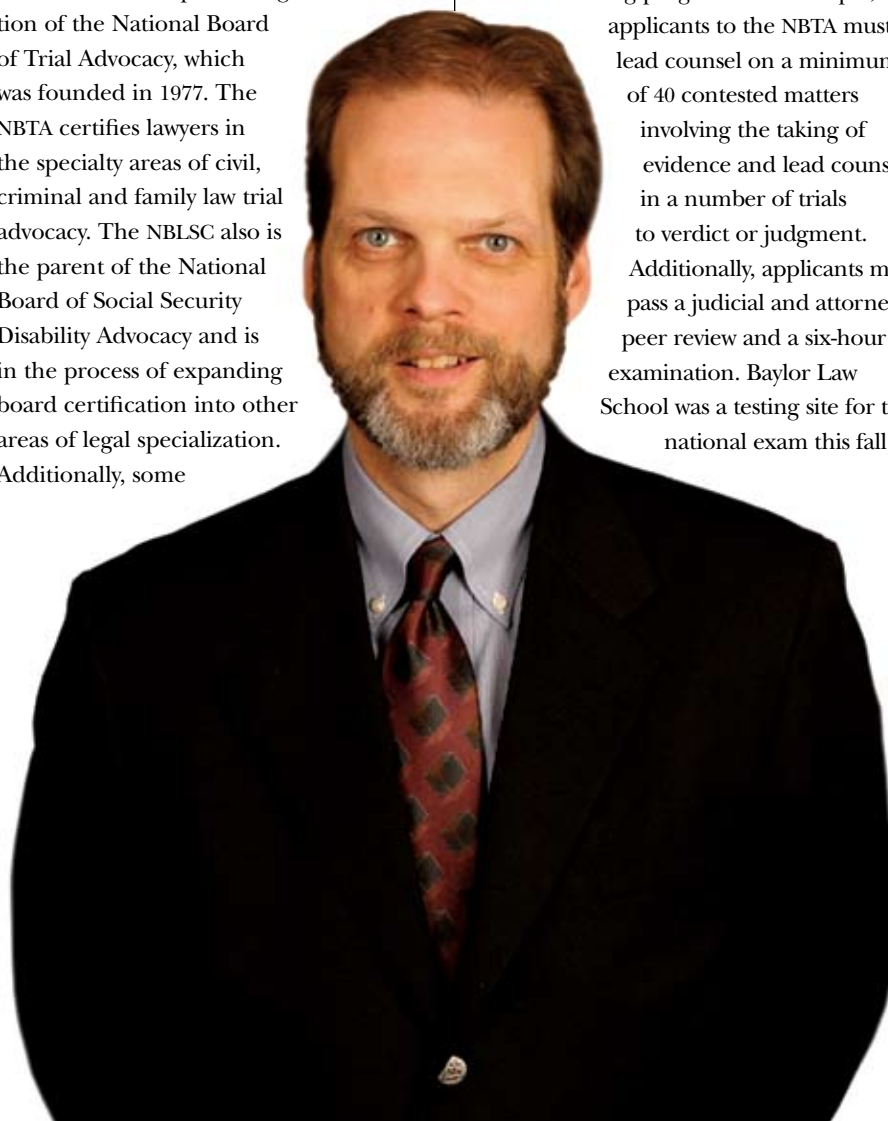
“Board certification of legal specialists is now following the same course as board certification of medical specialists. Both the public and the profession benefit,” Wren said.

The NBLSC is the parent organization of the National Board of Trial Advocacy, which was founded in 1977. The NBTA certifies lawyers in the specialty areas of civil, criminal and family law trial advocacy. The NBLSC also is the parent of the National Board of Social Security Disability Advocacy and is in the process of expanding board certification into other areas of legal specialization. Additionally, some

states such as Texas, California and Ohio have extensive state board certification programs. However, not all law specialties have certification on a state or national level. The NBLSC plans to rectify that.

“The NBLSC implements uniform guidelines for national certification,” Wren said. “Over the next several years, we will develop more certification programs for various specialties. It takes time; this is a multi-year undertaking because we have to establish the testing and requirements and must receive ABA approval. But we will continue to see specialties brought on line.”

For attorneys to become board certified they must undergo a rigorous qualification and testing program. For example, applicants to the NBTA must be lead counsel on a minimum of 40 contested matters involving the taking of evidence and lead counsel in a number of trials to verdict or judgment. Additionally, applicants must pass a judicial and attorney peer review and a six-hour examination. Baylor Law School was a testing site for the national exam this fall.



Wren, a Baylor law *alumnus*, joined the Baylor law faculty in 2006 after 25 years of experience as a trial attorney specializing in business litigation. He has been named by *Texas Monthly* as a Texas Super Lawyer in Business Litigation and

is board certified by both the National Board of Trial Advocacy and the Texas Board of Legal Specialization. Wren also served as coach for the Baylor mock trial team that recently won the American Association for Justice national cham-

pionship. In April, he along with fellow Baylor law professor Gerald Powell were presented with awards of appreciation by the Texas chapter of the American Board of Trial Advocates. ✂

## LIBRARY WELCOMES TWO NEW FACULTY

TWO NEW FACES JOINED THE BAYLOR LAW community recently. Kris Helge joined the Law Library faculty as its new reference librarian, while Chris Brady comes on board as the new catalog and government documents librarian, a position that had been held by the late Susan Kendrick, who passed away in January 2007.

The Law School is fortunate to have attracted two professionals of Brady and Helge’s caliber, said Brandon Quarles, director of the Law Library and professor of law. “The workload at the Law Library is substantial, and things move at a very quick pace. Brady and Helge hit the ground running as soon as they came on board and have already proven to be tremendous assets to the Law Library, the Law School and the University.”

Helge graduated from Baylor in 1996 with a bachelor’s degree in psychology and religion. He holds a J.D. from South Texas College of Law (2001) and will graduate from the University of North Texas with an M.S. in Library and Information Science in May 2008. He previously worked for the Law Office of Douglas Wright in Fort Worth and for the Willis Library at the University of North Texas as a graduate library assistant.

Helge and his wife, Terri, are members of the First United Methodist Church in Fort Worth. They have two children: An-

drew Swen Helge, age 2; and Jason Matthew Helge, 6 months. As reference librarian, Helge will be responsible for providing research and reference services to the faculty and students of the Law School; overseeing the Law Library’s Public Services Department; handling faculty and student interlibrary loan requests; preparing library publications, such as research guides and bibliographies; and assisting with collection development work and the testing/evaluation of new electronic databases.

Brady is no stranger to Baylor, having served as serials cataloger at the university’s Moody Library. He graduated from Baylor in 1990 with a bachelor’s degree in foreign service. He holds a master’s degree in international communication from the School of International Service of American University (1998)

in Washington, D.C., as well as a Master of Library Science (2004) from the University of Maryland. Before moving to Waco, Chris worked in several libraries in the D.C. area, including those at American University, Wesley Theological Seminary, and the National Archives. He is an active member of Austin Avenue United Methodist Church, where he sings in the choir.

His responsibilities will include performing original and complex copy cataloging for a variety of media formats (print, electronic, microforms and AV materials); managing the routine and work flow of cataloging and the physical processing of materials; providing Law Library users with access to materials by creating and maintaining bibliographic records; and managing the receipt, processing and utilization of government information. ✂



Kris Helge, on left, is Baylor Law School’s new reference librarian, while Chris Brady is the library’s new catalog and government documents librarian.



# FACULTY SCHOLARSHIP

## RON BEAL, Professor of Law

### Publications

Completed the 10th update to his two volume treatise, *Texas Administrative Practice and Procedure*, published by Lexis Law Publishing.

### Presentations

“Rulemaking Procedures: Voidable Rules and the Power of a Court to Remand Pursuant to Section 2001.040” at the 2nd Annual Advanced Texas Administrative Law Seminar sponsored by the University of Texas CLE, Austin Bar Assoc. Administrative Law Section and the Administrative and Public Law Section of the State Bar of Texas in Austin on August 30-31, 2007; “Governor Perry’s Orders: Unconstitutional or Do We Just Not Like Them?” at the Smith County Bar Association meeting in Tyler in June 2007.

## MATTHEW CORDON, Director of Legal Research, Associate Director of the Law Library, Professor of Law

### Publications

Wrote 50 essays on a wide variety of current legal topics, as well as editorial work, for *American Law Yearbook 2007*, published by Thomson/Gale of Farmington Hills, Michigan. This is the sixth year that Cordon has contributed to *American Law Yearbook*, and his essays covered half of this year’s volume.

### Presentation

“Effective Incorporation of Legal Research Instruction in Legal Research and Writing and General Law School Curricula,” at the Lone Star Legal Research and Writing Conference in Fort Worth on June 1, 2007.

## JEREMY COUNSELLER, Associate Professor of Law

### Presentations

“Expert Challenges at SOAH Hearings: The Role of the Robinson Reliability Analysis” at the 19th Annual Advanced Administrative Law Conference in Austin, Texas; “Three Strategies for Defeating Forum *Non Conveniens* and Ensuring Cross-Border Accountability for Defective U.S. Products” at the Inter-American Bar Association’s Annual Conference in Mexico City. The paper will be published in the *IABA Law Review* later this year.

## TOM FEATHERSTON, Mills Cox Professor of Law

### Publications

Co-authored the 2007 edition of the *Texas Probate Practice Guide—Probate*, published by the West Group.

### Presentations

Spoke in Houston at the Houston Bar Association’s 2007 Wills & Probate Institute on Texas Marital Property Law; participated on a panel discussion of fiduciary litigation trends at the State Bar of Texas’ Advanced Estate Planning Strategies Course in Santa Fe; panelist for the ABA’s Section of Real Property, Probate and Trust Law Section’s community outreach program in Washington D.C.; spoke to the Texas Society of CPA’s Advanced Estate Planning Course in San Antonio on Texas Marital Property Law; spoke on “How the Legislature Has Changed Your Documents” at the South Texas School of Law’s Wills and Probate Institute in Houston.

### Professional Organizations

Serving on the Council of the ABA’s Section of Real Estate Probate and Trust Law, as well as completing an eighth year as the *Trusts & Estates* articles editor of the Section’s every other month publication, “Probate & Property”; serv-

ing as co-chair of the State Bar’s Committee on the Re-Codification of the Texas Probate Code.

## LEAH W. JACKSON, Associate Dean

### Presentation

“Women in Leadership Positions in the Legal Professions: Do They Face a Glass Ceiling or Clogged Pipeline, or Is It Now a Ceiling of Lifestyle Bubble?” at the Oxford Roundtable “Women’s Rights and Leadership: Regaining the Momentum at Oxford University.”

## BETH MILLER, Professor of Law

### Publications

“Texas Business Organizations” (2d ed. 2004, Supp. 2007, Thomson West) (vols. 19, 20 & 20A of the “Texas Practice” series) co-authored with R. Hamilton and R. Ragazzo.

### Presentations

Presentation at a conference at Cardoza Law School on current issues involved in the Use of Limited Liability Companies; participated in the ALI-ABA 2007 update on Limited Liability Entities webcast; presented on owner liability protection and piercing the veil of Texas business organizations at the State Bar Choice of Entity program; presented on case law developments at the University of Texas School of Law 2007 Conference on Partnerships, Limited Partnerships and LLCs; presented on partnership and limited liability company case law developments at the ABA annual meeting; presented a business organizations update to the Heart of Texas Estate Planning Council; presented on the Texas Business Organizations Code at the State Bar of Texas General Practice Institute; and presentation on the latest developments affecting veil piercing of Texas business entities at the State Bar of Texas Consumer and Commercial Law Course.

### Professional Organizations

Elected President of the Waco-McLennan County Bar Association; elected Chair-Elect of the Council of Business Law Section of the State Bar of Texas.

## MARK OSLER, Professor of Law

### Publications

“Crazy Eyes: The Discernment of Competence by a Federal Magistrate Judge” (with the Hon. Jeffrey Manske) Vol. 67, *Louisiana Law Review*; “Christ, Christians, and Capital Punishment” in Vol. 59, issue 1, of *Baylor Law Review*.

### Presentations

Addressed the national sentencing conference of Federal Defenders in Los Angeles; CLE presentations on “Ethical Withdrawal” in Del Rio in February, 2007, Midland in March, 2007, San Antonio in May, 2007, and in El Paso in October, 2007.

### Professional work

Two briefs before the U.S. Supreme Court. Petition for *certiorari* in *United States v. Spears* has not been decided; together with former student Dustin Benham and current Baylor student Matt Acosta, Osler wrote the amicus brief for the Federal Public and Community Defenders in the case of *Kimbrough v. United States*, which was argued on Oct. 2; in April 1, 2007, appeared on “Good Morning America” to discuss the indictment in a criminal case out of Fort Worth.

## GERALD POWELL, Abner V. McCall Professor of Evidence and Master Teacher

### Presentations

“Hearsay,” Justice Court Seminar, Texas Justice Court Judges Education Center & the Texas Justice Court Judges Association, Baylor Law

School; “Where Have All the Juries Gone,” CLE Presentation to Tarrant County Trial Lawyers Association, Ft. Worth; “Evidence Update: Hearsay & Confrontation,” 2007 Texas College for Judicial Studies, Austin; “The Texas Civil Jury Trial and the California Condor: Endangered Species?” Soaking Up Some CLE: A South Padre Litigation Seminar, South Padre Island, State Bar of Texas, May 11, 2007.

### Awards

“Exemplary Presentation Award,” presented by the Texas Center for the Judiciary, for presentation on Summary Disposition and New Trials, to the regional judicial conferences, 2007.

### Professional Work

Appointed to the new State Bar of Texas Committee on Court Reorganization.

## RORY RYAN, Associate Professor of Law

### Publications

“No Welcome Mat No Problem? Federal-Question Jurisdiction After Grable” appeared in Vol. 80, *St. John’s Law Review*; “Consistent Deeming : A Cohesive Construction of 28 U.S.C. § 1332 in Cases Involving International Corporations and Permanent-resident Aliens” in Vol. 3, Number 1, of the *Seton Hall Circuit Review*; co-authored with **Baylor Law Professor Mike Rogers** “Navigating the Bylaw Maze in NCAA Major-Infractions Cases” appeared in Vol. 37, Book 3, of the *Seton Hall Law Review*.

## WALT SHELTON, Adjunct Professor of Environmental Law

### Presentation

At the State Bar’s Advanced Real Estate Conference in San Antonio – Environmental Law 101. Shelton was part of an environmental panel and made the first presentation – essen-

tially an introduction to Environmental Law for real estate attorneys.

### Honors

Has been selected for inclusion in the 2007 list of “Best Lawyer in America” in the specialty of Environmental Law; elected to serve a 3-year term on the nine-member Executive Committee of the Environmental & Natural Resources Section of the State Bar of Texas.

## BRAD TOBEN, Dean and the M.C. and Mattie Caston Professor of Law

## JAMES UNDERWOOD, Associate Professor of Law

## JIM WREN, Assistant Professor of Law

### Publications

“Straight from the Horse’s Mouth: Judicial Observations of Jury Behavior and the Need for Tort Reform” in Vol. 59, Issue 2 of *Baylor Law Review*. Also co-authored with Larry Lyon, dean of the Baylor University Graduate School, and Bill Underwood, president of Mercer University.

## JIM WREN, Assistant Professor of Law

### Presentations

“Challenges in Summary Judgment Procedure” to state judges at the Dallas Regional Judicial Studies Conference (February 2007); “Hot Topics in Evidence” to state judges at the 2007 Texas College for Judicial Studies (April 2007).





## RETIRED PROFESSOR BILL TRAIL offers SUGGESTIONS TO GRADUATES DURING SUMMER COMMENCEMENT



RETIRED LAW PROFESSOR WILLIAM TRAIL MADE the trek from his home on the Texas Gulf Coast to Waco at the end of July in order to pass on his wisdom to a new crop of Baylor Law graduates. Trail, the Darrell L. Keith Professor of Law and Medicine *Emeritus*, served as keynote speaker at the Law School's summer commencement exercises in which 40 students were presented their juris doctor degrees.

After stating that being asked to speak at commencement is "one of the highest honors he has received," Trail reminded students that they were graduating from the "most challenging law school in the United States" and reminded them of why they chose to attend Baylor.

"When you applied for admission, you

he said. "Some may think that this idea is incompatible with a duty of zealous representation, but they are wrong. You can be a zealous advocate and still be a compassionate, caring person who treats others with respect.

"Next, value the people in your lives above all else. Your entire family and close friends are your past, present and future. Hold on to everyone in your life today and also those you encounter on your journey...don't lose any of them because you are too busy or too important, or you think there will be more time later.

"Finally, have clear priorities in life and have planned occasions when you take time to take stock and see if you've lost your way. Don't become one of those

Health Care Litigation and Health Law. He also serves as a frequent lecturer in bar review and law school preparation courses. He has been honored as being among the "best law professors from Texas and across the United States" based on his expertise and teaching ability. He and his wife, Mary Kay, have been married 38 years. Since his retirement in 2006, the couple has made their home in Port Aransas, Texas.

In addition to Trail's address, James Will Eidson, the highest ranking student in the graduating class, delivered student remarks. Baylor President John Lilley awarded degrees to the students, with Baylor Law Dean Brad Toben and Associate Dean Leah W. Jackson assisting. Hooding the graduates were David

knew that while Baylor Law's first year program was challenging, the second year would be more so and the third the most challenging of all. You knew we would demand that you grow personally and professionally," he said. "You knew that, unlike many schools, from the first day we would treat you like lawyers and not law students. We also would teach you how to be a lawyer rather than merely how to think like a lawyer, which is a limited objective of many law schools. Your first client deserves a lawyer who is qualified to represent him or her in real world situations."

Trail also offered three suggestions to students now that they are embarking on their professional lives.

"Treat others as you wish to be treated. This is the most fundamental idea of all,"

people who looks up 10 years from now and says, 'How did I get to this point?'"

Trail earned a J.D. from the University of Virginia in 1972 after receiving a bachelor's degree in 1969 from Michigan State University and graduating as a member of Phi Beta Kappa. After graduation, he served in the U.S. Navy as a member of the Judge Advocate General Corps in Washington, D.C. In 1975, Trail joined the Civil Division of the Department of Justice. In 1977, he moved to Texas and entered private practice concentrating on complex litigation. He later extended his practice experience to include mediation and arbitration.

In 1982, Trail joined the faculty at Baylor Law School. He is the author of casebooks on the subjects of Federal Courts,

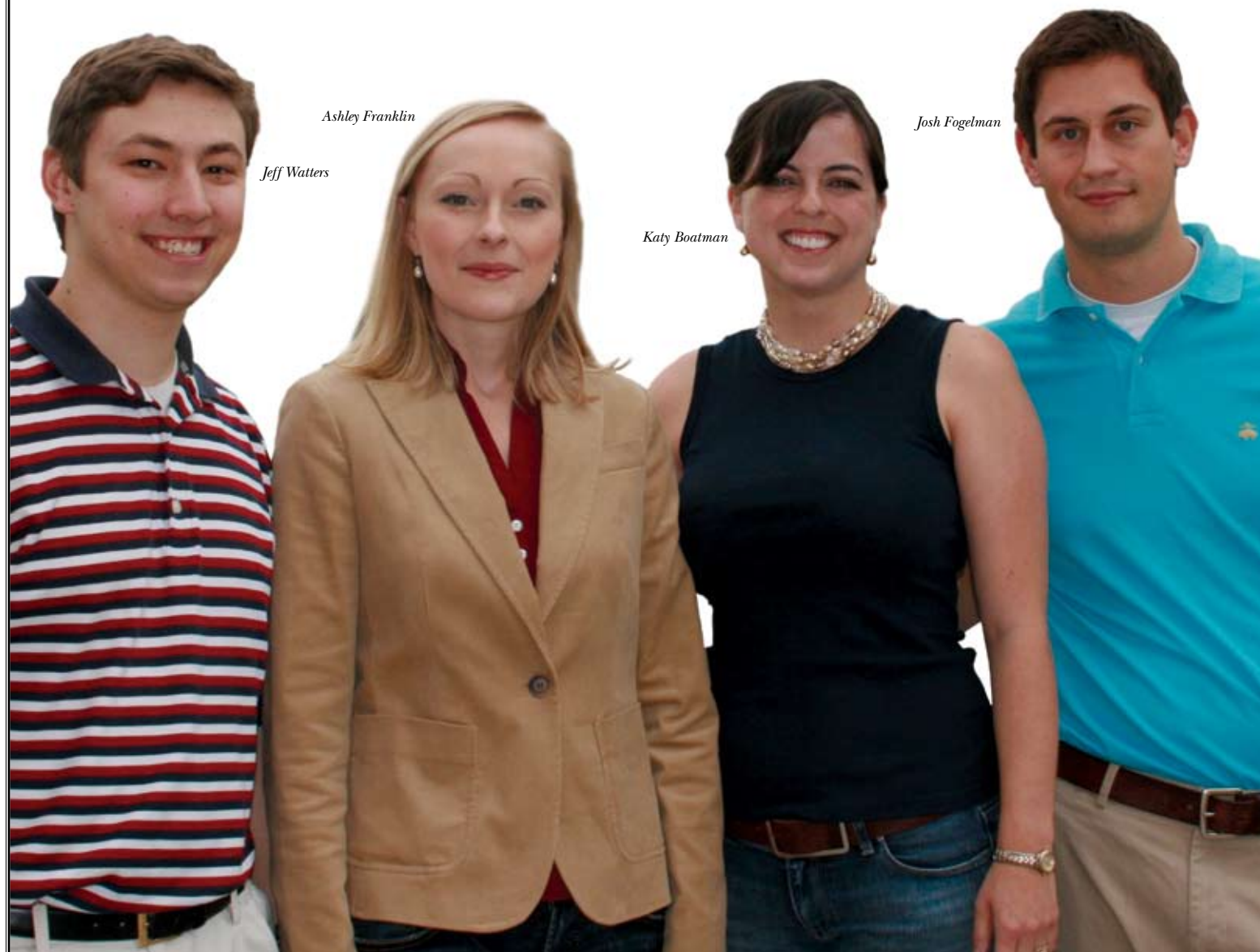
M. Guinn, who serves as The Lyndon L. Olson and William A. Olson Professor of Local Government and Constitutional Law and Master Teacher, and Matthew C. Cordon, Associate Director of the Sheridan and John Eddie Williams Legal Research and Technology Center and professor of law. Jeremy Counseller, associate professor of law, delivered the invocation. James Craig, another graduating student who received his undergraduate degree in vocal performance, concluded commencement with a breathtaking rendition of the Lord's Prayer.

After the ceremony, a reception for the graduates and their guests was hosted by the Baylor Law Alumni Association at the Sheila and Walter Umphrey Law Center. ★



# FOUR

Four  
Baylor Law  
Students  
To Clerk  
for Texas  
Supreme  
Court



Ashley Franklin

Jeff Watters

Katy Boatman

Josh Fogelman

Four Baylor Law students have taken prestigious clerkships with the Texas Supreme Court. Josh Fogelman will clerk for Justice Harriet O'Neill; Katy Boatman will be with Justice Dale Wainwright; Jeff Watters will clerk for Justice Don Willett; and Ashley Franklin will work for Justice Phil Johnson. The four will begin their work in fall 2008.

CLERKSHIPS TRADITIONALLY LAST ONE YEAR, with each justice hiring two clerks per year. With only 18 clerks hired for 2008-2009, Baylor Law has 22 percent of the new clerk hires for the court.

"This notable representation of Baylor graduates receiving offers and accepting positions as Texas Supreme Court clerks speaks of the caliber of graduate that our program develops," said Baylor Law Dean Brad Toben. "Our students come to us as bright and accomplished individuals, and with the benefit of their Baylor Law education and training, they are exceptionally well prepared to step into these prestigious positions upon graduation."

Originally from Hunt, Texas, Boatman received her bachelor's degree from Texas A&M University with a double major in English and political science. At Baylor, she is a member of the Order of Barristers and *Baylor Law Review*. After her clerkship, she will work in the appellate division at the Houston office of Baker Botts L.L.P.

Austin native Fogelman held an externship with Justice O'Neill during the summer, and she encouraged him to apply for the clerkship. Fogelman earned his bachelor's degree from the University of Texas, majoring in human relations. At Baylor he was a runner-up at the 2006 Dawson & Sodd Moot Court Competition and a team member of the National Appellate Advocacy team. After his year of clerking, he will remain in Austin to work for the firm of Keel and Nassour.

Franklin graduated first in her commencement class in November. A native of Canyon, Texas, she graduated from West Texas A&M with a degree in history. At Baylor Law School, she held the position of Notes and Comments editor for *Baylor Law Review*. After her clerkship, she will work for Jackson Walker LLP.

"After going through Practice Court, I realized I wanted to work in litigation," she said. "I wanted to clerk with the

able to sit in on the justices' conferences, which is very unusual."

Baylor Law alumnus McKay Cunningham agrees that the learning experience found through the clerkships is second to none.

"I think the Texas Supreme Court might be the only high court that allows staff to sit in on conferences in which the justices discuss the cases. So clerks get

"Our students come to us as bright and accomplished individuals, and with the benefit of their Baylor Law education and training, they are exceptionally well prepared to step into these prestigious positions upon graduation." Dean Brad Toben

Supreme Court because I wanted to see what litigation looked like from an appellate perspective."

Watters received his bachelor's degree from the University of North Carolina at Chapel Hill, majoring in political science and business. He was a team member on the Texas Administrative Law and Texas Young Lawyers moot court teams, is a member of the Order of Barristers and served on *Baylor Law Review*. He also will work for Baker Botts after the clerkship.

"Everyone says this clerkship will be a wonderful experience," he said. "I like that the court only looks at civil cases, instead of civil and criminal as at the federal level. Plus, as clerks we will be

to peek behind the curtain and see how justices reach their results," said McKay, who has been staff attorney for Justice Scott Brister for two years.

"But that isn't the only upside," he added. "The justices hire the best of the best, and these students aren't just from Texas. They look at students from schools all over the U.S., such as Harvard and Stanford. Clerks are part of a group that is dynamic, sharp and driven. Clerks also get to experience a diverse docket. It seems that often a new law school graduate will get pigeonholed working on a particular type of law. Clerks are able to learn different types of law and learn it well. The work is very broadening." ★



## ANOTHER 'FIRST' FOR BAYLOR LAW STUDENTS ON TEXAS BAR EXAM

Baylor law students claimed the top pass rate on the Texas State Bar Exam with 97.85 percent success rate, which was the highest pass rate for students from the nine Texas law schools. Of the 93 Baylor students who took the three-day exam in July, 91 passed on their first try.

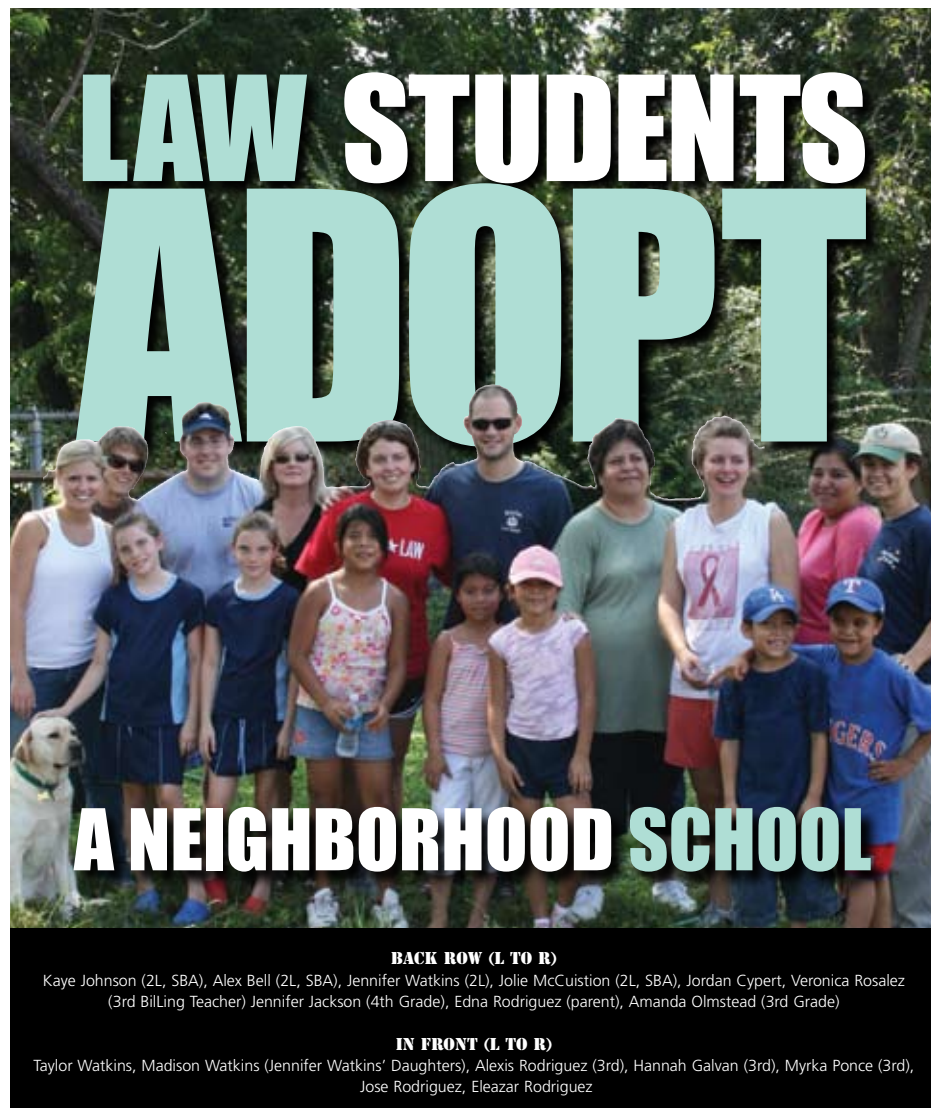
The overall state pass rate was 89.07 percent, with 1540 successful candidates out of 1729 who took the exam for the first time.

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. The law school had a 100 percent pass rate on the February 2007 exam and also the highest pass rate for the exams given in 2006. In fact, Baylor Law School has had the highest pass rate nine times since 2002.

"Yet again, this accomplishment – the latest among so many recent successes – is a testament to the wisdom and effectiveness of our distinctiveness among leading law schools," said Baylor Law Dean Brad Toben. "Our success on the bar exam springs from a program that holds our students to exacting standards of accomplishment and thereby prepares them well for a serving and honorable profession.

"Baylor Law School is a success because everyone on the team – the faculty, the staff, our alumni and our many friends – work together to assure a superlative program for the benefit of our students and the public that they will serve. So many are genuinely invested in our program. That investment results in our students and our program consistently shining."

In the 2008 edition of "170 Best Law Schools," published by the Princeton Review, editors praised Baylor Law School's practical approach to legal education. Baylor Law School is described as one that "embraces a practical approach and is thorough in teaching students all the essentials of practicing law."



**BACK ROW (L TO R)**  
Kaye Johnson (2L, SBA), Alex Bell (2L, SBA), Jennifer Watkins (2L), Jolie McCuiston (2L, SBA), Jordan Cypert, Veronica Rosalez (3rd Billing Teacher) Jennifer Jackson (4th Grade), Edna Rodriguez (parent), Amanda Olmstead (3rd Grade)

**IN FRONT (L TO R)**  
Taylor Watkins, Madison Watkins (Jennifer Watkins' Daughters), Alexis Rodriguez (3rd), Hannah Galvan (3rd), Myrka Ponce (3rd), Jose Rodriguez, Eleazar Rodriguez

SOME BAYLOR LAW STUDENTS TOOK A BREAK from the books on a recent Saturday and spent their morning clearing an outdoor area at an elementary school close to the Law School campus. Baylor Law School participates in the Waco ISD Partners in Education program and contributes funds and manpower to Sul Ross Elementary, an inner city school.

During the summer quarter's Immunity Day, the students raised \$2,480 for the Partners in Education project. Some of those funds were used to beautify an outdoor garden area at Sul Ross. Law students worked for several hours cleaning out a pond and building a storage shed in the garden.

"Today was great. This workday was a wonderful opportunity to drop the books and make a positive impact in our community," said 3L Jordan Cypert.

The students are planning another work day once mulch for the garden area arrives. The Baylor Law's Women's Legal Society also hosted a bake sale in October with proceeds going toward the Sul Ross Christmas party. This party is for 10 to 15 underprivileged Sul Ross students. The WLS provides gifts for the children, which range from toothbrushes to bikes. ★



# NEXT STEP

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

*The new academic year brought a great deal of activity to the Career Services Office. We are busily working on several programs to create more employment opportunities for our students and graduates and to better prepare them for their future careers.*

New to the Career Services Office this year is the Bear Essentials program. Each month, students will gather at a lunch or dinner and listen to attorneys and other career professionals speak about various topics that will assist students in their professional development.

In September, attorneys from Patton Boggs came on campus to review students' resumes, and attorneys from Greenberg Traurig conducted mock interviews with the students. Naman Howell Smith & Lee, LLP, sponsored a Bear Essentials lunch focusing on business etiquette.

In October, Kimm Walton, author of *Guerrilla Tactics For Getting The Legal Job Of Your Dreams*, gave students practical advice and described novel and sometimes unconventional ways to land a great job. Later that month, Patterson & Sheridan sponsored a lunch focusing on Career Choices.

We have had a great turnout at these Bear Essential events, and students are finding them to be helpful. J.D. Ressetar, one of our students who attended Kimm Walton's talk, commented:

"Attending the career services talk was time well spent. Kimm was enthusiastic in her presentation and provided relevant information to find not just a job but hopefully the right job for me. Many of her suggestions seem obvious, yet these are the things I'm not yet doing, such as attending local bar association meetings. I plan on using many of her suggestions to help find the right job," he said.

In the coming months, we will address everything from Stress Management to Strategies for Women in the legal workplace. If you are interested in becoming involved with Bear Essentials, we welcome new ideas, speakers, and sponsors.



**THE TEAM OF RORY BREWTON, JEFF WATTERS AND KATE MOYNAHAN RECEIVED THE "BEST BRIEF" TROPHY AT THE TEXAS YOUNG LAWYERS ASSOCIATION MOOT COURT COMPETITION, WHICH WAS HELD IN JUNE IN ASSOCIATION WITH THE ANNUAL MEETING OF THE STATE BAR OF TEXAS. THIS YEAR'S COMPETITION CENTERED ON 1ST AMENDMENT FREE SPEECH AND 6TH AMENDMENT FAIR TRIAL PROCEDURE. THE TEAM WAS COACHED BY KATHY SERR.**



# James Craig Brings a “Unique Voice” to Legal Profession

JAMES CRAIG, WHO RECEIVED HIS JD DURING this year’s summer commencement, wandered into the Dean’s Suite at the Law School about two weeks before graduation. He wanted to know if there was a chance he could sing during commencement. It was an unusual request.

But then Craig began to sing “The Lord’s Prayer” and the office staff sat and listened to a golden voice that would not be out of place in Carnegie Hall. They weren’t far off the mark.

Before law school, Craig was a professional opera singer who had performed at the Bass Performance Hall in Fort Worth. He began singing while in fifth grade, and his talent earned him a music scholarship to Baylor.

“I had thought I would get my undergraduate degree and then go straight to law school, but one of my Baylor professors, John McLean, convinced me to pursue a career in opera,” he said.

Craig also didn’t start out his music career planning on singing in the rarefied world of opera.

I actually didn’t like it when I first heard it,” he said. “But once I started singing various roles, I fell in love with the genre. It is so rich and emotional, and I can get into the music.”

He first sang in Fort Worth as a Baylor undergraduate and performed four more times with the Fort Worth Opera while a graduate student at SMU. It was while he was in Dallas that he decided the life of a professional musician was not for him.

“I realized that to sing the kind of roles I wanted to sing I would have to bide my time and let my voice mature. That is something that can’t be rushed because if you do, you could end up damaging your voice,” he said.

He returned to the original plan of attending law school and enrolled at Baylor in February 2005. The demands of classes limited any singing he did, although he did sing at four weddings and in the Austin Avenue United Methodist Church choir, where McLean is music director. When Practice Court started, even church choir was put on hold, especially when he discovered his Practice Court professor, Gerald Powell, was a member of Austin Avenue.

“While in PC, I accidentally made a comment to Professor Powell that I would see him Sunday. Professor Powell said, ‘What do you mean, Mr. Craig?’ I answered that I sing in the church choir. Professor Powell said back to me, ‘Have you been playing hooky, Mr. Craig?’ I wasn’t sure if he was serious, but just in case, I stopped singing in the choir,” he said.

After graduation, Craig and his Siberian Husky, Shane, moved to Dallas. He worked for Baylor Law alumni Nathan Flach and Chris Cheatham while he awaited his bar exam results. He recently was hired by Huffaker and Green in Tahoka, Texas. ★

*Recent graduate James Craig performed a breathtaking version of the “Lord’s Prayer” at summer commencement.*



## ADMISSION NEWS

BY BECKY BECK-CHOLLETT, ASSISTANT DEAN OF ADMISSIONS

BAYLOR LAW SCHOOL WELCOMED ITS FALL 2007 ENTERING CLASS IN LATE AUGUST. ONCE AGAIN, THIS CLASS WAS A HIGHLY CREDENTIALLED AND A DIVERSIFIED CLASS. THE 75TH PERCENTILE UPGA IS 3.90 AND THE 25TH PERCENTILE UPGA IS 3.54. THE 75TH PERCENTILE LSAT IS 164 AND THE 25TH PERCENTILE LSAT IS 161. A 164 LSAT IS IN THE TOP 10TH PERCENTILE NATIONALLY. A 161 LSAT IS IN THE TOP 17TH PERCENTILE NATIONALLY. THESE STUDENTS COME FROM 15 STATES AND HOLD DEGREES FROM MORE THAN 35 COLLEGES AND UNIVERSITIES. THE CLASS IS COMPRISED OF STUDENTS WITH DIFFERENT ACADEMIC BACKGROUNDS AND PERSONAL AND PROFESSIONAL EXPERIENCES.

As I was compiling the credentials for the Fall 2007 entering class, I realized that over the years Baylor Law School has significantly built up each of its three applications pools and entering classes. When I began working in admissions in 1985, our Fall 1985 application pool totaled 938 applications. Our Fall 2007 application pool totaled 2,383 applications. This represents a 154 percent increase in our fall application pool. Our medians for the Fall 1985 entering class were 3.53 UGPA and 38

LSAT (15th to 20th percentile nationally). Our medians for the Fall 2007 entering class are 3.74 UGPA and 163 LSAT (12th percentile nationally). The word is definitely out that the best belong at Baylor.

Our successes with our recruitment and admissions programs are due, in part, to you – our alumni – because you continuously advocate and demonstrate the excellence of our program. This is evident because for several years now we have been surveying our applicants

to discover what factors most influence them to apply to Baylor Law School. And one of the top five factors that influence applicants to apply to Baylor Law School is recommendations by our alumni. To kick off this new segment of the *Docket Call* – The Hunt – we want to take this opportunity to thank our alumni for assisting us with “the hunt” for the best. It is the strong support of our alumni and the outstanding academic qualifications of our students that are testaments to the excellence of Baylor’s program. ★





## Baylor Law Alum Named Texas Deputy Attorney General for Legal Counsel

Texas Attorney General Greg Abbott has appointed Andrew Weber, who graduated *magna cum laude* from Baylor Law School in 1996, to the position of Deputy Attorney General for Legal Counsel. Weber began his new role on Oct. 15 and will serve as a legal advisor to state agencies and will oversee multiple divisions, including the Open Records Division and Opinions Committee.

“Andrew Weber is a legal scholar who brings a wealth of public service and private sector expertise to the Office of the Attorney General,” Abbott said. “Andrew’s

almost seven years of service as a lawyer at the Texas Supreme Court make him perfectly suited to lead the legal counsel divisions at the state’s law firm. With the addition of Andrew Weber, Texans can count on the Office of the Attorney General to continue to provide high quality legal advice to state agencies and others who seek our opinion on Texas law.”

From 2002 through 2006, Weber served as Clerk of the Texas Supreme Court, where he supervised eight deputy clerks and served as the court’s chief administrator. In addition to overseeing

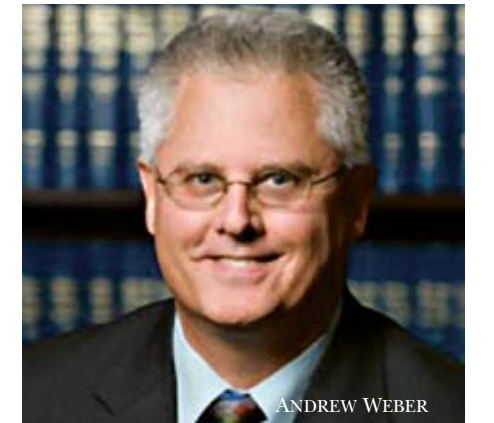
the filing and disposition of all motions and cases pending before the high court, Weber helped the court determine the appropriate disposition of various motions, mandamus petitions, habeas matters, and untimely filings. He also served as Clerk of the Multi-district Litigation Panel and judicial tribunals. While at Baylor Law School, he served as the Symposium Editor of the *Baylor Law Review*, was a member of the Order of the Barristers and received the President’s Award as the Outstanding Second-Year Student. He also holds a degree in criminal justice from Southern Methodist University.

Before enrolling in law school, Weber taught school in Elgin, was an Austin-area contractor and ran his own real-estate

management and consulting business. He began his legal career with a one-year term as a briefing attorney to then-Justice Abbott at the Texas Supreme Court. Weber subsequently spent two years in private practice with Carrington, Coleman, Sloman and Blumenthal. In July 1999, Weber returned to the high court, where he served for three years as then-Justice Priscilla Owen’s Staff Attorney before becoming Clerk of the Supreme Court.

Immediately prior to being appointed to a senior OAG position, Weber was a partner with Fort Worth-based Kelly Hart & Hallman LLP, where he oversaw the firm’s Austin appellate litigation section. A committed public servant with a history of community service, Weber serves on

the executive committee of the Scottish Rite Dormitory and as the treasurer of the Capitol of Texas Rotary Club. He also serves on the boards of the Texas Advocacy Project and the Texas Supreme Court Historical Society. Weber and his wife, Lin, have two daughters. ★



## Rookie of the Year



*TEXAS MONTHLY* magazine named Baylor Law alumnus Kirk Watson, Texas State Senator for District 14, as the “Rookie of the Year” for the 2007 Texas legislative session.

The magazine has picked a “10 best and 10 worst Texas legislators” after each legislative session for the past 34 years.

In grading Watson, magazine editors noted, “The former Austin mayor (and once and future statewide candidate) instantly earned respect for his intellect and diplomacy – and for knowing enough to let his elders take credit for his accomplishments.”

Watson received his bachelor’s degree and JD from Baylor. He was first in his class in law school and served as Editor-In-Chief of the *Baylor Law Review*. He was a founding partner of the Austin law firm of Watson Bishop London Brophy, P.C. and currently is a partner with the firm Hughes & Luce.

Watson began his service to the state in 1991 when former Texas Gov. Ann Richards appointed him to chair the Texas Air Control Board. In addition, he is former chair of the Texas Advisory Board for Environmental Defense. He was elected Austin Mayor in 1997 and re-elected in 2000 with a record 84 percent of the vote. During his terms of office, *Forbes* and *Fortune* magazines named Austin the best city and best place for business in America. *Texas Monthly Biz* magazine named him best mayor in Texas for business.

Watson also served as president of the Texas Young Lawyers Association in 1990-91 and he served on the State Bar of Texas Executive Committee from 1989-1992. In 1994, he was named the Outstanding Young Lawyer of Texas, and he was named Baylor Young Lawyer of the Year in 1996.

During this year’s legislative session, Watson served as vice-chair of the Senate Committee on Transportation and Homeland Security, and serves on the Senate committees for Jurisprudence, Nominations, Business and Commerce, and the Subcommittee on Emerging Technologies and Economic Development. ★

## Baylor Law Alumnus Receives Public Service Award at Commencement

- DALLAS JUDGE SIDNEY A. FITZWATER AMONG ANNUAL HONOREES -



The Honorable Sidney A. Fitzwater, U.S. District Judge in Dallas, received the Price Daniel Distinguished Public Service Award during Baylor University commencement ceremonies on Aug. 11 at the Ferrell Center. The Baylor Alumni Association presents the award annually.

“We are so proud of the Judge,” said Baylor Law Dean Brad Toben. “Judge

Fitzwater has consistently distinguished himself on the bench and is, across the board, regarded as one of the brightest, most even-handed and hard-working judges on the federal bench — and a great guy to boot.”

Appointed by President Reagan in 1986, Fitzwater was 32 years old and the youngest federal judge in the United States at the time. He is still the country’s youngest life-tenured federal judge.

Prior to his appointment, Fitzwater served from 1982-86 as judge of the 298th Judicial District Court of Dallas County, having previously practiced law with Vinson & Elkins in Houston and with Rain Harrell Emery Young & Doke in Dallas.

A 1975 graduate of Baylor, he earned his law degree from Baylor Law School in 1976, where he was associate editor of the *Baylor Law Review* and a member of

the 1976 state moot court championship team. Among his Baylor honors are the Outstanding Young Alumni Award from the Baylor Alumni Association in 1985. In 1986, the Fort Worth ISD selected him as one of their Outstanding Alumni.

Fitzwater is married to Nancy Ware Fitzwater, a 1974 Baylor graduate, and they have three sons and one granddaughter. The Fitzwaters are members of First Baptist Church of Dallas.

The Price Daniel Distinguished Public Service Award is presented to an individual closely associated with Baylor whose record both exemplifies the spirit of selfless dedication to public service represented by the life and career of the late Gov. Price Daniel and reflects the true meaning of Baylor’s official motto, “Pro Ecclesia, Pro Texana” (For Church, For State). ★



**BAYLOR LAW SCHOOL  
TO PRODUCE NEW  
ALUMNI DIRECTORY**

It's been a decade since Baylor Law School published a hard-copy alumni directory. That is about to change. The law school has contracted with PCI: the data company, to publish a law school directory that will list information about the more than 6,500 Baylor law alumni.

The directory will list alumni in four ways – alphabetically, by class year, geographically and by legal specialty. Since late autumn, representatives from PCI have been calling alumni to gather current information on them.

"We have a wonderful camaraderie among Baylor lawyers, and the new edition of the alumni directory is one way in which we provide momentum to the desire of Baylor lawyers to stay in touch with one another, both personally and professionally," said Baylor Law Dean Brad Toben.

The directory will be available as a soft-bound book and also in CD-Rom form. Additionally, the information will be used to update the information in Baylor Law School's online alumni directory. Publication of the directory is anticipated for summer 2008.

# BAYLOR LAW ALUM HONORED FOR MENTORING WORK

Cullen Smith, former managing partner and currently of counsel for the Waco firm of Naman, Howell, Smith & Lee LLP, was presented with the Outstanding Mentor Award by the Texas Young Lawyers Association for his commitment to mentoring young lawyers in his community. Smith was recognized at the annual meeting of the State Bar of Texas.

After serving in the U.S. Marine Corps during World War II, the Waco native received his bachelor's degree from Baylor in 1948. He graduated from Baylor Law School in 1950. After a short stint practicing law in South Texas, Smith returned to Waco and joined the firm of Naman & Howell. He became a partner of the firm in 1956. He later served as managing partner and president of the firm.

Active in the State Bar of Texas, he served as president of the organization in 1978-79. He also served as the president of the State Junior Bar of Texas (now the TYLA) in 1957-58 and as chairman of the board of the American Law Firm Association in 1989-90. Additionally, during the Vietnam War, Smith negotiated directly with representatives of the North Vietnamese government concerning treatment of American POWs.

Smith taught ethics and professionalism at Baylor Law School for 10 years and served as a guest lecturer on ethics topics at SMU School of Law for a number of years.

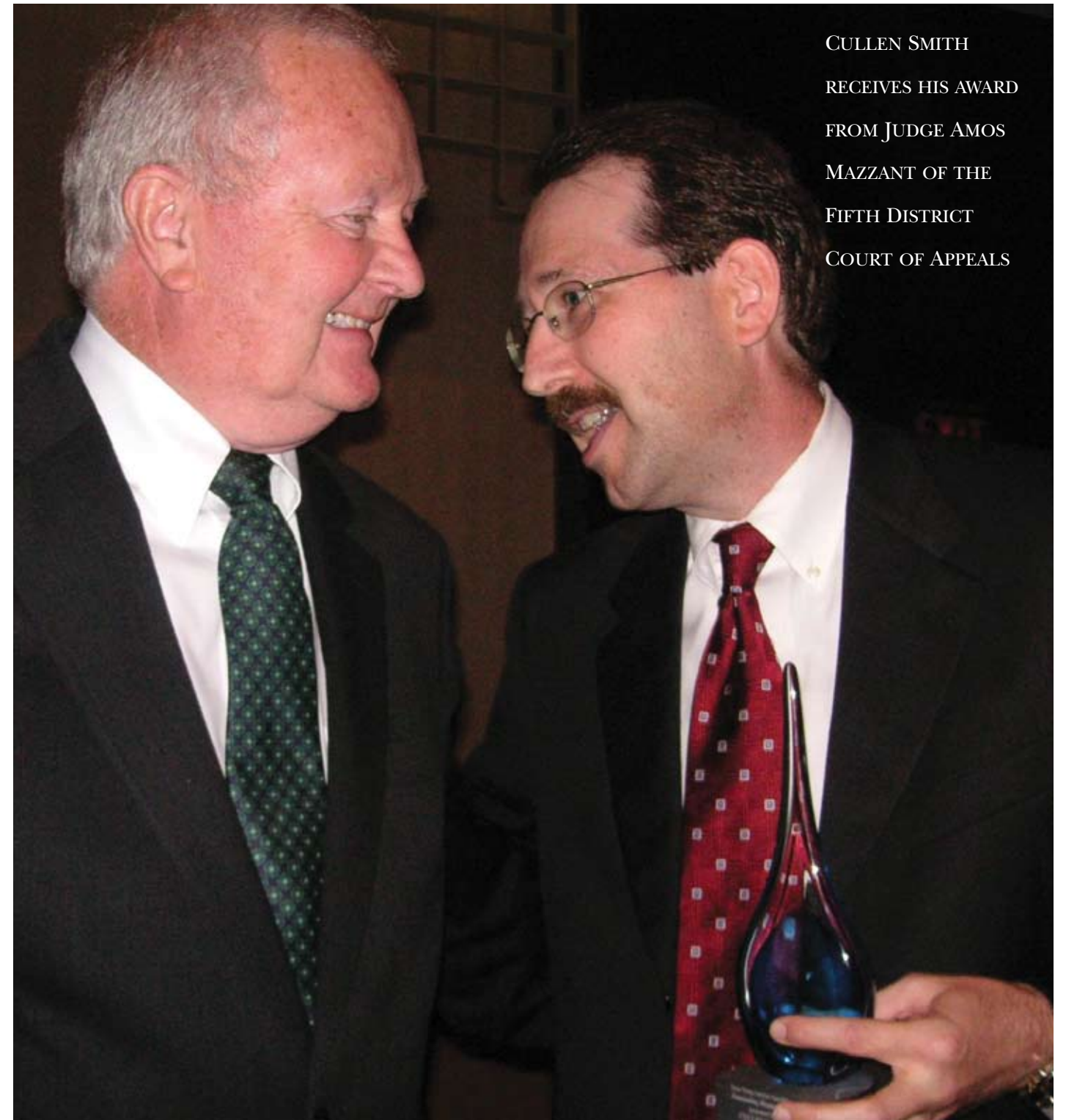
Jerry Campbell, with Naman, Howell, has first-hand experience with Smith's mentoring style and said that Smith mentored most of the current attorneys in his law firm, either through scheduled meetings addressing practice development issues or informally as the "voice of wisdom" for the firm.

"Naman & Howell hired me in 1975, and, wisely, put me in an office next to Cullen," Campbell said. "During that time, Cullen was very active in the State Bar. He also maintained a full-time and full-speed law practice. Lawyers and clients from around the state were constantly coming to see Cullen. Every chance he had, he would introduce me to these folks, and let me sit in on meetings. He let me learn by watching him listen and interact with lawyers and clients. He had, and expressed, a sincere interest in everyone. He taught me that these qualities were more important than anything else in the practice of law.

"Cullen also let me help him on cases. He let me do things my way, and then gently, and sometimes not so gently, showed me the right way. His guidance and mentoring of other lawyers has made a huge impact on many, many lives. He deserves this statewide recognition," Campbell added.

Although he is semi-retired after 57 years in practice, Smith continues to maintain an office and can be found at the firm on Wednesdays. He also continues to take an interest in young attorneys and law students. In September, he spoke on the importance of etiquette during a lunch for law students sponsored by Baylor Law School's Career Services Office.

"Cullen is one of the 'greats' in our profession – a learned lawyer, a natural leader, a discerning voice of wisdom and simply put, a really caring person who wants to help others, and especially younger lawyers, whenever the opportunity arises," said Baylor Law Dean Brad Toben. "He is a beacon of what is good and right and his light shines very brightly on the lives of so many." ★



CULLEN SMITH  
RECEIVES HIS AWARD  
FROM JUDGE AMOS  
MAZZANT OF THE  
FIFTH DISTRICT  
COURT OF APPEALS





*Carolyn & Rick Brophy*



*Joe Coleman, Lloyd MacDonald & Steve Hurt*

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



*Ed Horner, James Wray and Brad Toben*



*Greg & Claudine Jackson*



*Casey Moore, David Guinn,  
Erick Sandlin & Katherine Logue*



*Harper Estes & Hull Youngblood*



*Michael Smith, Kristie Wright & David Dickson*



*Judge Billy McCoy shares a laugh  
with Lloyd MacDonald*



*Charles Myers, Karen Tucker (guest of Charles)  
& Bob Stevens*



*Pat Long Weaver, Brad Toben,  
Frank Cremer & Mike Tighe*



*Randy Rouse (law partner of Harper  
Estes and father of current law  
student Layne Rouse), Harper Estes,  
Reagan Butts & Chris Aycock*

## DEAN BRAD TOBEN HOSTS A RECEPTION FOR LAW ALUMNI WHO LIVE IN THE MIDLAND/ ODESSA AREA



*Judge Willie Dubose,  
David Guinn &  
Ray Stoker*



*Judge Robin Darr,  
Harper Estes, Kristi Hyatt  
& Matt Garner*





Student Joanna Kimbell makes a cute fairy while Allison Biehl shows her devilish side



Hannah Montana has nothing to worry about from Brian Serr



Fail Jeremy Counsellor's Civil Procedure exam and you might face Death.



Professor Mark Osler said Rory Ryan did a good job mimicking a disgruntled Nebraska football fan



This disturbing Grim Reaper is actually Beth Miller, who dished up breakfast burritos to students



Dean Toben got into the spirit of Halloween by dressing as Count Dracula

## FACULTY SERVE UP A Spooky BREAKFAST

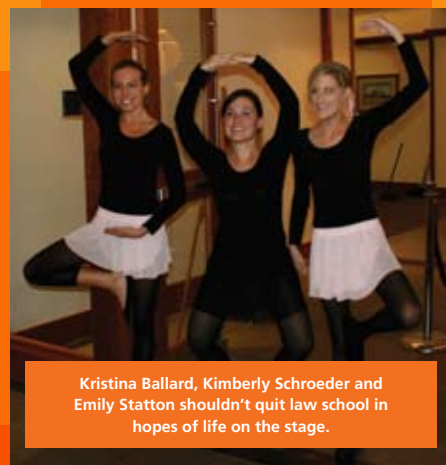
Every Baylor law student knows that exams are what are truly scary. To break up the students' tension of studying for fall exams, faculty donned their best Halloween costumes and served a not-quite-midnight breakfast to their pupils on Halloween night, which coincidentally fell on the last day of classes. The students dined on green eggs and ham with orange gravy for biscuits, hash browns, breakfast burritos and assorted pastries. Getting into the spooky spirit were Ron Beal, Dean Brad Toben, Brian Serr, Jeremy Counsellor, Rory Ryan, Mark Osler, Noley Bice, Beth Miller and Heather Creed.



Skeeter the dog doesn't know what to make of his owner Amy Jones as a shark or Dominic Braus as a giant leprechaun.



Mark Osler makes a very convincing Unabomber as he hands off a package to Rory Ryan



Kristina Ballard, Kimberly Schroeder and Emily Statton shouldn't quit law school in hopes of life on the stage.



Elvis (Noley Bice) was in the building and serving up green eggs



Heather Creed makes a lovely bumblebee next to medieval lawyer Ron Beal

# THOSE WERE THE DAYS...

Current Baylor Law professors were not the first people at the school to dress up in full costume for Halloween. Back in 1991, members of the law school's administrative staff decided to celebrate the day and come to work in full costume.

"We all just got to talking and decided to dress up for Halloween," said Jerri Cunningham, who was the Dean's office receptionist at the time and now serves as the Law School's registrar. "I think the best costume was probably Irene (Thornton), who was really unrecognizable when she came in that morning. She had borrowed the costume from the

theater department; she really looked authentic. Of course, after we took that picture, we immediately got to work and accomplished a great deal that day."

Do you recognize these festive staff, three of whom are still at the Law School? They are (from left to right) Becky Beck (Admission's Director), Sandra Hubenak (Placement Director), Jerri Cunningham (Dean's Office Receptionist), Cathy Ratcliff (Faculty Secretary's Office), Lori McNamara (temporary assistant for Placement Office), Linda Lampert (Faculty Secretary's Office Manager), Irene Thornton (Registrar) and Marsha Wedeking (Faculty Secretary's Office).

## Please Send Us Your Photos!

Do you have photos that capture your time at Baylor Law School? Then send them to Docket Call for use in Those Were the Days... Photos can be sent by email or by regular mail. Hard copy photos will be returned. Please include a short paragraph that describes the photo and other memories you might have. Photos can be emailed to Julie\_Carlson@baylor.edu or mailed to Docket Call, Baylor Law School, One Bear Place # 97288, Waco, Texas 76798-7288.





# A Gift that Couldn't be Dismissed



By TRACI CHANDLER

JOE STOWERS WILL NEVER TAKE HIS BAYLOR legal education for granted, and to prove it, he and his wife already give back to Baylor through scholarships. Inspired by the generosity of donors who provided scholarships that made his time at Baylor Law School a reality, Joe counts himself among the lucky – and richly educated. And he hopes to help other students strike it rich as well.

Stowers received his Bachelor of Science degree in chemical engineering from the University of New Mexico in 2000. After graduation, a family friend encouraged him to attend Baylor Law School.

“I chose Baylor Law School because it was highly recommended,” Stowers said. “I will be eternally grateful to Turner and Margaret Branch for their generosity.”

Because the Turner and Margaret Branch Endowed Scholarship paved the way for Stowers’ experience at Baylor, Joe and his wife give back directly into the very scholarship that made his experience possible.

“I give back to the Turner and Margaret Branch Scholarship. It’s not a lot, but it’s my way of showing my gratitude,” Stowers said. “Hopefully, over the course of time, I’ll be able to repay that scholarship and help students who follow me.” The scholarship is named for Turner,

a 1965 Baylor Law graduate and 2003 Baylor Lawyer of the Year, and his wife, Margaret, also a lawyer.

After graduating from Baylor Law School in 2002, Stowers began working for Tekell, Book, Matthews & Limmer, L.L.P. in Houston. His practice focuses on mass

lawyers to consider giving back to Baylor. “As law students all know, any help is greatly appreciated. Young lawyers, like myself, who have been given wonderful career opportunities at a young age and have the resources available to give back should help perpetuate the profession,” Stowers said. “Even if you only help one

“I would encourage others to give from your heart and give what you can...” JOE STOWERS

tort, products liability litigation and oil and gas. Stowers is married to Laura Hering Stowers, a 2000 Baylor education graduate, who currently works as a sales assistant for private wealth management at Morgan Stanley. After practicing law for four years, Stowers says he has seen the advantage of a Baylor legal education firsthand.

“Baylor prepares you exceptionally well for day-to-day litigation,” Stowers said. “I’ve noticed a distinct difference between Baylor lawyers and non-Baylor lawyers, and I have gained a better understanding of the camaraderie amongst Baylor lawyers around the state. I think we share a common bond in the practice of law.”

Because of the value of a Baylor legal education, Stowers encourages other young

student pay one credit hour a year, it’s a big help. In the end, all of the benefits we receive as being lawyers would not have been available to us had we not received the education we got from Baylor, as well as the help from other scholarship donors.

“I would encourage others to give from your heart and give what you can – every little bit helps. As we continue to develop and enjoy continued success in the profession, we can give more. But we should all start somewhere,” Stowers said. “I owe a lot to other people who have helped me – Turner and Margaret Branch, the Baylor Law School, Dean Toben. And giving back is just a small token of my appreciation for their help and a way to hopefully help other law students who come after me.” ★

## How to Establish an Endowed Scholarship:

Establishing an endowed scholarship at the Baylor Law School is a great way to leave your legacy with a school that impacted your life.

Endowed scholarship funds can be established over a five-year period, with an initial gift of \$5,000. It will become a named scholarship and will begin supporting students once the balance reaches \$25,000. While gifts to an endowed scholarship fund remain untouched, a portion of the income earned from the fund finances student scholarships. Through the legacy of endowed scholarships, generations to come will be afforded the opportunity to pursue their dreams at Baylor.

For more information on creating an endowed scholarship at Baylor or contributing to scholarship support, please contact Julie Corley at 254.710.8799 or [Julie\\_Corley@baylor.edu](mailto:Julie_Corley@baylor.edu), or Dean Toben





## 1954

**MURRAY WATSON** has been appointed to Texas Scottish Rite for Children board of trustees. Watson is founder, president and CEO of Brazos Higher Education Service Corporation and a former Texas state representative and senator.

## 1967

**HERB HILDEBRAND** has been appointed Senior Vice President for Encore Bank's private banking at The Woodlands private client office.

## 1970

**CHARLES G. HALL** has been hired as the new chief public defender for the Bowie-Red River Public Defender's Office slated to open Jan. 1. He served as an assistant Bowie County district attorney between 1971 and 1978 and currently is in private practice in Texarkana.

## 1971

**STEPHEN C. DILLARD**, Partner and Executive Committee Member in the Houston office of Fulbright & Jaworski L.L.P., has been named to the Texas Super Lawyer list for 2007. The annual list recognizes the top 5 percent of attorneys statewide. Attorneys are ranked by their peers, as well as through independent research performed by *Law & Politics* magazine. The list is published in a supplement of *Texas Monthly*. Dillard is chair of the firm's worldwide litigation department and has broad experience in complex commercial litigation. He received his bachelor's degree at Baylor University.

## 1972

**JIM HOPPS** has been named a 2007 Healthcare Hero by the Fort Worth Business Press. Hopps is CEO of Medical Advocacy Services for Healthcare Inc. – the MASH program – headquartered in Fort Worth.

## 1973

**OTWAY DENNY**, partner in the Houston office of Fulbright & Jaworski L.L.P., has been named to the Texas Super Lawyer list for 2007. The annual list recognizes the top 5 percent of attorneys statewide. Attorneys are ranked by their peers, as well as through independent research performed by *Law & Politics* magazine. The list is published in a supplement of *Texas Monthly*. Denny litigated numerous cases in state and federal courts, including products liability cases involving chemicals, automobiles and other vehicles and construction equipment.

**JOHN WEBER**, partner in Fulbright & Jaworski's L.L.P.'s San Antonio office, has been named to the Texas Super Lawyers list for 2007. The annual list recognizes the top 5 percent of attorneys statewide. Attorneys are ranked by their peers, as well as through independent research performed by *Law & Politics* magazine. The list is published in a supplement of *Texas Monthly*. Weber handles tort litigation, with primary emphasis on product liability defense and personal injury defense.

## 1975

**D. AUGUST BOTO** has been appointed executive vice president for the Southern Baptist Convention's Executive Committee. Boto has been the Executive Committee's vice president for convention policy and general coun-

sel since 1998. He is the former administrative counsel for the Texas District and County Attorneys Association.

**JOE SLEETH**, partner in the Houston office of Fulbright & Jaworski L.L.P., has been named to the Texas Super Lawyer list for 2007. The annual list recognizes the top 5 percent of attorneys statewide. Attorneys are ranked by their peers, as well as through independent research performed by *Law & Politics* magazine. The list is published in a supplement of *Texas Monthly*. Sleeth handles matters concerning wealth transfer planning, with a special emphasis on the transfer of family or privately-held businesses. He received his B.A. from Baylor University and graduated *cum laude* from Baylor Law School.

## 1979

**WILLIAM GREENDYKE**, partner in the Houston office of Fulbright & Jaworski L.L.P., has been named to the Texas Super Lawyer list for 2007. The annual list recognizes the top 5 percent of attorneys statewide. Attorneys are ranked by their peers, as well as through independent research performed by *Law & Politics* magazine. The list is published in a supplement of *Texas Monthly*. Greendyke represents financial institutions, non-bank lenders and other clients in connection with bankruptcy and commercial litigation matters. He received his B.S. from Baylor.

## 1980

**MICHAEL STEINDORF**, partner in the Dallas office of Fulbright Jaworski L.L.P., has been named to the Texas Super Lawyers list for 2007. The annual list recognizes the top 5 percent of attorneys statewide. Attorneys are ranked by their peers, as well as through independent research

performed by *Law & Politics* magazine. The list is published in a supplement of *Texas Monthly*. Steindorf handles the prosecution and defense of business fraud cases and is frequently called upon to defend catastrophic injury and property damage claims by major insurance companies.

## 1981

**FRED MCCLURE** has been appointed managing partner of the Washington, D.C., office of Sonnenschein Nath & Rosenthal LLP. Previously, McClure served as assistant for legislative affairs to President George H.W. Bush, special assistant for legislative affairs to President Ronald Reagan, and Associate Deputy U.S. Attorney General.

## 1982

**MARY DIETZ**, a partner in the Austin office of Fulbright & Jaworski L.L.P., has been named to the Texas Super Lawyer list for 2007. The annual list recognizes the top 5 percent of attorneys statewide. Attorneys are ranked by their peers, as well as through independent research performed by *Law & Politics* magazine. The list is published in a supplement of *Texas Monthly*. Dietz handles commercial and business litigation matters, including general business and Deceptive Trade Practices Act litigation. She received her bachelor's degree from Texas Woman's University as part of their honor program and graduated *cum laude* from Baylor Law School.

## 1983

**KEITH BRANYON**, a partner in the tax section of the Fort Worth office of Jackson Walker, has been named a Texas Super Lawyer. He 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).



Branyon also received his bachelor's degree in accounting from Baylor.

**JERRY ELLIOTT** has been appointed a director of Tekelec, a leading developer of high-performance network applications for next-generation fixed, mobile and packet networks. Elliott serves on the boards of directors of Idearc Inc. SunCom Wireless and is an Adjunct Professor at the United States Military Academy at West Point. He was the president, CEO and a director of Global Signal Inc. Previously, he served as president and a director of Citizens Communications Co. and managing director of media and communications in Morgan Stanley's investment banking group. He also was a partner at the law firm of Shearman & Sterling and an accountant at Arthur Andersen.

## 1985

**BILL JONES** of Austin was elected chairman of The Texas A&M University System Board of Regents. Since 2005, Jones has served as vice chairman of the board. He will now serve a two-year term as chairman. Jones, a native of Caldwell, is a partner in the law firm of Vinson & Elkins LLP in Austin, and he previously served as the general counsel to Governor Rick Perry.

**MARY E. SKELNIK**, formerly with Baron & Budd, P.C., has opened the Law Office of Mary E. Skelnik, Attorney - Mediator - Arbitrator, in Addison. She will devote

*continued on page 38*



a significant portion of her practice to serving as a neutral attorney mediator and arbitrator and as a negotiation and settlement consultant. Ms. Skelnik will continue her toxic tort and personal injury litigation and trial practice and undertake contract projects.

## 1986

**ROBERT HOFFMAN**, partner in the Houston office of Fulbright & Jaworski L.L.P., has been named to the Texas Super Lawyer list for 2007. The annual list recognizes the top 5 percent of attorneys statewide. Attorneys are ranked by their peers, as well as through independent research performed by *Law & Politics* magazine. The list is published in a supplement of *Texas Monthly*. Hoffman handles family law, commercial litigation and entertainment matters and is certified in family law by the Texas Board of Legal Specialization.

## 1987

**PAULA DENNEY**, a partner in the litigation section of the Houston office of Jackson Walker, has been named a Texas Super Lawyer. Denney represents employers, plan administrators and insurers in ERISA, COBRA and HIPAA-related litigation and arbitrations. She received her bachelor's degree, *magna cum laude*, from Baylor, where she was a member of Phi Beta Kappa.



Paula Denney

## 1988

**TORI S. LEVINE** has been named a partner with Wilson Elser Moskowitz Edelman & Dicker LLP.

## 1991

**CHRIS DAY** of Jacksonville has been appointed by Texas Gov. Rick Perry to the Texas Real Estate Commission for a term to expire Jan. 31, 2013. The commission regulates and licenses real estate brokers and salespersons in the state of Texas. Day is a partner with the Norman Law Firm in Jacksonville. He is past president of the Cherokee County Bar Association and Jacksonville Lions Club. Additionally, Day is a member of the State Bar of Texas and Jacksonville Economic Development Advisory Board.

## 1992

**JOAL CANNON SHERIDAN** has been named a Texas Super Lawyer by *Texas Monthly* and *Law & Politics* magazines. Sheridan is a lawyer in The Sheridan Law Firm located in Jacksonville, where her general law practice includes family law and general litigation. In addition to this honor, she has been active in both statewide and local activities. She was the youngest elected director to the State Bar Board of Directors from 1998-2001, where she represented a 17-county area, and served as chair of the Legislative Policy Committee and co-chair of the Legal Services to the Poor Committee. In 2004, she was recognized as the Outstanding Baylor Young Lawyer of the Year.

## 1993

**CINDY DYER**, chief family violence prosecutor for the Dallas County District

Attorney's Office, has been nominated by President Bush to direct the Office of Violence Against Women at the Department of Justice.

## 1995

**WESLEY YOUNG**, Debt Settlement America's general counsel, was appointed to the Dallas Bar Association's 2007 board of directors as an advisory board member.

## 1996

**BRAD A. ALLEN** was recently awarded the 2007 President's Award by the Houston Bar Association for his work on the HBA's historical committee. Allen also recently received the 2007 President's Award from the Texas Young Lawyers Association for his work as editor-in-chief of TYLA's online magazine and work as vice-chair of the committee that created the TYLA's Legal Guide for Cancer Patients.

**LEANE CAPPS MEDFORD** joined Elrod, Trial Attorneys PLLC as a member where she will continue to focus on complex litigation and appeals. Prior to joining Elrod, Medford was a partner at Rose Walker, LLP, since 2002. In 2006, she was voted by her peers as one of the top lawyers under 40 in Dallas for complex litigation and appeals. In 2007, she was named a Texas Super Lawyer. She is married to **William L. Medford**, also a 1996 graduate of Baylor Law School, who has a business reorganization and bankruptcy practice at Greenberg Traurig. The couple recently went on safari in South Africa and is planning a trip to Cambodia and Thailand in January of 2008 to celebrate their 10-year wedding anniversary.

## 1997

**MICHAEL MORAN** has joined the Dallas office of the firm of Jackson Walker as



Micheal Moran

a partner. His practice focuses on construction litigation, surety bonds, corporate litigation, and business fraud. He is a member of the State Bar of Texas (Construction and Business Litigation Sections), the Forum on the Construction Industry, the Dallas Bar Association (Construction Law Section and Business Litigation Section), the American Bar Association (Tort & Insurance Practice Section), the Fidelity & Surety Law Committee, the Defense Research Institute (Construction and Business Litigation Sections), Associated Builders and Contractors, National Association of Home Builders, Texas Association of Builders, and the Home Builders Association of Greater Dallas.

## 2000

**TROY MARTIN** has been named Assistant Attorney General of the Year for his dedication to helping children. Martin works in the Tyler office in the Child Support Division.

**DEAN JACKSON** has been named a partner at Curney, Garcia, Farmer, Pickering & House, P.C., in San Antonio.

**MARTHA WORNER** has joined Fisher and Phillips in Houston. Worner previously worked in the litigation section at Baker Botts in Houston, where she was involved in a number of significant collective action suits under the Fair Labor Standards Act, and represented clients in class action and single-plaintiff lawsuits under Title VII and other fair employment statutes. She also headed up the legal department at PricewaterhouseCoopers' legal depart-

ment in Laos, the only foreign-run legal practice in the country. Additionally, she co-authored the Labor and Employment manual "Documents Employers Can't Live Without in Texas."

## 2001

**LANCE B. METCALF** has joined the Dallas office of Epstein Becker Green Wickliff & Hall as an associate. Prior to entering law practice, Metcalf obtained his CPA license and worked with a CPA firm, serving primarily business taxation clients. Metcalf specializes in representing buyers and sellers of businesses, assisting both start-up and established businesses with the formation of business entities, structuring of operational agreements between existing business entities, and negotiating business contracts and agreements.

**W. CROSBY PARKER** has joined the Gulfport, Miss., office of Phelps Dunbar LLP in the firm's regional admiralty and tort litigation practice group as an associate. Prior to joining the firm, he

served five years as a judge advocate for the Air Force.

## 2005



Matthew Beard

**MATTHEW BEARD** is an associate in the Tax and Estates section of the Dallas office of Jackson Walker LLP. His practice focuses on estate planning and taxation, including charitable gift planning, fiduciary representation, wills and trusts, family limited partnerships and probate and tax planning.

## 2006

**COURTNEY D. MILLER** has joined the law office of Lovell, Lovell, Newsom & Isern as a new associate of the firm. Her practice will concentrate on commercial litigation and personal injury cases. Miller is a member of the Amarillo Bar Association and an active member of the Delta Zeta Amarillo Alumnae Chapter.





# IN MEMORIAM

**FRANK POWELL BANNING** (JD 1975) passed away Oct. 4, 2007, at Wesley Woods Alzheimer's Care Center in Waco. He was born in Dallas on July 20, 1951, and attended the University of Missouri in Columbia and the University of Texas in Austin. He graduated from UT with honors in 1973 with a Bachelor of Journalism. He graduated *cum laude* from Baylor Law School.

After receiving his JD, he and his wife, Candace, moved to Houston where he served as briefing attorney for the Fourteenth Court of Civil Appeals. He was hired by Gulf Oil Corporation as a tax attorney, and in 1984, he worked with Union Texas Petroleum as Director for Tax Planning and Compliance / International. In 1991, he began working for Caltex Petroleum Corporation located in Los Colinas, becoming General Tax Counsel for the corporation. When Caltex moved overseas, he returned to Houston to work for Lyondell Chemical, where he was Tax Manager. In 2001, he returned to Gulf and Caltex, now owned by Chevron Oil Corporation, based in San Ramon, Calif.

He is survived by his wife, Candace Banning, daughter Elizabeth Banning Malloy and husband Ryan, daughter Megan Banning, and father Frank Banning.

**ROBERT J. (BOB) CARAWAY** (LLB 1960) passed away at his home in Denton on October 5, 2007, after a courageous 15-year battle with cancer. He was born in Tyler, February 14, 1935, and graduated from Tyler Junior College in 1955 and North Texas State University in 1957. He was a law clerk for Judge Joe W. Sheehy in

Tyler and practiced law in Dallas for 25 years. He also was a real estate broker and investor.

Caraway is survived by his wife, Georgia, and his daughter, Gretchen Gudger, and her husband, Greg.

**JOHN KENNETH CARPENTER** (LLB 66) passed away Sept. 3, 2006, in Arlington. He was 67. A graduate of Abilene Christian College, he opened a private law practice in Wichita Falls, followed by a 35-year law career in Arlington. He is survived by his wife, Harla; one daughter; one sister; and one granddaughter.

**JOHNNY MICHAEL CHIRAFIS** (LLB 51) passed away Oct. 30, 2006, at his home in Corsicana. He was 81. A decorated veteran of the U.S. Army during World War II, he was a lawyer and city attorney in Navarro County. He was a member of Immaculate Conception Catholic Church and county chair of the Democratic Party.

**O. DAVID GOODWIN** (LLB 49) passed away Nov. 10, 2006, in Waco. He was 83. After serving in the U.S. Army, he worked in Waco's Veteran's Administration Regional Office from 1953 until retiring in 1984. A member of Herring Avenue United Methodist Church, he was in the Waco Civic Chorus and helped found the Tale Twisters' Toastmasters Club. He is survived by two daughters and five grandchildren.

**JOHN HOWARD HOLLOWAY** (LLB 54), 79, passed away on June 3, 2007. A native Houstonian, he practiced law in Texas for more than 53 years. John was a Charter Member of the Inner Circle of

Advocates, a group of 100 distinguished plaintiff trial attorneys from across the nation dedicated to serving their clients, communities, and the legal profession. He is survived by Nancy Holloway, his loving wife of 57 years, and their four daughters and son-in-laws, ten grandchildren, and six great-grandchildren.

**BYRON MATTHEWS** (LLB 34) passed away Nov. 3, 2006. He was 94. A veteran of the U.S. Army, he served in the criminal investigation division during World War II. During a law career that spanned more than 50 years, he was a highly regarded criminal defense attorney and judge in Ft. Worth's district court for almost 20 years. He was inducted into the Texas Criminal Defense Lawyers Association Hall of Fame in 1983. He was a founding member of the National Cutting Horse Association and a member of Travis Avenue Baptist Church. He is survived by his wife of 61 years, Jozelle; one daughter, and one granddaughter.

**JOHN SAMUEL MCELDOWNEY III** (LLB 68) passed away Aug. 30, 2006, at his home in Galveston. He was 64. For nearly 20 years, he was a partner in the law firm of Greer, Herz and Adams IIP. He served on the boards of Galveston College and Trinity Episcopal School and was a member of Moody Memorial Methodist Church. In 2006, the Galveston County Bar Association created a law scholarship in his name. He is survived by his wife, Cynthia; two sons, two daughters, three sisters, and six grandchildren.

**DON PEVEHOUSE** (LLB 57) passed away March 5, 2006, in Dallas. He was 73.

After serving in the U.S. Navy, he entered public service in Colorado.

He returned to Corsicana and served as city attorney for 14 years and also served as Corsicana municipal judge. He was a member of First United Methodist Church of Corsicana, the Sons of the Republic of Texas and the Navarro

County Historical Society. He is survived by his wife, Eddie; two stepsons; and five step-grandchildren.

**PARKE EDWARD RESSLER** (LLB 52) passed away Sept. 23, 2006 in Waco. He was 91. After serving in the U.S. Air Force during World War II, he earned an MBA from the University of Houston. Following

stints as an IRS agent and business instructor at Baylor, he was a tax attorney and CPA in Waco from 1952 until his retirement in 1997. He was a member of the Baylor Bear Foundation and the Rotary Club and was an elder and deacon at Central Christian Church. He is survived by two daughters, three grandchildren and two great-grandsons.

## Fentress Bracewell, one of the founders of Bracewell & Giuliani LLP, died June 13, 2007 at the age of 85 in Houston, Texas.

Fentress Bracewell, one of the founders of what is currently Bracewell & Giuliani LLP, died on June 13 in Houston. He was 85. Born to J.S. and Lola Bracewell in the former town of Harrisburg in Houston's East End in 1921, Bracewell was schooled at Harrisburg Elementary, Deady Middle School and Milby High School.

While attending Baylor University, the man known as "Brace" to his friends met his future wife, Muriel, to whom he was married for 54 years.

He graduated from Baylor Law School and joined his father, his brother Searcy and future state District Judge Bert Tunks in founding the Houston law firm Bracewell & Tunks in 1945. Bracewell practiced law for 50 years.

The firm changed its name to Bracewell & Patterson in 1966 and became Bracewell & Giuliani in 2005, when former New York Mayor Rudolph Giuliani joined as a partner. The firm now has 400 lawyers in New York, Connecticut, Texas, Washington, D.C., Kazakhstan and London.



Bracewell served as Port of Houston Commissioner from 1968 to 1970 before becoming chairman, a post he held for 15 years. He also was chairman of the regional board of the Institute of International Education, which directs, among others, the Fulbright Scholars program. He served on numerous other boards, including the First Continental Life & Accident Insurance Co., Cemex, First Investors Financial Services Corp., Frontier Airlines, American Funeral Services and

the Broadway Plan of Church Finance. Bracewell also served as a director of the Houston Chamber of Commerce and as a trustee and Sunday school teacher at Westminster United Methodist Church.

In addition to Mr. Bracewell's wife, survivors include his son Brad Bracewell, daughter Lyn B. Phillips, and grandchildren, great-grandchildren, nephews and a niece.



# 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.

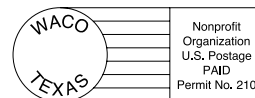
# CALENDAR

Bear Essentials State Bar of Texas Section Mentoring Program	<b>January 10</b>
Visitation Day for Prospective Students	<b>January 11</b>
Environmental Law Forum	<b>January 15</b>
Bear Essentials Business Skills for Attorneys Dinner	<b>January 15</b>
Application Deadline for Summer 2008	<b>February 1</b>
Registration and Orientation for Spring Entering Class	<b>February 6-8</b>
Commencement	<b>February 9</b>
ABA Client Counseling Competition <i>Judges Needed! Contact Patricia Wilson at Patricia_Wilson@baylor.edu</i>	<b>February 16</b>
Visitation Day for Prospective Students	<b>February 18</b>
Bear Essentials Women in the Law Luncheon <i>Sponsored by Powers &amp; Frost</i>	<b>February 20</b>
Bar Exam	<b>February 26-28</b>
Winter Alumni Receptions <i>(Specific dates to be set)</i>	<b>Abilene Dallas Fort Worth</b>
Application Deadline for Fall 2008	<b>March 1</b>
Third Annual People's Law School	<b>March 1</b>
General Practice Institute	<b>April 25</b>
Registration and Orientation for Summer Entering Class	<b>May 7-9</b>

# OF EVENTS

**Docket Call**

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



**BAYLOR**  
UNIVERSITY