

**RONALD L. BEAL
PROFESSOR OF LAW
BAYLOR UNIVERSITY LAW SCHOOL**

Baylor University
School of Law
One Bear Place #97288
Waco, TX 76798
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5108 Lake Jackson
Waco, TX 76710

EDUCATION

LL.M.	Temple University School of Law Philadelphia, PA; May 1983
J.D., cum laude	William Mitchell College of Law St. Paul, MN; January 1979
B.A., magna cum laude	St. Olaf College Northfield, MN; May 1975

TEACHING EXPERIENCE

Baylor Law School - Professor of Law (since 1989)
August 1983 to present

CURRENT COURSES:

1. Legislation, Administrative Power and Procedure
- 3 credit required first year course
2. Federal Administrative Law – 2 credit elective
3. Texas Administrative Law - 2 credit elective

PRIOR COURSE LOAD:

Civil Procedure, Conflicts of Law, Practice Court, Federal Courts,
Labor Law, Regulated Industries, Employment
Discrimination, Communications Law, Legal Writing

PRACTICE EXPERIENCE

Murnane, Brandt, 1800 Jaffray Plaza,
30 East 7th St., Suite 3200 St. Paul, MN 55101; Associate
from April 1977-July 1981; Law Clerk from July 1977-1979.

PUBLICATIONS

Texas Administrative Practice and Procedure- Fourteen chapter
treatise published by **Lexis Law Publishing** (1997-2019; 22nd Ed.)

In the 22 years of composing updates, I have averaged from 40 to 80 pages of new content each year. That averages out to two to three law reviews.

Cited with approval at *City of Dallas v. Stewart*, 361 S.W.3d 562 (Tex. 2012); *El Paso Hosp. Dist. v. THHS*, 247 S.W.3d 709 (Tex. 2008); *Tex. Dept. of Prot. & Reg. Services v. Mega Child, Inc.*, 145 S.W.3d 170 (Tex. 2004); *National Ass'n. of Ind. Insurers v. Tex. Dept. of Ins.*, 925 S.W.2d 667 (Tex. 1996); *Railroad Comm'n. of Tex. V. Lone Star Gas Co.*, 844 S.W.2d 679 (Tex. 1992); *Personal Care Products v. Smith*, WL 2608769; Lexis 5289 (Tex. App.-Austin 2019); *Holt v. TDI*, Tex. App. Lexis 10555 (Tex. App.-Austin 2018); *Berrelez v. Mesquite Logistics USA, Inc.*, WL 3861732 (Tex. App.-San Antonio 2018); *City of Richardson v. Bowman*, 555 S.W.3d 670 (Tex. App.- Dallas 2018); *Perez v. Physician Assistant Board*, WL 5078003 (Tex. App.-Austin 2017); *Dass v. Tex. Bd. Of Prof'l Eng'rd*, 2017 Tex. App. 2187 (Tex. App.-Austin 2017); *Clint I.S.D. v. Marquez*, 487 S.W.3d 538 (Tex. 2016); *Teladoc, Inc. v. Texas Medical Bd*, 453 S.W.2d 606 (Tex, App.-Austin 2014); *Tx. St. Bd. Of Pharmacy v. Witcher*, 447 S.W. 3d 520 (Tex. App.-Austin 2014); *T.C.E.Q. v. Bonser-Lain*, 438 S.W.3d 887 (Tex. App.-Austin 2014); *City of Dallas v. Stewart*, 361 S.W.3d 562 (Tex. 2012); *TJFA v. T.C.E.Q.*, 368 S.W.3d 727 (Tex. App.-Austin 2012); *Fonte v. CBRCC, Inc.* 2012 Tex. App. W.L. 3054112 (Tex. App.-Houston [1st Dist.] 2012) (memo op.); *Tex. Dept. of Protective and Regulatory Services v. Mega Child Care, Inc.*, 145 S.W.3d 170 (Tex.2004); *City of Waco v. T.C.E.Q.*, (Tex. App.-Austin 2011); *Texas Dept. of Insurance v. Reconveyance Services*, 240 S.W.3d 418, 434 n.12 (Tex. App.-Austin 2007, pet. filed); *Texas Court Reporter Certification v. Esquire Deposition Services*, 2007 Westlaw 2066178 (Tex. App.-Austin 2007); *Pretzer v. Motor Vehicle Bd.*, 125 S.W.3d 23 (Tex. App.-Austin 2003 rev'd on other grounds at 138 S.W.3d 908 (Tex. 2004); *Eldercare Properties, Inc.*, 63 SW3d 551 (Tex.App.-Austin 2001); *Williams v. Houston Firemen's Relief & Retirement Fund*, W.L. 1671349 (Tex. App.-Houston [1st Dist.] 2001) (unpublished); *Ex Parte Elliott*, 973 S.W.2d 737 (Tex. App.-Austin

1998); and *American Express Tax & Business Service v. Tx St. Bd. Of Accountancy*, W.L. 598116(Unpublished) (Tex. App.-Austin 1998).

“Waiver of Governmental Immunity, Agency Contested Case Proceedings, and Settlements,” *Baylor Law Review* (2019) (to be published in the Fall of 2019)

“From Proposal for Decision to Final Decision: What Happens in Between,” *15 Texas Tech Administrative Law Journal* 113 (Fall 2013)

“The Art of Statutory Construction: Texas Style,” *64 Baylor L. Rev.* 342 (Spring 2012) cited with approval in *Molinda v. Alvarado*, 441 S.W.3d 578 (Tex. App.-El Paso 2014).

“The Motion for Rehearing Process: A Call for Revision,” *13 Texas Tech Administrative Law Journal* 45 (Fall 2011)

“Symposium: Modernizing Agency Practice: The 2010 Model State Administrative Procedure Act: Rulemaking: Procedure As It Relates to Substance Under the 2010 Model State Administrative Procedure Act,” *20 Widener Law Journal* 741 (Summer 2011)

“Contested Cases Under the Texas Administrative Procedure Act-Selected Issues: Ex Parte Contacts and Disciplinary Rule 3.05s; The Breadth of the Agency Record; ALJ Findings Related to Proposed Sanctions; and the Power of an Agency to Modify,” *12 Texas Tech Administrative Law Journal* 223 (Spring 2011) cited with approval at *Froemming v. Tx. St. Bd. of Dental Examiners*, 380 S.W.3d 787 (Tex. App.-Austin 2012).

“Substantive and Interpretive Rules: The Judiciary Continues to Struggle to Define Them and to Determine Their Legal Validity and Effect,” *12 Texas Tech Administrative Law Journal* 55 (Fall 2010) cited with approval at *TXDOT v. Sunset Transp. Inc.*, W.L. 3659120 (Tex. App.-Austin 2011); *Slay v. T.C.E.Q.*, 351 S.W.3d 532 (Tex. App.-Austin 2011).

“Power of the Governor: Did The Court Unconstitutionally Tell the Governor to Shut Up?,” *62 Baylor Law Review* 72 (Winter 2010).

Amicus Brief filed in El Paso Hosp. Dist. v. Tex. Health & Human Services, 247 S.W.3d 709 (Tex. 2008), credited with the Supreme Court modifying its final order on author’s suggestions. See *Texas Lawyer* 1 (March 2, 2008, Vol. 23, No. 52).

Amicus Brief filed in St. Bd of Chiropractic Examiners v. Tex. Med. Assoc., 270 S.W.3d 777 n. 7 (Tex. App.-Austin 2008). Court of Appeals modified final opinion on author’s suggestions.

- "A Miry Bog Part II: UDJA Actions and APA Declaratory Judgment Actions And Agency Statements Made Outside a Contested Case Hearing Regarding The Meaning of the Law," 59 *Baylor Law Review* 267 (Spring 2007) cited with approval at *Tex. Dept. of Pub. Safety v. Salazar*, 304 S.W.3d 896 (Tex. App.-Austin 2009); *Combs v. Entertainment Publications, Inc.*, 292 S.W.3d 712 (Tex. App.-Austin 2009)(Henson Concurring); *Texas Department of Insurance v Reconveyance Services*, 240 S.W.3d 418, 440 n. 17 (Tex.App.-Austin 2007, pet. filed).
- "Texas Administrative Practice and Procedure: (1) A Paved Road to a Miry Bog: A Section 2001.038 Declaratory Judgment Action to Challenge the Validity of a Rule and (2) 2005 Update and Analysis, 58 *Baylor Law Review* 331 (Spring 2006) cited with approval at *Tex. Dept. of Pub. Safety v. Salazar*, 304 S.W.3d 896 (Tex. App.-Austin 2009); *Combs v. Entertainment Publications Inc.*, 292 S.W.3d 712 (Tex. App.-Austin 2009)(Henson Concurring)
- "The Texas State Office of Administrative Hearings: Establishing Independent Adjudications in Contested Case Proceedings While Preserving the Power of Institutional Decision-Making," 25 *Journal of the National Association of Administrative Law Judges* 119 (Spring 2005)
- "Administrative Law 2004 Update and Analysis, 57 *Baylor Law Review* 359 (Spring 2005) cited with approval at *Texas Dept. of Insurance v. Reconveyance Services*, 240 S.W.3d 418, 440 n.6 (Tex. App.-Austin 2007, pet. filed)(J. Patterson dissenting)
- "Administrative Law Update and Analysis," 56 *Baylor Law Review* 309 (Spring 2004)
- "The APA and Rulemaking: A Lack of Uniformity Within a Uniform System, 56 *Baylor Law Review* 1 (Winter 2003-04).
- "Issuing a Proposal for Decision: An Analysis of the Power of An Administrative Law Judge in Rendering Proposed Findings In a Contested Case Proceeding", 2 *Texas Administrative Law Journal* 210-250 (Summer 2001).
- "Challenging the Factual Basis and Rationality of a Rule Under APTRA" 45 *Baylor Law Review* 1 (1993); cited with approval in *TNRCC v. Accord Agricultural Inc.*, WL 699825 (Tex. App.-Austin 1999, unpublished); *National Assoc. of Independent Insurers v. Texas*

Department of Insurance, 925 S.W.2d 667 (Tex. 1996);
Railroad Com'n of Texas v. Arco Oil Co., 876 S.W.2d 473
(Tex.App.- Austin 1994, writ denied).

"The Clash of the Open Meetings Act and APTRA: A Tragedy
in the Making" 55 Texas Bar Journal 928 (October 1992)

"Ad Hoc Rulemaking in Texas: The Scope of Judicial Review"
42 Baylor Law Review 459 (1990) cited with approval
in *Railroad Com'n of Texas v. Lone Star Gas Co.*, 844
S.W.2d 679 (Tex. 1992).

"Ad Hoc Rulemaking: Texas Style" 41 Baylor Law Review 101
(1989) cited with approval in *Rodriguez v. Service Lloyds
Ins. Co.*, 997 S.W.2d 248 (Tex. 1999); *Railroad Com'n of
Texas v. Lone Star Gas Co.*, 844 S.W.2d 679 (Tex. 1992);
Amarillo Independent School District v. Meno, 854 S.W.2d
950 (Tex.App.-Austin 1993); *Texas Ass'n. (TEXALTEL) v.
P.U.C.*, 798 S.W.2d 875 (Tex. App.-Austin 1990);

"The Scope of Judicial Review of Agency Rulemaking: The
Interrelationship of Legislating and Rulemaking in
Texas" 39 Baylor Law Review 597 (1987) cited with
approval in *Railroad Com'n of Texas v. Arco Oil Co.*, 798
S.W.2d 888 (Tex. App.-Austin 1990, writ denied);
Methodist Hospitals v. Industrial Accident Bd., 798
S.W. 2d 651 (Tex. App.- 1990, writ dism'd w.o.j.).

"Can I Sue Mommy?: An Analysis of a Woman's Tort Liability
for Prenatal Injuries to Her Child Born Alive, 21 University
of San Diego Law Review 325 (1984) ", *Remy v. MacDonald*,
440 Mass. 675, 801 N.E.2d 260 (2004); *Chenault v. Huie*,
989 S.W.2d 474 (Tex.App.-Dallas 1999); *Broadwell by
Broadwell v. Holmes*, 871 S.W2d 471 (Tenn. 1994);
Cates v. Cates, 619 N.E.2d 715 (Ill. 1993); *Bonte for Bonte
v. Bonte*, 616 A.2d 464 (N.H. 1992); *Stallman by Stallman v.
Youngquist*, 504 N.E.2d 920 (Ill. 1987); *Stallman by Stallman
v. Youngquist*, 473 N.E.2d 400 (Ill. 1987).

Cases and Problems in Trial Advocacy-National Institute
of Trial Advocacy, 1984-2019: The lawsuit of *McLain v. Barber*,
co-authored with Professor Anthony J. Bocchino,
(currently in Fourth Edition).

AWARDS

Outstanding Professor for 1993-94, Baylor University

Outstanding Law Review Article on Administrative Law
for 1991, State Bar of Texas, Administrative and
Public Law Council, 1998

Environmental & Natural Resource Law Section, Texas Bar
Chairman's Award of Excellence

Texas Bar Foundation Life Fellow, 2013

PROFESSIONAL ACTIVITIES

Lecturer, State Bar of Texas-Administrative Law-CLE, Austin, Texas
2014-2019

Lecturer, State Bar of Texas-Administrative Law-CLE, Austin, Texas
June 27-28, 2013

Lecturer, State Bar of Texas-Administrative Law-CLE, Austin, Texas
June 5-6, 2012

Lecturer, State Bar of Texas-Administrative Law-CLE, Austin, Texas
July 28-29, 2011

Lecturer, State Bar of Texas-Administrative Law-CLE, Austin, Texas
September 16-17, 2010

Lecturer, State Bar of Texas-Administrative Law-CLE, Austin, Texas
September 16-17, 2009

Lecturer, University of Texas-Administrative Law-CLE, Austin, Texas
August 29-30, 2009

Lecturer, University of Texas-Administrative Law-CLE, Austin, Texas
August 30-31, 2007

Lecturer, 19th Annual Administrative Law Course, State Bar of Texas,
Austin, Texas, September 20-21, 2007

Lecturer, University of Texas-Administrative Law-CLE, Austin, Texas
July 27-28, 2006

Lecturer, University of Texas-Administrative Law-CLE, Austin, Texas,
July 28-29, 2005

Lecturer, National Association of Hearing Officials, 2004 National Training
and Continuing Education Conference, October, 2004

Lecturer, SOAH Administrative Law Judge Conference-Ethics and Evidence,
Texas Center for the Judiciary, May, 2004

Lecturer, National Association of Administrative Law Judges
(NAALJ), November, 2001

Lecturer for the Texas Association of Professional Administrative
Adjudicators (TAAPA), 2000-2002.

Lecturer, for the 12th and 13th Annual Advanced Administrative
Law Seminar for the Travis County Bar Assoc.,
Administrative Law Section.

Lecturer, for the 3rd , 5th , 6th and 14th Annual Advanced
Administrative Law Courses for the State Bar of
Texas, Professional Development Course.

Lecturer, for the Hearings Examiner Certificate Program
sponsored by the University of Texas (1990)

Lecturer, for the Texas Administrative Law Contested Case
Adjudication Seminar sponsored by Texas A & M
University for the training of hearing examiners
for the State of Texas. (1990)

Licensed in Texas