

inside...

Propositions 3 and 12: Court-Related Proposed Constitutional Amendments on November's Ballot

Texas Business Court: The First Year

Launching Texas Businesses Forward:
2025 Legislative Developments

Texas' New Restrictions on Foreign Ownership
of Real Property

HBA's Legalline Powered by HVL: Working to
Narrow the Justice Gap

THE HOUSTON

lawyer

Volume 63 – Number 2

September/October 2025

The background of the cover is a composite image. The upper portion is dominated by the Texas state flag, with its characteristic blue field, white star, and red and white horizontal stripes. The lower portion shows the Texas State Capitol building in Austin, with its iconic dome and classical architecture. Green trees are visible in the foreground, partially obscuring the base of the Capitol. A dark red rectangular box is overlaid on the right side of the image, containing the text 'Texas' New Laws and Business Court Developments' in white.

**Texas' New Laws
and Business Court
Developments**



DoNot
Blow
.com

#1 MOST DWI VERDICTS* #1 MOST DWI DISMISSALS* #1 MOST DWI MOTIONS*
TO SUPPRESS WON

RELENTLESSLY REPRESENTING YOUR REFERRALS FOR 24 YEARS.

THE MOST WINNING DWI DEFENSE LAWYER IN
H O U S T O N

TYLER★FLOOD
DWI DEFENSE LAWYER

713-224-5529

Tyler Flood & Associates
donates a portion of all fees to
Rescued Pets Movement

www.tylerflood.com

*results verifiable by showmethejustice.com



BEST LAW FIRMS IN AMERICA



TODD FRANKFORT
PARTNER

BEST LAW FIRMS
RANKED BY *Best Lawyers*
FAMILY LAW • 2025



- » DALLAS
- » FORT WORTH
- » FRISCO
- » HOUSTON

HOUSTON:
19 BRIAR HOLLOW LN., STE. 200
HOUSTON, TX 77027
T: (713)-224-1800

PRINCIPAL OFFICE: 1845 WOODALL RODGERS FRWY, STE 1525, DALLAS, TX 75201
BEST LAW FIRMS IS A REGISTERED TRADEMARK OF WOODWARD/WHITE, INC.



FEATURES

- 10 Propositions 3 and 12: Court-Related Proposed Constitutional Amendments on November's Ballot
By JUDGE NATALIA "NATA" CORNELIO
- 14 Texas Business Court: The First Year
By NIKKI L. MORRIS
- 16 Launching Texas Businesses Forward: 2025 Legislative Developments
By CASEY MINNES CARTER
- 20 Texas' New Restrictions on Foreign Ownership of Real Property
By CAREY WORRELL
- 22 HBA's LegalLine Powered by HVL: Working to Narrow the Justice Gap
By JESSICA HOWTON STOOL
- 24 76th Annual Harvest Party: Thanks to Diamond, Ruby, and Sapphire Sponsors
- 26 Underwriters of the 76th Annual Harvest Party
- 28 HBA Initiative Serves 14,000+ Community Members in Just Two Days



Successful Barrister Podcast
 The Podcast that Discusses
 Marketing, Management,
 & Life Skills That
 Probably Won't Get You
 Disbarred™




**ALTERNATIVE
DISPUTE
RESOLUTION
FROM ANYWHERE.**

California's most respected Neutrals are
 now offering mediations nationwide using
 secure video conference technology.

**SIGNATURE
RESOLUTION**

SIGNATURERESOLUTION.COM



32



34



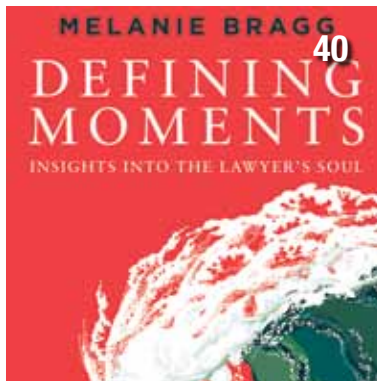
35



36



37



40

DEPARTMENTS

6 PRESIDENT'S MESSAGE
Rooted in Service, United by Law
By **DANIELLA LANDERS**

8 FROM THE EDITOR
Looking Back, Moving Forward:
A Decade in Texas Litigation
By **NIKKI L. MORRIS**

32 VETERAN SPOTLIGHT
Vanessa C. Botello
By **ANINETIE AKPAN**

34 OFF THE RECORD
Lena Silva: From Jest to Justice
By **DAVE LOUIE**

35 A PROFILE IN PROFESSIONALISM
David Harrell
Partner, Troutman Pepper Locke LLP

36 COMMITTEE SPOTLIGHT
Continuing Legal Education
Committee
By **JACLYN I. BARBOSA**

37 SECTION SPOTLIGHT
HBA Welcomes Its New Technology
Section
By **CHRISTIAN BLAIR**

38 LEGAL TRENDS
Free Speech Coalition v. Paxton:
When Technological Changes Affect
Legal Conclusions
By **BRENT COOPER** and **AARON STREETT**

The Good Faith Prong of Official
Immunity: *City of Houston*
v. Rodriguez
By **ALEXANDRA TOLBERT**

40 MEDIA REVIEWS
Defining Moments: Insights Into
the Lawyer's Souls
Reviewed by **JUDGE JOSEFINA M. RENDÓN**

Star Wars and Conflict Resolution II:
My Negotiations Will Not Fail
Reviewed by **ANINETIE AKPAN**

42 LITIGATION MARKETPLACE



MARC WHITEHEAD & ASSOCIATES
ATTORNEYS AT LAW, LLP

Join Our Attorney VIP Referral Program

Referral Fees of **20-33 1/3%***

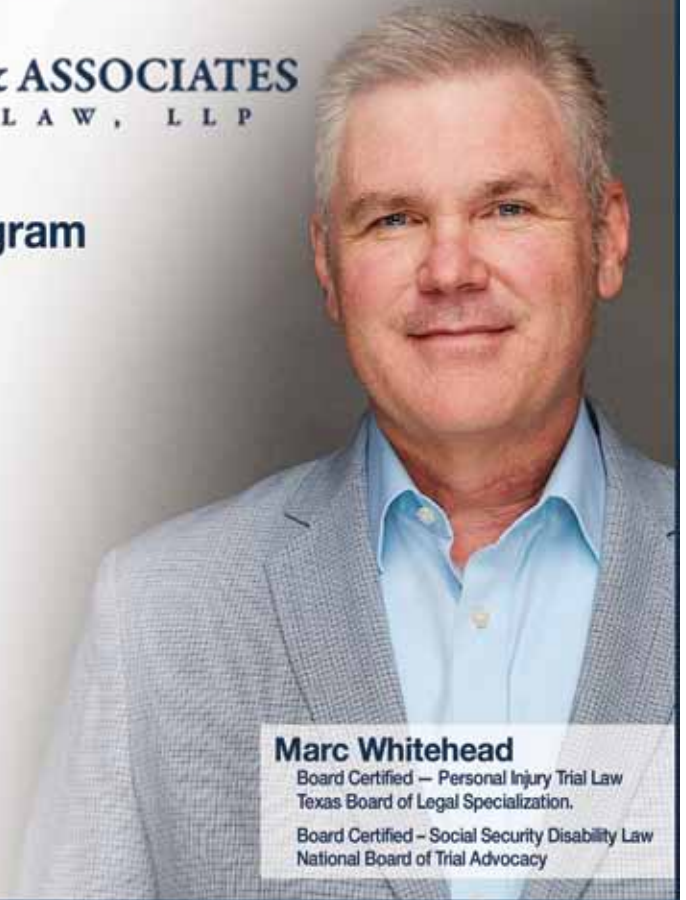
- Social Security Disability Claims
- Long-Term Disability Insurance Denials
- Veterans Disability Claims
- Life Insurance Claims
- Pharmaceutical & Medical Device Claims

866-858-6996

VIP@MarcWhitehead.com

www.DisabilityDenials.com

All referral fees are subject to
TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT
(referring lawyer assumes joint responsibility and client consents in writing).
*Percent of referral fee is based on case type.



Marc Whitehead

Board Certified — Personal Injury Trial Law
Texas Board of Legal Specialization.

Board Certified — Social Security Disability Law
National Board of Trial Advocacy



Fixin' to.

Fixin' to | definition: means "About to" or "preparing to". As in, we're fixin' to make you a part of the family.

We know Texas. Since 1979, we've been protecting Texas lawyers, across all Texas jurisdictions, in all areas of practice through our member-owned insurance exchange. Our members are our family. And, we want our family to be successful. We share our knowledge and the wealth (yes, literally, we share our profits annually).

Fixin' to join us? Apply today.

We help Texas attorneys succeed.



TLIE.ORG or (512) 480-9074

By **DANIELLA LANDERS**

Rooted in Service, United by Law

I am so privileged to serve as your Houston Bar Association president, especially on the heels of several key events that demonstrated the strength of the Bar and you, the members who make our work possible.

I'll start with our fall Days of Service on September 26 and 27. Wow—what an amazing turnout of HBA pride! I was able to participate in most of the HBA's eight events taking place around Houston, and I was incredibly proud to see the power of our legal network and volunteers coming together to serve our fellow Houstonians. In all, we had about 300 volunteers and impacted thousands in our community through our pro bono and non-legal service projects. This is truly what our profession is about. As attorneys and members of the judiciary, we adhere to the rule of law—the foundational tenets that drive our professional obligations—but at its heart, the law is truly about service to people. I express sincere gratitude to the HBA members who joined us for the Days of Service to demonstrate the HBA's commitment to this foundational concept. I am also incredibly grateful to our legal and nonprofit partners for your collaboration to make a difference through this amazing initiative. If you weren't able to join us, our next Day of Service is on March 28, 2026.

Leading up to Constitution Day on September 17, we invited our members to reaffirm their commitment to the rule of law by recording themselves re-taking the Texas Lawyer Oath. Thank you to those of you who demonstrated your dedication to our profession by posting your oath to social media. I was pleased to see so many HBA members answer the call to publicly recommit to the oath.

In celebration of the 238th anniversary of the Constitution, in addition to the book readings in over 100 elementary school classes, we invited our new diverse cohort of HBA Ambassadors to meet on September 17 and reaffirm their oath to the rule of law *together*. Seeing this group of exceptional legal leaders swear those solemn words in one voice was inspiring.

We were also honored to co-host a CLE program featuring the Texas Business Court judges and justices for an introspective discussion and update on the Texas Business Court, which marked its one-year anniversary on September 1. This

event was well attended in-person and virtually by lawyers across the state. I cannot thank our judiciary enough for partnering with the HBA on this important program, especially Judge Sofia Adrogué and Judge Grant Dorfman of the Eleventh Business Division, as well as Justice April Farris of the 15th Court of Appeals, here in Harris County. We will publish the recorded program in our online CLE library at hba.org/watchcle.

Unfortunately, in early September, the Houston legal community was saddened to learn that HBA Past President Alistair Byrne Dawson died unexpectedly on August 30, 2025. Alistair was a pillar of the legal community and deeply committed to pro bono matters and community service, including as a former chair of Houston Volunteer Lawyers, a board member of the Houston Bar Foundation and Lone Star Legal Aid, and a Commissioner on the Texas Access to Justice Commission. Through Alistair's ardent support of the HBA and numerous causes, he left a lasting legacy and will be dearly missed.

I have also recently had the opportunity to participate and collaborate with several organizations on events, including the HBF Fellows Appreciation Reception, a meeting with representatives of the judiciary and AmCham of Argentina, a Youth Leadership Forum for incarcerated and underprivileged youth, as well as the Center for American and International Law (CAIL) Great Leaders Award Luncheon honoring Justice Nathan Hecht. The HBA is appreciative of the opportunity to support these organizations and strengthen our relationships in the legal and business communities.

As a reminder, if you have not had a chance to serve your profession and Houston community through these recent HBA events, the 76th Annual Harvest Party on November 10 is an incredible opportunity to do both. One hundred percent of net proceeds goes directly towards Houston Volunteer Lawyers to provide critical pro bono legal services to Houstonians in need. There's still time to purchase tickets at hba.org/harvest.

Thank you again for demonstrating the steadfast devotion of Houston's legal professionals and service to the community at-large. Continued blessings to you and yours! 





BOARD OF DIRECTORS

President Daniella Landers	Secretary Kaylan Dunn
President-Elect Greg Ulmer	Treasurer Todd Frankfort
First Vice President Collin Cox	Immediate Past President David Harrell
Second Vice President Robert Painter	

DIRECTORS (2024-2026)

Keri Brown	Stephanie Noble
Seepan V. Parseghian	Samantha Torres

DIRECTORS (2025-2027)

Carter Dugan	Greg Moore
Colin Pogge	Richard Whiteley

EDITORIAL STAFF

Editor in Chief
Nikki Morris

Associate Editors
Anna M. Archer
Sydney Huber Bateman
Jessica Crutcher
Lane Morrison
Rinku Ray
Braden Riley

Editorial Board

Anietie Akpan	Mehrnoosh K. Andu
Jaclyn Barbosa	Casey Minnes Carter
Hon. Natalia Cornelio	Johnny Day
Corey Devine	Teresa Hudson
Chandria Jackson	Dave Louie
Andrew Pearce	Ciara Perritano
Hon. Josefina Rendón	Kimberly Seiler
Jennifer Smith	Rachael Thompson
Carey Worrell	Nicolette Zulli

Managing Editor
Maggie Martin

HBA OFFICE STAFF

Executive Director Vinh Ho
Associate Executive Director.....Ashley G. Steining
Associate Director of Board Relations and Admin ServicesGina Pendleton
Director, Marketing and CommunicationsMaggie Martin
Digital Media and Communications SpecialistBriana Ramirez
CLE and Technology Platforms CoordinatorAlli Hessel
Associate Director of Community Engagement and InitiativesGeorgina Peña
Director, Membership and Technology ServicesRon Riojas

ADVERTISING SALES DESIGN & PRODUCTION

QUANTUM/SUR
10306 Olympia Dr., Houston, TX 77042
281.955.2449 • www.quantumsur.com

Publisher
Leonel E. Mejia

Production Manager Marta M. Mejia	Advertising Mary Chavoustie
---	---------------------------------------



Trey Bergman*
ARBITRATOR | MEDIATOR | ATTORNEY

Conducting Successful Arbitrations & Mediations

To schedule, visit:
calendly.com/bergman_adr_group

Arbitrated and Mediated
\$100+ BILLION in disputes since 1990.

Fellow | Chartered Institute of Arbitrators
Fellow | College of Commercial Arbitrators



Bergman
ADR GROUP
BergmanADRgroup.com

*Board Certified | Civil Trial Law, Texas Board of Legal Specialization

DAMAGES

Personal injury
Wrongful termination
Intellectual property
Commercial damages/lost profits
Business valuations

When you need a number
call our number

281.846.6132



Thomas Roney LLC
Economic Consulting

WWW.THOMASRONEYLLC.COM



By **NIKKI MORRIS**
BakerHostetler

ASSOCIATE EDITORS



Anna M. Archer
Hicks Thomas



Sydney Huber
Bateman
Horne Rota Moos



Jessica Crutcher
Jessica Crutcher
Law



Lane Morrison
Bush Seyferth



Rinku Ray
Ray & Fahys



Braden Riley
Morrow & Sheppard

LOOKING BACK, MOVING FORWARD: A Decade in Texas Litigation

Ten years ago, I started my career as a lawyer in Texas, clerking for the Honorable Ewing Werlein, Jr. of the United States District Court for the Southern District of Texas. During that time, I learned so much about what it means to be a good advocate and what is important—and not so important—to the courts. For any future litigators out there, clerking for a judge is an invaluable experience that I hope each of you will consider. The lessons I learned through clerking continue to inform my current practice on a daily basis and I look back on my time in chambers with fond memories.

Although my career began in federal court, many of my other significant career milestones have occurred in state court, particularly in Harris County. As a state court litigator, I am excited to note that the Harris County district courts are expanding and will include five new district courts starting in September and October of next year.¹ Congratulations and sincere thanks to Civil Administrative Judge Lauren Reeder, former Family Administrative Judge Angela Graves-Harrington, Juvenile Administrative Judge Michelle Moore, and Criminal Administrative Judge Te'iva Bell and Civil District Judge Beau Miller for advocating for this important development for Harris County litigants. It has been 40 years since a new civil district court was added to Harris County, and this is truly an accomplishment!

The Texas Business Court has also reached a significant milestone, as it has been operational in several jurisdictions for one year. Although I have not yet appeared in the Texas Business Court, I was fortunate to speak with several practitioners who have, including Ty Doyle, Amy Farish, Jennifer DeVlugt, Rafe Schaefer, and Rick Houghton—each of whom provided insight and perspectives on what to expect when practicing in those courts. In writing this article, I was also interested to learn about the changes imposed by the Texas Legislature to allow for more parties to access this great resource in our state.

As a commercial litigator, it was also interesting to read editorial board member Casey Minnes Carter's

article discussing the Texas Legislature's overhaul of the Texas Business Organizations Code. Ms. Carter provides an overview of the key amendments and key takeaways for corporate counsel as they prepare to implement these changes. With a Business Court and new changes to the Business Organizations code, Texas is on its way to rival Delaware as a haven for businesses.

Additional developments for Texas courts may be on the horizon. Judge Natalia Cornelio, presiding judge of the 351st District Court and editorial board member, provides insight into two proposed amendments to the Texas Constitution that will be subject to voter input in the upcoming November elections. These amendments include a proposal to deny bail under certain circumstances and changes to the makeup of the State Commission on Judicial Conduct. Judge Cornelio's insight provides prospective voters with information about the proposed amendments and the potential implications.

The Texas Legislature also enacted a bill that will place restrictions on foreign ownership of property in the state. Editorial board member Carey Worrell discusses the implications of Senate Bill 17 and provides guidance for prospective and current property owners on what this may mean for them.

Also, look out for our companion podcast, *Behind the Lines: The Houston Lawyer Podcast*. Podcast host Anna Archer and her team have put together a very interesting lineup of guests that dive deeper into the topic of the Texas Business Court and this episode includes a pro bono spotlight. Episodes of *Behind the Lines* are available on the HBA's website and typically count for 1-2 hours of CLE credit.

Thank you to the incredible editorial board who helped put this issue together by writing articles, editing articles, and overseeing the columns, and as always, thank you for reading *The Houston Lawyer*. 📖

Endnotes

1. See Press Release, Harris County celebrates Governor's approval of five new district courts, dated September 18, 2025, available at <https://www.justex.net/news>.



Earn CLE with the HBA

Over 100 hours
of CLE, and over
30 hours of
ethics credit are
available at
your fingertips!

Online CLE Catalog

hba.org/watchCLE

DENNIS CLIFFORD – EMPLOYMENT MEDIATOR

Mediating Complex Employment Disputes

- Class and Collective Actions
- Complex Wage & Hour Matters
- Whistleblower and Retaliation Claims
- Sexual Harassment Claims
- Non-Compete and Non-Solicitation Matters
- Wrongful Termination Claims



CONTACT CARD



CliffordADR.com



HOUSTON
VOLUNTEER
LAWYERS
ASSOCIATION



HBA LegalLine

Powered by HVL

Wednesdays, 5 pm - 8 pm

Fridays, 1 pm - 5 pm

Volunteers Needed

Sign up as an individual at

makejusticehappen.org

or scan this QR Code.



To sign up as a group
or to inquire about becoming an
Equal Access to Justice Champion
email probono@hyllp.org.

SHREDTEX

Your Shred On Site Company™

ShredTex offers full-service commercial shredding.
Our services are customized to meet your needs.

- On Site Document Shredding
- Digital Media Destruction
- Document Storage



Your best choice to keep documents in secure, climate controlled storage

713.466.3858 • shredtex.com

PROPOSITIONS 3 AND 12:

Court-Related Proposed Constitutional Amendments on November’s Ballot

During this year’s 89th legislative session, 8719 bills were filed, 1213 bills were passed, and 28 bills were vetoed.¹ Included in the bills passed were 17 joint resolutions proposing amendments to the Texas Constitution.² These amendments cannot take effect without approval from the voters across Texas in an election scheduled for November 4, 2025.³

Two proposed amendments on the November ballot directly affect the courts and judicial system: Proposition 3, regarding the right to bail, and Proposition 12, regarding the governing body, processes in place, and authority available to sanction, suspend, and remove judges. This article summarizes these proposed constitutional amendments and highlights changes that will take effect if voters approve the amendments.

Proposition 3

“The constitutional amendment requiring the denial of bail under certain circumstances to persons accused of certain offenses punishable as a felony.”⁴

A favorable vote for Proposition 3, as proposed by Senate Joint Resolution 5, would change Article 1, Section 11 of the Texas Constitution, which currently states:

BAIL. All prisoners shall be bailable by sufficient sureties, unless for capital offenses, when the proof is evident; but this

provision shall not be so construed as to prevent bail after indictment found upon examination of the evidence, in such manner as may be prescribed by law.

If passed, Proposition 3 would require the denial of release on bail pending trial to a person charged with certain offenses if the prosecutor demonstrates that 1) by a preponderance of the evidence, the granting of bail is insufficient to reasonably prevent the person’s willful nonappearance in court, or 2) by clear and convincing evidence that the granting of bail is insufficient to reasonably ensure the safety of the community, law enforcement, and the victim of the alleged offense.⁵ Applicable offenses requiring denial of bail under these circumstances include murder, capital murder, aggravated assault, aggravated robbery, aggravated kidnapping, aggravated sexual assault, indecency with a child, and trafficking of persons.⁶

In determining whether the state makes a sufficient showing, a judge or magistrate must take into account the likelihood of the person’s willful nonappearance in court, the criminal history of the person, the nature and circumstances of the alleged offense, and the safety of the community, law enforcement, and the victim of the alleged offense.⁷ However, under the proposed amendment, a judge or magistrate is not required to consider testimonial evidence in making the applicable bail decision.⁸

A judge or magistrate who *grants* bail to a person charged with a listed offense requiring denial of bail must enter a written order that includes findings of fact and a statement explaining the justification for granting bail.⁹ The judge must also set bail conditions to reasonably prevent the person’s willful nonappearance in court and to ensure the safety of the community, law enforcement, and the victim of the alleged offense.¹⁰

A person is entitled to be represented by counsel at a hearing described by the proposed amendment, and parties would retain rights under other laws to contest a denial or setting of bail.¹¹

Current Constitutional Law on Bail

Generally, a defendant charged with a non-capital offense may not be denied bail unless otherwise “prescribed by law.”¹² Courts have interpreted Section 11’s authorization of denial of bail to defendants charged with a capital offense “when proof is evident”¹³ to mean that “bail is a matter of right, unless the evidence is clear and strong, leading a well-guarded and dispassionate judgment to the conclusion that an offense has been committed, that the accused is the guilty agent, and that the accused would probably be punished capitally if the law is administered.”¹⁴

Other provisions in Article I authorize the denial of bail under certain circumstances: Section 11a authorizes a district judge to deny the release on bail pending trial to a person accused of a felony who: 1) has been twice convicted of a felony; 2) is accused of a felony while on bail for another felony; 3) is accused of a felony involving a deadly weapon and has a prior felony conviction; or 4) is accused of a violent or sexual offense while under the supervision of a criminal justice agency.¹⁵ However, denial of bail under § 11a requires 1) evidence substantially showing the guilt of the accused of the current offense charged; and 2) an order denying bail pending trial issued within seven calendar days of incarceration of the accused.¹⁶ Additionally, the order denying bail is automatically set aside if the accused is not afforded a trial within 60 days of indictment, unless a continuance is obtained upon the request of the accused.¹⁷

A person denied bail under this subsection is entitled to a preferential appeal.¹⁸

Section 11b authorizes a judge to deny release on bail pending trial to a person charged with a felony offense or an offense involving family violence if the person is released on bail and, at a subsequent hearing, the judge determines by a preponderance of the evidence “that the person violated a condition of release related to the safety of a victim of the alleged offense or to the safety of the community.”¹⁹

Subsection 11c authorizes the legislature to provide a law for the denial of release on bail pending trial to a person who violates an order for emergency protection or a protective order rendered in a family violence case or who commits an offense involving a violation of one of those orders if, following a hearing, a judge determines by a preponderance of the evidence that the person violated the order or committed the offense.²⁰

Scope of Changes

Proposition 3’s proposed amendments would add a new Section 11d to Article I requiring the denial of bail for persons charged with certain serious offenses, subject to a satisfactory showing that bail is insufficient to reasonably prevent the person’s willful nonappearance in court or ensure the safety of the community, law enforcement, and the victim of the alleged offense.²¹

The proposed amendment veers from current subsections authorizing the denial of bail by not requiring the state to produce evidence substantially showing the defendant’s guilt of that felony or establish by a preponderance of the evidence that an order or rule of bail has been violated.²² Courts will also need to determine the impact of the amendment’s language that prohibit the provision from being construed to require testimonial evidence given that the Texas Rules of Evidence currently apply to proceedings involving the denial or revocation of bail.²³

Proposition 12

“The constitutional amendment regarding the membership of the State Commission on Judicial Conduct, the membership of the tribunal to review the commission’s recommendations, and the authority of

*the commission, the tribunal, and the Texas Supreme Court to more effectively sanction judges and justices for judicial misconduct.”*²⁴

The Texas Constitution provides that any judge or justice of the courts established by the Constitution or statute may be removed from office, disciplined, or censured for willful or persistent violation of rules promulgated by the Supreme Court of Texas, incompetence in performing the duties of the office, willful violation of the Code of Judicial Conduct, or willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit upon the judiciary or administration of justice.²⁵ The Constitution vests this disciplinary power in the State Commission on Judicial Conduct (the “Commission”), which is a body of thirteen individuals authorized to investigate complaints or reports relating to judicial misconduct, issue sanctions or initiate formal proceedings, and recommend the removal or retirement of a judge from office.²⁶ The Commission is currently comprised of six

judges from various constitutional and statutory courts, two attorneys appointed by the State Bar of Texas, and five citizens appointed by the governor.²⁷

If approved, Proposition 12, as proposed by Senate Joint Resolution 27, would amend the Constitution and modify the composition of the Commission to consist of a majority of citizens appointed by the governor—eliminating the appointment of two attorneys by the State Bar.²⁸ It would also limit the authority of the Commission to issue private sanctions to judges, modify the method of selecting the tribunal of appellate judges tasked with reviewing the Commission’s recommendation for removal or retirement of a Texas judge or justice, authorize the Commission to recommend to the Texas Supreme Court the suspension of a judge from office, with or without pay, pending final disposition of the charge of misconduct, and remove the requirement that the Texas Supreme Court consider the record of appearance before the Commission in reviewing the Commission’s recommendation to suspend a judge pending final

COTROPIA MEDIATIONS

**SETTLING CASES
TWO SNEAKERS AT A TIME**



WEBSITE:
cotropiamediations.com

Booking Online Available

832-615-2920

SUSANNE (ASSISTANT):
st@cotropiamediations.com



disposition of the charge of misconduct.²⁹

Modification of Composition of Commission

The Texas Constitution currently provides for the appointment of the 13 members of the State Commission on Judicial Conduct as follows:

1. Six members are chosen by the Texas Supreme Court with the advice and consent of the senate, and must include one justice of a court of appeals, one district judge, one county court at law judge, one judge of a constitutional county court, one municipal court judge, and one justice of the peace;³⁰
2. Two members are chosen in accordance with rules prescribed by the Texas Supreme Court by the board of directors of the State Bar of Texas with the advice and consent of the senate, both of whom must be licensed to practice law in Texas and must have practiced law in Texas for at least 10 consecutive years preceding selection;³¹ and
3. Five members are appointed by the governor with the advice and consent of the senate, each of whom must be a citizen who is at least 30 years of age and is not licensed to practice law and does not hold any salaried public office or employment when appointed.³²

The amendment would modify the appointment of members to the Commission to be (1) six members appointed by the Texas Supreme Court with the advice and consent of the senate, each of whom must be a judge or justice of a court in this state; and (2) seven members appointed by the governor with the advice and consent of the senate, each of whom must be a citizen who is at least 35 years of age.³³ The amendment thus repeals the authority of the board of directors of the State Bar of Texas to appoint members to the Commission and permits the governor to appoint two additional Commission members. The governor-appointed members would constitute a majority, and none of them would be required to be a practicing attorney or judge.

Modification of Composition of Review Tribunal

The Texas Constitution authorizes a tribu-

nal to review any recommendation by the Commission for the removal or retirement of a judge or justice.³⁴ The proposed amendment also replaces the Constitutional requirement that members of the tribunal be chosen by lot from a pool of one designated justice from each court of appeals with the requirement that the tribunal be comprised of seven justices of the courts of appeals who are directly selected by the Chief Justice of the Supreme Court.³⁵

Limitation on Authority to Issue Private Sanctions

The Texas Constitution currently authorizes the Commission, “[a]fter such investigation as it deems necessary,” to “in its discretion issue a private or public admonition, warning, reprimand, or requirement that the person obtain additional training or education,” or institute formal proceedings regarding the removal of a judge.³⁶ Under the proposed amendment, the Commission would be prohibited from issuing a private sanction against a judge if the Commission previously issued any admonition against the judge or justice or if the complaint or report alleges that the judge has engaged in conduct constituting a criminal offense.³⁷

Authorizing the Recommendation of Suspension Pending Final Disposition of the Charge

Finally, the proposed amendment would authorize the Commission to recommend to the Texas Supreme Court the suspension of a judge or justice from office, with or without pay, pending final disposition of the charge against the judge or justice.³⁸ While the current constitutional provision allows the Texas Supreme Court to suspend a judge or justice pending a final disposition of the charge of judicial misconduct, the court may do so only “after considering the record of [the Judge or Justice’s appearance before the Commission] and the recommendation of the Commission.”³⁹ The proposed amendment would remove this requirement.⁴⁰

Conclusion

These amendments will significantly impact Texas citizens and its judiciary. Voters can have the final say on November 4, 2025. The full text of the proposed constitutional

amendments, plus summaries for the remaining 15 propositions, can be found on the Legislative Reference Library of Texas website. 



Judge Natalia “Nata” Cornelio is the presiding judge of the 351st District Court, one of 29 state criminal district courts designated to serve Harris County, Texas. She has served as judge of the court since January 1, 2021. She is a member of The Houston Lawyer Editorial Board.

Endnotes

1. Bill Statistics for 89th Legislature, Regular Session, Legislative Reference Library of Texas <https://lrl.texas.gov/sessions/sessionSnapshot.cfm?legSession=89-0> (last visited August 29, 2024).
2. Analyses of Proposed Constitutional Amendments, 89th Texas Legislature, November 4, 2025, Election, Texas Legislative Council (August 2025), available online at <https://www.tlc.texas.gov/docs/amendments/analyses25.pdf> (last visited August 29, 2025).
3. See *id.*
4. *Id.* at 13.
5. *Id.*
6. *Id.* at 14.
7. *Id.* at 14–15.
8. *Id.* at 15.
9. *Id.*
10. *Id.* at 14.
11. *Id.*
12. Tex. Const., art. I, § 11.
13. *Id.*
14. *Ex parte Donohoe*, 14 S.W.2d 848 (Tex. Crim. App. 1929); see also *Ex parte Coward*, 170 S.W.2d 754 (Tex. Crim. App. 1943); *Ex parte Paul*, 420 S.W.2d 956 (Tex. Crim. App. 1967); *Ex parte Perez*, 428 S.W.2d 323 (Tex. Crim. App. 1968); *Ex parte Sierra*, 514 S.W.2d 760 (Tex. Crim. App. 1974); *Ex parte Derese*, 540 S.W.2d 332 (Tex. Crim. App. 1976).
15. Tex. Const., art. I, § 11a.
16. *Id.*
17. *Id.*
18. *Id.*
19. Tex. Const., art. I, § 11b.
20. *Id.* § 11c.
21. See *supra* note 2 at 14.
22. See Showing required—In general, 41 Tex. Prac., Crim. Prac. And Proc. § 21:89 (3d ed.); Tex. Const., art. I, §§ 11a–11c.
23. TEX. R. EVID. 101(e)(3)(C) (“These rules...do not apply to... bail proceedings other than hearings to deny, revoke, or increase bail...”).
24. See *supra* note 2 at 63.
25. Tex. Const., art. V, § 1-a(6).
26. *Id.* § 1-a(6)–(8).
27. *Id.* § 1-a(2).
28. See *supra* note 2 at 63.
29. *Id.*
30. Tex. Const., art. V, § 1-a(2)(i)–(ii), (v)–(vii).
31. *Id.* § 1-a(2)(iii).
32. *Id.* § 1-a(2)(iv).
33. See *supra* note 2 at 64.
34. Tex. Const., art. V, § 1-a(9).
35. Senate Joint Resolution 27, 89th Legislature, Regular Session, 2025, available at <https://legiscan.com/TX/text/SJR27/id/3249185/Texas-2025-SJR27-Enrolled.html> (last visited Aug. 29, 2025).
36. Tex. Const., art. V, § 1-a(8).
37. See *supra* note 37.
38. *Id.*
39. Tex. Const., art. V, § 1-a(6)(A).
40. *Id.*



★ **HOUSTON** ★
MEDIATORS & ARBITRATORS



**Ron
Bankston**



**Louis
Selig**



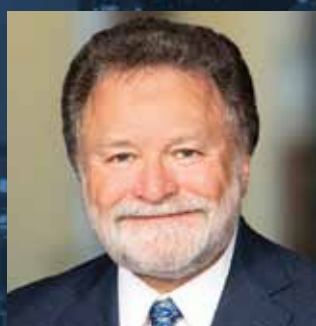
**Felicia
Harris Hoss**



**Wiley
George**



**Hon. Margaret
Poissant**



**Hon. Robert
K. Schaffer**



**Robins
Brice**



**Gary
McGowan**

**EXCEPTIONAL NEUTRALS
UNPARALLELED CUSTOMER SERVICE**

Miles is moving to a new space to better serve your needs!

5300 Memorial Drive, Suite 800 • Houston, TX 77007 • Opening in November

milesADR.com | 713.807.1707

ATLANTA | BIRMINGHAM | BOSTON | CHARLOTTE | COLUMBIA | DENVER | FT. LAUDERDALE
HOUSTON | JACKSONVILLE | NASHVILLE | PALM BEACH | SAVANNAH | ST. LOUIS | TAMPA

TEXAS BUSINESS COURT: The First Year

Just over a year ago, the Texas Business Court became operational in five of the 11 judicial districts in Texas—First (Dallas), Third (Austin), Fourth (San Antonio), Eighth (Fort Worth), and Eleventh (Houston)—and practitioners are loving it! The hallmarks of the Business Court are well-informed jurists, faster-paced litigation, and written opinions—all of which provide a clear benefit to Texas litigants engaged in complex commercial litigation.

Although the court has been in operation for only one year, practitioners are finding great value in this new venue available for complex commercial litigation. Ty Doyle, a partner at BakerHostetler, said, “I tell people both in Texas and beyond that this is one of the best things to come out of the state—period—in a long time, and I hope that it succeeds.” He analogized the Business Court to how arbitration is described in theory: “less gridlock, high-quality decision makers, more collaborative interaction with the judge.”

With these high-quality decision makers, practitioners should expect that the judges will spend time with the written submissions and draft accordingly. Amy Farish, a partner at Yetter Coleman, currently has one case in front of the Eleventh Division that involves multiple parties and law from multiple jurisdictions, and she is considering removing another case to the Business Court. She noted how impressed she is with the court, which “has gone above and beyond to read our papers, ask intelligent questions, and give all parties an opportunity to advocate for their clients.” BakerHostetler associate Jennifer DeVlugt, who is handling her first case in the Business Court, appreciates that

“the court has time to consider the big issues and the implications for not only the case before them but [also] the body of law that will be impacted.”

As many litigators know, the ability to have matters heard timely is an issue that sometimes plagues the district courts, which can have a significant backlog due to their voluminous dockets. Farish praised the ability “to have hearings quickly and as often as needed” in front of a judge who “has been generous with her time and accommodating to the many schedules of large trial teams.” This ability to have issues heard by a well-prepared court is a clear benefit to the parties and the litigators.

Rick Houghton, a litigator at Murphy Ball Stratton, is also handling his first case before the Business Court. After his client was served with a temporary restraining order, he removed the case to the Business Court, a process that he described as easy to learn and similar to that of the federal courts.¹ He explained that much like in federal courts, parties should anticipate filing a detailed case information sheet that identifies the basis for jurisdiction and a corporate disclosure statement.²

Rafe Schaefer, a litigation partner at Norton Rose Fulbright, has five cases currently before the Business Court and one case that was appealed to the Fifteenth Court of Appeals. He applauds the court for being a place where complex business disputes are efficiently and timely handled. In the year the Business Court has been operational, there have been over 185 cases filed, including more than 75 in the Eleventh Division (Houston) alone.³ Clearly, more and more parties are taking advantage of this resource to resolve their disputes, with more than 20 cases filed

since August 1, 2025.

Based on Schaefer’s experience, practitioners should also understand that cases move quickly with trial settings in 12 to 18 months of case initiation⁴ and that discovery disputes are handled in Business Court differently than in the Texas district court. For example, a party raising a discovery dispute must file a letter (rather than a motion) of no more than 700 words describing the dispute and setting out in no more than 300 words the parties’ conference regarding the same; the opposing party is granted a response of similar length, but no reply is permitted.⁵

Careful study of the Business Court Local Rules is encouraged, and parties should also actively engage with the court staff to ensure they meet the court’s specific requirements. DeVlugt encourages practitioners “to work closely with the court staff to ensure that you handle things in the manner the particular court wants. The staff has been instrumental in the smooth running of the courts, and I have found they are more than happy to answer questions.”

One of the biggest differences from the Texas district courts is that Business Court judges are encouraged to write opinions,⁶ which Schaefer believes will be “hugely beneficial” to practitioners. Apparently, the judges are happy to oblige. Farish explained that she is impressed with the court’s “excitement and willingness to dive into extensive briefing on complicated issues.” Doyle described an experience after a hearing in which the judge *asked the parties* how detailed an opinion they would like and whether the promised date would work. This type of collaboration is atypical of Texas state courts, which are often juggling high caseloads and will issue orders—rather than written opinions—on their own schedule.

There are more than 40 published opinions currently available on the Business Court’s website, many of which relate to the court’s jurisdiction.⁷ But the judges are also starting to

publish opinions on other key issues. For example, Judge Melissa Andrews, sitting by assignment in the Eleventh Division, issued a 15-page opinion analyzing the “attorney’s eyes only” designation included in a protective order.⁸ This type of issue frequently arises but is not one that often reaches the appellate court level; therefore, this is exactly the type of written opinion that will aid all Texas commercial litigators in resolving confidential designation disputes.

New developments from the Texas Legislature have lowered the amount-in-controversy threshold for jurisdiction and added new categories of cases that may be heard by these courts—making them more accessible to litigators in the metropolitan areas of the state. House Bill 40 (HB 40), which became effective September 1, 2025,⁹ enacted several developments for future cases filed in the Business Court:

- **Amount in Controversy:** The amount in controversy has been reduced from \$10 million to \$5 million, excluding interest, statutory damages, exemplary damages, penalties, and attorney’s fees.¹⁰ Parties are now permitted to aggregate claims, including counterclaims and cross-claims, to meet this threshold,¹¹ paving the way for additional matters to be heard by these courts.
- **Expanded Subject Matter Jurisdiction:** The Business Court may now hear matters involving intellectual property; investment contracts and commercial transactions; arbitration-related proceedings, including enforcement actions; and violations of the Texas Finance Code and the Texas Business and Commerce Code.¹²
- **Preferred Venue Clauses:** Parties are now permitted to establish proper venue in the Business Court by designating it as such in their contracts.¹³
- **Changes to Divisions:** Montgomery County was added to the Eleventh

Division (Houston), and the sunset provisions that would automatically abolish the remaining divisions if such divisions were not funded by 2026 were removed, giving the Legislature more time to fund and establish the rural divisions.¹⁴

Overall, the Texas Business Court appears to be fulfilling its purpose of providing “a fair, efficient, and timely resolution of business disputes.”¹⁵ Parties and litigators should consider whether their current or next case qualifies for these specialty courts, and if it does, they should be prepared for issues to be heard before informed and prepared jurists who are ready and willing to assist them in resolving their disputes. Looking ahead, practitioners should watch for developments in the Texas Legislature regarding funding for the courts in the more rural divisions so that more litigants will have the opportunity to participate in this fantastic Texas development. 🏠



Nikki L. Morris is a litigation partner at BakerHostetler. She is the editor in chief of *The Houston Lawyer*, and she is looking forward to an opportunity to have future cases heard in the Texas Business Court.

Endnotes

1. See TEX. GOV'T CODE § 25A.006 (setting out the requirements for removal).
2. See BCLR 3, 4(b).
3. Statistics based on available records at research.txcourts.gov.
4. See TEX. R. JUDICIAL ADMIN. 6.1(a).
5. BCLR 4(d).
6. See TEX. R. CIV. P. 360 (requiring written opinions in connection with dispositive motions upon request and on issues important to the state jurisprudence without request and allowing written opinions in connection with any order).
7. Published opinions are available at <https://www.txcourts.gov/businesscourt/opinions/>.
8. *Westlake Longview Corp. v. Eastman Chemical Co.*, 2025 Tex. Bus. 19 (11th Div.).
9. The full text of H.B. 40 is available at <https://capitol.texas.gov/tlodocs/89R/billtext/html/HB00040F.htm>.
10. H.B. 40 § 45 (amending TEX. GOV'T CODE § 25A.004(d)).
11. *Id.* (adding TEX. GOV'T CODE § 25A.004(i)).
12. *Id.* (amending TEX. GOV'T CODE § 25A.004(d) and adding new § 25A.004(d-1)).
13. H.B. 40 § 47 (amending TEX. GOV'T CODE § 25A.006(a)).
14. *Id.* § 44 (amending TEX. GOV'T CODE § 25A.003).
15. See BCLR 1.

HAWASH HOUSTON

— MEDATION —

SAVE OUR
CONTACT INFO

MEDIATION | ARBITRATION | EARLY DISPUTE RESOLUTION

Michael A. Hawash

Trusted in Business,
Construction, Insurance &
Personal Injury Disputes

30+ Years' litigation and ADR experience.
Known for early, fair resolution that moves
matters forward.

NOW SCHEDULING IN REAL TIME: [HOUSTONMEDIATION.COM](https://HoustonMediation.com)

LAUNCHING TEXAS BUSINESSES FORWARD:

2025 Legislative Developments

Delaware has long worn the crown as America's corporate capital. Yet over the past decade, a new trend has emerged, and that crown has started to shift. Long known as the energy capital and hub of scientific innovation, Texas has become a magnet for investment and corporate growth; more than 2.9 million business entities are incorporated or registered in Texas as of January 1, 2025—up more than 125,000 year-over-year and almost double the number a decade ago. Coupled with the recent amendments to the Texas Business Organizations Code (“TBOC”), Texas has signaled its sustained bid to retain and continue attracting companies.

With an eye toward making Texas the preferred launchpad for novel and existing businesses, the 2025 amendments found in the bipartisan Senate Bill 29 (“SB 29”); Senate Bill 1057 (“SB 1057”); and Senate Bill 2411 (“SB 2411”), among others, are no routine tune-up. These changes codify common-law rules, extend and expand protections to officers and directors, and offer sharper tools to manage risk and litigation costs. With all three of these new laws in effect as of September 1, 2025, Texas entities and their corporate counsel should act quickly to enjoy their full benefit.

Fortifying the Command Structure: Strengthened Protections for Directors and Officers

For decades, Texas officers and directors relied on the common-law business judgment rule to shield decisions made in the

honest exercise of their discretion.¹ SB 29 codifies the business-judgment rule and adds four statutory presumptions in the newly-created section 21.419: that officers and directors are presumed to act 1) in good faith; 2) on an informed basis; 3) in furtherance of the corporation's interests; and 4) in obedience to law and the corporation's governing documents.² While directors and officers of publicly-traded organizations automatically enjoy the benefits of section 21.419, privately-owned organizations must opt in to obtain those presumptions, which supplement—rather than displace—other defenses, immunities, or privileges available to managerial officials or the entity.³ Thus, plaintiffs alleging breaches of fiduciary duties against directors and officers subject to section 21.419 must clear several hurdles. These claimants must rebut at least one section 21.419(c) presumption, *and* they must allege and prove a breach constituting fraud, intentional misconduct, an ultra vires act, or a knowing law violation.

Complementing section 21.419 and the existing 21.418(b) (conflicted-transaction safe harbors), SB 29's amendments to section 21.418(f) protect against claims arising from duties relating to the making, authorizing, or performing of a contract or transaction unless section 21.419 would allow such a claim.⁴ And SB 29 adds section 1.056, which confirms that a managerial official's refusal or failure to conform their powers to another jurisdiction's law or practice is not, by itself, a breach of the TBOC or any duty existing under Texas law.⁵ For limited liability

companies (“LLCs”) and publicly traded limited partnerships (“LPs”), SB 29 goes further. Amended section 101.401 empowers LLCs to expand, restrict, or eliminate any duties—including fiduciary duties—owed by members, managers, officers, or others.⁶ And amendments to section 152.002(e) likewise allow publicly traded LPs to eliminate the statutory duties of loyalty, care, and good faith. In contrast, SB 29 did not change the prohibition on corporations eliminating or limiting the duties of loyalty and good faith.⁷

Separately, SB 2411 amends section 7.001 to extend exculpation to all “managerial official[s].” To use these protections, an entity must elect and specify the exculpated officials in its certificate of formation or other similar organizational instrument. But exculpation cannot apply to 1) breaches of the duty of loyalty; 2) an act not taken in good faith that either constitutes a breach of duty or involves intentional misconduct or knowing violation of law; 3) transactions from which the managerial official received an improper benefit; or 4) express statutory violations.⁸

Firing on All Engines: Modernizing Corporate Governance in Texas

Protection from liability attracts business, but so do efficient procedures and modern statutes. Through SB 29, SB 2411, and SB 1057, the Legislature delivered practical updates that reduce costs and delay and align governance with modern technology and practices.

SB 29 increases flexibility in share-class voting and modernizes record-keeping practices. Under the amended section 21.364(d), corporations may tailor voting across classes or series (including increases or decreases in the authorized shares of a class or series) and permit single-class voting. The new section 21.364(e-1) confirms, if the certificate of formation provides votes shall be as a single class, nonvoting shares remain nonvoting.⁹ And the amended section 21.365(b) allows for the waiver of any class-by-class voting requirements to approve any matter, including any fundamental action or busi-

ness transaction.¹⁰ The amended section 21.218(b-1) excludes social media posts, texts, and emails from records of the corporation unless they “effectuate[] an action by the corporation.” And for entities governed by or opting into section 21.419, the amended section 21.218(b-2) confirms a written demand sent in connection with an active or pending lawsuit (including a derivative suit) is not a proper purpose; the new subpart (b-3) preserves the right to obtain discovery, or a court order compelling the production, of such books and records.¹¹

SB 2411 makes other updates. It amends section 3.106 so boards of directors may approve documents in final or substantially final form and ratify them later.¹² Under the amended section 21.053(c), boards may—without shareholder approval—adopt amended certificates of formation to 1) remove provisions specifying the name and address of initial directors or organizers; or 2) effect a stock split or a reverse stock split if the corporation has only one class of undivided stock and the primary purpose is to maintain listing eligibility on a national securities exchange.¹³ Corporations may now also deliver notices of corporate actions by written consent that includes free, publicly accessible, non-subscription links to electronic copies of the required information (in lieu of hardcopies) under the amended section 6.202(d).¹⁴

SB 2411 further streamlines major transactions and shareholder proposals. Amended section 10.002(e) states that disclosure letters, schedules, or similar documents are not part of the plan of merger unless expressly stated otherwise, but they nonetheless have the effects provided in the plan of merger.¹⁵ The amended section 10.004 will also permit a merger plan to contain an irrevocable appointment of representatives vested with the sole and exclusive authority to act on behalf of owners or members.¹⁶

Finally, SB 1057 provides that certain Texas-based public companies that opt in via section 21.373 can limit proposal-submission thresholds, including 1) propos-

als submitted by owners of at least \$1 million (or 3%) of the voting shares held for the past 6 months and through the meeting on such proposals; and 2) for which the proponent solicited at least 67% of the voting shares.¹⁷

Eliminating Post-Launch Hazards: Additional Protections From Litigation and Complaints

Shareholder demands and derivative suits impose significant risks and costs, including investigations, unfavorable venues, distraction, and attorneys’ fees—not to mention potential liability. Delaware offers tools for its incorporated entities to manage those risks.¹⁸ And with the TBOC overhaul, Texas now has comparable, and sometimes broader, protection while preserving accountability.

SB 29 entitles corporations to petition Texas courts for upfront determinations of the independence and disinterestedness of certain committees. Similar to the special litigation committees under section

21.554, the amended section 21.416(g) allows a corporation to adopt resolutions to form a committee of independent and disinterested directors to review and approve transactions.¹⁹ And under a newly created section 21.416l, a corporation may petition the Texas Business Court (or, where applicable, a district court with competent jurisdiction) for a judicial determination that its committee is independent and disinterested. The court will then appoint counsel to represent the corporation and hold an evidentiary hearing at least 10 days after notifying shareholders.²⁰ Similarly, the amended section 21.554 now permits a corporation—before deciding how to respond to derivative claims—to petition a competent court or the court presiding over the lawsuit to determine independence and disinterestedness of its special litigation committee; absent good cause, the court must hold an evidentiary hearing within 45 days after filing. Whether the petition is brought under section 21.416l or 21.554, absent facts

**BARTHOLET
MEDIATION**

Fluent Spanish-Speaking Attorney/Mediator

Offering Services in mediation and arbitration with the ability to communicate with the parties fluently in Spanish.

Scope of practice includes:

- Personal injury
- Medical-malpractice
- Contracts (commercial business, real estate and property, landlord/tenant)
- Insurance, storm related damage, property disputes, and construction disputes

For scheduling, please call or email: 832-748-3669
jocelyn@bartholetmediation.com

B

**BARTHOLET
—MEDIATION—**

Spanish-Speaking Mediator

THE NATIONAL ACADEMY OF
DISTINGUISHED NEUTRALS
MEMBER

CDM
CERTIFIED DISPUTE
MEDiator
2023
TEXAS MEDIATION
ASSOCIATION

www.bartholetmediation.com | @bartholetmediation

Dominique Bartholet

not presented to the court, its determination “shall be dispositive.”²¹

Affording greater protection than under Delaware law, SB 29 amends section 21.552(a) to further limit derivative claims. Corporations governed by section 21.419 may set in the certificate of formation or bylaws a minimum beneficial ownership interest threshold (up to 3% of the outstanding shares) before a shareholder can assert derivative claims. While all publicly traded corporations enjoy this benefit, any private corporation must also have at least 500 shareholders before adopting this framework.²²

To further limit litigation risk and liability, SB 29’s new section 2.116 confirms the enforceability of a jury trial waiver for internal entity claims even if the shareholder did not individually sign the waiver. If the corporation adopts the waiver, the shareholder is deemed to have knowingly waived this right if such person 1) voted for or ratified the document containing the waiver; or 2) acquired or continued to hold stock in the publicly-traded corporation after adoption of the waiver.²³ Further, the amendments to section 21.561(c) confirm disclosure-only settlements—regardless of materiality of the additional information—do not result in a substantial benefit to the corporation, precluding an award of attorneys’ fees on that basis under section 21.561(b).²⁴

Preparing for Launch: Practical Steps to Capitalize on the TBOC Amendments

Most of the impactful legislative changes to TBOC require affirmative action or opting-in to TBOC’s updated framework. Corporate counsel should explore:

- whether an entity should opt into the business-judgment rule and presumptions in section 21.419;
- the benefits of fixing venue and waiving trial by jury for internal entity claims under sections 2.115(b) and 2.116;
- if ownership thresholds for shareholder proposals and derivative suits under sections 21.373 and 21.552(a) (3), respectively, are beneficial;

- whether appointing independent, disinterested directors to review and approve transactions (under section 21.4161) or serve on a special litigation committee (per section 21.554) would increase respect for corporate directors’ decisions;
- what additional managing officials qualify for exculpation provided by section 7.001;
- for LLCs, whether duties should be expanded, restricted, or eliminated under section 101.401; and
- for LPs, the potential value or risk of eliminating certain statutory, fiduciary duties under the section 152.002(e).

And if duties are altered or new exculpation, indemnification, or advancement is extended, corporate counsel should consider whether additional changes may be necessary to other contracts or governing documents (e.g., indemnification agreements, director and officer insurance coverage, Secretary of State forms). Once a plan is created, corporate counsel should draft original or amended articles of formation, bylaws, and all other governing documents and contracts necessary to adopt and effectuate the desired protections to ensure uniformity of corporate governance.

Corporate counsel should draft policies that match its client’s interests in the modern world. Consider excluding social posts, texts, and emails from corporate books and records unless such documents effectuate corporate action and drafting policies and procedures for rejecting demands for such documents tied to active or threats of litigation. Instead of mailing voluminous copies of disclosures, business entities should upload documents to a secure (but free and publicly accessible) resource, including URLs within written-consent notices. Corporate counsel should also refresh checklists for board approval of final or substantially final forms to include a follow up for later ratification under section 3.106, the non-integration of disclosure schedules unless

expressly stated per section 10.002(e), and appointment of owner representatives under section 10.004.

Remember that amendments and committee appointments often require shareholder approval and that any plan to amend governing documents must allow sufficient time to obtain all necessary approvals. And these protections have little benefit unless used appropriately. Educating directors, officers, and other managerial officials on the additional protections and limitations of the 2025 TBOC amendments, the entity’s relevant corporate procedures, and the future potential risks will help ensure these new tools are used effectively and defensibly. Of course, to best advise their clients who incorporate, organize, or conduct business in Texas, corporate counsel must understand these significant changes and stay apprised of how courts interpret them and their actual, real-world impact on corporate governance and litigation outcomes.

Plotting the Path Forward: Will Texas Dethrone Delaware?

Overnight? No. But with a modernized TBOC, a specialized Texas Business Court, and a record-setting number of entities actively organized and registered here, Texas can credibly claim its status as a go-to jurisdiction for incorporation. Whether Texas truly unseats Delaware remains to be seen. But for corporate counsel and boardrooms alike, one thing remains clear: Texas has started the countdown, and if companies implement TBOC’s new protections and courts deliver predictable rulings, it could take the crown as corporate jurisdiction of choice. ⚖️



Casey Minnes Carter
litigates complex, high-stakes disputes as a shareholder at Munsch Hardt Kopf & Harr, P.C., where she also serves as co-chair of the Women’s Initiative Group. She is a member of The Houston Lawyer Editorial Board.

Endnotes

1. *Sneed v. Webre*, 465 S.W.3d 169, 173 (Tex. 2015) (citing *Cates v. Sparkman*, 11 S.W. 846, 848–49 (Tex. 1889)).
2. TEX. BUS. ORGS. CODE § 21.419(c).
3. See S.B. 29 § 8, 89th Regular Session, Texas Legislature, available at <https://capitol.texas.gov/tlodocs/89R/billtext/pdf/SB00029F.pdf#navpanes=0>.
4. *Id.* § 10.
5. *Id.* § 2.
6. *Id.* § 18.
7. *Id.* § 21.
8. See S.B. 2411 § 16, 89th Regular Session, Texas Legislature, available at <https://capitol.texas.gov/tlodocs/89R/billtext/pdf/SB02411F.pdf#navpanes=0>.
9. See *supra* note 3 § 6.
10. *Id.* § 7.
11. *Id.* § 5.
12. See *supra* note 8 § 9.
13. *Id.* § 23.
14. *Id.* § 15.
15. *Id.* § 17.
16. *Id.* § 18.
17. See S.B. 1057, 89th Regular Session, Texas Legislature, available at <https://capitol.texas.gov/tlodocs/89R/billtext/pdf/SB01057F.pdf#navpanes=0>. Of note, these limitations do not apply to director nominations or procedural resolutions under section 21.373(f).
18. See, e.g., DEL. GEN. CORP. LAW §§ 144, 220; *In re Match Grp., Inc. Derivative Litig.*, 315 A.3d 446, 459 (Del. 2024).
19. See *supra* note 3 § 8.
20. *Id.* § 9.
21. *Id.* § 14.
22. *Id.* § 13.
23. *Id.* § 4.
24. *Id.* § 15; TEX. BUS. ORGS. CODE § 21.561(b).



ADR OF COUNSEL

Active Litigators Mediating

EXPERT PANEL MEDIATORS

				
<u>Rehan Alimohammad</u>	<u>John Charbonnet</u>	<u>John A. Davis</u>	<u>Kathryn Green</u>	<u>Mary Martin</u>
				
<u>Claire Parsons</u>	<u>Charles Peckham</u>	<u>David Siegel</u>	<u>Nathan Wesely</u>	<u>Tariq Zafar</u>



Online Mediation Calendar

S. Mayer Law

Sylvia Mayer, Esq.
MEDIATOR & ARBITRATOR

Civil & Commercial
Mediation & Arbitration
Over 30 Years of
Experience



713.893.0339
smayer@smayerlaw.com
www.smayerlaw.com



WE CAN HELP!

The Houston Lawyer Referral Service

- Average attorney member earns \$20K+ from HLRS referrals each year.
- HLRS Membership starts at \$175.
- HLRS screens referrals to identify potential clients with legal issues within your practice area.
- Over 25K referrals made each year.

We need attorneys that office outside Beltway 8

Email kramsey@hlrs.org
Let us help you grow your practice.

HLRS is certified as a lawyer referral service as required by the State of Texas under Chapter 952, Occupations Code. Additionally, HLRS is one of the select few programs that meet the standards established by the American Bar Association



713.237.9429 (PUBLIC LINE) 713-650-0470 (ATTORNEY LINE)
www.hlrs.org

Texas' New Restrictions on Foreign Ownership of Real Property

Among the over 1,100 bills passed in the Texas Legislature's 89th Regular Session was Senate Bill 17 ("SB 17" or the "Act"), a law that took effect on September 1, 2025, and that sharply limits foreign ownership of Texas real estate.¹ With the passage of the Act, Texas joins at least two dozen other states that have sought to restrict foreign ownership of real estate.

Basis for the Act

The Act, which was authored by Senator Lois Kolkhorst of Brenham and widely supported by Republicans in both chambers, begins by laying out specific perceived national security threats from China, Russia, Iran, and North Korea. The enumerated threats include, among other things, China's theft of American intellectual property, health risks posed by China, Russia's attempts at cyberattacks, Iran's efforts to develop surrogate networks inside the United States, and North Korea's pursuit of military capabilities that threaten the United States. In determining which threats to tackle, the Legislature was informed by the determinations of the United States Director of National Intelligence in the 2025 Annual Threat Assessment of the U.S. Intelligence Community. Based on these threats, the Act calls upon the police powers of the state to amend the Texas Property Code.

Basics of the Act

The Act amends section 5.005 of the Texas Property Code, which previously stated that "[a]n alien has the same real and personal property rights as a United States Citizen." The newly enacted law adds a lengthy ex-

ception to this general rule in Subchapter H of Chapter 5 of the Property Code. And, in true statutory fashion, the exception comes with its own set of exceptions. The amended section 5.005 prohibits acquisition of real property interests by governmental entities of designated countries, individuals who are domiciled in or are citizens of designated countries, and companies owned or controlled by such governmental entities or individuals.

Acquisitions Covered by the Act

Any purchase or other acquisition of an interest in real property occurring on or after September 1, 2025, is covered by the Act. An interest in real property includes ownership or leasehold interests, other than leases for less than one year. "Real property" is broadly defined in the Act to include commercial, agricultural, industrial, and residential land, as well as mineral interests, standing timber, mines, quarries, easements, and water rights. Although "other acquisition[s]" are not defined in the Act, it would presumably include gifts, inheritances, or acquisitions through a court order.

People and Entities Covered by the Act

The Act prohibits four categories of foreign parties from acquiring real property interests: governments, entities, individuals, and transnational criminal organizations.

Designated Countries and Governmental Prohibition

The Act initially designates China, Russia, Iran, and North Korea as prohibited countries, with provisions for future additions. A country qualifies as "designated" through

either: (1) identification by the U.S. Director of National Intelligence as posing a national security threat in at least one of the three most recent Annual Threat Assessments, or (2) designation by the Texas governor pursuant to the Act's procedures.

The governor may add countries to the designated list after consultation with the director of the Department of Public Safety and the Homeland Security Council if they determine that real property ownership by the specific country, transnational criminal organization, or entity poses national security risks. Once the governor makes this determination and designation, the Act applies prospectively to acquisitions occurring after the designation date.

Entity and Individual Prohibitions

Beyond the restrictions on governmental entities, the Act prohibits entities headquartered in or controlled by designated countries from acquiring property in Texas. Individual prohibitions extend to: (1) persons domiciled in designated countries; (2) citizens of designated countries domiciled outside the United States and outside a designated country and who have not naturalized in their country of domicile; (3) citizens of designated countries unlawfully present in the United States; (4) non-U.S. citizens acting on behalf of designated countries; and (5) members of designated countries' ruling parties. The Act also prohibits entities owned or controlled by any of these prohibited individuals from acquiring real estate.

Transnational Criminal Organizations

A transnational criminal organization is a group of two or more people who are citizens of or domiciled in a designated country that has clear leadership and operates internationally by regularly engaging in corruption, violence, or criminal activities. None of these organizations are specifically designated in the Act, but the governor is granted broad authority to designate organizations that fit the description.

Exceptions to the Act

The Act exempts U.S. citizens, lawful permanent residents, and the entities they control entirely. It also includes a limited exception for citizens of designated countries

who are legally present and residing in the United States: they may purchase residential property for use as their residential home- stead. This exception covers temporary visa holders from designated countries who plan to return home but want to buy a house to live in while in the United States.

The Act does not address what happens if someone who legally purchased a home- stead later converts it to an investment prop- erty—either by choice or because they leave the country. However, since the law focuses on the buyer's intent at the time of purchase rather than ongoing ownership, continued ownership of such converted properties like- ly remains legal under the Act.

Enforcement of the Act

The Act empowers the Texas attorney gen- eral to begin enforcement by reviewing real estate transactions to identify and investigate potential violations. If the results of an inves- tigation convince the attorney general that a violation has occurred, the attorney general can bring an *in rem* action against the prop- erty in the district court for the county where the property is located and can refer the matter to the appropriate law enforcement agency. If the district court determines that there has been a violation of the Act, it must enter an order stating the finding, ordering divestiture of the property, and appointing a receiver. The receiver is tasked with divest- ing the interest in the real property through sale, termination, or other means necessary. The receiver must also hold and manage the property throughout the process.

Once a receiver is appointed, the receiver has all of the rights and duties outlined in Chapter 64 of the Texas Civil Practice and Remedies Code. After a sale of the property, the receiver will first distribute the proceeds to pay off any liens on the property and then reimburse the state for the costs of enforce- ment. The receiver will deliver any excess proceeds to the person who acquired the property in violation of the Act.

In addition to divestiture, the Act provides for civil and criminal penalties against those who knowingly and intentionally violate the Act. A violation of the Act is considered a state jail felony, which allows for a jail sentence of between 180 days and 2 years and a fine of up to \$10,000. An action can be brought

against companies or entities that violate the Act seeking civil penalties of the greater of \$250,000 or fifty percent of the value of the real estate interest.

Practical Considerations

While the Act does not render a purchase of a real estate interest void, it does automatically void prohibited lease transactions. Land- lord-tenant lawyers should advise clients to strengthen their tenant screening for leases of a year or more—without crossing the line into fair housing violations. Since many resi- dential leases are for a period of exactly one year, it will be necessary to inquire about citizenship, domicile, and intended use of the property prior to lease execution. This necessity for increased screening will need to be balanced with the necessity of follow- ing federal fair housing laws, which prohibit making rental decisions based on someone's race or national origin.

The Act may also cause issues with prop- erties that are inherited by disqualified in- dividuals. It is uncertain whether acquir- ing a property through inheritance will be considered intentional or knowing. If it is, it remains unclear whether the person acquir- ing the property will be able to sell it without fear of civil or criminal penalties. Additional consideration must also be given to estate planning for people who plan to leave an in- heritance to a prohibited individual or whose intestate heirs are prohibited individuals.

While the Act does not impose liability on sellers for selling to a prohibited individual or entity and places enforcement solely in the hands of the attorney general, it is likely that title companies and their underwriters will develop new standards that screen for potentially unlawful purchases. Addition- ally, lawyers working in the real estate field should consider whether certain indemnities may be appropriate in the event of an unlaw- ful purchase.

Criticism and Potential Challenges

As with any new law, this area will develop over time, especially as the attorney general develops policies and procedures for enforce- ment. However, there has been no delay in criticism of the Act. Many civil rights activ- ists claim the Act will lead to discriminatory profiling that may be amplified by ambigu-

ties in the enforcement procedures.² There has also been concern expressed about the broad power granted to the Governor to des- ignate additional countries or transnational criminal organizations. Texas Democrats attempted to introduce changes that would establish specific investigation procedures, including specifying a burden of proof, but those changes were not approved for incor- poration into the Act. Proposed changes that would exempt certain visa holders, such as students, researchers, and athletes, also did not receive enough support to make it into the Act.³

Court challenges to the Act are already in the works and resemble challenges mounted in Florida against similar legislation. Early litigation alleges that the Act is unconstitu- tional because it violates due process due to vagueness, is preempted by federal fair hous- ing laws, and violates the equal protection clause.⁴ While some lawsuits have been dis- missed for lack of standing,⁵ it is likely that some of these challenges will make it further in the courts.

For now, SB 17 creates more questions than answers. Lawyers across real estate, corporate, and estate planning practices should prepare compliance checklists, watch for attorney general guidance, and anticipate constitutional challenges. 🏠



Carey Worrell is the managing attorney of **SimpleLawTX**, a Texas law firm specializing in offering efficient solutions in the areas of business, real estate, estate planning, probate, and im- migration. She is a member of The Houston Lawyer Editorial Board.

Endnotes

1. See S.B. 17, 89th Regular Session, Texas Legislature, available at <https://capitol.texas.gov/tlodocs/89R/bill-text/pdf/SB00017F.pdf#navpanes=0>.
2. See John Wayne Ferguson, *Chinese nationals living in Texas sue to block land ownership ban, calling in discrimi- natory*, THE HOUSTON CHRONICLE, available at <https://www.houstonchronicle.com/politics/texas/ar- ticle/chinese-nationals-sue-block-land-ban-20803102. php> (last visited Sept. 1, 2025).
3. See generally Bill History, TEXAS LEGISLATURE ON- LINE, <https://capitol.texas.gov/billlookup/History. asp?LegSess=89R&Bill=SB17>.
4. See, e.g., *Wang v. Paxton*, No. 4:25-CV-03103, 2025 WL 2402324 at *3 (S.D. Tex. Aug. 18, 2025).
5. *Id.* at *11.

HBA'S LEGALLINE POWERED BY HVL:

Working to Narrow the Justice Gap

It is well-known in the legal community, or at least it should be, that there is a significant disparity between the civil legal needs of low-income Texans and the available resources to meet those needs. Every year, 92% of low-income Americans do not get any or enough legal help for their substantial civil legal problems.¹

The Houston Bar Association (HBA) has had a long history of helping address the justice gap in the greater Houston area through their LegalLine program, which allowed individuals to call in and receive legal information from volunteer attorneys. To increase impact and more effectively serve the Houston community, in 2023, the HBA and Houston Volunteer Lawyers (HVL) merged HBA's LegalLine program with HVL's advice and counsel volunteer clinics, forming the HBA LegalLine Powered by HVL. Thanks to this partnership and the commitment of Houston's legal community, in 2024, HVL was able to provide advice and counsel to approximately 3,000 indi-

viduals through this program alone.

HBA's LegalLine Powered by HVL has shifted the way that applicants receive meaningful assistance with their civil legal needs by utilizing volunteer attorneys to provide tailored case-specific advice and counsel. The program provides a remote volunteer opportunity where pro bono attorneys receive a list of prescreened applicants to call along with helpful guidance and access to HVL staff attorneys who are available to provide mentorship. LegalLine offers volunteer opportunities for: those who do not have time to take a case; new volunteers who have not done pro bono work before; those in the corporate world or who have a transactional practice; and groups to volunteer as an activity.

These remote clinics occur on alternating Wednesdays and Fridays. Accommodations for date and time can be made with volunteer and client agreement. Clients are informed in advance that they are receiving limited advice and counsel and are given a general time

window to expect a call from their pro bono attorney. Once all calls are completed, volunteers send notes summarizing the advice they offered clients. If a volunteer attorney fails to complete their calls, HVL works to ensure that those clients relying on HBA's LegalLine Powered by HVL will still get the help they need, although this impacts the number of people HVL is able to serve. Thanks to our volunteers, around 100 individuals a week receive often life-changing legal assistance they would otherwise not have access to.

Volunteers for HBA's LegalLine Powered by HVL have a significant impact on the individuals they help. The justice gap, and the resulting effect that only a minority of low-income Americans believe that they will be treated fairly and helped by the U.S. civil legal system,² erodes the community's faith in attorneys and the courts. Indeed, over half of individuals who report that they do not get the legal help they need also share that these legal issues substantially impacted their safety, physical or mental health, finances, or relationships.

By volunteering for HBA's LegalLine Powered by HVL, you can help narrow the persistent justice gap. Relying on resources and mentorship provided by HVL, you can make a difference by providing advice to neighbors in need of assistance with civil legal issues. You may be the first and only attorney an applicant will have a chance to receive guidance from. The legal advice and counsel you provide allows individuals to understand their options and to obtain clarity about what they need to do to resolve their legal issue. You can volunteer as an individual, firm, organization, section, committee, alumni group, or with colleagues. To learn more and sign up to volunteer, visit makejusticehappen.org or email HVL at probono@hvlp.org 

Jessica Howton Stool is the executive director of Houston Volunteer Lawyers (HVL), an ancillary organization of the HBA which provides free, civil legal services to low-income residents of the greater Houston area. Prior to joining HVL in 2023, she served as managing attorney of the Tahirih Justice Center for 12 years. More about HVL at makejusticehappen.org.

Endnotes

1. The Justice Gap: Executive Summary, Legal Services Corporation, <https://justicegap.lsc.gov/resource/executive-summary/>.
2. *Id.*

ATTORNEYS FIRST INSURANCE

"I only wish I had found them sooner!"

Laura A Vogel, Esq.
Licensed Real Estate Attorney

Their quote - \$7,927.00

Our quote - \$4,055.00

Attorney First Insurance
Specialists In Professional Liability For Lawyers and Title Agents
Phone: 727-799-4321
Email: sam@attorneysfirst.com

Supporting the Leaders Who Are Making a Difference

We are proud to support the **Houston Bar Foundation's 76th Annual Harvest Party** and its mission to serve the Houston community through equal access to justice and the rule of law.

akingump.com

©2025 Akin Gump Strauss Hauer & Feld LLP. All rights reserved.
Attorney advertising. Prior results do not guarantee a similar outcome.

Akin



The Houston Bar Association and Houston Bar Foundation cordially invite you to attend the 76th Annual Harvest Party

Monday | November 10, 2025 | 7:00 – 10:00 p.m. | River Oaks Country Club

- Net proceeds from the Harvest Party directly benefit Houston Volunteer Lawyers and their essential pro bono legal services in the greater Houston community.
- Since 1999, Houston law firms and attorneys have supported HVL's vital services to the community through the annual Harvest Party.
- Every dollar donated is amplified into \$4 of pro bono legal services provided to Houstonians in need.
- By supporting the Harvest Party through sponsorships and ticket purchases, you are helping Houston Volunteer Lawyers

provide critical pro bono legal services that support recovery and healing, such as legal recourse after a natural disaster, landlord tenant issues, consumer issues, domestic problems, and estate planning.

We want to thank all of our current sponsors for your support, and especially the law firms, corporations, and individuals who joined us at the Diamond, Sapphire, and Ruby levels. There is still time to sponsor the Harvest Party and purchase tickets at hba.org/harvest.

DIAMOND SPONSORS

BAKER BOTTS
BRACEWELL
HUNTON
ANDREWS KURTH

NORTON ROSE FULBRIGHT

troutman
pepper locke
Vinson & Elkins LLP
— WILLIAMS —
HART & BOUNDAS

RUBY SPONSORS

**Benny Agosto, Jr., &
Nikki Agosto**

Akin



**HBA Litigation
Section**

Morgan Lewis

SAPPHIRE SPONSORS

BakerHostetler

BLANKROME



THOMAS J HENRY

**WINSTON
& STRAWN**
LLP



**THE NATIONAL ACADEMY OF
DISTINGUISHED NEUTRALS**

America's Premier Civil-Trial Mediators & Arbitrators Online



View Bios & Available Dates Calendars for our TX Chapter Members, free at

www.TexasNeutrals.org

Proud ADR Sponsor to the
National Defense & Plaintiff
Bar Associations

dri Lawyers
Representing
Business.™



Equal Access Champions

The firms and corporations listed below have agreed to assume a leadership role in providing equal access to justice for all Harris County citizens. Each has made a commitment to provide representation in a certain number of cases through the Houston Volunteers Lawyers.

Abraham, Watkins, Nichols, Agosto,
Aziz & Stogner
Akin Gump Strauss Hauer & Feld LLP
Angela Solice, Attorney at Law
Archie Law PLLC
Baker Botts L.L.P.
BakerHostetler LLP
Baker Hughes
Beck Redden LLP
Blank Rome LLP
Bracewell LLP
CenterPoint Energy, Inc.
Chamberlain Hrdlicka
Chevron USA
Coane & Associates
Dentons US LLP
Elizabeth S. Pagel, PLLC
Eversheds Sutherland US LLP
Exxon Mobil Corporation
Fleurinord Law PLLC
Foley & Lardner LLP
Gibbs & Bruns LLP
Gibson, Dunn & Crutcher LLP
Gray Reed
Greenberg Traurig, LLP
Halliburton
Hasley Scarano, L.L.P.
Haynes and Boone, LLP
Hunton Andrews Kurth LLP
Jackson Walker LLP
Jenkins & Kamin, L.L.P.
King & Spalding LLP
Kirkland & Ellis LLP

Law Office of Cindi L. Rickman
Law Offices of Omonzusi Imobioh
Limbaga Law
LyondellBasell Industries
Martin R.G. Marasigan Law Offices
McDowell & Hetherington LLP
McGarvey PLLC
Michael L. Fuqua P.C.
Morgan, Lewis & Bockius LLP
Northum Law
Norton Rose Fulbright
O'Melveny
Painter Law Firm PLLC
Reed Smith LLP
Royston, Rayzor, Vickery & Williams, LLP
Sanchez Law Firm
Shell USA, Inc.
Shipley Snell Montgomery LLP
Shortt & Nguyen, P.C.
Sidley Austin LLP
Squire Patton Boggs
The Ericksen Law Firm
The Jurek Law Group, PLLC
Troutman Pepper Locke LLP
Vasquez Waite
Vinson & Elkins LLP
Weycer, Kaplan, Pulaski & Zuber, P.C.
Wilson, Cribbs, & Goren, P.C.
Winstead PC
Winston & Strawn LLP
Yetter Coleman LLP



Party with a Purpose

THANK YOU TO THE UNDERWRITERS OF THE 76TH ANNUAL HARVEST PARTY (AS OF SEPTEMBER 29, 2025).

Diamond Sponsors

Baker Botts L.L.P.
Bracewell LLP
Hunton Andrews Kurth LLP
Norton Rose Fulbright
Troutman Pepper Locke LLP
Vinson & Elkins LLP
Williams Hart & Boundas, LLP

Ruby Sponsors

Benny Agosto, Jr. & Nikki Agosto
Akin Gump Strauss Hauer & Feld LLP
AZA
Chevron Corporation
HBA Litigation Section
Morgan, Lewis & Bockius LLP

Sapphire Sponsors

BakerHostetler LLP
Blank Rome LLP
CenterPoint Energy, Inc.
Chamberlain Hrdlicka
Thomas J. Henry Law
Winston & Strawn LLP

Gold Sponsors

Arnold & Porter
Beck Redden LLP
Gibbs & Bruns LLP
Haynes and Boone, LLP
Hicks Davis Wynn, P.C.
Hicks Thomas LLP
Johnson DeLuca Kurisky & Gould, P.C.
Latham & Watkins LLP
Spencer Fane LLP

Silver Sponsors

Abraham, Watkins, Nichols, Agosto,
Aziz & Stogner
Barry & Sue Abrams
Jane & Doug Bland
ConocoPhillips
Cozen O'Connor
Diggs & Sadler
DLA Piper LLP (US)
Foley & Lardner LLP
Kerry Galvin
Gibson, Dunn & Crutcher LLP

Tom & Debbie Godbold
Hagans
Halliburton
Harris County Robert W. Hainsworth Law
Library
HBA Family Law Section
HBA Real Estate Law Section
JAMS
Jim Adler & Associates
Jones Day
Kane Russell Coleman Logan PC
King & Spalding LLP
McGuireWoods LLP
Miles Mediation & Arbitration
W. Michael & Laurie D. Moreland
Munsch Hardt Kopf & Harr, P.C.
O'Melveny
Pillsbury Winthrop Shaw Pittman LLP
Quanta Services
Shipley Snell Montgomery LLP
Sidley Austin LLP
Shook, Hardy & Bacon L.L.P.
Steptoe LLP
Susman Godfrey LLP
Willkie Farr & Gallagher LLP
Wright Close & Barger, LLP
Yetter Coleman LLP

Bronze Sponsors

Kathleen & Martin Beirne
Bissinger, Oshman, Williams &
Strasburger LLP
Bradley Arant Boult Cummings LLP
Burford Perry, LLP
Christian Attar
Clark Hill
Gregory Cokinos; Cokinos Young
Coné PLLC
Conklin Countiss Sternfels, PLLC
Collin & Jacquelyn Cox
Crowe LLP
Mindy & Joshua Davidson
Dentons US LLP
Dinsmore & Shohl, LLP
Energy Transfer
Fisher & Phillips LLP
Fogler, O'Neil and Gray, LLP
Frost Brown Todd LLP

Hon. Michael & Diana Gomez
Gray Reed
Gregory Law
David & Tammie Harrell
Harris County Attorney's Office
Harris Hoss Mediations & Arbitrations
HBA Alternative Dispute Resolution Section
HBA Energy Law Section
HBA Federal Practice Section
HBA Labor & Employment Section
HBA Mergers & Acquisitions Section
Hispanic Bar Association of Houston
Hogan Thompson Schuelke LLP
Hon. James Horwitz
Houston Lawyer Referral Service, Inc.
Houston Young Lawyers Association
Jackson Walker LLP
Jenkins & Kamin, LLP
Jordan Lynch & Cancienne PLLC
Kean Miller
Kherkher Garcia, LLP
Liskow
Mahendru, PC
Mayer Brown LLP
McDowell Hetherington LLP
Audrey Momanace
OWLawyers
Jeff Paine & Brandon Holcomb; Goldman
Sachs
Paul Hastings LLP
Plains All American Pipeline, L.P.
Porter Hedges LLP
Rapp & Krock PC
Reynolds Frizzell LLP
South Texas College of Law Houston
Texas Lawyers' Insurance Exchange
Jennifer Tomsen
University of Houston Law Center
Vasquez Waite PLLC
Vorys, Sater, Seymour and Pease LLP

Crystal Sponsors

Hon. Terry Adams
Anna Archer
Association of Women Attorneys
Katie & Stephen Baehl
Sharon M. Beausoleil
Susan L. Bickley & Bob Scott

Bragg Law PC
 Sejal Brahmabhatt
 Keri Brown
 Bush Seyferth PLLC
 BWA Video, Inc.
 Daniel D. Horowitz, III, PC
 David Toy Law Firm
 Wendy & Alistair Dawson
 Amy Catherine Dinn
 Emma Doineau
 Eric & Kami D'Olive
 Carter Dugan
 Kaylan & John Dunn
 Andrew Edelman
 Hon. Mike Engelhart
 Polly & Stephen Fohn
 Todd Frankfort
 Jackie & John Furlow
 Lynn & Stewart W. Gagnon
 Roland Garcia
 Hon. Joseph "Tad" Halbach
 David T. Harvin
 Gregory & Jennifer A. Hasley
 Hon. Kristen Hawkins
 HBA Appellate Practice Section
 HBA Bankruptcy Section
 HBA Commercial & Consumer
 Law Section
 HBA Construction Law Section
 HBA Corporate Counsel Section
 HBA Criminal Law & Procedure Section
 HBA Juvenile Law Section
 HBA Taxation Section
 HBAA Charitable Fun, Inc.
 Linda & Tracy Hester
 Hirsch and Westheimer P.C.
 Humphrey Law PLLC
 Jim & Cisselon Nichols Hurd
 Shae Keefe & Mark Jacobs
 Sara & Jason Keith
 Neil & Dana Kelly
 Kuchler Polk Weiner
 Daniella D. Landers
 Law Office of Frederick J. Wagner
 James Leader
 Elizabeth & Russell Lewis
 Kelline Renee Linton
 Hon. Erin Lunceford & Mike Lunceford
 Hon. Sylvia Matthews
 Tim & Ginnie McConn
 McGarvey PLLC
 Hon. David Medina & Hon. Pamela Medina
 MehaffyWeber PC
 Hon. Margaret Mirabal
 Monty & Ramirez LLP
 Hon. Daryl L. Moore
 Greg & Jennifer Moore
 Hon. Melissa M. Morris
 Naimeh Salem & Associates
 Nathan Sommers Gibson Dillon PC
 Stephanie Noble
 Christopher Northcutt
 Dudley & Judy Oldham
 Olson & Olson, LLP

Robert & Taunya Painter
 Dr. & Mr. Christine & Seepan Parseghian
 Connie H. Pfeiffer
 Colin & Sangita Pogge
 Chris Popov
 Kelly & Mike Prather
 Quadros Migl & Crosby PLLC
 Aaron M. Reimer & Amanda Heidemann
 Reimer
 Hon. Frank Rynd
 Travis & Sandy Sales
 Denise & John Scofield
 Hon. Jerry Simoneaux
 Shell USA, Inc.
 Quentin & Aerin Smith
 Hon. Susan S. Soussan
 Sponsel Miller PLLC
 The Buck Family Fund
 Travis Torrence & Heath LePray
 Samantha Torres & Jimmy Hollowell
 Hilary Tyson
 Sandy & Greg Ulmer
 Roy & Dominique Varner
 Ware, Jackson, Lee, O'Neill, Smith &
 Barrow, LLP
 West Mermis, PLLC
 Richard & Laura Whiteley
 Hon. LaShawn Williams
 Andrew Yeh & Ann Elise DeBelina
 Krisina Zúñiga & Rick Houghton

Friend Sponsors

Scott Ellis
 Cesar Espinoza, Probate and Trust Realtor
 Hon. Tanya Garrison
 HBA Probate, Trusts & Estate Section
 Amy Heaton
 Sylvia Mayer with S. Mayer Law
 Hon. Beau Miller
 Holly Nini
 Robin Preussel Phillips
 Jane Langdell Robinson
 Screen International Security Services Ltd.
 Hon. Charles Spain & John Adcock
 The Law Offices of Omondi & Associates,
 PLLC
 Hon. Cheryl Elliott Thornton
 TONER Home Performance

Other Sponsors

HBA Environmental Law Section

In-Kind Sponsors

Innovative Legal Solutions



Patricia J. Kerrigan

ALTERNATIVE DISPUTE RESOLUTION



Experienced and Effective

- Served 10 years as Judge of Harris County District Court 190
- Active arbitration and mediation practice since 2017
- Specializing in complex commercial, energy, employment, and health care disputes
- Member American Board of Trial Advocates (ABOTA)
- Listed on Commercial, Energy and Employment panel lists since 2017 with The American Arbitration Association
- Available for independent arbitrations and Rule 151 Special Judge Assignments

281.825.9736

admin@PatriciaJKerriganpc.com | PatriciaJKerriganpc.com



Thank you to the HBA, HBF, and HVL board members for their service and support of the 76th Annual Harvest Party!

**Melanie Bragg
Sejal Brambhath
Keri Brown
Collin Cox
Mindy Davidson
Emma Doineau
Carter Dugan
Kaylan Dunn
Andrew Edelman
Hon. Mike Engelhart
Todd Frankfort
Jacqueline Furlow
David Harrell**

**Jennifer A. Hasley
Linda Hester
Benny Agosto, Jr.
Sara Keith
Daniella Landers
Jamie Leader
Kelline Linton
Cassandra McGarvey
Audrey Momanae
Greg Moore
Stephanie Noble
Christopher Northcutt
Robert Painter**

**Seepan Parseghian
Colin Pogge
Chris Popov
Aaron Reimer
Denise Scofield
Lena Silva
Tramaine Singleton
Sam Torres
Greg Ulmer
Richard Whiteley
Andrew Yeh
Krisina Zuñiga**

HBA Initiative Serves 14,000+ Community Members in Just Two Days

Nearly 300 volunteers joined the Houston Bar Association for its Days of Service events on September 26 and September 27. Attorneys and members of the judiciary turned out to support eight local causes, ranging from legal clinics and seminars, literacy projects, food packaging, athletic events for the IDD community, and preserving the history of a 1915 African American cemetery.

The initiative is part of HBA President Daniella Landers' focus areas for the 2025-2026 HBA Bar year.

"I am incredibly proud of the difference Houston attorneys make when we come together to make a meaningful impact on our local community," said Landers. "As attorneys, volunteerism isn't just part of our profession-

al responsibility. It also demonstrates how integrated our members are to the fabric of Houston. I want to thank our incredible volunteers and partner organizations for your dedication to the HBA Days of Service."

HBA Days of Service Highlights

- Over 70 volunteers installed a historic marker and helped restore one of Houston's oldest African-American cemeteries
- 4,100+ children's books sorted and nearly 4,000 books packed to benefit over 1,200 students
- 16,000 lbs. of fresh oranges bagged at the Houston Food Bank, providing more than 13,300 meals to those experiencing food insecurity in Houston. 

THANKS TO OUR PARTNERSHIP ORGANIZATIONS

American Legion Post 521 in Pasadena
Bayou Preservation Association
Bloom Dance
Books Between Kids
Fit Houston
Fort Bend County Bar Association
Friends of Dawson Lunnon Cemetery Association
FTI Consulting Black Employee Network (BEN)
HBA/HBF/HVL Veterans Legal Initiative
Houston Food Bank
Houston Lawyers Association
Houston Volunteer Lawyers
Houston Young Lawyers Association
Pursuit Center
The Beacon
The Montrose Center

THANKS TO EVENT SPONSORS

Bayou Preservation Association
Bracewell LLP
Daniella Landers
FTI Consulting

THANKS TO THE HBA COMMITTEES WHO LED OUR DAYS OF SERVICE EVENTS

HBA AIDS Outreach Committee
HBA Campaign to End Homelessness and Hunger Committee
HBA Fun Run Committee
HBA Lawyers for a Beautiful Houston Committee
HBA Lawyers for Literacy Committee
HBA LGBTQ+ Committee
HBA Military & Veterans Committee
HBA Special Olympics Committee
HBA Wellness Committee

The HBA will host another Day of Service in the spring on Saturday, March 28, 2026. Visit hba.org/dos to learn more.

Do I Know A Property Tax Lawyer?



COMPREHENSIVE STATEWIDE PROPERTY TAX REPRESENTATION

Trusted by Lawyers, Tax Consultants and Taxpayers Since 1981

17480 DALLAS PARKWAY, SUITE 210
DALLAS, TEXAS 75287
214.506.1073

JOHN@TEXASPROPERTYTAXATTORNEYS.COM

WWW.TEXASPROPERTYTAXATTORNEYS.COM



HBA President Daniella Landers (left) joins volunteers to help install a State Historical Commission marker at the Dawson Lunnion Cemetery in Houston's East End. Volunteers also participated in beautification efforts to preserve this 1915 African American cemetery, including removing debris, landscaping, and reconstructing pathways.



Volunteers, including Houston Young Lawyers Association Immediate Past President Brittney Mandarin (left), sort books for at-risk elementary-aged children at Books Between Kids.



The Veteran Legal Clinic provided in-person advice and counsel for veterans, with support from witnesses and notaries assisting with legal documents and related services. Volunteers included HBA Board Member Richard Whiteley (second from left) and HBA Military & Veterans Committee co-chairs Barney Dill and Eric D'Olive (third and fourth from right, respectively).



HBA members partnered with Pursuit Center and Fit Houston for a morning of engaging physical activities with individuals who have intellectual and developmental disabilities, including bocce ball, soccer, softball, and an indoor fitness class.



Volunteers sorted and bagged 16,000 lbs. of fresh oranges, providing more than 13,300 meals for Houstonians experiencing food insecurity.



Daniella Landers welcomes attendees to the LGBTQ+ Legal Seminar held at the Montrose Center, featuring a panel discussion and breakout sessions to share legal information and resources in a welcoming and inclusive environment.



HBA President-Elect Greg Ulmer (left) installs a Little Free Library, one of four volunteers installed as part of the HBA Days of Service.



Attorneys volunteered at The Beacon to help individuals experiencing homelessness regain vital documents and clear eligible records.



Clients praise Heather's "hard work and persistence" and "exceptional skills" in settling tough cases and say she "truly listens to the parties and brings fresh energy to each mediation."

JAMS Welcomes Mediator/Arbitrator

Heather McFarlane, Esq.

A mediator for over 15 years and a trial lawyer for more than two decades, Ms. McFarlane has a background in complex commercial litigation and extensive trial experience in both state and federal courts. At JAMS, she will focus on resolving business/commercial, intellectual property, personal injury/torts and professional liability matters.

jamsadr.com/mcfarlane


The way forward™

**VANESSA C. BOTELLO**

Served from 2000 to 2003 as a military officer, where she was responsible for law enforcement, security and safeguarding personnel, and facilities.

By ANIETIE AKPAN

When Vanessa C. Botello joined the U.S. Army in 2000, she wasn't just looking for a job—she was looking for direction. After facing personal and academic challenges, she saw the military as a way to push herself, build discipline, and find purpose through service. From 2000 to 2003, Botello served as a military officer, where she was responsible for law enforcement, security and safeguarding personnel, and facilities. “I’ll never forget the bonds I formed with my fellow soldiers,” Botello shared, “the pride of serving overseas, and the lessons in resilience and leadership [that] have stayed with me ever since.”

Botello carried her sense of duty beyond the military, determined to continue serving in a new capacity. She transitioned into federal law enforcement and eventually became a federal detective, investigating crimes and working alongside agencies such as the FBI and federal prosecutors. The experience deepened her understanding of the justice system—but also revealed its flaws: “During my time as a federal detective, I saw firsthand how the legal system impacts people’s lives,” says Botello, “I also saw situations where power was abused or justice wasn’t served.” This experience made the next step in her career journey clear. If she wanted to effect meaningful change and advocate directly for individuals, she needed to move from investigation to representation. For Botello, becoming an attorney wasn’t a career shift, it was the natural progression of her commitment to

justice and public service. In her current position as a criminal defense attorney at Dunham & Jones, she harnesses her unique background in military service, federal law enforcement, and legal advocacy to provide strategic, compassionate, and justice-driven representation for her clients.

Vanessa’s path to this role was shaped not only by her prior service, but also the lessons she learned as a student at South Texas College of Law Houston—lessons that were reinforced by the guidance of mentors who played a pivotal role in her development as an advocate: the late Professor Doug McNabb and Mr. Kirk Guillory, who provided academic and professional mentorship and personal encouragement, respectively.

For Botello, the skills honed during her military service—discipline, attention to detail, and the ability to remain calm under pressure—are tools she relies on daily in her law practice.

From trial preparation to high-stakes courtroom moments, she approaches each challenge with the same focus and determination she learned in the Army. She believes veterans bring those same qualities to the legal profession: resilience, adaptability, and a mission-driven mindset. “Hiring . . . veterans means you’re getting someone who is dedicated, dependable, and committed to seeing things through,” she says—qualities that continue to define her, both in and out of uniform. 🏠

Anietie Akpan is director corporate counsel of Mattress Firm, Inc. and a member of The Houston Lawyer’s editorial board.



Vanessa Botello (right) serves on the South Texas College of Law Houston Veteran Law Students Association with Matthew Alarcon.



Beck Redden is a proud sponsor of the Houston Bar Association's and Houston Bar Foundation's Harvest Party and the Houston Volunteer Lawyers' mission of advancing access to justice. This year, we honor the legacy of our beloved partner and friend, Alistair Dawson, Past President of the Houston Bar Association and Board member of the Houston Bar Foundation, whose lifelong commitment to pro bono service and community leadership will continue to inspire us to answer the call to serve.



Beck Redden LLP is a civil trial and appellate law firm representing clients in Texas and throughout the United States.



1221 McKinney Street, Suite 4500, Houston, Texas 77010 | 713.951.3700 | www.beckredden.com

LENA SILVA:

From Jest to Justice

By DAVE LOUIE

Standup comedy and trial advocacy seem like opposite pursuits. Yet, as Houston lawyer Lena Silva will attest, they have far more in common than you think. Lena is a trial lawyer with Steptoe and president of the Houston Young Lawyers Association. But in 2014, she was on a different path. Lena—then an English teacher at Yes! Prep in Houston—was invited by her best friend to an open mic comedy night at a bar. Lena was captivated.

“It was raw and enjoyable—oral communication mixed with art, brevity, and concision,” she says. Lena continued attending open mic shows over the next several months and quickly decided she wanted to perform. “Good comedy is good professional writing. I had a lot of energy and loved writing. I regularly journaled, including about the funny things that my students did.”

Lena first took the stage at Rudyard’s, starting with two minutes of material and eventually developing thirty-minute sets. Preparing and performing comedy routines was laborious, with many hallmarks of litigation. Lena watched other comics; she wrote, edited, and wrote some more; she rehearsed in the mirror and recorded herself; she memorized her routine and developed a roadmap to keep her set on track; she sought feedback on her performance from seasoned comedians. Brevity also mattered: “I learned to cut the fat. It was important to be as concise as possible while still delivering the message.”

The parallels between comedy and trial work don’t stop there. “Standup is like a good cross examination with blocks,” Lena explains. “You know the material so well that you can pivot or improvise because you’ve mastered the material. The best comedians are like good litigators—they’ve internalized the material. They know what they’re trying to accomplish. They listen, observe, and interact with their environment.” When performing, Lena would not only read the room’s reac-

tion, but she knew the demographics of the area of town where she was performing so she could adapt and engage with the audience. She also leveraged other advantages. “Being a woman in a male-dominated field sometimes helped. There were few

women in local comedy, so it helped connect with audiences that often might be fifty percent women,” she says. She has used these skills in her legal practice to connect with clients and juries.

Lena’s approach to comedy proved successful. She was invited to perform at other venues around town, including sets at the Improv comedy club. But the culmination of her comedy career came in 2015 when she participated in a competition at Phoenixia to be crowned “Houston’s

Funniest,” where she earned her spot as runner-up to the future Emmy-nominated comedian and writer, Ashton Womack.

Despite her impressive accomplishments in the comedy world, Lena left later that year for law school at The University of Texas School of Law—a pursuit planned long before she learned about her comedic talent. After graduation and a two-year federal district clerkship in El Paso, she returned to Houston in 2020, beginning her career as a litigator. While she has not performed comedy since 2015, Lena applies the same rigor and meticulousness in mastering her cases as with her comedy routines. Unsurprisingly, she feels at ease thinking on her feet, whether on client calls, in depositions, or court. Lena still feels nervous but developed thick skin to take it all in stride. “I was heckled in comedy by drunks and mean people and barely made money. Now I at least get paid to endure similar issues.” She may have given up comedy routines, but she still has jokes. 

Dave Louie is lead counsel with LyondellBasell, a global petrochemical company, and an editorial board member for The Houston Lawyer.



A Profile

IN PROFESSIONALISM



DAVID HARRELL
Partner, Troutman Pepper Locke LLP

Experience shapes outlook. Had I sat down to write about professionalism a year ago, I would have described the mentors who shaped my career, the advocates I admired, and the non-attorneys whose actions I strove to emulate. All of those remain significant. But over the last year, I had the opportunity to serve as HBA president. In that role, I spoke at a naturalization ceremony for new citizens, attended numerous judicial investitures, and worked with countless volunteers who served the HBA and their community in a variety of roles. My experience shaped my outlook.

What is that outlook? Community matters, and professionalism is a reflection of how an attorney perceives his or her role in the community. Not content to simply live in America, new citizens finished a long road that culminated in becoming part of the American community. Ten new judges left their community of practicing advocates and joined, or returned to, the judiciary; each valued a role in helping to maintain the rule of law, and each espoused common themes—deep humility and gratitude. Volunteers served the HBA by participating in sections and committees, some focused on legal activities, and others purely centered on community service.

So, our profession has maxims, guidelines, mandates, and creeds. All speak to the role an attorney fulfills in society. But each of us has to elect between viewing the law as a vocation, or something larger, with a unique role to fill. How we perceive that role, and ourselves, in our community, speaks to how we treat our profession and the idea of professionalism. I encourage our members to reflect on their community, and their role in it, as they practice their profession. 

Continuing Legal Education Committee

By JACLYN I. BARBOSA

Providing Continuing Legal Education (CLE) is a core service of the Houston Bar Association (HBA) and the CLE Committee is kicking off another exciting Bar year focusing on timely, practical education for all HBA members. The committee offers CLE webinars most Fridays so you can learn from anywhere, then catch what you miss on demand.

We deliver CLEs on a broad slate of topics across updates, skills, and ethics. Last Bar year, our Friday series offered 37 programs (38.5 MCLE hours), including 10.5 hours of ethics. Most programs were an hour, with a few extended. Our 2025–2026 brochures release quarterly, and the Fall Brochure is available now at hba.org.

How We Build Programs

We start with real needs. Ideas come from committee members, sections, courts, and trends we see in *The Houston Lawyer*, other legal news, and in practice. We choose one-hour topics that deliver clear value: what changed, what it means, and what to do next, and we avoid sales pitches. We ask speakers to bring practical tips, sample language, and checklists so you leave with tools you can use that day. The result is a focused hour that respects your time.

We also plan programming with the entire membership in mind. Some CLEs are for newer lawyers (such as reading a docket, setting up a clean client file, and spotting ethics early). Others go deep for seasoned counsel (such as recent Texas Supreme Court developments, complex damages proof, judgment collection, advanced deposition strategy, and updates in administrative law). Many topics help everyone: evidence refreshers, contract triage, expert basics, and time-saving tech. When we can, we build mini-series that carry a theme through the year so you can plan ahead and track a topic as it develops.

Collaboration makes programming better. We team up with HBA sections and committees to co-host and find the right voices for a subject. Our cross-practice CLEs are standouts: a trial-skills hour for transactional lawyers, a business-literacy hour for litigators, a privacy update for anyone handling client data, or an employment update for in-house and outside counsel. These partnerships keep our calendar broad and reflect Houston's diverse bar.

Friday CLEs are virtual at noon. If you miss one, sessions are available on

demand at hba.org/watchcle.

How to Get Involved

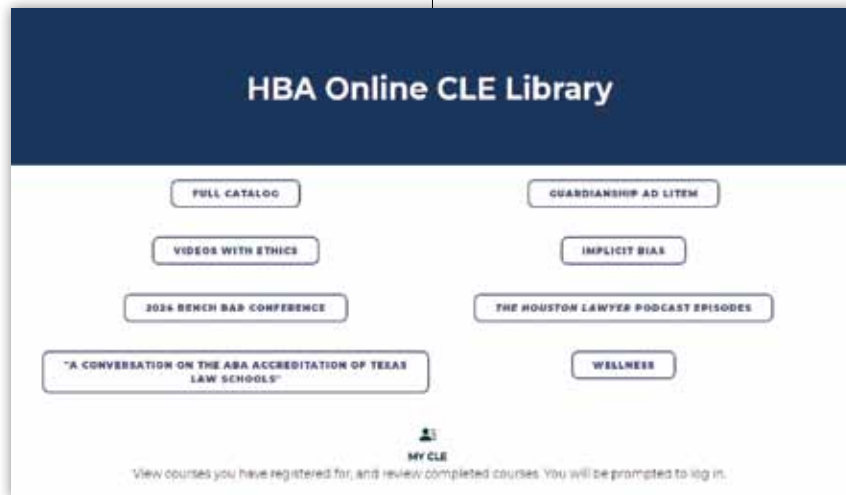
If you have an idea for a CLE program, send it our way for consideration in an upcoming brochure. At the start of the Bar year, we map out brochure calendars and pair committee members with topics to recruit speakers for each hour.

What's Ahead

Expect core updates, practice-ready skills, and clear ethics guidance, plus timely programming on fast-moving areas across industries. We will continue to highlight speakers who teach with plain talk and concrete examples and to build programs you can apply the same day.

We are grateful for the volunteers, speakers, moderators, and partners who make this work possible. We are excited for what's next! Join us for Friday CLEs curated for our busy bar. 

Jaclyn I. Barbosa is the 2025–2026 CLE Committee co-chair. She is a solo litigator, serving entrepreneurs, creators, small businesses, and families with practical counsel for deals, disputes, and family matters. She is a member of The Houston Lawyer Editorial Board.



HBA Welcomes Its New Technology Section

By CHRISTIAN BLAIR

The intersection of law and technology has become increasingly critical for lawyers, businesses, and our broader community. Courts are weighing in on questions about AI-generated evidence, businesses are facing rising cybersecurity threats and navigating the complex privacy regulatory landscape and privacy litigation risks, clients are reshaping their expectations of legal services, and many of us are navigating the risks and benefits of AI and data-driven tools in an evolving regulatory landscape. The section is dedicated to providing a collaborative forum for legal professionals to discuss these practical issues and exciting advancements.

As the American Bar Association has noted, lawyers are obligated to stay abreast of legal technology trends because, among other things, technology is transforming how legal services are provided. HBA has joined other major bar associations in Texas—such as those in Dallas, Austin, and San Antonio—with a section dedicated to technology.

Just as the other HBA sections have long provided community and expertise in specialized fields, the HBA Technology Section is excited to bring together attorneys from across practice areas and settings—including outside counsel at various firms, in-house counsel, government attorneys, academics, and other legal professionals—who are eager to share knowledge, sharpen skills, and prepare for the challenges and opportunities ahead. The section's mission is to keep Houston lawyers and members informed about the latest developments in the dynamic fields of data privacy, cybersecurity, AI, and IP. The section will pursue this mission by connecting practitioners

from diverse backgrounds and aiming to spark new ideas and relationships that will shape how the Houston legal community navigates the ever-changing world of technology and law.

HBA members can look forward to robust continuing legal education (CLE) programs, networking lunches, interactive workshops, and volunteer opportunities. The section is also excited to collaborate with other HBA sections and organizations across Texas to ensure that members are both well-connected and well-equipped to meet the demands of this fast-paced area of the law.

Additionally, the Technology Section will be a resource for attorneys seeking to deepen their expertise in technology law and expand their professional networks. Whether you are a seasoned practitioner or newly licensed attorney, tech-savvy or just getting started, HBA members are encouraged to join the Technology Section and participate in shaping the future of this field.

Leadership for the inaugural year reflects the depth of talent in Houston's legal community and is

comprised of experienced leaders in privacy, cybersecurity, AI, and IP law, including: Stanton Burke, Chair (Gibson Dunn & Crutcher); Adam Smith, Vice-Chair (Georgetown University, Southwest Airlines); Haylie Treas, Secretary/Treasurer (Holland & Knight); Christian Blair (myself), Editor (Reed Smith); and council members Will Daugherty (Norton Rose Fulbright), Jessica Johnson (BakerHostetler), and Stuart Cobb (Latham & Watkins). 

Christian Blair is a lawyer at Reed Smith LLP who practices in the areas of technology transactions, privacy, and AI.



HBA Technology Section officers from left to right: Stanton Burke, Adam Smith, Haylie Treas, Christian Blair, Stuart Cobb (not pictured: Jessica Johnson, Will Daugherty).

Free Speech Coalition v. Paxton: When Technological Changes Affect Legal Conclusions

By BRENT COOPER and AARON STREETT

This June, the U.S. Supreme Court upheld Texas' H. B. 1181—which requires certain commercial websites with pornographic content to verify the ages of their visitors—against a First Amendment challenge. In *Free Speech Coalition v. Paxton*,¹ the Court concluded that this age-verification law was subject to intermediate scrutiny and that it satisfied that standard. The decision stands as an example of how technological change can affect legal conclusions in numerous different ways.

In *Free Speech Coalition*, the Court explained that intermediate scrutiny applied to H. B. 1181 because the law had “only an incidental effect on protected speech.”² The only “protected speech” at issue was the right of adults to access pornographic material: Minors have no constitutional right to access this content. And, the Court explained, no person—adult or child—has a First Amendment right to access speech that is obscene to minors without first submitting proof of age. Because H. B. 1181 simply added an incidental step that one must take before engaging in protected speech, intermediate scrutiny was appropriate.

The primary precedents available to guide the Court's inquiry into what level of analysis to apply were over twenty years old—from “the dawn of the internet age.”³ One of those cases was *Reno v. American Civil Liberties Union*,⁴ where the Court applied strict scrutiny—a higher level of review that is very difficult for challenged statutes to satisfy—to the federal Com-

munications Decency Act of 1996. This Act criminalized the distribution of explicit content online but established an affirmative defense for distributors that implemented age verification. The Court applied strict scrutiny in part because “existing technology did not include any effective method for a sender to prevent minors from obtaining access to its communications on the internet without also denying access to adults.”⁵ Given the technology available at the time, the Act at issue in *Reno* “operated as a ban on speech to adults.”⁶

Free Speech Coalition Court assessed the legal implications of dramatic internet advancements, explaining that “respect for past judgments also means respecting their limits” and that it is “misleading in the extreme to assume that *Reno*” and the other older cases like it “spoke to the circumstances of this case simply because they both dealt with ‘the internet’ as it existed in the 1990s.”⁷ The Court explained that the *de facto* bans at issue in cases from the internet's early days are “categorically different from H. B. 1181's age-verification requirement” that relies on modern technology that can more effectively distinguish between minors and adults.⁸ In short, technological advancement rendered older precedents inapposite.

Technological change undergirded not only the Court's selection of the appropriate level of review, but also how to apply it. A statute survives intermediate scrutiny if it “advances important governmental interests unrelated to the suppression of free speech and does not burden substantially more speech than necessary to further those interests.”⁹ In assessing the “burden” aspect of this test, the Court was guided in part by a *pre-internet* case from 1968. In *Ginsberg v. New York*,¹⁰ the Court upheld an age-verification regulation of *in-person* sales of pornography. As the *Free Speech Coalition* Court explained, these *in-person* age checks were constitutional because they “ensure[d] that an age-based ban [was] not ineffectual, while at the same time allowing adults full access to the content in question” in a way that 1990s

internet technology—like that at issue in *Reno*—did not.¹¹ In analogizing to the brick-and-mortar yesteryear of *Ginsberg*, the Court explained that “H. B. 1181 simply adapts this traditional approach to the digital age.”¹² H. B. 1181 was enacted at a time when the internet made possible what was possible in person in 1968 but not possible online in the 1990s and 2000s, paradoxically making the older *Ginsberg* more analogous in some ways than the newer *Reno* and its progeny. To quote Rust Cohle, played by Matthew McConaughey in *True Detective*, “time is a flat circle.”

Free Speech Coalition is not the first case to recognize the ways in which technological development can affect legal conclusions, and it will not be the last. This aspect of the Court's reasoning should not be overlooked, and similar reasoning will certainly make appearances in other cases in the years to come. 

Brent Cooper is a senior associate in the Washington, D.C., office of Baker Botts L.L.P. Mr. Cooper, who grew up in the Houston area, previously worked in the Houston office of Baker Botts and remains an active member of the State Bar of Texas, as well as an active fan of the Houston Astros.

Aaron Streett is a partner and the firmwide practice group chair of Supreme Court and Constitutional Law at Baker Botts L.L.P. He works in the firm's Houston office.

Mr. Cooper and Mr. Streett submitted an amicus brief in *Free Speech Coalition v. Paxton* on behalf of the Age Verification Providers Association.

Endnotes

1. 145 S. Ct. 2291 (2025).
2. *Id.* at 2306 (quoting *Boy Scouts of America v. Dale*, 530 U.S. 640, 659 (2000)).
3. *Id.* at 2304.
4. 521 U.S. 844 (1997).
5. *Id.* at 876.
6. *Free Speech Coalition*, 145 S. Ct. at 2312.
7. *Id.* at 2314.
8. *Id.* at 2312.
9. *Id.* at 2317.
10. 390 U.S. 629 (1968).
11. *Free Speech Coalition*, 145 S. Ct. at 2317.
12. *Id.*

The Good Faith Prong of Official Immunity: *City of Houston v. Rodriguez*

By ALEXANDRA TOLBERT

On the last day of 2024, the Texas Supreme Court issued two opinions concerning a city's sovereign immunity under the Texas Tort Claims Act ("TTCA"),¹ *City of Houston v. Rodriguez*² and *City of Austin v. Powell*,³ that meant a very happy new year for defending governmental entities (and a belated lump of coal for one appellate court).

Clarifying existing law rather than creating new, both cases examine challenges to governmental immunity under the TTCA. While *Powell* examines the emergency exception to TTCA waiver, *Rodriguez* examines a situation where plaintiffs plead waiver of immunity because their injuries were proximately caused by a city employee's negligence in the course and scope of employment and arising out of the operation or use of a motor vehicle, while also asserting the employee would be personally liable under Texas law. This personal liability component is determinative of whether TTCA § 101.021 tort waiver applies.⁴ *Rodriguez* turned on the invocation of the employee's official immunity, which negates this element—if an employee is immune, they would not be personally liable for the plaintiff's injuries and waiver is not triggered as to the employer city, which thus retains its immunity.

Official immunity is a common law affirmative defense that is available when a public employee is "performing (1) discretionary duties, (2) in good faith, and (3) within the scope of their authority."⁵ It was the good faith prong on which the

court focused in *Rodriguez*.⁶

The court reiterated that the non-intuitive but long-held standard applicable to this iteration of "good faith" is an objective one. In a case where the plaintiff's injuries resulted from a high-speed pursuit gone awry (such as *Rodriguez*), the standard for good faith is "whether a reasonably prudent officer, under the same or similar circumstances *could have believed* that the need to immediately apprehend the suspect outweighed the clear risk of harm to the public in continuing the pursuit."⁷

The court underscored its gravitas when it voiced its disapproval of the appellate court for, among other things, its misapplication of the rule. The court lobbed a pointed reproof at the appellate court for its creative interpretation of the evidence on record, criticizing it for "erroneously inferr[ing] an issue of material fact to preclude summary judgment when the parties did not dispute the underlying fact and the evidence did not reasonably give rise to that inference."⁸ It is now abundantly clear that engaging in subjective analysis of an individual officer's thoughts or beliefs in arriving at a good faith determination will not be tolerated.

In the just more than six months since the opinion was issued, it has been cited by the Texas Supreme Court three times,⁹ Texas appellate courts three times,¹⁰ and once in federal district court.¹¹ What's old is new again, and *Rodriguez* seems to be the new standard for the rule of objective good faith when establishing official immunity. 

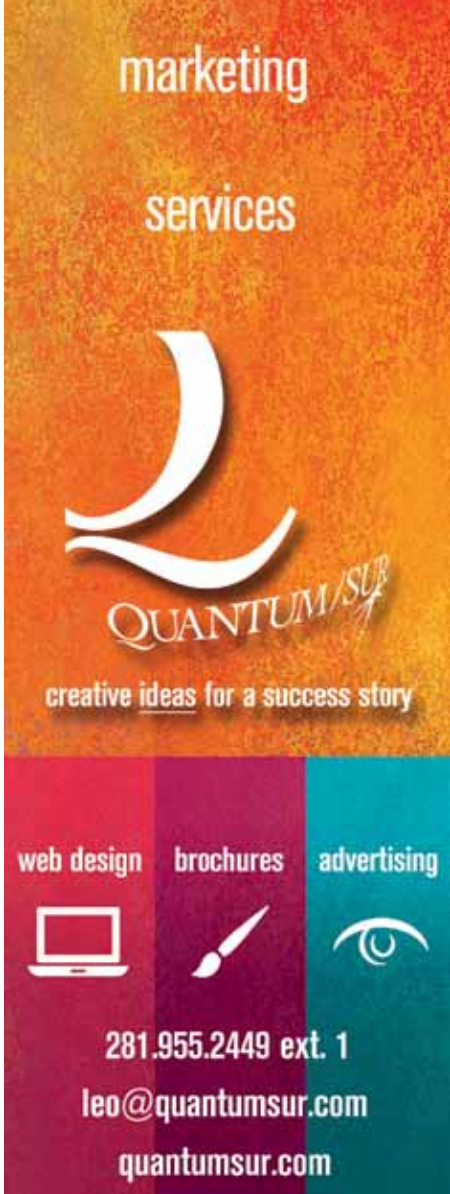
Alexandra Tolbert is an associate at Randle Law Office and former assistant city attorney for the City of Houston, where she advised city departments on issues including land use, common nuisance abatement, and construction code modernization.

Endnotes

1. TEX. CIV. PRAC. & REM. CODE Ch. 101.
2. *City of Houston v. Rodriguez*, 704 S.W.3d 462 (Tex. 2024).
3. *City of Austin v. Powell*, 704 S.W. 3d 437 (Tex. 2024). Though not the focus herein, this case provides useful and in-depth review of the emergency exception

under the TTCA.

4. TEX. CIV. PRAC. & REM. CODE § 101.021.
5. *Rodriguez*, 704 S.W.3d at 468.
6. See *id.* at 470.
7. *Id.* at 472 (emphasis in original; internal quotes omitted).
8. *Id.* at 471.
9. See *City of Mesquite v. Wagner*, 712 S.W.3d 609 (Tex. 2025); *City of Houston v. Manning*, No. 24-0428, 2025 WL 1478506 (Tex. May 23, 2025); *City of Houston v. Gomez*, No. 23-0858, 2025 WL 1716878 (Tex. June 20, 2025).
10. *City of Houston v. Gremillion*, No. 14-24-00130-CV, 2025 WL 380524 (Tex. App.—Houston [14th Dist.] Feb. 4, 2025, no pet. h.); *City of Houston v. Johnson*, No. 01-23-00356-CV, 2025 WL 1521763 (Tex. App.—Houston [1st Dist.] May 29, 2025, no pet. h.); *City of Houston v. Sanchez*, No. 01-24-00440-CV, 2025 WL 1657762 (Tex. App.—Houston [1st Dist.] June 12, 2025, no pet. h.).
11. *First Baptist Church of Sour Lake v. Church Mutual Ins. Co.*, No. 1:23-CV-00391, 2025 WL 1746880 (E.D. Tex. May 9, 2025).



marketing services



QUANTUM/SUR

creative ideas for a success story

web design	brochures	advertising
		

281.955.2449 ext. 1

leo@quantumsur.com

quantumsur.com

Defining Moments: Insights Into the Lawyer's Soul

By Melanie Bragg

Published by American Bar Association

Reviewed by JUDGE JOSEFINA M. RENDÓN

Defining moments in our lives are, according to Melanie Bragg, “those touchpoint moments when something inside us shifts and we know that our world is profoundly different than it was before.” Author Melanie Bragg is an ex-officio member of the HBA Board of Directors, representing the HBA in the American Bar Association’s House of Delegates. She is also co-chair of the HBA Solo & Small Firm Section and writes and speaks frequently on ethics and wellness.

In many ways, *Defining Moments* is a take on the *Chicken Soup for the Soul*, the famous franchise of inspirational books. In fact, Bragg was partly inspired to write this book after listening to a talk by Jack Canfield, one of the co-authors of the first *Chicken Soup* book. “I knew lawyers did have souls and I wanted to write about them and study them as a way of leading and encouraging others to improve their lives and practices,” she states. Bragg interviewed nearly 40 attorneys about their “defining moments,” including Houston attorneys Richard “Racehorse” Haines, Jim Purdue, Sr., and Judge John Singleton Jr., as well as attorneys Tabitha Charlton, Cindy Hide, and Scott Rozzell.

Soon after meeting with her interviewees, Bragg realized the concept of leadership can be divided and best explained into four main parts or principles: Legacy, Excellence, Authenticity, and Determination

or “LEAD.” The book is essentially divided into these four parts.

Legacy: Legacy is the number of lives you change. As lawyers, we have many opportunities to bring legacy by teaching or helping other lawyers, law students or clients. Each kind act helps build our legacy. Through the interviews, Bragg advises us to be just and fair to everyone, to lift others as we climb, and to lead a productive life of public service.

Excellence: The law is an area where excellence is required. As we know, lawyers go through rigorous legal training for three years after college, during which the practice of attending to details and making sure we get it right is ingrained in most of us. In this section, we are reminded that “out of the hottest furnace comes the hardest steel” and that to reach excellence we need to work hard at it. We should also get outside

our comfort zones, practice law with passion, surround ourselves with good people, and speak up when something is not right.

Authenticity: Bragg urges us to find our voice because no one is going to find it for us. As lawyers, we have many opportunities to blend in, but we also have opportunities to make waves. The interviews show how others found their way to authenticity and show us how to find it for ourselves, as well as the inner peace we get from learning these principles. Among the advice given to reach authenticity are: find your voice because no one is going to give it to you; be transparent; tell the truth no matter what the cost; know thyself and always have a team; and prioritize human connection.

Determination: As we know from studying for the Bar exam, nothing worth having is easy. Great lawyers are made from those who persevere. They stand up for themselves and what they believe in. No great thing was ever accomplished without much

effort and the ability to overcome obstacles. Interviewees in this section talk about how they faced and handled tough situations. Bragg’s own story falls in this category and her LEAD line is “Never, ever give up.”

As Bragg states, the book is a leadership manual for anyone who wants to learn the secrets of getting ahead and enjoying life to its fullest. The key component that distinguishes leaders is how they overcome and use their life struggles to grow and advance themselves, their families, and their communities. Her goal in writing the book was for readers to identify their LEAD lines and begin living from their highest selves in order to achieve their life’s purpose. *Defining Moments: Insights Into the Lawyer’s Soul* is a great book that can help us lawyers improve our lives, our careers and ourselves. A wonderful read, indeed. 

A former civil district court judge and 1976 graduate of the University of Houston Law Center, the Honorable Josefina Rendón is currently a visiting judge in Harris County’s Justice of the Peace courts and a longtime member of The Houston Lawyer editorial board.

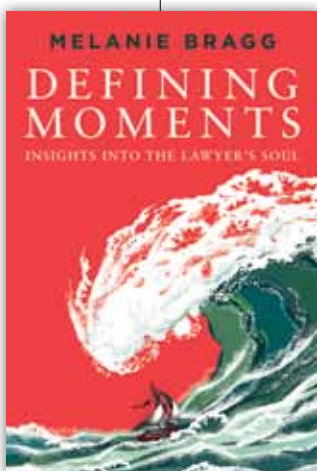
Star Wars and Conflict Resolution II: My Negotiations Will Not Fail

Edited by Jennifer Reynolds and Noam Ebner

Published by DRI Press

Reviewed by ANIETIE AKPAN

From page one, it’s clear that *Star Wars and Conflict Resolution II* isn’t just fan service—it’s a thoughtful, well-crafted exploration of negotiation through a galaxy we all know. Edited by conflict management experts Jennifer Reynolds, dean of the University



of Oregon School of Law, and Noam Ebner, a professor at Columbia University, *Star Wars and Conflict Resolution II* draws insightful parallels between the Force and conflict resolution techniques. Just as the Force binds the galaxy together in Star Wars, the authors argue that universal principles such as empathy, active listening, and strategic negotiation underpin effective conflict resolution across various contexts. (Full disclosure: as a lifelong Trekkie, reading a book this deep in Jedi lore felt a bit like crossing enemy lines—but the insights were worth the interstellar detour!)

Star Wars and Conflict Resolution II is structured as a curated anthology of essays by established experts in fields like law, psychology, negotiation, and mediation. Each chapter uses a specific Star Wars scene, character arc, or motif to explore a negotiation or conflict principle. Through the chapters, the editors and contributors explore major negotiation and conflict resolution frameworks, such as conflict modes (competition, cooperation, accommodation, avoidance, and compromise), empathy, and bias—each illustrated through the familiar Star Wars lens.

For example, the chapter “Leaders as Negotiators: Padmé v. Palpatine,” explores how Padmé Amidala and Sheev Palpatine—two of the most politically influential characters in Star Wars—exemplify two fundamentally different models of leadership through negotiation: one rooted in transparency, diplomacy, and public service; the other grounded in manipulation, coercion, and power accumulation. Both leaders use negotiation to lead, but the ethics and intentions behind their methods determine their outcomes. The takeaway: whether leading a team or navigating conflict, how can we ensure our negotiation strategies align with our values—not just

our goals?

In chapter “Is Luke a Hero? The Consequences of Choosing Between Goals,” the authors use Luke’s decision to abandon his Jedi training on Dagobah to help his friends in *The Empire Strikes Back* as a case study in one of the saga’s most pivotal and ethically complex moments. Through the lens of conflict resolution and negotiation, this choice highlights a classic example of goal conflict and a values-based decision driven by emotional urgency.

From a conflict resolution perspective, Luke’s decision to leave Dagobah highlights the tension between short-term urgency and long-term strategy. Driven by emotional attachment and fear of loss, he prioritizes the immediate goal of rescuing his friends over completing his Jedi training despite warnings from Yoda. This mirrors reactive decision-making in real-world leadership, where emotional impulses can override broader planning. In negotiation terms, Luke falls into a classic false urgency tactic, demonstrating how emotion and manipulation can derail even well-intentioned choices. The takeaway here is, how can conflict resolution frameworks help us navigate situations where deeply held values or emotions push us toward short-term actions with long-term consequences?

The other chapters in the book (18 in total) are just as insightful and thought-provoking as the ones highlighted here. Each offers a unique perspective on negotiation and conflict resolution through the Star Wars universe, and more importantly, offers a clear takeaway—an actionable insight or reflective question—that encourages readers to consider how these lessons might be applied in their own conflict resolution practice or leadership roles.

Star Wars and Conflict Resolution II underscores that conflict resolution practi-

tioners don’t just play with lightsabers—they wield them with deliberate purpose. The book deftly bridges the fictional and the practical, inviting readers to explore the powerful dynamics that shape conflict in both galaxies, real and imagined. By grounding conflict resolution principles in the narrative arcs of Padmé, Palpatine, Luke, and others, it brings abstract theories to life in ways that are accessible, engaging, and unexpectedly profound. Whether you’re a die-hard Star Wars fan, a seasoned conflict resolution practitioner, or (like me) a skeptical Trekkie crossing into Jedi territory, this collection offers valuable insights into the nature of negotiation—reminding us that how we approach conflict shapes not only the outcomes we achieve, but the kind of leaders, allies, and humans we become in the process. 🗡️

Anietie Akpan is director corporate counsel for Mattress Firm, Inc. and a member of The Houston Lawyer editorial board.



For Sale / Lease



4305 Toakum Blvd, Houston, TX 77006

- **Building Size:** 5,908 RSF, 3 Stories
- **Land Area:** 0.28 Acres
- **Parking:** 2.37 / 1,000 Ratio/ 14 Spaces (10 Covered)
- **No Zoning Restrictions**

Contact Brokers for Pricing

Reggie Beavan
Vice Chairman
reggie.beavan@nmrk.com
t 713-499-4109

Kaitlyn Duffie
Transaction Manager
kaitlyn.duffie@nmrk.com
t 713-499-4116

NEWMARK

Office Space

**EXCLUSIVE SUITE,
GALLERIA INNER LOOP**

Private attorney-only office space conveniently located inside Houston's 610 Loop at San Felipe. Staffed with a receptionist/office manager, with access to amenities, including high-speed internet, telephones, kitchen, two conference rooms, and covered parking. Several offices are available with window views.

Call Jerry at 713-237-0222.

**SPRING BRANCH MEMORIAL
OFFICE SPACE – WESTVIEW DRIVE**

Two story building located on Westview Drive between Wirt and Antoine. Several individual offices available with shared conference room and break room. All utilities paid.

Free parking. For more information call 713-681-3070.

NORTH 610 LOOP WEST

Windowed, single office space, available for lease from established law firm location between Durham and Ella, on Loop 610. Shared conference room, kitchen, copy room, high-speed Internet, telephone, with one attorney. Email: pat@pmfpc.com.

HEIGHTS AREA LAW OFFICE SHARING.

2, furnished window offices (approx 14x14), and one support area available immediately. One large office space (15x14) available beginning January 1. Modern building with 24 hour security on North Loop near Shepherd with downtown views. Beautiful conference room with 60" TV/Whiteboard, color copier/fax/scanner available on network, internet, full featured VOIP phone system, Wi-Fi and wired internet, attached covered parking, room for your files. Kitchen in suite with microwave/pizza oven, coffee, soft drinks, water and snacks available.

Contact Paige or Teri at 713-529-2020 for more information.

For Sale**FOR SALE**

Vintage Steven Besselman graphite print, *The Harris County Civil Courts Building* 1977, S/N 464/1000. Size 22" x 17". Framed and matted. \$500.00/obo. If interested, contact Mary@Quantumsur.com for photos. Please reference BOX 557 as the Subject when corresponding.

Join the HBA 100 Club!

The Houston Bar Association 100 Club is a special category of membership that indicates a commitment to the advancement of the legal profession and the betterment of the community. The following law firms, government agencies, law schools and corporate legal departments with five or more attorneys have become members of the 100 Club by enrolling 100 percent of their attorneys as members of the HBA.

Firms of 5-24 Attorneys

Abraham, Watkins, Nichols, Agosto, Aziz & Stogner
Adair Myers Stevenson Yagi PLLC
Ajamie LLP
Alvarez Stauffer Bremer PLLC
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
Buck Keenan LLP
Christian Levine Law Group, LLC
Coats | Rose
Cradley, Jewett, McCulley & Houren, LLP
De Lange Hudspeth McConnell & Tibbets LLP
Dentons US LLP
Dobrowski Stafford LLP
Doyle Restrepo Harvin & Robbins LLP
Ewing & Jones, PLLC
Fisher & Phillips LLP
Fizer Beck Webster Bentley & Scroggins
Fogler, Brar, O'Neil & Gray LLP
Frank, Elmore, Lievens, Slaughter & Turett, L.L.P.
Funderburk Funderburk Courtois, LLP
Germer PLLC
Gordon Rees Scully & Mansukhani, LLP
Hagans
Henke, Williams & Boll, LLP
Hirsch & Westheimer, P.C.
Holm | Bambace LLP
Horne Rota Moos LLP
Hughes, Watters & Askanase, L.L.P.
Hunt Law Firm, P.L.L.C.
Husch Blackwell LLP
Jackson Lewis P.C.
Jenkins & Kamin, LLP
Johnson DeLuca Kurisky & Gould, P.C.
Jordan, Lynch & Cancienne
Kean Miller
Kilpatrick Townsend & Stockton LLP
Law Feehan Adams LLP
Linebarger Goggan Blair & Sampson, LLP
Liskow
McGinnis Lochridge
McGuireWoods LLP
McKool Smith
MehaffyWeber PC
Morris Lendais Hollrah & Snowden
Murrah & Killough, PLLC
Nathan Sommers Gibson Dillon PC
Ogletree Deakins Nash Smoak & Stewart, P.C.

Paranjpe Mahadass Ruemke LLP
Peckar & Abramson, P.C.
Phelps Dunbar LLP
Pillsbury Winthrop Shaw Pittman LLP
Ramey, Chandler, Quinn & Zito, P.C.
Rapp & Krock PC
Reynolds Frizzell LLP
Roach & Newton, L.L.P.
Ross Banks May Cron & Cavin PC
Royston, Rayzor, Vickery & Williams, L.L.P.
Rusty Hardin & Associates, LL
Schirmmeister Diaz-Arrastia Brem LLP
Schwartz, Page & Harding, L.L.P.
Scott, Clawwater & Houston, L.L.P.
Shannon Martin Finkelstein Alvarado & Dunne, P.C.
Shearman & Sterling
Shellist | Lazarz | Slobin LLP
Shipley Snell Montgomery LLP
Smith Murdaugh Little & Bonham LLP
Sorrels Law
Spencer Fane
Sponsel Miller Greenberg PLLC
Stuart PC
Taunton Snyder & Parish
Thompson & Horton LLP
Tindall England PC
Tracey & Fox Law Firm
Ware, Jackson, Lee, O'Neill, Smith & Barrow, LLP
West Mermis
Weycer, Kaplan, Pulaski & Zuber, PC
Williams Hart & Boundas, LLP
Wright Abshire, Attorneys, PC
Wright Close & Barger, LLP
Ytterberg Deery Knull LLP
Zukowski, Bresenhan & Piazza L.L.P.

Littler Mendelson P.C.
Martin, Disiere, Jefferson & Wisdom LLP
McDowell & Hetherington LLP
Wilson Cribbs & Goren PC
Yetter Coleman LLP

Firms of 50-99 Attorneys

AZA Law
BakerHostetler LLP
Brown Sims, P.C.
Chamberlain Hrdlicka
Greenberg Traurig, LLP
Haynes and Boone, LLP
Jackson Walker LLP
Morgan, Lewis & Bockius LLP
Susman Godfrey L.L.P.
Winstead PC

Firms of 100+ Attorneys

Baker Botts L.L.P.
Bracewell LLP
Hunton Andrews Kurth LLP
Norton Rose Fulbright
Porter Hedges LLP
Troutman Pepper Locke LLP
Vinson & Elkins LLP

Corporate Legal Departments

CenterPoint Energy, Inc.
EOG Resources, Inc.
MAXXAM, Inc.
Plains All American Pipeline, L.P.
Quantlab Financial, LLC
Rice University
S & B Engineers and Constructors, Ltd.

Law School Faculty

South Texas College of Law Houston
Thurgood Marshall School of Law
University of Houston Law Center

Government Agencies

Harris County Attorney's Office
Harris County Domestic Relations Office
Lone Star Legal Aid
Metropolitan Transit Authority of Harris County, Texas
Port of Houston Authority of Harris County, Texas
1st Court of Appeals
14th Court of Appeals

Firms of 25-49 Attorneys

Adams and Reese LLP
Andrews Myers, P.C.
Beck Redden LLP
BoyarMiller
Bradley Arant Boult Cummings LLP
Bush & Ramirez, PLLC
Cokinios | Young
Gibbs & Bruns LLP
Hogan Lovells US LLP
Kane Russell Coleman & Logan PC

The background of the advertisement is a photograph of a courtroom. It features a dark blue curtain and a light-colored stone pillar on the right. In the foreground, there is a wooden bench with two dark leather chairs. A microphone is positioned on the bench between the chairs.

Vinson & Elkins

SHARED VISION

Strategic Advisors

We help our clients navigate the most complex areas of law. That's why we make it our business to know yours. We're here to help you build something. Whether it's in the courtroom or the boardroom, we aim to help you see around corners – today and tomorrow. Because ultimately, your success is our success.

V&E's client-focused and strategic approach to the practice has earned us 14 recognitions as *Law360's* Energy Group of the Year, as well as consistent rankings by *Chambers*, *Legal 500*, *Best Lawyers*, and *SuperLawyers* in a variety of practices.

Vinson & Elkins LLP Attorneys at Law Austin Dallas Denver Dubai Dublin
Houston London Los Angeles New York Richmond San Francisco Tokyo Washington

velaw.com

BRACEWELL

Industry-Focused Legal and Advocacy Strategies



At Bracewell, leading lawyers and advocates work creatively and efficiently so our clients can achieve exceptional success.

For over 75 years, Bracewell has focused on delivering superb service and sophisticated insight. We excel where collaboration and deep sector knowledge provide the edge, particularly in energy, infrastructure, finance and technology. Our award-winning teams lead the market in transactions, litigation, regulatory matters and government relations. Bracewell's strength has made it the firm of choice for many of the world's most successful companies, financial institutions, private funds and municipal entities.

We are proud of our spirit and our reputation for excellence. Bracewell's success is anchored by four pillars: an authentic culture based on personal relationships, collaboration and a shared passion for the firm and its clients; our distinction as a destination firm for talent; blue-chip clients; and our devotion to excellence.

The background of the entire page is a dark teal color. In the top left corner, there are several thin, parallel, light red lines that curve and radiate outwards. In the bottom right corner, there are several thin, parallel, light red lines that form a series of nested, slightly offset rectangular shapes, creating a sense of depth and movement. The Hunton logo is positioned in the top right corner.

HUNTON

Proud to support the

76th Annual Harvest Party

Benefiting the Houston Bar Foundation

For more than 120 years, Hunton has served clients across the globe with a collaborative and purposeful approach. With offices strategically located in the United States and around the world, the firm is known for its strength in the energy, financial services, real estate, and retail and consumer products industries, as well as its considerable depth across numerous practice areas. Hunton fosters a strong culture built upon an unwavering commitment to its clients, colleagues, and communities.

Hunton.com



Most Fled, We Flocked.

22 years ago, Texas enacted medical malpractice laws that protect doctors, but harm true victims of malpractice—especially those hurt the worst—driving most lawyers out of the field and leaving many victims without answers or help. But at Sorrels Law, we never left the fight. With two medical doctor/lawyers, a nurse/lawyer, a pharmacist/lawyer, and partners who have stood by injured Texans, we continue to pursue justice for those harmed by medical providers. Our experience, resources, and board-certified team deliver the relentless advocacy medical malpractice victims deserve—yesterday, today, and every day. Call Sorrels Law. Justice doesn't retreat; neither do we.



Left to right:
Sara Hashmi,
Raina Newsome,
Shalon Allen,
Alex Farias-Sorrels,
Randy Sorrels,
Dr. Greg Garvin,
Ron Lovett and
Dr. Hieu Dang

Personal Injury * Wrongful Death * Medical Malpractice * Commercial Litigation



Houston Office - Main: 230 Westcott St., Houston, TX 77007 | (713) 496-1100 | www.SorrelsLaw.com
Austin Office: 2901 Bee Cave Road, Suite L, Austin, TX 78746 Dallas Office: 3010 Lyndon B Johnson Fwy., Suite 1450, Dallas, TX 75234
Beaumont Office: 6632 Phelan Boulevard, Beaumont, TX 77706