

12th Annual Course

Advanced Trial Strategies

LIVE New Orleans, LA • February 2-3, 2023 • Omni Royal Orleans Hotel

Seating is limited and this course is expected to sell out!



Cosponsored by **TEX-ABOTA**



TEX-ABOTA
The Texas Chapters of ABOTA

MCLE CREDIT 13.25 Hours (2.5 Ethics)

Downloadable Course Materials



TexasBarCLE.com | (512) 427-1574

Education by the Bar, for the Bar

Advanced Trial Strategies

Cosponsored by the Texas Chapters of the American Board of Trial Advocates



Register early and **save up to \$100!**

(See page 5 for details.)

LIVE New Orleans, LA
February 2-3, 2023
Omni Royal Orleans Hotel

Register by **January 19** to save!

PLEASE NOTE:

Because the health and safety of staff and attendees is our top priority, TexasBarCLE and host hotels will follow the latest CDC guidelines for in-person events. Attendance will require you to comply with protocols that promote a safe environment. (See more details.)

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

MCLE CREDIT

13.25 Hours (2.5 Ethics)

MCLE Course No: 174169359

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



Scan to report
your MCLE hours.

LOUISIANA MCLE CREDIT

13.25 Hours

(1.5 Ethics and 1 Professionalism)

MCLE Course No: 0336230202

To receive credit in Louisiana, all attorneys must sign an attendance roster with the State Bar of Texas staff at the course.

Purpose and Scope

Designed for the experienced practitioner, this course is in-depth and advanced, providing unique opportunities to interact with experts on the most crucial issues you face daily. Learn from top-notch litigators on how to initiate and respond to litigation, use technology effectively, preserve error in trial, and prepare and present complex evidence. Updates include summary judgment law, jury selection, and of course, post judgment motions. We'll review new case law on strategies to maximize or minimize damages. Skills presentations will include cross-examination, opening and closing arguments, and the strategic use of mandamus as a pre-trial tool. We will present e-discovery updates and proposed legislation, which could affect your trial strategies. As always, we'll wrap up with an energetic review of ethical decisions and rules. Experienced trial lawyers should not miss this course.

THURSDAY

7.5 hours including 1.25 ethics

7:45 **Registration**
Chicory Coffee & Breakfast Provided

8:15 **Welcoming Remarks**
Course Director
Claude E. Ducloux, *Austin*
Law Offices of Claude E. Ducloux

8:25 **ABOTA Update** (no MCLE credit)
Tim D. Newsom, *Dallas*
Law Offices of Frank L. Branson

8:30 **Initiating Litigation** 1 hr
Luis M. Cardenas, *Edinburg*
Escobedo & Cardenas

Hon. Wallace B. Jefferson, *Austin*
Alexander Dubose & Jefferson

Amy M. Stewart, *Dallas*
Stewart Law Group

9:30 **Demonstrative Evidence** 1 hr
Stephen Malouf, *Dallas*
Malouf & Nockels

Michael L. Slack, *Austin*
Slack Davis Sanger

Michele Y. Smith, *Beaumont*
MehaffyWeber

10:30 **Break**

10:45 **Strategies for Maximizing and Minimizing Damages** .75 hr
Mitzi S. Mayfield, *Amarillo*
The Underwood Firm

Tim D. Newsom, *Dallas*
Law Offices of Frank L. Branson

11:30 **Post-Judgment Motions** .5 hr
Michael C. Smith, *Marshall*
Scheef & Stone

12:00 **Break - Lunch Provided**

12:15 **Luncheon Presentation: Civility, Decency, Integrity, and Alternative Facts** 1 hr ethics
Moderator
Claude E. Ducloux, *Austin*
Law Offices of Claude E. Ducloux

Panelists
Karen C. Burgess, *Austin*
Burgess Law

Hon. Xavier Rodriguez, *San Antonio*
Judge, U.S. District Court
Western District of Texas

1:15 **Break**

1:30 **Mandamus as Click Bait**
.75 hr (.25 ethics)
Patricia Askew, *Fort Worth*
Staff Attorney, Second Court of Appeals

Steven K. Hayes, *Fort Worth*
Law Office of Steven K. Hayes

2:15 **Error Preservation** .75 hr
Moderator
Chad Baruch, *Dallas*
Johnston Tobey Baruch

Panelists
Christina Crozier, *Houston*
Haynes Boone

Hon. Daryl L. Moore, *Houston*
AZA Law

3:00 **Networking Break - King Cake Provided**

3:15 **Cross-Examination** .75 hr
Paula F. Sweeney, *Dallas*
Slack Davis Sanger

William M. Toles, *Dallas*
Munsch Hardt Kopf & Harr



- 4:00 **Update: Discovery and Proof of Medical Costs** .5 hr
Quentin Brogdon, *Dallas*
Crain Brogdon
- 4:30 **Supreme Court Decisions on Trial Procedure** .5 hr
Chad Baruch, *Dallas*
Johnston Tobey Baruch

5:00 **Adjourn to the Second Line Parade and Cocktail Party**

Second Line Parade
Thursday 5:00 p.m.

Join us for the New Orleans tradition of Second Line. We'll be singing and dancing our way through the French Quarter following our brass band! **Sponsored by:**

CRAIG D. BALL PC
HELPING LAWYERS MASTER TECHNOLOGY



TEX-ABOTA's Annual Cocktail Party
Thursday 5:45 p.m. – 7:00 p.m.

The celebration will continue at the Omni Royal Orleans Hotel with the TEX-ABOTA Annual Cocktail Party with music, refreshments, and lots of merriment!



FRIDAY

5.75 hours including 1.25 ethics

- 8:00 **Chicory Coffee & Breakfast Provided**
- 8:25 **Announcements**
- 8:30 **Summary Judgment Developments and Strategies** .75 hr
Moderator
Lynne Liberato, *Houston*
Haynes Boone

Panelists
Hon. Harvey G. Brown, Jr., *Houston*
The Lanier Law Firm

Jay Jackson, *Houston*
Burford Perry
- 9:15 **Effective Opening and Closing Arguments** .75 hr (.25 ethics)
E. Leon Carter, *Dallas*
Carter Arnett

Mary-Olga Lovett, *Houston*
Greenberg Traurig

- 10:00 **Networking Break**
- 10:15 **Effective Presentation of Virtual Evidence in a Live Trial** .75 hr
Hon. Karin Crump, *Austin*
Judge, 250th District Court

Jennifer H. Doan, *Texarkana*
Haltom & Doan

Rick Robertson, *Plano*
KoonsFuller
- 11:00 **Strategic Use of Discovery Protocols** 1 hr
Craig D. Ball, *New Orleans, LA*
Craig D. Ball, PC

Hon. Xavier Rodriguez, *San Antonio*
Judge, U.S. District Court
Western District of Texas
- 12:00 **Break - Lunch Provided**
- 12:15 **Luncheon Presentation: Inside Scoops on Monster Verdicts** .75 hr
Moderator
Claude E. Ducloux, *Austin*
Law Offices of Claude E. Ducloux

- Panelists**
David J. Beck, *Houston*
Beck Redden

Randall Sorrels, *Houston*
Sorrels Law
- 1:00 **Break**
- 1:15 **New Legislation Affecting Trial Strategy** .75 hr
David E. Chamberlain, *Austin*
Chamberlain McHaney

Guy Choate, *San Angelo*
Webb Stokes & Sparks
- 2:00 **Ethics Decisions and New Rules** 1 hr ethics
Claude E. Ducloux, *Austin*
Law Offices of Claude E. Ducloux
- 3:00 **Adjourn**

BENEFITS OF ATTENDING A LIVE COURSE

- Make the connections you need for the business you want: 80% of clients come from trusted sources such as fellow attorneys.
- Be the first to learn of vital developments and potential changes in your practice area.
- Gain guidance and insight from face to face Q & A with course faculty.
- Get inspired and motivated by connecting with judges, fellow attorneys, and other professionals - many with the same issues and concerns you may have.
- Take time away from the office to focus on CLE without distractions!



Reserve Your Hotel Room Early

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

LIVE New Orleans, LA

Omni Royal Orleans Hotel
 621 St. Louis Street
 New Orleans, LA 70130
 (504) 529-5333
 \$219 - \$269 single/double

Hotel Deadline: January 11

[Make your reservation online.](#)

Parking: Valet only at \$44 per night.

This hotel sells out before the deadline each year. Act now!



TexasBarCLE.com

• Course Director

Claude E. Ducloux..... Austin

• Planning Committee

Craig D. Ball..... New Orleans, LA
 Chad Baruch..... Dallas
 David E. Chamberlain..... Austin
 Hon. Karin Crump Austin
 Jennifer H. Doan Texarkana
 Lynne Liberato Houston
 Tim D. Newsom..... Dallas
 Hon. Xavier Rodriguez..... San Antonio
 Michael L. Slack..... Austin
 Amy M. Stewart..... Dallas
 Paula F. Sweeney..... Dallas
 Charles M. Wilson III Dallas

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WAYS TO SAVE ON THIS COURSE!

Register by January 19 and Save \$50

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

GO GREEN and Save \$25

Select the PDF download ONLY for a discount.

TEX-ABOTA Members Can Save \$25

See the registration form. Membership to TEX-ABOTA is by invitation only.

Texas Bar College Members Can Save \$25

To join or learn more, visit texasbarcollege.com or call (512) 427-1819.

Paralegal Division Members Can Save \$25

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

Earn Discounts by Registering Five or More

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



FYI

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

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

- **Parking Information** is subject to change and does not guarantee available space.
- **If You Need Special Accommodations to Attend or Have a Food Allergy**, please contact us as soon as possible at (512) 427-1748 or mary.galarza@texasbar.com.
- **Registered but Can't Attend? Still Earn MCLE Credit** by taking the course online later. If you would rather have a refund, call (512) 427-1574 or fax your request to (512) 427-4443.
Refund requests must be made at least one business day before the program.

- **FREE ONLINE BENEFITS! Online Videos and MP3s of the Topics** will be available to registrants 6-8 weeks after the course. Provide your e-mail address when preregistering to be notified when and how these benefits may be accessed. (Note: Presentation lengths may vary from that which was advertised.) There's no extra charge; as a registrant, you're already entitled!

- **Interested in Sponsoring or Exhibiting at this Course or Others?** Please view the [TexasBarCLE Course List](#) and contact us at clesponsorships@texasbar.com.

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

REGISTER FOR THE LIVE COURSE

ONLINE

TexasBarCLE.com

Credit Card Only

PHONE

(512) 427-1574

during business hours

Credit Card Only

MAIL

State Bar of Texas

P.O. Box 676916

Dallas, TX 75267-6916

check or credit card

REGISTERING

FIVE OR MORE?

E-mail Laura Angle at

laura.angle@texasbar.com

for group discount information



Advanced Trial Strategies [8170]

• LIVE New Orleans, LA • February 2-3, 2023

Registration fee.....\$895

Take \$50 OFF: Register by January 19

I may attend for \$250* because I am a (see page 5):

Qualifying judge Judge's staff attorney

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

• Course Materials

I want my materials format to be:

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

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

• Course Amenities:

- Chicory coffee, breakfast, and beignets each morning
- Lunch provided both days
- Networking break with King Cake on Thursday
- Sponsored Second Line Parade on Thursday evening
- Sponsored cocktail hour on Thursday evening
- Complimentary Wi-Fi access in the meeting room
- Course materials provided as a PDF download and a printed notebook or receive the PDF download only at a discount!

• Discounts

I am entitled to 1 or 2 discounts on the course:

\$50 OFF because I am registering by January 19.
(If by mail, date of postmark will be determinative.)

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

- TEX-ABOTA
- Texas Bar College
- Paralegal Division

For more information, see page 5.

• I can't attend, but would like the materials.

FREE Shipping & Handling

Advanced Course hard copy book \$155[†]

To order a discounted PDF download of course materials, search **Publications at TexasBarCLE.com** (available 1-2 weeks after the course).

[†]Plus 8.25% sales tax on total course book sales only. Please include sales tax or attach an exemption certificate. Book orders are shipped separately 1-2 weeks after the live program. Please include payment by check or supply credit card information on this form.

Online videos and MP3 files of topics will be available from TexasBarCLE.com 6-8 weeks after the course. For information on other course products, contact our Flash CLE service at (512) 427-1575.

QUESTIONS? (512) 427-1574

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

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

Visa Mastercard Amex Discover

PLEASE PRINT LEGIBLY Account No. _____ Exp. Date _____

Name on card (Please print) _____

Signature _____

State Bar Membership No. _____

Registrant Name _____

Firm Name/Court _____

Address for Bar-Related Mail _____

City/State Zip _____

Phone () _____ Fax () _____

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

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



We are **TEX-ABOTA**

Our mission is to preserve and protect the Seventh Amendment right to trial by jury and the civil justice system. We vigorously advocate our mission in both the Texas legislature by supporting and opposing certain legislation, and by filing amicus briefs in both state and federal appellate courts.



We Advocate

TEX-ABOTA is the leading advocate of civility in the legal profession, presenting the *Civility Matters* program at various CLE events throughout the state. And during the 2015 legislative session, TEX-ABOTA secured unanimous passage of the New Lawyer Civility Oath in both chambers. The bill was signed into law by the governor on May 16, 2015.

We Lead

TEX-ABOTA is also the recognized leader in legal civics education, sponsoring the *Teachers Law School* for educators, the *Law Rules Lecture Series* for community organizations, and the *James Otis Lecture Series* for students. And for the benefit of all Texas lawyers, we present the highly regarded *Masters In Trial* program at the *Annual Meeting* of the State Bar, as well as co-sponsoring this *Advanced Trial Strategies Course*.



TEX-ABOTA is a peer-selected association of the finest and most accomplished trial lawyers in Texas.

