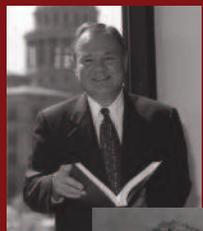




HISPANIC ISSUES SECTION

1979-2014



HONORING THE PAST - EMBRACING THE FUTURE

Top row, from left to right: **Adelfa Callejo '61** – first female Hispanic practitioner Dallas; **Alberto Gonzales** – First Hispanic US Attorney General 2005-2007; **Gustavo C. Garcia** – Together with Carlos Cadena, first Hispanic Attorney to argue before U.S. Supreme Court in the landmark case *Hernández v. Texas* (1954); **Richard Peña** – First Hispanic to serve as State Bar President of Texas – 1998-1999; **Justice Eva Guzman** – First Hispanic Woman on Texas Supreme Court – 2009– present; Bottom row, from left to right: **Justice Raul A. Gonzalez, Jr.**, – Justice Gonzalez sat for the 13th Court of Appeals and the 103rd District Court. He was the first Hispanic appointed or elected to statewide office in Texas. Subsequently, he was first Hispanic on Texas Supreme Court 1984 – 1998; SBOT President **J. Chrys Dougherty** with founding members/leaders of the Concerns of the Spanish Speaking Community Section: James W. Ray, Jr., J. Manuel Banales, Hon. Reyando G. Garza and Frank Herrera. 1980; **Linda Reyna Yañez** was appointed by Gov. Ann Richards in 1993, is the first Hispanic Woman to serve on an appeals court in the history of the state of Texas and is the first woman to serve on the 13th Court of Appeals.; First Hispanic to serve at Attorney General State of Texas. 1991-1999 **Carlos Cadena**- Together with Gustavo C. Garcia, he was the first Hispanic Attorney to argue before U.S. Supreme Court in the landmark case *Hernández v. Texas* (1954).

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Message from the Chair



This past year, the Council and the HIS Board built a strong organizational foundation so that our membership and community outreach efforts could succeed now and in the years to come. It took a village! I thank each member of the Executive Committee, the Council and each committee co-chair for their diligence, creativity, work and commitment. I am also grateful to the staff of the State Bar, especially Tracy Nuchols, for believing in our Section and for all their direction and help!

What did we accomplish this year? First and foremost, through our membership, newsletter and website/social media committees we made an outreach effort to link our membership with other members of other Hispanic bar associations, with the State Bar's leadership and with each other! A big step, a big bridge, and we succeeded. The student outreach and bylaws committees were likewise successful in accomplishing their goals. The bylaws committee was instrumental in amending the bylaws to exempt newly licensed attorneys and law students from paying initial fees; the student outreach committee worked on a strong foundation for a mentor program in the years to come. The access to justice committee committed itself to continue advocating for immigration reforms and the unauthorized practice of law by notary publics! They will be working with various groups outside the bar to voice these concerns. The CLE committee presented a top notch program geared towards to general practitioners – I was so proud of the co-chairs –, and the legislative committee set their priorities for this coming legislative session. Finally, the nominations, awards and annual meeting committees worked, and are still working very hard, to plan what is expected to be HIS' greatest annual reunion ever at this Summer's State Bar Convention.

It was a joy to work next to such a great group of leaders, and I thank each one of them for making my job as a chair a fulfilling one! Most importantly, I thank our membership for being a huge part of our section; *it takes a village!* Gracias, y que Dios los bendiga!

Justice Patricia Alvarez, Chair

INTERIM LEGISLATIVE REPORT 2014

By: *Gloria Leal, Attorney and Government Affairs Consultant*



GLORIA LEAL is a solo-practitioner in Austin, Texas, whose practice areas include oil and gas, environmental law, transportation, water, insurance and international transactions. She was formerly International Regulatory and General Counsel for the State Board of Insurance and an Assistant Attorney General in the Transportation and Energy Sections. She is former chair of the HIS Section, former president of the Mexican American Bar Association of Texas and served on the State Bar Board of Directors.

2014 Interim Charges

Earlier this year House Speaker Joe Straus (R-San Antonio) and Lieutenant Governor (David Dewhurst (R-Austin) issued their respective charges to the Legislature for consideration during the interim. Charges are based on requests and suggestions made by legislative members or interested entities and indicate priorities for review during the interim laying the groundwork for possible legislation for the next session.

Some of the interim charges have already been heard in committee hearings at the state capitol and/or being scheduled in the upcoming months. Of interest to attorneys are the following House Interim Charges:

House Committee on Judiciary and Civil Jurisprudence — Chair State Rep. Trey Lewis (R-Odessa)

1. Examine the constitutional qualifications and term lengths for appellate court judges, and consider whether changes would benefit the public and the judiciary.
2. Study the potential issues involving civil liability for interacting with ex-offenders. In particular, examine the implications of HB 1188 (83R) and the potential expansion of similar protections to landlords.

3. Study issues that inhibit the use of wills and access to the probate process in Texas, particularly for low-income individuals.
4. Examine the public policy implications of litigation related to environmental contamination brought by local governments, in particular whether such litigation supports effective remediation.
5. Study the issue of whether Regional Presiding Judges should be appointed by the Chief Justice rather than the Governor.

House Committee on Licensing and Administrative Procedures

1. Evaluate and consider cost-saving technologies and programs used by the Department of Licensing and Regulation to increase efficiencies and access to those with licensing occupations. Identify and make recommendations to implement these goals.
2. Study appropriate methods to expand the right of individuals to challenge occupational licensing rules and regulations, and identify occupational licenses that may not be necessary for public safety or health.
3. Study the implementation of all legislation from the 83rd Regular Session that seeks to develop a model to require state agencies regulating occupational licenses which require an apprenticeship to credit veterans' relevant military experience toward the apprenticeship requirements. (Joint charge with the House Committee on Defense and Veterans' Affairs)

House Committee on Criminal Jurisprudence

1. Study the classification of 17-year-olds as adults in the criminal justice system of Texas.
2. Study the effectiveness of deferred adjudication and orders for non-disclosure in spite of the many exceptions to the statute. Study extending the use of expunction of criminal records history and non-disclosures to certain qualified individuals with low-level, non-violent convictions. Examine the statutorily allowed but underused non-disclosure and expunction of criminal records, and the use of deferred adjudication.

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HIS CELEBRATES 35TH YEAR ANNIVERSARY

You may have recently noticed our new 35-year anniversary banner on our website entitled “Honoring the Past and Embracing the Future” featuring some of the State’s pioneering Hispanic attorneys including: Adelfa Callejo, Gustavo C. Garcia, Hon. Carlos C. Cadena, Justice Raul A. Gonzalez, Jr., Richard Peña, Alberto Gonzales, Justice Eva Guzman and section leaders James W. Ray, Jr., Hon. J. Manuel Bañales, Hon. Reynaldo G. Garza and Frank Herrera, Jr. In this anniversary year, we honor the achievements of our predecessors and we look forward to a strong and vibrant future for our members and the Hispanic Community. To this end, we will work diligently to continue growing the section and presenting our members with networking, leadership and educational opportunities.

In April of this year, the HIS Membership Committee issued a membership challenge to the Council and all committee members to actively recruit or sponsor two new HIS members. Thus far, we have successfully recruited several new members and we hope to reach 500 members before the Section’s annual meeting at the State Bar Annual Meeting in Austin, Texas on June 26-27, 2014.

In the interim, we encourage you to share your ideas with us for growing the section and recruiting new members. Please contact your local HIS Membership Committee Members for more information.

Kindest regards,

Arturo M. Aviles, Membership Co-Chair

Membership Co-Chairs:

Arturo M. Aviles (Austin)

Pablo Almaguer (San Antonio, S. Texas)

Larry Banda (Dallas, E. Texas)

Hon. Debra Ibarra Mayfield (Houston)



*Top row, from left to right: Adelfa Callejo '61 – first female Hispanic practitioner Dallas; Alberto Gonzales – First Hispanic US Attorney General 2005-2007; Gustavo C. Garcia – Together with Carlos Cadena, first Hispanic Attorney to argue before U.S. Supreme Court in the landmark case *Hernández v. Texas* (1954); Richard Peña – First Hispanic to serve as State Bar President of Texas – 1998-1999; Justice Eva Guzman – First Hispanic Woman on Texas Supreme Court – 2009– present; Bottom row, from left to right: Justice Raul A. Gonzalez, Jr., – Justice Gonzalez sat for the 13th Court of Appeals and the 103rd District Court. He was the first Hispanic appointed or elected to statewide office in Texas. Subsequently, he was first Hispanic on Texas Supreme Court 1984 – 1998; SBOT President J. Chrys Dougherty with founding members/leaders of the Concerns of the Spanish Speaking Community Section: James W. Ray, Jr., J. Manuel Bañales, Hon. Reynaldo G. Garza and Frank Herrera. 1980; Linda Reyna Yañez was appointed by Gov. Ann Richards in 1993, is the first Hispanic Woman to serve on an appeals court in the history of the state of Texas and is the first woman to serve on the 13th Court of Appeals.; First Hispanic to serve at Attorney General State of Texas. 1991-1999 Carlos Cadena- Together with Gustavo C. Garcia, he was the first Hispanic Attorney to argue before U.S. Supreme Court in the landmark case *Hernández v. Texas* (1954).*

SECTION ACTIVITIES/NEWS

HIS Casino Night and CLE

The Hispanic Issues Section celebrated Casino Night on April 24th and presented “A Survey of Texas Legal Updates” on April 25th in Austin as part of its Spring programming. Both events were generously sponsored by a cross section of law firms (Escobedo, Tippet & Cardenas; Linebarger, Goggan, Blair & Sampson; McGinnis Lochridge), members of the judiciary (Hon. Eva M. Guzman, Hon. Patricia Alvarez, Hon. Gina Benavides, Hon. Debra Ibarra Mayfield, Hon. David M. Medina), organizations (Mexican American Bar Association of Texas) and HIS members (Benny Agosto, Carmen Perez, Arturo Aviles and Gloria Leal)

Casino Night was held at Rio Bar Austin. Fun was had by all. In addition to food, drinks and Casino games (blackjack, craps, roulette), prizes were awarded for the highest “winnings” (a Mini iPad, a HD Kindle and Best Buy Gift Card). Congruent with the HIS spirit of giving, drawings were also held for Starbucks Gift Cards. Special guests that evening included HIS chair Justice Patricia Alvarez (4th Court of Appeals) and Valley Justices Gina Benavides, Dorie Contreras Garza and Nora Longoria (13th Court of Appeals).

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NEWS FROM AROUND THE STATE

- August 20, 2014 – [MABA Texas Foundation Luncheon](#) – Doubletree Hotel, Downtown Houston, Texas – [RSVP Form](#)
- At a ceremony held on May 8, 2014, the [Mexican-American Bar Association of San Antonio](#) gave out its Pete Torres scholarship awards. Local judges and MABA-SA board members gave out 15 scholarships of \$1,500 each to deserving high school students. *Congratulations to the winners!*



- Angelica M. Hernandez, member of the Hispanic Issues Section Council and co-chair of the CLE Committee, was recently honored as one of this year's recipients of the Houston Bar Association's President's Award. The award was presented at the Houston Bar Association's Annual Dinner Meeting on May 15, 2014, at the River Oaks Country Club. The award recognizes Angelica's continued contributions to her local bar association and community. *Congratulations Angelica!*



UPCOMING EVENTS

- June 26-27, 2014 – [State Bar of Texas Annual Meeting](#) — Austin, Texas
- September 3-5, 2014 – Texas Minority Council Program (TMCP) — Austin, Texas. HIS will host a table at this event.



HILTON AUSTIN and AUSTIN CONVENTION CENTER
Get All of Your CLE for the Year in Just Two Days for One Low Cost!

Choose the courses best suited to your practice, hear dynamic keynote speakers, and meet exhibitors and sponsors all in one place.

MEMBER SPOTLIGHT



J. MANUEL BAÑALES

SENIOR JUDGE/MEDIATOR/ATTORNEY
[DISTRICT JUDGE, 105TH JUDICIAL
DISTRICT COURT, 1987-2010;
PRESIDING JUDGE, FIFTH ADMINISTRATIVE
JUDICIAL REGION, 2007-2011]

Judge Manuel Bañales

A longtime resident of Corpus Christi, Judge Manuel Bañales has been a judge in Texas for over 27 years. Judge Bañales earned a Bachelor of Arts degree in Political Science from the University of Texas-El Paso, and then a law degree from the University of Houston Law Center (formerly the Bates College of Law). A few years after first being licensed in 1975, Judge Bañales joined with several other attorneys across Texas to create what eventually became the Hispanic Issues Section of the State Bar of Texas.

Judge Bañales served as District Judge of the 105th Judicial District Court for Kenedy, Kleberg, and Nueces Counties, Texas from 1987 through 2010. Judge Bañales was appointed by Governor Rick Perry as Presiding Judge of the Fifth Administrative Judicial Region of Texas in January 2007 and served in that position through January 2011.

Judge Bañales was certified by the Texas Board of Legal Specialization in Criminal Law and now serves as a Senior Judge in the State of Texas.

What follows are excerpts from an interview by Manuel Escobar, HIS Vice-Chair regarding the significance and contributions of the Hispanic Issues Section. The full interview can be found on the HIS website: www.hispanicissuessection.com

Tell us about the formation of the Hispanic Issues Section.

In 1979, the State Bar of Texas, along with other Texas agencies, was up for sunset review before the Legislature. The Legislature had previously passed “sunset review” legislation that required most Texas agencies to justify their existence as a Texas agency, and, if an agency failed to do so, the agency would be abolished or would be allowed to continue but without the imprimatur of Texas. The State Bar had become concerned that if it lost its status as a Texas state agency, it would lose its hold on all Texas lawyers through mandatory membership in the State Bar as required by law, and that it would morph into a smaller and weaker association. The State Bar needed everyone’s help.

During my term as President of The Chicano Bar Association of South Texas, Inc. [CBAST], Jim Wray, then a State Bar Director, expressed an interest in attending one of our meetings. CBAST was organized in 1977 to provide a voice and an action group to address the needs of Mexican-Americans in Texas. At the meeting, Jim learned about our concerns, and offered to carry them to the State Bar. In exchange for CBAST’s continued support for the State Bar, Jim offered to support our proposal to establish a section within the State Bar that would address and act on issues specifically affecting the Mexican-American community of Texas. Our understanding is that the final vote of the State Bar Board of Directors was unanimous in approving the creation of the section, which was the first section of the State Bar established not on a substantive area of the law, but rather that was established to focus on social as well as legal issues affecting a significant portion of the people of the State of Texas.

The Hispanic Issues Section originally was formed in 1979 as “The Section on the Concerns of the Spanish Speaking Community of Texas.” Why was that particular name selected?

We had long and serious discussions about what name the section should have. It was certainly more difficult than naming one’s first child or any child for that matter. We wanted a name that would stand out and would readily identify our interests and purpose.

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SPOTLIGHT ISSUE

Baby Steps, Gumption and Tenacity Bring Medical Student-Run Free Clinic to Underserved Area

*By: Rodolfo Mata**



Flanking Texas Tech University Health Sciences Center Paul L. Foster School of Medicine (PLFSOM) Founding Dean and Vice President for Health Affairs, Jose Manuel de la Rosa, M.D. (center), are left to right PLFSOM medical students Chetna Pande, Andy Billnitzer, Victoria Nunez and Jessica Phillips.

When Chetna Pande, Andy Billnitzer, Victoria Nunez and Jessica Phillips, medical students enrolled at the TTUHSC Paul L. Foster School of Medicine, collaborated to open a free student-run medical clinic in El Paso County, little did they know what obstacles lay ahead. The one thing the students did know is they were determined to make it happen.

Student-run medical clinics are associated with most medical schools, and serve as an important component of the medical community for meeting the needs of underserved communities. When Pande, Billnitzer, Nunez, and Phillips investigated, they found no such clinic established in the region. And so, they pursued plans for a clinic with the kind of gumption, wit and creativity – and independence – that only young exuberance can sustain.

Before long, their endeavor drew the attention of the medical school's administration. Fortunately, the students' "can-do, will-do," attitude was matched by the administration's "if you go for it, we'll back you up" encouragement.

Although the medical school teaches the students about medicine, there are no classes that address how to start and operate a medical practice, let alone how to found and manage a free student-run clinic. Through the counsel of Jose Manuel de la Rosa, M.D., Founding Dean Paul L. Foster School of Medicine, and Vice President for Health Affairs, Texas Tech University Health Sciences Center at El Paso, and other members of the medical school administration, the students learned that there is a slow and deliberate process that requires the participation of many departments and administrators within the medical school and the Health Sciences Center, as well as the assistance of professionals such as attorneys (contracts, liability, risk management) and accountants (budgets, projections, supplies).

Recently, Pande, Billnitzer, Nunez, Phillips, and Dr. de la Rosa shared their thoughts about the founding of the clinic. Looking back on their experiences after months of operating their dream-come-true clinic in an El Paso County *colonia* known as Sparks, the students were amazed both at what they accomplished and by the number of details involved in starting and operating such a medical facility. The behind-the-scenes work was "eye opening" for the students, Dr. de la Rosa noted with a grin and to chuckles of agreement from the students.

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IN MEMORIAM

The Hispanic Issues Section Mourns the Passing of **James W. Wray, Jr.** and **Adelfa Botello Callejo**.

James W. Wray, Jr.

It was with great sadness that the members of the Hispanic Issues Section learned about the recent passing of Corpus Christi attorney James W. Wray, Jr. Mr. Wray was instrumental in creating the predecessor to the Hispanic Issues Section (then called “Concerns of the Spanish Speaking Community”) back in 1979, and has been a tremendous friend to and participant in the section ever since. We extend our deepest condolences to Mr. Wray’s family and to all of those who knew him as a colleague and a friend. The Hispanic Issues Section recently recognized Mr. Wray’s incredible contributions to the section and to the advancement of Hispanic attorneys in Texas through the creation of the James W. Wray, Jr. Founder’s Award. The inaugural award was presented to Mr. Wray at a small ceremony last fall.

Adelfa Botello Callejo

The Hispanic Issues Section also joins the Hispanic National Bar Association, the Dallas Hispanic Bar Association, and countless groups across the country in mourning the recent passing of attorney, activist and civil rights leader Adelfa Botello Callejo. Mrs. Callejo was a two-time recipient of the Hispanic Issues Section Reynaldo G. Garza Lifetime Achievement Award, given to an attorney or judge who has demonstrated a long commitment and made great achievement in addressing concerns and issues affecting the Hispanic community and to the Hispanic Bar in Texas and has worked toward advancing diversity and access to justice in the practice of law.

To learn more about the many contributions made by Mr. Wray and Mrs. Callejo, please see the HIS website under NEWS.

FROM THE EDITOR

The Newsletter Committee would like to acknowledge the contributions of our talented members, **Rudy Mata**, **Gloria Leal** and **Manuel Escobedo**, who took time from their busy schedules to provide some interesting and thoughtful articles for this edition of our Newsletter. As you can see, it has been a busy few months for the Section, as we continue to reach out to our members and potential members and build on the organizational foundation built this year. Once again, we urge you to contact us if you have any comments on the Newsletter or if you have any suggestions for articles.

Sincerely,

Hispanic Issues Newsletter Committee

Dolores Alvarado Hibbs, Chair
Hon. Gina Benavides
Rudolfo “Rudy” Mata
Steven Wolfson

Interim Legislative Report 2014
Continued from page 2

3. Study the impact of SB 1289 (83R). Examine the sale of criminal histories that may be erroneous as well as the lasting impact that arrest records have on individuals who are arrested but not charged or convicted. Assess the need for revision of existing statutes and consider designating an agency responsible for regulating entities involved in the industry.
4. Examine the association between co-occurring serious mental illness and substance use disorders and parole revocation among inmates from the Texas Department of Criminal Justice. Review current policies and procedures for incarcerating individuals with a dual mental health diagnosis in both state and county correctional facilities and examine potential remedies within the State's criminal justice system to ensure that the public is protected and that individuals with a mental health diagnosis receive a continuum of mental health services. (Joint charge with the House Committee on Corrections)
5. Examine the current pecuniary loss thresholds associated with graffiti offenses. Study the costs of enhancing the penalties associated with the offense of graffiti, as well as a study of pretrial diversion programs that exist in other states and are specific to persons convicted of graffiti offenses. Study the existing Graffiti Abatement Programs in Texas.
6. Evaluate the approximately 1,500 non-traditional criminal offenses that can be found outside of the Penal Code. Study the feasibility of streamlining these offenses and examine ambiguities in the law. Study the existing use of the Rule of Lenity and *Mens Rea* requirements in Texas and the benefit of codifying both of these standards.
7. Examine the utilization of community supervision in state jail felonies and the effectiveness of the state jail in light of its original purpose.

House Committee on Corrections

1. Study and review the correctional facilities and processes within Texas Department of Criminal Justice, Texas Board of Pardons and Paroles, and Texas Juvenile Justice Department with emphasis on efficiencies, effectiveness, and recidivism.
2. Examine the association between co-occurring serious mental illness and substance use disorders and parole revocation among inmates from the Texas Department of Criminal Justice. Review current policies and procedures for incarcerating individuals with a dual mental health diagnosis in both state and county correctional facilities and examine potential remedies within the State's criminal justice system to ensure that the public is protected and that individuals with a mental health diagnosis receive a continuum of mental health services. (Joint charge with the House Committee on Criminal Jurisprudence)
3. Study the impact of SB 393 (83R) and SB 1114 (83R). Assess the impact of school discipline and school-based policing on referrals to the municipal, justice, and juvenile courts, and identify judicial policies or initiatives designed to reduce referrals without having a negative impact on school safety. (Joint charge with the House Committee on Public Education)

House Committee on Energy Resources

1. Study the P5 (drilling) permitting process at the Railroad Commission to determine whether the process is efficient and effective and whether there are actions that can be taken to improve the process.
2. Review the application of Texas Business & Commerce Code, Section 9.343, to determine the legal rights of unperfected security interests of oil and gas producers with respect to subsequent purchasers, specifically in the context of a bankruptcy proceeding such as *Arrow Oil & Gas, Inc. v. SemCrude, L.P.* and subsequent cases.

House Committee on Environmental Regulation

1. Study the environmental permitting processes at the Texas Commission on Environmental Quality (TCEQ), specifically the contested-case hearing process at the State Office of Administrative Hearings (SOAH) and the timelines associated with the process.

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*Interim Legislative Report 2014
Continued from page 8*

2. Study the rules, laws, and regulations pertaining to the disposal of high-level radioactive waste in Texas and determine the potential economic impact of permitting a facility in Texas. Make specific recommendations on the state and federal actions necessary to permit a high-level radioactive waste disposal or interim storage facility in Texas.

House Committee on Business and Industry

1. Study the voluntary nature of workers' compensation in Texas and how it meets the needs of employers and employees.
2. Review existing lien laws in Texas. Specifically: a. Examine laws concerning the enforcement of contract liens affecting real property. Identify improvements, if any, that will enhance the certainty of title following sale, enhance ability to ensure that sales are conducted by qualified trustees, prevent unnecessary litigation, facilitate loss mitigation between borrowers and sellers, and protect the interests of homeowners, lenders and trustees.
3. Study the imposition of mechanics' liens on automobiles and its impact on mechanics, car owners and purchasers, and lenders.
4. Review ad valorem tax lien lending after the implementation of SB 247 (83R) and the impact on homeowners, taxing authorities, mortgage lenders, and tax lien lenders. Review the procedures and powers of the Office of Consumer Credit Commissioner to ensure compliance with SB 247.
5. Study the impact of SB 1024 (82R) on wage theft and law enforcement's and regulatory agencies' responses to wage theft claims. Recommend changes if necessary.
6. Examine the issue of misclassifying employees as independent contractors on workers, employers, income tax withholding, and the unemployment insurance system. Review current statutory deterrents, including those required by HB 2015 (83R), and make recommendations for changes if necessary.

House Committee on Investments and Financial Services

1. Review Texas home equity laws. Study and make recommendations for ensuring Texas consumers have appropriate access to the equity in their homes and adequate protections.
2. Review the state regulatory and administrative systems related to public school bond issuances. *(Joint charge with the House Committee on Public Education)*

House Committee on County Affairs

1. Continue oversight of the Texas Commission on Jail Standards and issues jails currently face, including the mental health of those in jail, and make recommendations for refinement or improvement of processes and programs.
2. Determine which counties have implemented a cite-and-summons policy, whether the policy has been effective in lessening overcrowding in county jails, and whether those cited by peace officers comply with the policy.
3. Study the implementation of SB 462 (83R). Examine which counties currently have veterans' courts, as well as veterans' courts in other states, and determine how those programs are working and whether these courts provide additional services or resources for veterans. Make appropriate recommendations. *(Joint charge with the House Committee on Defense and Veterans' Affairs)*

For more information on the above charges and to obtain committee hearing information contact Gloria Leal at GLEalLaw@sbcglobal.net or go to Texas Legislature Online at www.Capitol.state.tx.us.

*Section Activities/News
Continued from page 3*

The Section's **CLE**, "A Survey of Texas Legal Updates" began with a powerful panel presentation by Texas Supreme Court Justice Eva Guzman, 14th Court of Appeal Justice Patricia Alvarez and 13th Court of Appeals Justice Gina Benavides. Updates then were provided in the following areas including, among others, Expedited Trials and Paid or Incurred (HIS CLE Co-Chair Joe Escobedo), Criminal Law (Jack Strickland), Labor/Employment Law (Alfonso Kennard), Immigration Law (Yohana Saucedo) and Family Law (Leigh de la Reza). During lunch, the CLE attendees were treated to a Legislative Update Panel; the outstanding panel was moderated by former HIS chair Gloria Leal. Another treat was the wit of Claude Ducloux who discussed "The Ethics of Managing a Successful Law Office". Participants of the CLE represented all sectors of the state (El Paso, Dallas, Houston, Austin and McAllen). HIS CLE Co-Chairs Joe Escobedo and Angelica M. Hernandez were appreciative of the opportunity to showcase HIS and anticipate more successful programming from the section in the future.

HIS Membership Committee Goes on the Road

The Membership Committee of the Hispanic Issues Section, led by co-chairs Arturo Aviles of Segal McCambridge and Judge Debra Ibarra Mayfield, with an assist from Angelica M. Hernandez of Linebarger Goggan Blair & Sampson, visited today's Texas Minority Attorney Program in Houston, Texas to visit with attendees about the Hispanic Issues Section and to encourage more attorneys to join. The visit was a success as several new attorneys joined the section! Welcome!

The Membership Committee of the Hispanic Issues Section, led by committee co-chair Arturo Aviles, who practices with Segal McCambridge in Austin, is also making trips around the state to meet members of the judiciary to inform them about our section and to encourage them to become members. Arturo's first trip was to the Fourth Court of Appeals of Texas and to the Bexar County Courthouse, each in San Antonio, Texas. Arturo met with Hispanic Issues Section Chair Justice Patricia O. Alvarez and several other judges. The Membership Committee plans to meet with judges in other areas soon!

Revised Bylaws Update Section Fees

The Hispanic Issues Section recently approved new bylaws, which can be seen [here](#). **Law students and recent graduates (licensed two years or less) can now join the section for FREE!** We will update our membership form soon. Until then, if you would like to join as a law student or recent graduate member, please [email us!](#)

Chair Submits Annual Report

The Chair of the Hispanic Issues Section, Justice Patricia O. Alvarez, has provided an annual report summarizing many of the wonderful activities and achievements of the section. You can read her full report on the HIS website.



Member Spotlight: Judge Manuel Bañales
Continued from page 5

CBAST was the force behind the establishment of the section. We conceded at the outset that naming the section “the Chicano Section” was not going to cut it. Because most of the membership was of Mexican-American descent, there was great interest in having the term “Mexican-American” as part of the name. As we worked to generate support among other associations in Texas, we found several Cuban-American and Puerto Rican American lawyers who had expressed interest and concern with what we wanted to accomplish. We also came across others whose parentage was of Spanish, Central American and South American origin. The competing interests in coming up with an acceptable name concerned us. Incidentally, at the time, the term “Hispanic” had not gained wide-spread acceptance; indeed, a significant number of members rejected the term outright.

What we did have in common, though, was the *issues* that affected the Spanish-speaking and -surnamed community. That was the reason for having groups such as CBAST or Mexican American Bar Associations [MABA] or the Hispanic National Bar Association [HNBA]. We needed a name that clearly identified our interests.

But, we still needed a name that identified our people. *Our people*. After considerable discussion, we hit upon what clearly set us apart from other peoples in this country, and that was our language, our names. We then came up with “the Spanish-speaking community” as the common, unifying theme that we felt would not offend anyone.

The last step was to put it all together. *The Section on the Concerns of the Spanish Speaking Community of Texas*.

What do you think have been some of the most important achievements of the section?

Our concerns were many, and may be grouped into two: those that affect us as lawyers and those that affect the Hispanic community.

Having certified, competent court interpreters was a pressing need. Although we convinced the State Bar to approve a “Court Interpreters Committee,” it was years before we finally succeeded in having the Legislature pass legislation mandating certified interpreters into our judicial system. Now, most counties with a significant Hispanic population have certified interpreters on the county payroll or on contract to provide translation services. The Office of Court Administration has also adopted procedures to provide access to interpreters for any county in Texas. This is a far cry of what I saw as a lawyer in the 1980’s when a clerk was called upon to translate in a judicial proceeding, when the only qualification the clerk had was that she was Mexican American and spoke some Spanish.

We also demanded the fair treatment of persons in the legal system. Incidents of police brutality were still common when the section was formed. We met with local police authorities, particularly in South Texas, to push for reforms and changes in attitude by police officers. I believe we made a big difference.

Immigration was then and continues to be a hot-button issue. Along with other interested groups and organizations, we worked to streamline procedures in the immigration and naturalization processes. Regrettably, the recent hysteria, phobia and demonizing of immigrants has resulted in setbacks that will be difficult to overcome.

From our time in law school, we have had an interest in seeing more Hispanics in the law school faculty. We recognized that this would take time to achieve, but we have seen more Hispanics join law school faculty in recent years.

How do you think the section could most help Hispanic attorneys, and the Hispanic community, today?

We wanted our section to have lawyers from all areas of the law to work together to contribute to the improvement of the Hispanic Bar and to the Hispanic community as a whole. The section is not limited or focused to one area of the law. The strength of the section is the diversity of interest in the law that allows the members to offer different ideas to address and resolve particular issues.

*Baby Steps, Gumption and Tenacity Bring Medical Student-Run Free Clinic to Underserved Area
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Dr. de la Rosa praised the students for their tenacity in resolving the myriad of business-related issues that arise in running a medical clinic. They tackled landlord-tenant relations, HIPAA (Health Insurance Portability and Accountability Act of 1996) regulations, facility maintenance, malpractice liability questions, contract matters concerning the rights and obligations between the local housing corporation that is providing the clinic space and the medical school, and other topics.

In the clinic, first-year medical students register and triage the patients; the second- and third-year students, under the supervision of a licensed doctor, see patients and write up files. The students see 15 to 25 patients during the one evening each fortnight that the clinic is open, and sometimes, additional patients must be turned away.

The clinic has already received recognition from within the medical arena, having received numerous awards including grants for breast cancer screening and patient education. It is making an impact locally, with many patients being return clients and entire families seeking routine healthcare. In addition, the clinic furthers an important goal of the Paul L. Foster School of Medicine – to focus on border health issues. In line with this emphasis is the requirement that all students are required to take a Spanish language course their first year, which is tremendously useful because more than 90 percent of the patients seen are Spanish speakers.

The clinic has been a self-based learning experience allowing students to learn how to solve problems tangential to medicine, but directly related to the successful practice of medicine. The skill are applicable to being “a free clinic director overseas”, opined Pande, a third-year medical student from Houston who has a keen interest in practicing medicine in the developing world. The practice of medicine is an exercise in “resourcefulness” and working with what you have to service clients with immediate needs, observed Billnitzer, a third-year student from San Antonio. “Patient education is huge,” noted Phillips, a second-year medical student from Houston, because knowing that the long-term consequences of not taking control over one’s health today shapes a patient’s quality of life years in the future. Volunteering at the clinic offers a glimpse into what it will be like to practice medicine in El Paso, a particularly valuable lesson for Nunez, a second-year student from El Paso, who noted that health care in a Hispanic community influenced by culture; entire families visit at a time and health care is only on aspect of their needs.

How can the legal community assist in supporting endeavors such as the TTUHSC Paul L. Foster School of Medicine’s student-run clinic? Beyond providing advice concerning the legal issues involved in running a medical practice, lawyers can also reach out to the underserved communities through the clinics. In addition to medical needs, patients may also have legal issues relating to family law, employment, landlord-tenant relations, or other matters. Together, medical and legal professionals can make a significant difference to better the lives of the underserved populations in our communities.

To learn more about the clinic, visit <http://mcasynapse.org/student-run-medical-clinic-opens-in-the-sparks-community>.

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