

# IN CHAMBERS

Official Publication of The Texas Center for the Judiciary, Inc., P.O. Box 12487, Capitol Station Austin, Texas 78711

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December, 1984

## Judicial Section chooses new leaders



**JUDGE RAUL L. LONGORIA**  
Chairman

At the largest judicial education conference held in Texas and perhaps in the nation, Judge Raul L. Longoria of Edinburg, 139th District Court, was unanimously elected chairman of the Judicial Section, State Bar of Texas.

Named as Chairman-elect at the 1984 Judicial Section Conference was Justice Noah Kennedy of Corpus Christi.

Three new Executive Committee members were also chosen. They are Judges Vann Culp of Midland; Temple Driver of Wichita Falls; and Thomas B. Thorpe of Dallas.

Nearly 700 judges from every part of the state convened in Galveston Sept. 25-28 to vote in the elections and take advantage of

the once-a-year opportunity for appellate, district and county court at law judges to meet and discuss matters of mutual concern. Total attendance was over 900 persons.

How our high-tech society can help under-staffed courthouses relieve an overburdened judicial system was the theme of the conference.

"Nothing is more important than the administration of justice. It is our promise to the world," Supreme Court Chief Justice Jack Pope told judges at the opening general session.

To administer justice most efficiently, the judiciary must act in a unified manner, Pope said. That attitude should prevail when judicial needs are presented to the Legislature, he added.

"When we go to the Legislature, we must make requests at one time on behalf of all the judiciary. We don't go with hat in hand either. We go as the third branch of government," said Pope, as the audience applauded.

At the luncheon meeting, the judicial section heard from Lt. Gov. Bill Hobby.



**JUSTICE NOAH KENNEDY**  
Chairman-elect

The Legislature is being pressured to cut the state's biennial budget so the state can live within its means, the Lt. Governor said.

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### Between

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### the Lines

## - Leading Remarks -



by District Judge  
Raul L. Longoria,  
Judicial Section Chairman

*The Judicial Section of the State Bar is as essential to the effectiveness of judges as judges are essential to the success of the judicial section in meeting the purpose of its existence and reaching its goals.*

*A mutual necessity exists in that the Judicial Section can help you only if you support it and participate in its activities.*

*This year, with your help, the Section will work to:*

↓ *Secure a permanent source of funding for judicial education programs provided by the Texas Center for the Judiciary. The legislative proposal to tack a dollar onto court filing fees could generate revenues earmarked for judicial education that would expand not only the depth of our programs but also the reach. Judicial education requirements are currently contingent on available funds, but a judge's education should not be held ransom.*

↓ *Raise trial court judges' salaries to 85% of those of Supreme Court Justices. A nationwide survey shows salaries of Texas appellate judges are in the top ten, but trial judges rank 27th. If Texas trial court judges' salaries were comparable to appellate justices and other states' trial judges, the state could better afford to attract well-qualified people to the bench and encourage their dedication to a judicial career.*

↓ *Support the Judicial Budget Board's recommendations to the Legislature to create funds for the attainment of sufficient court support personnel in all counties and the technological equipment that is designed to expedite the justice system.*

↓ *Update the antiquated Code of Judicial Conduct to meet our contemporary needs. I have appointed a special committee that is currently preparing a revised Code which will be submitted to the Texas Supreme Court for approval. They are faced with the challenge of writing a Code that is practical, flexible, and enforceable by the Texas Commission on Judicial Conduct*

*Last year the Section, under the excellent leadership of Chief Justice William J. Cornelius, made great strides in impressing upon the Executive and Legislative branches of government the needs of the Judicial branch. Now we must take advantage of this new interest. To be most effective, we must work together. The Judicial Section needs you and will soon be calling on you for your help.*

*We urgently need a positive response from each of you. The Judicial Section will be as successful as you make it through your active participation. We hope we can count on you to do your part.*

## Regional seminars offer talks on current problems

An array of topics that will help Texas appellate and trial court judges streamline their work will be offered through a series of regional seminars planned by the Texas Center for the Judiciary and scheduled for early 1985.

"Our goal this year is to provide practical information that judges can use in their day-to-day operation of their courts," said Justice Richard N. Countiss, Dean of the Judicial College and curriculum organizer for the conferences.

"The seminars have been approved by the Supreme Court Education Committee and will satisfy approximately one-half of a judge's 1985 mandatory judicial education requirement," Countiss added.

Five seminars, offering approximately 9 hours of continuing judicial education, are shaping up and will be attended by an estimated 625 judges, Countiss said.

The tentative agenda of the conferences includes: an afternoon discussing child abuse, custody, and support; an update of the rules of evidence; and tracking of proposed bills affecting the judiciary under consideration by the Texas Legislature.

"While Thursday afternoon will be devoted to the child, efforts are being made to provide two hours for appellate and county court at law judges to meet in separate sessions to discuss matters of jurisdictional concern," said Countiss.

see REGIONALS, p. 13

## A decade of service

# Dillard to leave helm of Texas Center

The first and only executive director of the Texas Center for the Judiciary, Jack H. Dillard, is leaving the ship he has steered through smooth and rough seas for more than a decade Dec. 31, 1984.

Roy J. Rawls, former executive administrator of the Court of Criminal Appeals, has been appointed to succeed Dillard effective Jan. 1, 1985.

During his tenure, Dillard has been the Center's bulwark through 149 judicial educational seminars that offered 3,296 hours of judicial education and were supplemented by more than 15 benchbooks prepared by the Center.

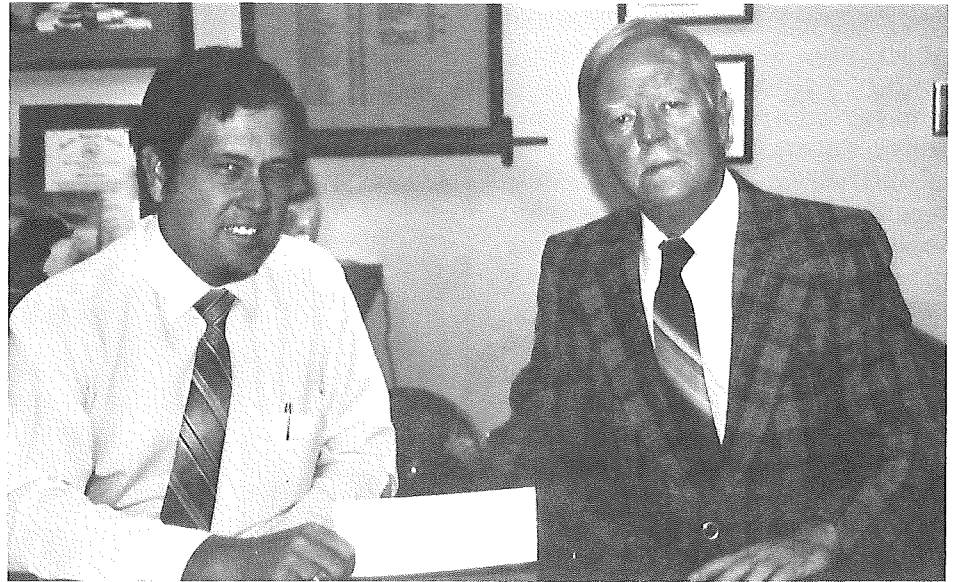
"The graduation of the 500th 'student' from the Texas College for New Judges in 1983 was one of the proudest moments I've had on this job," said Dillard.

Dillard has watched a total of 579 judges graduate from the College since he helped organize it ten-years ago.

Court of Criminal Appeals Judge Tom Davis, the first Dean of the College said, "What stands out above all else to me, is the fantastic job Jack did back at the beginning of the College.

"He took our thoughts, goals, and ambitions, and translated them into an actuality. He created a first-class program for new judges. That was quite a task, in respect to all the organization it required," Davis said.

"I'm the one who primarily talked him into taking the job," said former Court of Criminal Appeals Judge Truman Roberts. Roberts chaired the 11-member Conti-



**OFFERING RECOGNITION:** Martin Allen, secretary-treasurer of the Texas Association of Court Administrators, presents the Center's executive director with a \$500 check to enhance the Jack H. Dillard Scholarship Fund at Baylor University School of Law.

nuing Legal Education Committee of the State Bar of Texas which created the Center in 1972.

"We felt he had the knowledge and experience to do us a good job," Roberts said. "He proved us right. I'd hire him again, Jack's a very competent and capable person."

Another one of Dillard's original employers, former Supreme Court Justice Charles W. Barrow (now Dean of Baylor Law School), concurred.

"One of the most fortunate things that happened to the judicial education program, was the employment of Jack Dillard at the outset. His leadership and administrative ability has made the (Texas Center) the showplace of the nation," said Barrow.

"All of us are grateful to him, and wish him the best," added Barrow.

Dillard began shaping the fledgling organization in 1972, which at that time ran on federal funds. In

1980 when those funds were exhausted, he guided the Center through incorporation and began operations chiefly on grant monies from the Texas governor's office and tax-deductible contributions from foundations, corporations, and individuals.

"I'd like to think we built an outstanding judicial education program," said Dillard when asked of the legacy he leaves behind.

"We've been told that by many educators in other states."

Judicial educators are able to exchange such comments, along with techniques, program curricula, and other pertinent information because of Dillard's efforts in 1974 to create a national organization for the profession.

The National Association of State Judicial Educators recognized Dillard's accomplishments at their recent annual convention.

see **DILLARD**, p. 10

## SECTION

"For the judiciary, this means better docket control and case flow management, using alternative resolutions of disputes, using masters, referees and court administrators, seeking to minimize delays, reduce workloads, and make better use of judicial time," Hobby said.

Also speaking at the luncheon was Buddy Jones, executive assistant to House Speaker Gib Lewis. Jones, reviewing some of the recommendations proposed by the Senate-House Select Committee on the Judiciary, said, "all of the recommendation I have seen thus far appear to be aimed at a great need -- streamlining our judicial system with the emphasis on reducing the problem of overcrowded dockets and a more even distribution of the case load of our already overworked judiciary."

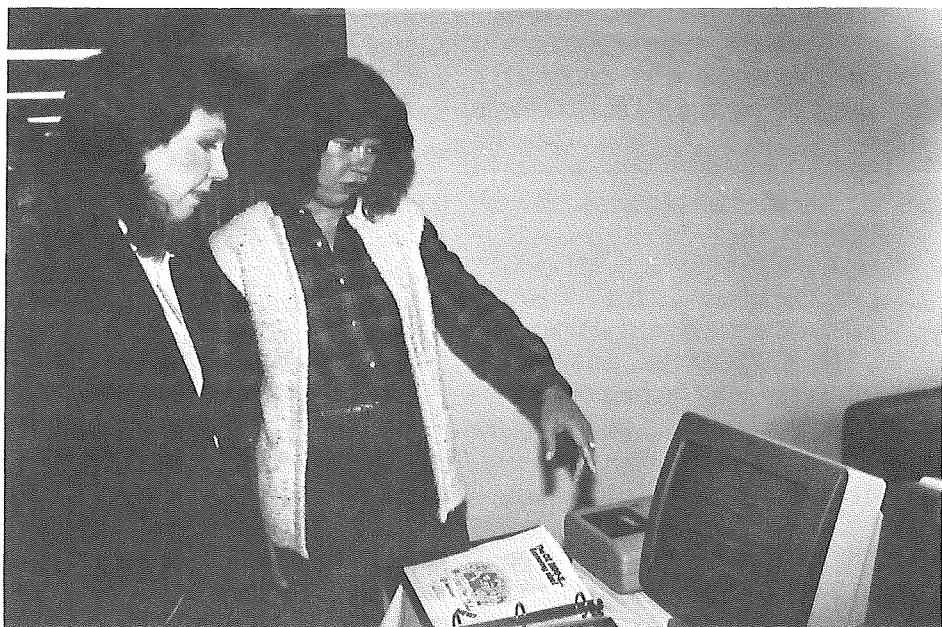
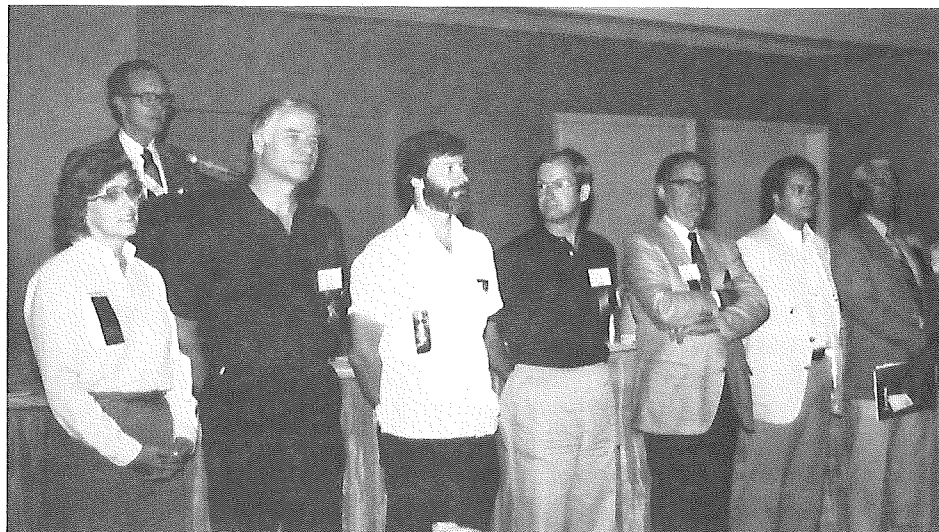
Jones said consideration is being given to:

- providing district courts with exclusive, general and original jurisdiction of all actions, proceedings, and remedies;

**WELCOME ABOARD:** Court of Criminal Appeals Judge Wendell A. Odom (AT MICROPHONE) introduces eight of the 36 new (since the last section conference) judges to the general assembly. Pictured, from l-r, are: Catherine Adamski of Dallas; E. Paul Banner of Greenville; Paul Davis of Austin; John Delaney of Bryan; Joe Dibrell, Jr. of Austin; Juan Gallardo of Austin; and Alex R. Gonzalez of Fort Stockton.

**RELAXING RECESS:** Court of Criminal Appeals Presiding Judge John F. Onion, Jr. and his wife Nancy, (CENTER) pause from the gaiety of Thursday evening's festivities to chat with outgoing Section Chairman William J. Cornelius and Fourth Court of Appeals Justice Shirley Butts.

**HI-TECH TALK:** District Judge Frances Harris of Dallas discusses the advantages of computerized transcripts with one of 15 vendors who were at the conference displaying their wares.



- expanding civil jurisdiction of county courts at law, and standardizing such courts in various counties;

- reassigning judges as needed across and within jurisdictions to reduce calendar backlogs and court delay;

- increasing use of telephone and mail conferences to dispose of motions, scheduling and settlement;

- a two-year freeze on the creation of any new courts, and devoting present resources to sitting judiciary.

Jones said there is also legislation proposed which would:

- permit juries to be informed about parole procedures before they assess sentences in criminal cases;

- require counsel to raise specific objections to the indictment before trial or waive same;

- revoke spousal immunity in child abuse cases; and

- authorize the death penalty automatically for mass murderers.

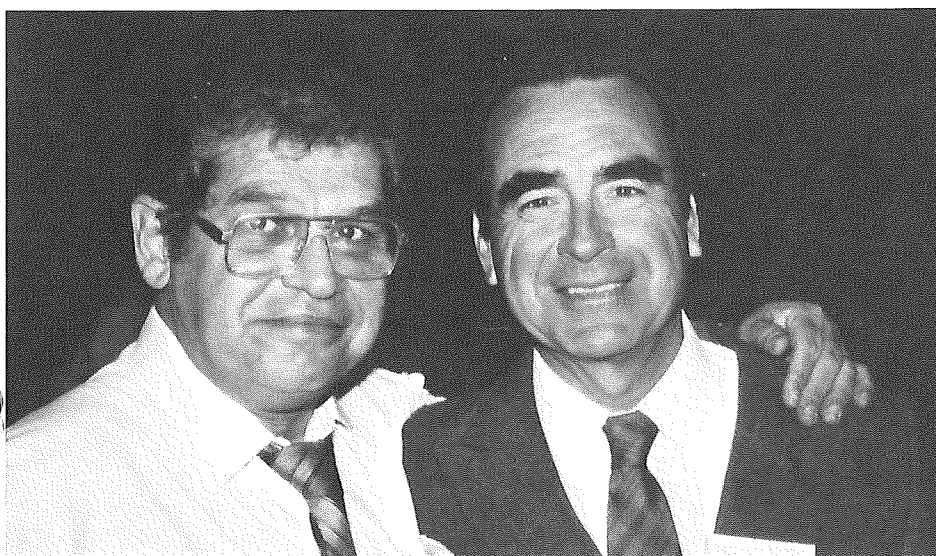
Jones closed by saying, "When (the Legislature)

meets in January, we plan to keep you, if not the best paid, the best informed and educated in America."

Several out-of-state judges, including the Chief Justice of the North Dakota Supreme Court, Ralph J. Erickstad, delivered addresses to the group. Judge James S. Chenault of Kentucky discussed the use of video trial records in his state, and Chief Judge of the Oregon Court of Appeals, George M. Joseph, told of methods his court uses to expedite cases on appeal.

Other speakers on the program included Court of Criminal Appeals Presiding Judge John F. Onion, Jr.,

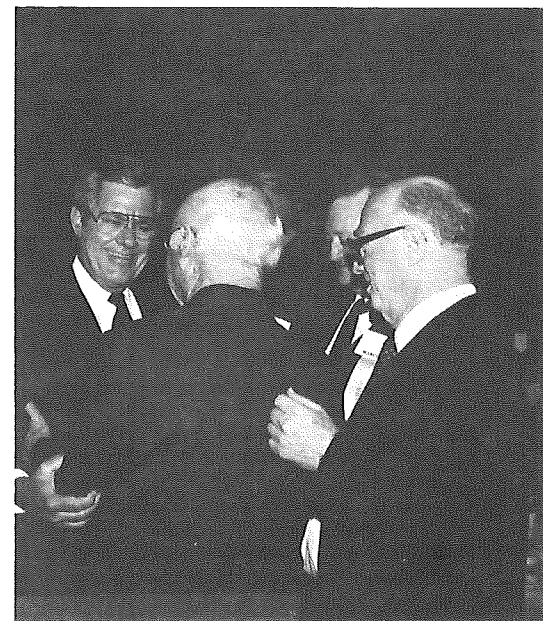
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**KIND KUDOS:** Chairman-elect Judge Raul L. Longoria and his wife Earlene lead a hearty round of applause as Chairman William J. Cornelius presents the Center's Executive Director, Jack H. Dillard, a plaque at the annual Judicial Section Conference for his twelve years of service to the Texas Judiciary.

**BRETHREN-IN-LAWS:** District Judge Margarito C. Garza of Corpus Christi and District Judge John F. Dominguez of Edinburg attest to the judicial support participants can find at the annual Section conference.

**GROUP GREETINGS:** Supreme Court Chief Justice-elect John Hill greets new friends and old acquaintances at the Thursday evening banquet. Hill starts his new job Jan. 1, 1985.



and representatives from the Senate-House Select Committee on the Judiciary, including the chairman, Sen. Ray Farabee of Wichita Falls, and co-chairman, Rep. Bob Bush of Sherman.

Presiding at various conference sessions were Chief Justice William J. Cornelius of Texarkana, Chairman of the Judicial Section; Presiding Judge Thomas J. Stovall, Jr. of Seabrook; Judge Paul Ferguson of Angleton; Judge Hal Lattimore of Fort Worth; Justice Max Osborn of El Paso; Chief Justice Stephen Preslar of El Paso; Judge Andrew Baker of Galveston; Judge Robert M. Blackmon of Corpus Christi; Judge Sherman Ross of Houston; and Judge Robert C. Wright of Lubbock.

The conference also focused on the application of technology in the courtroom, and how to develop efficient ways to use personnel and resources.

Several vendors offered demonstrations of their

## Center membership picks new leadership

Judge Raul I. Longoria was unanimously selected chairman of the Board of Directors for the Texas Center for the Judiciary, Inc., at the Center's annual corporate business meeting held at the Judicial Section conference in Galveston, Sept. 28.

Justice Noah Kennedy of Corpus Christi was elected Vice-Chairman and Judge Clarence N. Stevenson of

Victoria was elected secretary-treasurer.

Members also chose three new directors to serve three-year terms on the Center's board. They are: Justice Richard N. Countiss of Amarillo, 7th Court of Appeals; Judge Paul F. Feguson of Angleton, 149th District Court; and Judge George M. Thurmond of Del Rio, 63rd District Court.

equipment in booths set up in the foyer of the Convention Center.

Since Jan. 1, appellate and trial judges have been required to attend 16 hours of continuing judicial education programs. The conference offered 9.5 hours of accredited programs. ●



**INSTRUCTIONS TO THE JURISTS:** North Dakota Chief Justice Ralph J. Erickstad opens the conference with an address on the challenges that face the judiciary in the next decade. Erickstad said the judiciary is most often criticized for delays. To prevent unjust criticism each court should adopt guidelines with limits on how cases should proceed through the system, establish a monitoring process and provide for meaningful enforcement procedures.

**WE STAND ADJOURNED:** (RIGHT) Outgoing members of the Executive Committee and Texas Center Board of Directors are pleased to display the plaques awarded to them by appreciative Section members. Honored were: (FRONT ROW, L-R) Peter Solito, executive committee member; Charles W. Barrow, Board member; Hal Lattimore, executive committee member; and Section Chairman William J. Cornelius, Jr. (BACK ROW, L-R) Carol Haberman, Board member; Quentin Keith, Board member, and Brunson Moore, executive committee member.



# Section modifies by-laws to meet new needs

At the business session Friday morning, the Judicial Section's general assembly passed four amendments to the Section by-laws.

The first more clearly defines the membership of the Section by specifically listing the types of courts included. Any member of the State Bar of Texas who is serving or who has served as a justice or judge of a Federal court, the Supreme Court, the Court of Criminal Appeals, a court of appeals, a district court, a constitutional county court, or a statutory court exercising any of the jurisdiction of a constitutional county court, shall upon payment of the annual dues be enrolled as a member.

It also amended Article II to require annual dues payment by all members in an amount and at the time set by the Executive Committee. [In a later meeting, the Executive Committee set dues at \$25.00 per active judge and \$12.50 for retired or former judges.]

The second amendment requires any committee report to be voted on by Section members at the annual conference to be made available in writing to members attending the conference at least 48 hours before the business session.

The third sets the Section's fiscal year to begin on October 1 of each calendar year and to terminate on September 30 of the following year.

The fourth requires advance notice to members attending the annual conference of any proposed amendments to the by-laws at least 48 hours prior to the business session.

Also at the business meeting, the Section's Ethics Committee, chaired by Justice Richard N. Countiss of Amarillo, reported on its study of the Code of Judicial Conduct.

The passage of constitutional amendment H.J.R. 4 in November, makes violations of the Code punishable by the State Commission on Judicial Conduct.

The Committee recognized two needs, Countiss said. "One is for a specific, clear, easily understood code, designed for easy compliance by judges.

"The other is for some general ethical guidelines which we can all follow," Countiss added.

The Section unanimously adopted a resolution recommending, if the amendment was approved by voters, that:

- the Supreme Court appoint a committee to consider and recommend to the Court a set of specific rules, to become the amended Code of Judicial Conduct, and if violated could be used as a basis for disciplinary action;

- the Chairman of the Judicial Section appoint a committee to consider and recommend to the Section a set of ethical guidelines and standards, to be known as the Canons of Judicial Ethics, to guide judges in their personal decisions; and,

- upon his retirement, Chief Justice Jack Pope be appointed to chair the Supreme Court appointed committee.

Judge Raul L. Longoria, chairman of the Section, has appointed District Judge Guy E. Jones of Texarkana to chair the special study committee on judicial ethics. District Judge Harry Hopkins of Weatherford, will serve as vice-Chairman. [See p. 8 for complete committee listings.]



**FINAL BRIEFING:** Supreme Court Justice William J. Kilgarlin (LEFT) and his wife Margaret share a sentimental moment with retiring Justice Charles W. Barrow and his wife Sugie. Barrow, who served on the court for seven years, became Dean of Baylor Law School one day after the conference.

# 1984-85 COMMITTEES OF STATE BAR

## Executive Committee Officers

**Raul Longoria**, Chairman  
139th District Court,  
P.O. Box 182  
Edinburg, Texas 78539  
512/383-2751, ext. 270

**Noah Kennedy**, Chairman-Elect  
13th Court of Appeals  
Nueces County Courthouse  
Corpus Christi, Texas 78401  
512/888-0416

**Clarence A. Guittard**,  
Secretary-Treasurer  
Fifth Court of Appeals  
County Government Center  
Dallas, Texas 75202  
214/749-6920

**William J. Cornelius**,  
Immediate Past-Chairman  
Sixth Court of Appeals  
Texas Municipal Building  
Texarkana, Texas 75501  
214/794-2576

## **Members**

**Vann Culp**, (1987)  
238th District Court  
P.O. Box 1922  
Midland, Texas 79702  
915/682-9481, ex. 429

**Temple Driver**, (1987)  
89th District Court  
Wichita County Courthouse  
Wichita Falls, Texas 76301  
817/322-0721, ex. 117

**Harry Hopkins**, (1986)  
43rd District Court  
Parker County Courthouse  
Weatherford, Texas 76086  
817/594-7343

**W. Rachel Littlejohn**, (1986)  
156th District Court  
P.O. Box 82  
Beeville, Texas 78102  
512/358-1839

**Neel Richardson**, (1985)  
County Criminal Court at Law #8

301 San Jacinto  
Houston, Texas 77002  
713/221-6208

**Curt F. Steib**, (1985)  
119th District Court  
Tom Green County Courthouse  
San Angelo, Texas 76903  
915/655-2277

**J.W. Summers**, (1986)  
12th Court of Appeals  
306 Smith County Courthouse  
Tyler, Texas 75702  
214/593-8471

**Thomas B. Thorpe**, (1987)  
203rd District Court  
Dallas County Courthouse  
Dallas, Texas 75202  
214/749-8561

## Committee On The Relationship Between The Section And The Texas Center

**Tom G. Davis**, Chairman  
Court of Criminal Appeals  
P.O. Box 13272, Capitol Station  
Austin, Texas 78711  
512/475-3935

**John T. Boyd**  
7th Court of Appeals  
P.O. Box 9540  
Amarillo, Texas 79105  
806/376-5323

**Robert A. Gammage**  
3rd Court of Appeals  
P.O. Box 12547, Capitol Station  
Austin, Texas 78711  
512/475-2441

## Committee on Judicial Retirement and Benefits

**B.B. Schraub**, Chairman  
25th District Court  
Guadalupe County Courthouse  
Seguin, Texas 78155  
512/379-1204

**Paul W. Nye**, Vice-Chairman  
13th Court of Appeals

Nueces County Courthouse  
Corpus Christi, Texas 78401  
512/888-0416

**Robert M. Campbell**  
Supreme Court of Texas  
P.O. Box 12248, Capitol Station  
Austin, Texas 78711  
512/475-2074

**Leonard E. Hoffman, Jr.**  
160th District Court  
Dallas County Courthouse  
Dallas, Texas 75202  
214/749-8271

**Robert T. Pfeuffer**  
207th District Court  
Comal County Courthouse  
New Braunfels, Texas 78130  
512/625-0881

## Liability Insurance Committee

**John T. Boyd**, Chairman  
7th Court of Appeals  
P.O. Box 9540  
Amarillo, Texas 79105  
806/376-5323

**James T. Clawson, Jr.**,  
Vice-Chairman  
169th District Court  
Bell County Courthouse  
Belton, Texas 76513  
817/939-3521

**Melchor Chavez**  
107th District Court  
Cameron County Courthouse  
Brownsville, Texas 78520  
512/544-0845

**W. Ervin James**  
127th District Court (Retired)  
5311 Willers Way  
Houston, Texas 77056  
713/621-6909

**Charles D. Mathews**  
200th District Court (Retired)  
7611 Rustling Rd.  
Austin, Texas 78731  
512/345-0333

# THE JUDICIAL SECTION, OF TEXAS

## Committee on Judicial Ethics

### **Richard N. Countiss** (1988)

Chairman  
7th Court of Appeals  
P.O. Box 9540  
Amarillo, Texas 79105  
806/376-5323

### **Jackson B. Smith, Jr.** (1985)

Vice-Chairman  
1st Court of Appeals  
1307 San Jacinto, 10th Floor  
Houston, Texas 77002  
713/655-2723

### **A.D. Azios** (1988)

232nd District Court  
301 San Jacinto  
Houston, Texas 77002  
713/221-6778

### **Hume Cofer** (1985)

98th District Court  
P.O. Box 1748  
Austin, Texas 78767  
512/473-9307

### **R. Temple Driver** (1985)

89th District Court  
Wichita County Courthouse  
Wichita Falls, Texas 76301  
817/332-0721, ext. 117

### **Howard M. Fender** (1987)

2nd Court of Appeals  
Tarrant County Courthouse  
Fort Worth, Texas 76102  
817/334-1900

### **Sherman A. Ross** (1988)

Harris County Criminal Court  
At Law No. 10  
1115 Congress  
Houston, Texas 77002  
713/221-6216

### **Linda B. Thomas** (1987)

256th District Court  
2nd Floor - Old Red Courthouse  
Dallas, Texas 75202  
214/749-6449

### **David Walker** (1987)

159th District Court  
P.O. Box 908  
Lufkin, Texas 75901  
409/639-3913

## Special Study Committee On Judicial Ethics

### **Guy E. Jones**, Chairman

202nd District Court  
County Bldg., 4th & Texas Blvd.  
Texarkana, Texas 75501  
214/794-4231

### **Harry Hopkins**, Vice-Chairman

43rd District Court  
Parker County Courthouse  
Weatherford, Texas 76086  
817/594-7343

### **Alfonso Chapa**

225th District Court  
Bexar County Courthouse  
San Antonio, Texas 78205  
512/220-2233

### **Richard N. Countiss**

7th Court of Appeals  
P.O. Box 9540  
Amarillo, Texas 79105  
806/376-5323

### **Howard M. Fender**

2nd Court of Appeals  
Tarrant County Courthouse  
Fort Worth, Texas 76102  
817/334-1900

### **Benjamin Martinez**

293rd District Court  
Maverick County Courthouse  
Eagle Pass, Texas 78852  
512/773-9171

### **Thomas H. Routt**

208th District Court  
Harris County Courthouse  
Houston, Texas 77002  
713/221-6374

### **Ross A. Sears**

14th Court of Appeals  
1307 San Jacinto, 11th Floor  
Houston, Texas 77002  
713/655-2807

### **Linda B. Thomas**

256th District Court  
Second Floor - Old Red Courthouse  
Dallas, Texas 75202  
214/749-6449

## Juvenile Justice Committee

### **Enrique Pena**, Chairman

327th District Court  
City Court Building  
El Paso, Texas 79901  
915/546-2032

### **Joe B. Evins**, Vice-Chairman

206th District Court  
Hidalgo County Courthouse  
Edinburg, Texas 78539  
512/383-2751, Ex. 285

### **Andrew Baker**

306th District Court  
Galveston County Courthouse  
Galveston, Texas 77550  
409/766-2255

### **Robert L. Eschenburg, II**

218th District Court  
P.O. Box 236  
Floresville, Texas 78114  
512/393-2210

### **Scott D. Moore**

323rd District Court  
2701 Kimbo Road  
Fort Worth, Texas 76111  
817/834-6311

### **Craig Penfold**

304th District Court  
Dallas County Record Building  
Dallas, Texas 75202  
214/749-8295

### **Elma T. Salinas**

341st District Court  
P.O. Box 1598  
Laredo, Texas 78042  
512/727-7272, Ex. 615

### **Michael Westergren**

214th District Court  
Nueces County Courthouse  
Corpus Christi, Texas 78401  
512/888-0463

### **Mary Pearl Williams**

53rd District Court  
P.O. Box 1748  
Austin, Texas 78767  
512/473-9308

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## DILLARD

"For 10 years, Jack has rendered faithful and valuable service to our Association. Cognizant of the unique part he has played as eminent statesperson and distinguished social commentator, the association delights in recording the affection in which Jack is held by us members," reads a plaque NASJE presented its founding member and second president.

During his career at the Texas Center, Dillard has received similar awards from a bevy of organizations.

For example, in October, the Texas Association of Court Administrators inducted Dillard into their organization as an honorary member.

At the same time, TACA presented a \$500 contribution to the Jack H. Dillard Scholarship established at Baylor University School of Law.

Dillard received a bachelor of arts degree from Baylor in 1938; and returned in 1969 to earn a juris doctor degree.

Before opening the Center in January, 1973, Dillard worked as Assistant Attorney General under then-Attorney General Crawford Martin from 1969 to 1972.

He served as chief administrative assistant to former Gov. Allan Shivers and former U.S. Sen. William A. Blakley. He is also a former special agent of the FBI, former editor of the Mexia Daily News and

former alumni director at Baylor University.

As for the future, Dillard says he has many "irons in the fire" but is not sure which one he'll pull out first.

Dillard plans to stay busy with a limited law practice and to do some "long neglected writing."

He currently serves on the board of directors of the Baylor Alumni Association, the Rotary Club of Austin and the Highland Park Baptist Church.

"I'm very proud of the work I've done at the Texas Center. I hope that the it continues for many years," Dillard said.

"A well-educated judiciary is an essential element in a successful democracy."☺

## Center attempts to clarify certification chaos

Letters are in the mail informing all judges of the the judicial education hours they have reported in 1984.

The Texas Center for the Judiciary, the official recordkeeper for the Supreme Court, has prepared the letters to inform each judge subject to the mandatory judicial education law of their reported accumulated hours.

According to the Supreme Court, each judge must submit a "Judge's Certification Form" to the Texas Center for each conference or seminar a judge wishes to receive credit for attending

"The most common problem is that a judge has not sent a certification form to the Center. If we don't have a form on file for each conference attended by a judge, then the Supreme Court will not allow those hours to be counted," said Carolyne Fellers, the Center's record

supervisor.

"The certification forms were not available until April, but judges must still submit one for each conference they attended and want to receive credit for during 1984," said Fellers.

The Supreme Court has ordered the Texas Center to report to it by February 1 the name of any judge who does not accumulate the required 16 hours each year.

Unless the Court grants a waiver for emergency reasons, the Court is required by the Mandatory Judicial Education Act, article 5966b, Tex. Rev. Civ. Stat. Ann., to advise the State Commission on Judicial Conduct of the name of any judge who has not complied with the Act.

An emergency waiver of compliance may be requested by submitting a statement of reasons for the request. The request should specify the course of instruction or

number of hours for which a waiver is requested.

Waiver requests must be sent to the chairman of the Supreme Court Education Committee, Justice Richard N. Countiss at P.O. Box 9540, Amarillo, Texas, 79105.

If a judge's records do not concur with the Center's and if the Center's record indicates less than 16 hours, a judge should advise the Center in writing immediately of the discrepancy.

Excessive hours are not transferable.☺

### IN CHAMBERS

Texas Center  
for the Judiciary, Inc.

**Managing Editor**

Jack H. Dillard

**Editor**

Lana Kay Varney

# New Supreme Court Justice seeks merit judgement

"His appointment to the state's highest court demonstrates that the doors of opportunity are open to all persons in our state," said Gov. Mark White as he appointed 13th Court of Appeals Justice Raul A. Gonzalez to the Texas Supreme Court.

Justice Gonzalez of Corpus Christi is the first Mexican-American to serve on the state's highest court. He was sworn in before a standing-room only crowd on Oct. 4 during special ceremonies in the courtroom of the Supreme Court.

Gonzalez fills the unexpired term left by Supreme Court Justice Charles Barrow, who resigned to become Dean of Baylor University Law School. Gonzalez must run for the office in the next general election, which will be in 1986.

"His legal and judicial experience makes him uniquely qualified to serve on the Texas Supreme Court," Gov. White said.

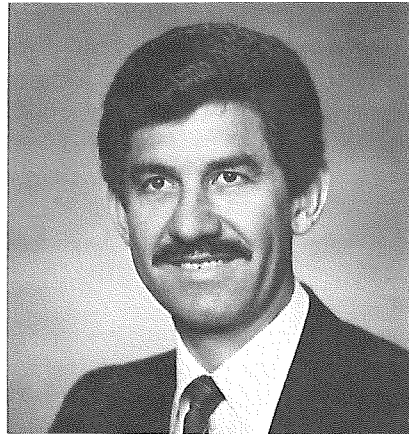
Gonzalez said he was extremely surprised about receiving the appointment and "also deeply honored."

"I plan to do the best job I can with the gifts that I have," he said.

After two months on the bench, Gonzalez said he has found the job "overwhelming."

"I had no idea that justices of the Supreme Court worked so hard. There is a phenomenal amount of reading and preparation in considering applications for writ of error, trying to make collegial decisions, and being prepared for submissions."

The new justice said he does not think of himself as a role-model, but added, "If I can encourage someone -- members of a minority, women, people from poor backgrounds -- to achieve, then I think that would be a good thing."



Justice Raul A. Gonzalez

"I want people to judge me by my qualifications, not because I'm Hispanic," he said. "I would like to be remembered as a good judge, not as the first Hispanic on the Supreme Court."

Justice Gonzalez earned a bachelor of arts degree from the University of Texas in 1963, and his law degree from the University of Houston School of Law in 1966. He is currently working towards a master's degree in judicial process from the University of Virginia Law School.

After graduating from law school, Justice Gonzalez worked as assistant city attorney for the City of Houston. From 1969 to 1973, he worked as an assistant U.S. attorney for the Southern District of Texas and held the position of chief of the Brownsville Division.

In 1973, he entered private practice as a member of the Gonzalez and Hamilton law firm in Brownsville.

After winning the Democratic primary in 1978, then-Gov. Dolph Briscoe appointed him to fill the vacancy on the 103rd District Court in Brownsville.

Later that year he was elected to the bench and served there until September 1981, when then-Gov. Bill Clements appointed him to the 13th Court of Appeals in Corpus Christi. He, along with Justices Noah Kennedy and Norman Utter, were appointed to fill three

newly-created appellate seats.

Gonzalez is a former director of the Brownsville Rotary Club, the Brownsville Boy's Club, South Texas Rehabilitation Independent School District, Valley Federal Employees Credit Union, and the Brownsville Community Development Corporation. He is also a member of the Christian Legal Society.

Gonzalez is married to the former Dora Champion and they have four children. \*

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*"I would like to be remembered as a good judge, not as the first Hispanic on the Supreme Court."*

*Justice Raul Gonzalez*

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# Conduct Commission to amend procedures

Who should judge judges and what criteria should be used?

Those two important questions were answered by Texas voters on November 6 when they overwhelmingly approved a constitutional amendment that will substantially change the State Commission on Judicial Conduct.

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*"If we're not, we should be the best friend the judiciary has..."*

*Bob Flowers  
Executive Director,  
State Commission on  
Judicial Conduct*

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The Commission, first created in 1965, is a state agency whose broad scope of power includes the constitutional authority to suspend a judge from office with or without pay for "willful or persistent conduct" which is clearly inconsistent with the proper performance of his or her duties.

"If we're not, we should be the best friend the judiciary has because the Commission can do two things for the judiciary -- one, handle crank complaints easily; and two, remove bad judges from office," said Bob Flowers, executive director of the Commission.

Flowers, who supported the amendment, said, "Our main job is to preserve the integrity and to enhance the public trust of the judiciary. The changes brought about by the amendment have upgraded our procedures by adding a concern for due process."

The proposition read: "The constitutional amendment relating to the membership of the State Commission on Judicial Conduct and the authority and procedure to discipline active judges, certain retired and former judges, and certain masters and magistrates of the courts."

This simply-worded proposition, considered a Trojan Horse by some, authorized a complex set of revisions. The actual amendment will:

-- amend eight subsections of Article V of the Texas Constitution;

-- create temporary provisions to permanently readjust the Commission membership;

-- increase the jurisdiction and available sanctions of the Commission;

-- expand types of conduct subject to disciplinary action;

-- alter the review method of Commission removal recommendations; and,

-- grant judges discovery rights following the institution of formal proceedings.

Justice John Boyd, chairman of the Commission, said, "I don't think the amendment will make that much difference in what we've been doing. The main thing it does is provide us with more working tools."

"For example, it adds the ability to require judges to have more schooling in particular areas. It will help by more clearly defining our limits and abilities."

One of the major effects of the amendment is the alteration of the Commission's membership.

The amendment removes one Court of Appeals Justice and one District Court judge from the Commission, and replaces them with one Municipal Court judge and one County Court at Law judge. Both will be appointed by the Supreme Court.

Like JP members under current law, municipal court and county court at law judges will also be exempt from the judicial-district residency rule that applies to other appointees. That rule prohibits members from residing or holding a judgeship in the same Supreme Judicial District as another member of the Commission.

The requirement that the JP be chosen from a list of five names submitted by the JP association has also been deleted from the Constitution.

Article V, section 1-a, Subsection (6) of the Texas Constitution has been amended to expand the list of types of conduct meriting disciplinary action.

Willful violation of the Code of Judicial Conduct,

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*"The main thing (the amendment) does is provide us with more working tools."*

*Justice John Boyd  
Commission Chairman*

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or of rules established by the Texas Supreme Court, and incompetent performance of duties are now added to the list of reasons for removal from office.

A judge can be "disciplined" instead of censured or removed from office because of the changes. And

a judge, who could have been suspended without pay following a felony indictment, can now also be suspended upon being charged with a misdemeanor involving official misconduct.

The Commission will have about 600 more judges to monitor because the amendment expanded its jurisdiction. Removal, discipline, suspension, or censure will also apply to an appointed master or magistrate, and to retired or former judges who are still hearing cases.

This addition means the Commission will now monitor more than 3,400 judges.

The amendment also added to section 1-a additional alternative sanctions for violations. The revision gives the Commission the authority to issue a private or public admonition, warning, reprimand, or requirement that the person obtain additional training or education.

"This was one of the more controversial sections of the amendment," Flowers said. "Our view is that if we can get a bad one out of the business quietly it tends not to promote the idea of 'one is bad, all is bad'."

The substantial change in this subsection, however, is the shift of authority to review the Commission's recommendations for removal or retirement of a judge.

No longer will such recommendations be reviewed by the Supreme Court. Instead, a tribunal composed of seven justices or judges of the courts of appeals will review the record of the formal proceedings.

The tribunal justices will be "selected by lot by

the Chief Justice of the Supreme Court." Each appellate court will designate one of its members for inclusion in the list from which the selection is made.

Service on the tribunal shall be considered part of the official duties of a judge, and additional compensation will not be paid for such service.

The tribunal can opt to allow additional evidence into the record, and under the new statute be required to rule on the case within 90 days after it is filed with the tribunal.

Testimony given before a review tribunal or the Supreme Court will not be kept confidential.

A justice, judge, master, or magistrate may appeal a decision of the tribunal to the Supreme Court. The Supreme Court will not hear additional evidence but review the record to determine if there was substantial evidence supporting the tribunal's finding.

The accused judge also has the right of discovery of evidence after formal proceedings are instituted.

The record in a judicial misconduct case is no longer automatically opened once filed in the Supreme Court. The Legislature has been authorized to promulgate laws in "furtherance of the amendment which are not inconsistent with its provisions."

The amendment becomes effective on Jan. 1, 1985, and will not apply retroactively.

The Commission is under the Texas Sunset Act (Art. 5966a), but since it is created by the Constitution it cannot be abolished under that act. The Commission comes up for sunset review in 1987 and every twelve years thereafter. ●

*cont. from p. 2*

## REGIONALS

Thursday's lunch period, from twelve to 1:30 p.m., will be devoted to administrative district meetings to be led by the administrative judges.

"We hope to provide a little bit of something for everyone," Countiss said.

Speakers and their topics for the conferences include: Supreme Court Justice William Kilgarlin, "Direct Contempt by Officers of the Court"; Court of Criminal Appeals Judge Mike McCormick, "Final Arguments in Criminal Cases"; Supreme Court Justice Jim Wallace, "Comparative Causation as Developed in the Cessna Cases"; and District Judge Raul L. Longoria, Chairman of the Judicial Section, "Legislative Update".

Also on the program is: District Judge Linda Thomas, "Child Custody"; District Judge Michael E. Keasler, "Child Abuse, Pornography Cases, and Other Criminal Cases with Children as Victims"; District Judge Craig Penfold, "Permanency Planning"; and the Director of the Litigation in the Child Support Division of the Attorney General's Office, Cynthia Bryant, "An Overview of Child Support Laws".

The same program will be offered in five different regions of the state. Eligibility for attendance at a specific regional conference is determined by the Administrative District in which a judge is assigned.

Invitations will be mailed by the Texas Center to eligible judges approximately one month prior to the seminar dates [see the JUDICIAL CALENDAR, p. 20.]

*see REGIONALS, p. 17*

## JUDICIAL ETHICS OPINIONS

### Opinion No. 74

*QUESTION: Does a judge violate the Code of Judicial Conduct by serving on the Disciplinary Review Committee of the State Bar of Texas?*

*ANSWER:* The Committee is of the opinion that such service does not violate the Code of Judicial Conduct, so long as it does not conflict with or affect the performance of judicial duties. Canon 4A permits a judge to participate in activities concerning the law, the legal system and the administration of justice. Service on the Disciplinary Review Committee, which oversees and hears appeals from local grievance committees, is clearly an activity that concerns the legal system. The Committee is aware that Canon 5G prohibits service on most governmental committees

and commissions. However, that Canon contains an exception for the activities listed in Canon 4A.

### Opinion No. 75

*FACTS: The television program 20/20 wants to film the voir dire examination of a jury panel in a criminal case. The film will be used in a 20/20 program to educate and inform the public on the voir dire procedure. The defendant has consented to the filming, which will be done in an unobtrusive manner that does not detract from the dignity of the proceedings. The film will not be exhibited until after the trial is over.*

*QUESTION: Does a judge violate the Code of Judicial Conduct by permitting the described filming?*

*ANSWER:* The Committee is of the opinion that the trial judge would violate Canon 3A(7) by permitting the described activity. That Canon prohibits filming or recording in a courtroom and areas adjacent thereto during sessions of court or recesses between sessions. Although various exceptions are permitted, the described activity does not fit within the exceptions because there is no assurance that the display of the film will be delayed until all direct appeals have been exhausted [Canon 3A(7) (c) (iii)]. Also, the use of the film in a commercial television program that is displayed to the general public does not satisfy the requirement that "the reproduction will be exhibited only for instructional purposes in educational institutions." [Canon 3A (7)(c)(iv)].

## ATTORNEY GENERAL OPINIONS

### Opinion No. JM-161

*QUESTION: Whether district judges may institute a program to represent indigents in civil cases.*

You [El Paso County Attorney, Luther Jones] state that the ten district judges of El Paso County have signed a joint order implementing a pro bono publico plan in El Paso County. The order provides that each attorney practicing or employed in El Paso County shall be appointed to handle no more than two domestic matters for indigents each year. The bar association for the county will screen applicants to determine indigency and will notify attorneys of

their appointments. You suggest that an attorney appointed under this program would sustain violations of his constitutional rights to be free from involuntary servitude and from the taking of property without due process of law.

*SUMMARY ANSWER:* Article 1917, V.T.C.S., does not authorize the district judges of El Paso County to establish a program for providing representation of indigents of the county in civil actions. The district judges may not delegate to another person or entity the discretionary powers to appoint an attorney in a particular case, excuse attorneys, determine standards for indigency or determine indigency of a

particular applicant for counsel.

### Opinion No. JM-180

*QUESTION: Whether an auxiliary county courthouse is subject to city zoning ordinances.*

*SUMMARY:* [A county's] use of land for an auxiliary courthouse within the municipal limits of the county seat is subject to the municipality's zoning ordinances only to the extent that such ordinances do not prevent the county from locating its auxiliary courthouse within the municipality. The county must comply with municipal regulations regarding the construction of its auxiliary courthouse.

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# In Memoriam:

## District Judge Walter Loughridge



Judge Walter Loughridge died in San Antonio Sept. 4. He was 82 years old.

Judge Loughridge attended Rice University and began law practice in 1929. He became an associate in the firm of Hertzberg, Kercheville and Thomson.

After 22 years experience as a practicing civil law attorney, he was appointed to the 37th District Court bench in 1951 by then-Gov. Allan Shivers. He retired from the bench in 1969 after 18 years of service.

He is a past president of the San Antonio Bar association, and he served as chairman of the State Bar Council on Public Relations.

He married the former Jewel Long of San Antonio, and had one daughter.

He was a member of the American Bar Association, American Judicature Society, and past president of the San Antonio Bar.

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## County Court at Law Judge Allie L. Peyton

Judge Allie Leon Peyton of Marble Falls died March 11. He was 75.

Peyton was elected County Court at Law Judge for Harris County in 1943. He served on that bench for five years.

A native of Austin, Judge Peyton graduated from the University of Houston School of Law in 1932 and was admitted to the Texas Bar one year later.

He practiced law in Houston and served as assistant district attorney of Harris County for nine years until his election to the bench.

In 1948, he and his father formed the firm of Peyton and Peyton. Judge Peyton was a 50-year member of the State Bar.

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## District Judge W. P. Ratliff

District Judge William Paul "Bill" Ratliff, who sat on the 39th District bench in Haskell, died May 17. He was 78.

A native of Indian Territory, Oklahoma, Judge Ratliff attended Randolph College at Cisco and the Cumberland University School of Law in Lebanon, Tennessee. He graduated with a law degree in 1933.

Judge Ratliff's began his legal career in Haskell in private practice with his father, Judge L. D. Ratliff. Before assuming the bench he served as Haskell's city attorney, Haskell County attorney, and district attorney.

Two of Ratliff's brothers also served as judges in Texas: Dennis P. Ratliff, of the 39th District Court, and L.D. Ratliff, Jr. of the 110th District Court.

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*EDITOR'S NOTE: Memorial funds are established through donations to the Texas Center for the Judiciary. Acknowledgement of a donation to the Center in memory of a judge is sent to the family. Contributors' names are also published each month under the "JUDICIAL NOTICES" column of this publication.*

# NEW JUDGES

| JUDGE                | COURT                          | CITY           | SUCCEEDS            | EFFECTIVE |
|----------------------|--------------------------------|----------------|---------------------|-----------|
| Catherine Adamski    | 360th District                 | Fort Worth     | NEWLY-CREATED       | 7/3/84    |
| Marsha D. Anthony    | 334th District                 | Houston        | Ken Harrison        | 1/1/85    |
| Larry W. Baraka      | Criminal District #2           | Dallas         | Don Metcalfe        | 1/1/85    |
| Pete Benavides       | 13th Ct. of Appeals            | Corpus Christi | Raul Gonzalez       | 10/30/84  |
| Eugene Chambers      | 215th District                 | Houston        | Charles Price       | 1/1/85    |
| David Cleveland      | 29th District                  | Mineral Wells  | Herman Fitts        | 1/1/85    |
| John Cornyn, III     | 37th District                  | San Antonio    | Richard Woods       | 1/1/85    |
| Catherine J. Crier   | 162nd District                 | Dallas         | Dee Brown Walker    | 1/1/85    |
| Joe Devany           | 5th Ct. of Appeals             | Dallas         | Annette Stewart     | 11/28/84  |
| Joe B. Dibrell, Jr.  | 353rd District                 | Austin         | NEWLY-CREATED       | 9/1/84    |
| Gene L. Dulaney      | 132nd District                 | Snyder         | Wayland Holt        | 1/1/85    |
| D. Camille Dunn      | 1st Ct. of Appeals             | Houston        | Freemon Bullock     | 1/1/85    |
| Clayton Evans        | 33rd District                  | Burnet         | Don Hammond         | 1/1/85    |
| Romeo M. Flores      | 79th District                  | Alice          | Charles W. Laughlin | 9/16/84   |
| John T. Forbis       | 100th District                 | Childress      | Robert Montgomery   | 1/1/85    |
| James R. Fry         | 15th District                  | Sherman        | R. C. Vaughan       | 1/1/85    |
| Robert Garza         | 138th District                 | Brownsville    | Harry D. Lewis      | 1/1/85    |
| Raul Gonzalez        | Supreme Court                  | Austin         | Charles W. Barrow   | 10/4/84   |
| David Wayne Hajek    | 50th District                  | Seymour        | Tom Schrandt        | 1/1/85    |
| William T. Harmon    | 178th District                 | Houston        | Dan Walton          | 1/1/85    |
| Merrill L. Hartman   | 303rd District                 | Dallas         | Josh Taylor         | 11/27/84  |
| John L. Hill         | Chief Justice<br>Supreme Court | Austin         | Jack Pope           | 1/1/85    |
| Charles Ben Howell   | 5th Ct. of Appeals             | Dallas         | Charles Storey      | 1/2/85    |
| Ken Hoyt             | 1st Ct. of Appeals             | Houston        | Henry Doyle         | 1/1/85    |
| Jon Allen Hughes     | County Ct. at Law #3           | Houston        | Russell Drake       | 12/3/84   |
| Cynthia Stevens Kent | County Ct. at Law #2           | Tyler          | Ruth Blake          | 12/12/84  |
| Johnny R. Kolenda    | 337th District                 | Houston        | Bob Burdette        | 1/1/85    |
| Joe M. Joiner        | 59th District                  | Sherman        | William R. Elliott  | 11/15/84  |
| Robert D. Jones      | 167th District                 | Austin         | Tom Blackwell       | 1/1/85    |
| Norman E. Lanford    | 339th District                 | Houston        | Lupe Salinas        | 1/4/84    |
| Joe M. Leonard III   | County Ct. at Law              | Greenville     | Richard Bosworth    | 1/1/85    |
| Tryon D. Lewis       | 161st District                 | Odessa         | Ray McKim           | 1/1/85    |
| Frances J. Maloney   | Criminal District #4           | Dallas         | John Mead           | 1/1/85    |
| Robert Maloney       | 5th Ct. of Appeals             | Dallas         | Floyd Shumpert      | 1/2/85    |
| Pat McClung          | 5th Ct. of Appeals             | Dallas         | Annette Stewart     | 1/2/85    |

|                        |                      |            |                    |          |
|------------------------|----------------------|------------|--------------------|----------|
| Karl N. Micklitz       | County Ct. at Law    | Hempstead  | NEWLY-CREATED      | 12/31/84 |
| Robert O'Donnell       | 301st District       | Dallas     | Ron White          | 11/28/84 |
| E.J. O'Neill           | 152nd District       | Houston    | Richard Millard    | 1/1/85   |
| Britton E. Plunk       | 356th District       | Kountz     | NEWLY-CREATED      | 1/1/85   |
| William R. Powell, Jr. | 80th District        | Houston    | Weldon Berry       | 1/1/85   |
| J. Albert Pruett, Jr.  | 351st District       | Houston    | Jay W. Burnett     | 1/1/85   |
| Homer Salinas          | 92nd District        | Edinburg   | Pete Benavides     | 10/31/84 |
| Edwin P. Slater        | County Ct. at Law    | Lockhart   | NEWLY-CREATED      | 10/8/84  |
| Gary R. Stephens       | 3rd District         | Dallas     | James Zimmermann   | 1/1/85   |
| Annette Stewart        | 5th Ct. of Appeals   | Dallas     | Gordon Rowe        | 11/28/84 |
| Annette Stewart        | 305th District       | Dallas     | Pat McClung        | 1/1/85   |
| John Street            | 352nd District       | Fort Worth | NEWLY-CREATED      | 11/16/84 |
| Ralph H. Walton, Jr.   | 355th District       | Granbury   | NEWLY-CREATED      | 1/1/85   |
| W. David West          | 269th District       | Houston    | Henry Allee        | 11/27/84 |
| Doyle H. Willis, Jr.   | County Ct. at Law #2 | Fort Worth | Andrew Vogel       | 1/1/85   |
| Sharolyn Wood          | 127th District       | Houston    | W. Erwin James     | 1/1/85   |
| James B. Zimmermann    | 191st District       | Dallas     | Charles Ben Howell | 1/1/85   |

\* The above chart lists judges who have assumed the bench or have been appointed to a different court since the last publication of In Chambers.

cont. from p. 13

## REGIONALS

The Center will provide some financial support for judges' food and lodging, but because of budgetary restraints is unable to reimburse participants for their travel expenses this year.

"I would suggest they seek such funding from their administrative judges or county commissioners," said Jack H. Dillard, executive director of the Center.

To coordinate local support for the conferences, Dean Countiss has appointed the following Associate Deans: South Texas, County Court at Law Judge Menton Murray, Jr. of Brownsville; Southeast Texas, District Judge Peter S. Solito of Houston; Central Texas, District Judge Juan F. Gallardo of Austin; and West Texas, District Judge George M. Thurmond of Del Rio. ☉

# JUDICIAL NOTICES

## FAMILY LAW LAWYERS RECOGNIZE MIDLAND JUDGE FOR CONTRIBUTIONS

Judge Barbara Culver, who sits on the 318th District bench in Midland County, is the first recipient of the Judge Sam S. Emison Jr. Memorial Award presented by the Texas Academy of Family Law Specialists.

The award is given to "the person whom the Academy feels has donated the most in the field of family law" in the year preceding the annual meeting, according to Earle S. Lilly, dean of the Academy.

"I was very flattered

to feel that I was getting the award from the leaders among the family-law specialists," Judge Culver said.

Judge Culver's court, over which she has presided since 1978, specializes in family-law matters.

The award also included a \$1,000.00 check which Judge Culver donated to the Texas Center for the Judiciary's endowment fund in memory of Judge Emison.

"I know he believed in continuing legal education for judges. I think he

*continued on next page*

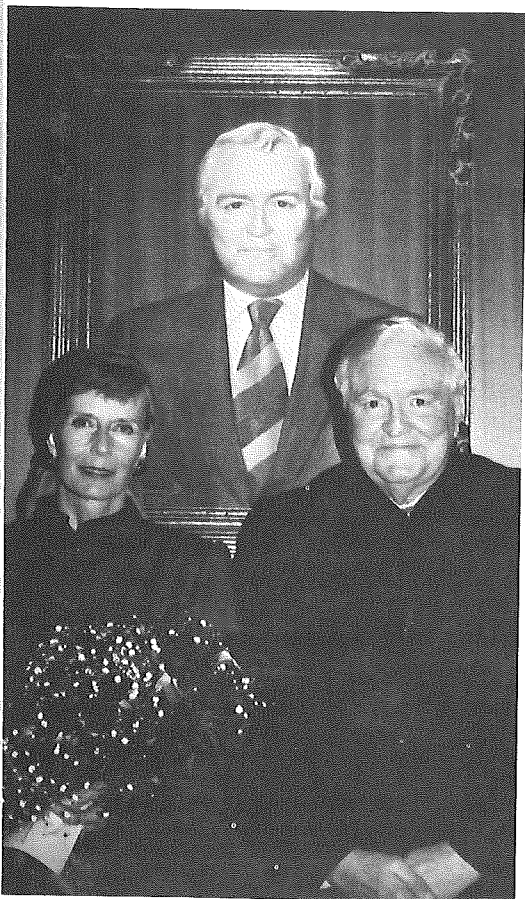
would like for his memory to benefit the judicial education efforts," said Culver.

"Judge Emison was highly respected as a judge and as a family law scholar. It is enough honor for me to have my name mentioned in a class with his," she added.

Judge Emison presided over the 257th Family District Court in Houston until his death in an automobile accident on July 11, 1983. He was a member of the Family Law Council.

## COURTHOUSE SCENE OF THREE JUDICIAL HANGINGS

"I've been framed."  
Every judge has heard that excuse at least once in



her or his career.

Three retiring judges have not only been framed, but also hanged. Or rather their portraits have.

Portrait likenesses of District Judge Charles O. Betts, former Supreme Court Justice Charles W. Barrow, and Third Court of Appeals Chief Justice John C. Phillips, all of Austin, now grace the walls of three different courthouses in Texas.

Retired District Judge Betts, who had sat on the 98th District bench from 1946 to 1976, was honored at a portrait hanging ceremony by the Travis County Bar Association in March.

A graduate of the University of Texas Law School in 1933, Betts practiced law in Austin for eight years.

In 1941, he was elected as the first judge of Travis County's first county court-at-law, and in 1946, then Gov. Coke Stevenson appointed him a district judge.

**JUDICIAL HANG-UPS:** (LEFT) Chief Justice John C. Phillips thanks his wife, Peggy, who commissioned Raphael Navarro to paint his portrait commemorating 21 years of service on the Third Court of Appeals. Phillips retires from the bench Dec. 31. (BELOW) Judge Charles O. Betts and his wife, Eula Lea, share a smile at ceremonies honoring Betts for his three-decade judicial career.

November 2, Justice Charles Barrow was presented a portrait by the San Antonio Bar Association. Barrow's painting will hang in the 45th District Court, which he presided over from 1959 to 1962.

Barrow served as Associate Justice on the Fourth Court of Civil Appeals from 1962 to 1967 and as Chief Justice of that court until 1977, before winning a seat on the Supreme Court.

On October 31, Barrow resigned his Supreme Court seat to become Dean of Baylor Law School.

Chief Justice John C. Phillips retires from the Third Court of Appeals in Austin Dec. 31. His portrait will hang in the Court of Appeals courtroom, where he sat since 1963.

Phillips served with the FBI during 1941 to 1945. He returned to private practice in Austin, became a briefing attorney of the Supreme Court of Texas, then trial examiner for the Railroad Commission. He also served as an Assistant Attorney General of Texas for four years.

He was elected to the appellate bench in 1962, and became chief justice in 1966.



## NORTH TEXAS JUDGE RECEIVES HONOR FOR COMMUNITY SERVICE

Recognized for his nearly 10 years of service on the 59th District bench, Judge William Ralph Elliott was named "Citizen of the Year" by the Sherman League of Women Voters in June.

"When you reach the age I am now, these awards give such a warm feeling and make one so humble," Elliott, 70, told the local newspaper after receiving the honor.

Elliott officially retired earlier this year, but is still serving on the bench until his successor is able to assume the duties.

Judge Elliott was appointed to the 59th District Court in January, 1975, to fill the unexpired term of Judge David Brown, who resigned.

Elliott had practiced law in nearly all levels of court for 40 years prior to assuming the bench. He is a former Grayson County criminal district attorney and county attorney.

He attended Austin College, Southeastern College at Durant, Oklahoma, and law school at the University of Texas before being admitted to the Texas Bar in 1936.

## IF IT'S TUESDAY, IT MUST BE MOSCOW

Imagine, if you will, trials without juries, no tort law, and only one name per office on the ballot.

It's not life in another dimension, it's the way things are done in the U.S.S.R.

Four Texas judges, along with 80 lawyers and law pro-



**FOREIGN EXCHANGE:** Judges Thomas Rickhoff, Ben Martinez, Bob Robertson and Justice Jack Smith take a brief pause beneath the golden domes of the Kremlin in Moscow. "Every time we talked to a Russian, we saw a black car with curtain in the rear windows approach them after we left," Smith said. The judges were in Russia for a series of legal seminars in July.

fessors, traveled in Russia for 14 days this summer where they learned these things (and many more) first hand.

"They were very receptive to us," First Court of Appeals Justice Jack Smith of Houston said of his hosts. "But in talking with them, you got the idea they have only one pattern of speech -- the party-line propaganda."

"You could ask questions, but you wouldn't get any answers," Smith added.

The group saw an assault case tried in a "People's Court" in Moscow, met with lawyers and judges in Minsk, and toured more

courtrooms in Kiev.

Asked about their salaries, Russian judges said their average pay was 300 to 500 rubles, Smith said. In comparison, a lawyer earns approximately 300 rubles a month, while the average income for most Russians is about 180 rubles per month.

"Overall, it was a very educational experience, but I wouldn't want to go back again," Smith said.

"All the time you're there, you know you're being watched and followed. It left us feeling oppressed."

## CONTRIBUTIONS TO THE TEXAS CENTER

The Texas Center for the Judiciary, Inc., received the following contributions since publication of the last "In Chambers:"

### Founder's Membership \$1,000 or more

Charles W. Barrow  
(In honor of Jack H. Dillard)  
Barbara Culver  
Giles and Nell Dalby  
Dan and Patricia Gibbs  
Robert D. Jones

### Sustaining Membership \$500-\$1000

Charles and Shirley Butts  
Clarence and Elouise Cain  
Kenneth "Buck" and Dorothy  
Jo Douglas  
Royal Hart  
Charles D. Mathews  
Harold R. Towslee

### Friends of the Center \$100-\$250

Marilyn Aboussie  
Gene Ater

Eugene Chambers  
 Harley Clark  
 Bobby L. Cummings  
 Maxine Darst  
 Willie B. DuBose  
 Clayton E. Evans  
 Margarito C. Garza  
 Jim Hogan  
 Robert G. Dohoney  
 Thomas C. Ferguson  
 Clarence A. Guittard  
 Donald R. Jones  
 Harry D. Lewis  
 Looney E. Lindsey  
 A. R. Mason  
 Roy L. McClellan  
 Keith Nelson  
 Carl Periman  
 Charles R. Ramsay  
 Bill Rapp  
 Sherman A. Ross  
 Tom and Lyla Ryan  
 J. L. Smith  
 George D. Taylor  
 Bob L. Thomas  
 Tom B. Thorpe  
 Ralph H. Walton, Jr.  
 Albert L. White Jr.  
 Frank O. White  
 W. G. Woods, Jr.

**Other Contributors**

Criss and Joanne Cole

Gulf Coast Assessors, Chapter 1 (In honor of Judge Patricia Lykos, as an honorarium for speech, at her request.)

Vinson & Elkins

**In Memory of  
 Judge Walter Loughridge**

Jack H. Dillard  
 Latrelle Schieffer

**In Memory of  
 Judge J.E. Hickman**

Royal Hart

**In Memory of  
 Judge Sam S. Emison,  
 Jr.**

Barbara Culver

☆ **JUDICIAL CALENDAR** ☆

**1985 CONFERENCES**

**South Texas Judicial Conference**

January 16-18, 1985  
 Bahia Mar Hotel  
 South Padre Island

**State Bar Convention**

June 6-9, 1985  
 Anatol Hotel  
 Dallas

**Southeast Texas Judicial  
 Conference**

February 13-15, 1985  
 University Hotel  
 Huntsville

**Court Management Seminar**

June 24-28, 1985  
 University Hotel  
 Huntsville

**Central Texas Judicial Conference**

March 13-15, 1985  
 Quality Inn  
 Austin

**Annual Judicial  
 Conference**

October 1-4, 1985  
*Facilities to be announced*  
 McAllen

**West Texas Judicial Conference**

April 10-12, 1985  
*Facilities to be announced*  
 Del Rio

**Texas Association  
 for Court Administration**

October 22-25, 1985  
 Quality Inn  
 Austin, Texas

**Northeast Texas Judicial  
 Conference**

May 22-24, 1985  
 Location: to be announced

**Juvenile Justice Seminar**

November 6-8, 1985  
 Quality Inn  
 Austin

**Criminal Justice Conference**

May 1-3, 1985  
 University Hotel  
 Huntsville

**Texas College for New Judges**

December 1-6, 1985  
 University Hotel  
 Huntsville

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