

# H B A C L E

Houston Bar Association



Continuing Legal Education

## HBA CLE Webinars – November 2020 - January 2021

### Free for HBA members

**Total CLE Hours for  
November 2020 –  
January 2021 Webinars:**

**13.5 hours MCLE credit  
8.25 hours ethics credit**

#### **Fridays**

**Starting at 1:00 p.m.**

RSVP at [hba.org/events](http://hba.org/events)  
by noon the day of the webinar  
to receive the link and  
CLE information

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to go to the page

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# 2020 Ethics Program



**Friday, November 6, 2020**

## **Surviving the Ethical Landmines in Immigration Law**

**Presented by Anuj Shah, *Anuj A. Shah, PC***

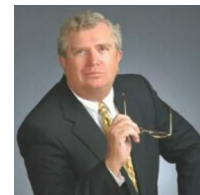
Federal Circuit Courts of Appeal have famously (at least for us Immigration practitioners!) described Immigration Law as the most complex area of law, perhaps second only to Tax Law. As a result, there are more ethical pitfalls in Immigration that practitioners need to be wary of than he or she can shake a stick at! To spice things up even more, with Immigration being a primarily administrative area, practicing under a strongly anti-immigrant administration presents challenges that leave even the most seasoned practitioners sometimes scratching their heads. Join us to see what all the excitement is about!



## **Ethics in Negotiation**

**Presented by Michael Essmyer, *Essmyer & Daniel, P.C.***

Everyone tells little white lies; but we as attorneys have a duty not to fabricate. How do we handle these issues in negotiations, especially in mediations? This program will discuss ethics in negotiations, litigation v. negotiation, Model Rule 4.1, fact v. opinion and other deceptive acts. It will also delve into 7 exceptions to the right to remain silent.

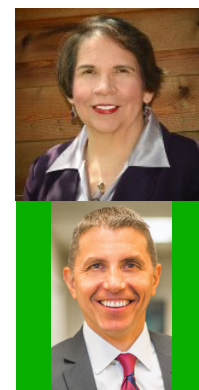


## **Fee Disputes and Ethical Use of Engagement Agreements**

**Presented by Liza A. Greene, *Dale Family Law* and Rafael Boza, *Sarens USA, Inc.***

Join Fee Dispute Committee Chairs Liza Greene and Rafael Boza to discuss the application of the HBA Fee Dispute Arbitration program in your practice. This CLE is designed to teach participants how: to include arbitration clauses in their engagement agreements; to explain this process to the client; does the process unfold; and, is the decision rendered and enforced. The program will include lectures, examples and exercises.

**3 hours MCLE credit, 3 hours ethics.**





**Friday, November 13, 2020**

## **An Agile Approach to Legal Project Management**

**Presented by John E. Grant, *Agile Attorney Consulting***

Over the past 20 years, Agile project management has improved outcomes and flexibility across the technology and business world, but Agile tools are still unknown to much of the legal industry. This presentation will provide an overview of the Agile methodology and how it can be implemented in law practices to improve matter management, the quality of client deliverables, client communication, and adherence to client budgets.

**1.5 hours MCLE credit, no ethics.**

**Friday, November 20, 2020**

## **Succession Planning Made Easy: Navigating the Ethical Rules for Transitioning Your Practice via Sudden Cessation or Planned Sale**

**Presented by Bill Betts, Jr., *Betts, Walter & Mutscher, P.C.* and Gregory W. Sampson, *Gray Reed & McGraw***

This presentation will discuss the critical elements of planning for succession of your practice, from a sudden unplanned cessation to an orderly transfer of clients by affiliation with successor attorneys or sale of your practice. The presentation is primarily about ethics in identifying the 5 primary Disciplinary Rules of Professional Conduct implicated in a transfer of clients and files and sale of a practice as well as the Rules of Disciplinary Procedure for cessation of a practice now in place and introducing new rules promulgated in the upcoming referendum. The materials will include references to critical resources and forms for notifying and getting client consent to a custodian appointment or successor attorney upon sale and doing so in compliance with relevant rules of professional conduct.

**1.5 hours MCLE credit, 1.5 hours ethics.**





**Friday, December 4, 2020**

## **Cybersecurity and Data Breach Notification Laws: How to Protect Your Firm and Your Clients**

**Presented by Heather L. Hughes, CHPC, HCISSP, Stroz Friedberg**

This 1 hour presentation covers cyber threats to law firms and their clients including; ransomware, phishing, wire fraud and how the Data Breach Notification laws can be triggered by a cyber incident. Current cybersecurity safeguards and incident response tools are also covered to assist law firms and their clients mitigate the risk. Topics will include protecting client's personal, sensitive and financial information while conducting business is covered as well as the obligations to notify consumers of breaches.

**1 hour MCLE credit, no ethics.**

**Friday, December 11, 2020**

## **Recent Changes to Texas Discovery Practice**

**Presented by Stewart Schmella, Lanza Law Firm**

The Texas Supreme Court has recently adopted several changes to the Texas Rules of Civil Procedure. This webinar will discuss these changes and some of the potential impact, including: Changes in the expedited action process; Changes in Disclosures; and Changes in Designating Testifying Experts.

**1.5 hours MCLE credit, no ethics.**



**Friday, December 18, 2020**

## **Surviving and Thriving While Navigating, Innovating, and Litigating Through the COVID-19 Global Pandemic**

**Presented by Sofia Adroque, Diamond McCarthy, LLP, Hon. Caroline Baker, Mediator, Arbitrator, Senior District Judge (Retired) and Hon. Richard T. Garcia, FBI (Retired)/3RB Consulting Group**

This CLE will explore and analyze the benefits, risks, and concomitant opportunities of virtual litigation (court & ADR), the acceleration of digitalization and ramifications (including scrutiny of data collection practices in litigation, etc.) and consider solutions to these complex questions during this "new normal" time while cognizant of all commensurate ethical responsibilities.

This CLE will explore and analyze the benefits, risks, and concomitant opportunities of virtual litigation (court & ADR), the acceleration of digitalization and ramifications (including scrutiny of data collection practices in litigation, etc.) and consider solutions to these complex questions during this "new normal" time while cognizant of all commensurate ethical responsibilities.

Topics include:

- Background & overview of the status of litigation (state & federal), as well as ADR proceedings during this pandemic, including statistics & reference materials, etc.
- Status of virtual civil trials (bench & jury) (state & federal) across the county. Address considerations of moving a trial from the physical courtroom to a virtual courtroom, including permissibility and constitutionality of a jury trial by videoconference (jury deliberating remotely); reduction of ability to obtain adequate cross section of community as jurors, etc.; whether such a trial would increase or decrease court and human costs; and, among other considerations, whether a virtual jury trial would deliver the same quality of justice. Further, a discussion regarding the ethical considerations in litigation during COVID-19, including, but not limited to, the virtual jury trial (invoking the Rule and enforcing it; making sure jurors are following the court's instructions and not looking at other materials or electronics; juror notes, etc.).
- Acceleration of technology, what are acceptable data collection practices for litigation as well as the need for vigilance regarding the Rules of Professional Responsibility. Discussion of "who's in the room" when you have virtual meetings, mediations, depositions, trials, etc., confidentiality and other ethical considerations.
- Analysis and efficacy of virtual mediations, arbitrations, and court proceedings, including jury trials.

**1.5 hours MCLE credit, 1 hour ethics.**





**Friday, January 8, 2021**

## **Top 10 Tips in Preparing for Trial**

**Presented by Sammy Ford IV, Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.**

This presentation will discuss the ins and outs of preparing for trial and representing clients of diverse backgrounds, with an emphasis on the lawyer's ethical responsibilities and duties throughout that representation.

**1 hour MCLE credit, 1 hour ethics.**

**Friday, January 22, 2021**

## **State Bar of Texas DCAAP Committee**

**Presented by Benny Agosto, Jr., Abraham, Watkins, Nichols, Sorrels, Agosto, Aziz & Stogner**



This program will provide an explanation of what the Discipline and Client Attorney Assistance Program Committee is, its formation and its history. It will also cover what it does for the State Bar of Texas and what it is currently working on. It will also include a discussion of the top 10 grievance complaints filed against attorneys.

**1.5 hours MCLE credit, .75 hour ethics.**



**Friday, January 29, 2021**

## **Minding the Gap: Opportunities in a Latent Legal Market**

**Presented by Anne-Marie Rábago, Texas Opportunity & Justice Incubator**

Discover how lawyers can and why they should explore the business opportunity of serving clients in the justice gap.

- Defining the access to justice gap;
- Identifying a service niche;
- Adapting technology;
- Offering affordable, accessible, and transparent services.

The discussion will include the areas of Competence (substantive and technology), Full Representation v. Limited Scope Representation, Communication, Fees (alternative and defined arrangements), and Advertising.

**1 hour MCLE credit, .5 hour ethics.**