



HONORING THE PAST - EMBRACING THE FUTURE

Top row, from left to right: **Adelfa Callejo** – First female Hispanic practitioner in 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.**, – First Hispanic appointed or elected to statewide office in Texas; 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. Reynaldo G. Garza and Frank Herrera (1980); **Linda Reyna Yañez** – Appointed by Gov. Ann Richards in 1993, the first Hispanic woman to serve on an appeals court in the history of the State of Texas and the first woman to serve on the 13th Court of Appeals; **Carlos Cadena** – Together with Gustavo C. Garcia, 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

Our motto this year, “Raising the Bar,” is an aspirational goal for our section. Knowing that challenges create opportunities, the HIS council began meeting bi-weekly, planning and organizing. At the beginning of the year, HIS undertook new and innovative strategies for the benefit of section members and Hispanic communities in Texas. The results: The first statewide HIS fundraiser, “Law”tería, that raised funds for access to justice organizations. Together, we raised over \$40,000 and, more importantly, provided access to justice to persons negatively impacted by COVID-19 that cannot afford legal services. Using technology to provide CLE for HIS members, we initiated monthly CLEs. Over 700 persons have attending and HIS has given about as many CLE hours. The section has also been engaged with other like-minded minority State Bar of Texas sections – the “Affinity Sections” including the LGBT Law Section, the Asian Pacific Interest Section, Diversity in the Profession Committee, Native American Law Section, Texas Minority Counsel Program, and Women & the Law Section. Our joint collaboration resulted in focus by the SBOT Board to diversity and inclusion issues. Moreover, our collab-

oration continues as we have jointly recommended 3 candidates to the SBOT board that have both impressive credentials and have demonstrated inclusion in service of the legal professions. All of these initiatives are possible because of 1) engaged, united members, and 2) strong backing of HIS Councilmembers, dedicated to service and innovation.



Judge Victor Villarreal

May we honor the past and purpose of the section by always “Raising the Bar.” Thank you for your membership, participation, and support. Thank you for helping us, despite all challenges, to exceed our expectations.

Judge Victor Villarreal
Chair, Hispanic Issues Section
State Bar of Texas (HIS)

**Opinions expressed in this article are the opinions of the author and not necessarily the opinions of the State Bar of Texas.

HIS at Annual Meeting

ELECTIONS AND NEW OFFICERS



For the first time ever, the State Bar of Texas Annual Meeting was held virtually on **June 25-26, 2020**. All HIS events were held on **Thursday, June 25** and conducted virtually. HIS conducted its Annual Section Membership Meeting and elected officers for the 2020-21 SBOT year, followed by its Annual Reception.

HIS Officers for 2020-2021 are:

Judge Victor Villarreal, Chair

Jaime Vasquez, Chair-elect

Novert Morales, Vice Chair

Angelica Hernandez, Secretary

Judge Maria Salas Mendoza, Treasurer

Valerie Carrillo, Immediate Past Chair

Congratulations to the new officers!

CLE EVENTS

HIS also hosted a virtual CLE program as a part of the Annual Meeting events, on some timely issues affecting the Hispanic community, presented by experts in the areas covered. The CLE topics were as follows: Immigration Law Update, Employment Law Update and Preview of the 87th Legislative Session

HIS 2020 Award Recipients

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HIS ANNUAL RECEPTION AND AWARDS

HIS annual awards normally presented at the reception including the 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 the Hispanic Bar in Texas and has worked toward advancing diversity and access to justice in the practice of law; the Pete Torres, Jr. Community Service Award, given to an individual or organization that has demonstrated a history of service and commitment to the Hispanic community; and the James W. Wray, Jr. Founder’s Award, given to recognize exceptional achievements on behalf of the Hispanic legal community were presented to awardees individually by HIS members and officers. In addition, HIS presented an Access to Justice Award and honored a State Legislator, Judge and a HIS member for their outstanding work. The award presentations may be viewed on the HIS website.

<https://texashispanicissuessection.com/2020-hispanic-issues-sections-awards-and-video-presentation/>



Reynaldo 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 the Hispanic Bar in Texas and has worked toward advancing diversity and access to justice in the practice of law:

Roy R. Barrera Sr.



Congratulations to all of our Awardees!



Legislator of the Year
Congresswoman Sylvia Garcia



Judge of the Year
Justice Gisela D. Triana



James W. Wray, Jr. Founders Award, given to recognize exceptional achievements on behalf of the Hispanic legal community:

Renato Santos, Jr.

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HIS Activities and Events

The Covid-19 pandemic has challenged the legal profession and HIS to develop different methods of carrying out our charge to provide resources to our members and the Hispanic community. HIS, under the leadership of our esteemed Chair, Judge Victor Villarreal, and our officers and committees, put forth some exciting and well-received initiatives as noted below.

HIS CLEs

The pandemic has created new opportunities for HIS to work with new partners and expand its outreach. During the fall, HIS hosted monthly CLE webinars with partner organizations at no cost to attendees. Hundreds of attendees tuned in to the live CLE webinars, and the positive comments have been overwhelming. HIS will be posting videos of the CLE webinars on its webpage for attorneys seeking CLE credit, and has plans to offer more courses in the future. The following courses were conducted thus far.

September 23, 2020: *The Pandemic's Permanent Impact on Texas Courts*

Panel: State Sen. Judith Zaffirini, Justice Rebeca Martinez (4th Court of Appeals), and David Slayton
Co-Host: State Sen. Judith Zaffirini

October 14, 2020: *The 19th Amendment: Latina Perspectives from the Bar and Bench*

Panel: Chief Justice Dori Contreras (13th Court of Appeals), Nina Perales, and Veronica Gonzales
Co-Host: Texas Women Lawyers

November 18, 2020: *Crimmigration: Criminal Law, Immigration Law and the Border*

Panel: Novert Morales (moderator), Jordan Pollock, Jodi Goodwin, and John Balli
Co-Hosts: Cameron County Bar Association, El Paso Bar Association, Hidalgo County Bar Association, Laredo-Webb County Bar Association

December 16, 2020: *Legislative Preview: What Lies Ahead for the Hispanic Community*

Panel: Carlos Soltero (moderator), Congressman Joaquin Castro, Congresswoman Veronica Escobar, State Sen. José Menéndez, and State Rep. Rafael Anchía
Co-Hosts: Dallas Hispanic Bar Association, El Paso Bar Association, Mexican American Bar Association of San Antonio



HIS Activities and Events

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Future CLE Projects

HIS is currently finalizing its next CLE webinar entitled “*So You Want to be a Judge?*” for February 17, 2021. If you are interested in being a judge, you don’t want to miss this panel, which will feature Hispanic judges at the state and appellate level from around the state.

Attorney Hardship Program

Many of us would agree that this past year has been one of the most challenging years we’ve experienced both personally as well as professionally. It has been a year filled with worry, uncertainty, and one that has forced us to change the fundamental routines that we have grown to rely on. Through this adversity however, we have learned to innovate and be resilient, we have learned to trust in the strength of friendships and are constantly reminded of the importance of basic humanity and generous kindness. As members of the Hispanic Issues Section (HIS) we are all a part of a legal family that understands the significance of community and that kindness is something to be shared year-round and not only during a pandemic. With this in mind, we are establishing a Hardship Committee whose goal would be to identify member needs and generate resources for HIS attorneys who are going through a difficult time whether in business or in life. We are aiming to provide information, assistance, guidance and mentorship in various areas of life and business.

Future Projects/Events

Other programs currently in the development stage for the future are a Pipeline/Mentor program to provide information and encouragement to high school students to spark an interest in the legal profession, and an HIS scholarship program for Hispanic law students. We welcome members who would like to volunteer to assist in these programs.

*** We encourage the submission of items for future newsletters. Those may be sent to Dolores Alvarado Hibbs, Newsletter Editor, email: dhibbs1@austin.rr.com ***

Also, if you have thoughts or comments about the website or the activities of the Hispanic Issues Section, or have something you would like to see in a future newsletter, please contact us.

Please see the [HIS website](#) for more information on these and other events!

Also, please follow us on [Facebook](#).

“LAW” TERÍA RAISES \$40,000 FOR LEGAL AID IN TEXAS AS A FIRST-OF-ITS-KIND VIRTUAL EVENT

by Betty Balli Torres, Executive Director, Texas Access to Justice Foundation

The Hispanic Issues Section raised \$40,000 in donations for Texas legal aid organizations during a first-of-its-kind “Law”tería virtual game night. The statewide game night, based on the popular lotería game, took place on the Diez y Seis de Septiembre (Sept. 16), with proceeds raised supporting the Texas Access to Justice Foundation (TAJF) and legal aid organizations in Texas that serve those impacted by the COVID-19 pandemic.

Judge Victor Villarreal, Chair of the Hispanic Issues Section (HIS), along with Betty Balli Torres, Chair of the “Law”tería Committee and Executive Director of the Texas Access to Justice Foundation, organized the live Zoom event that was attended by more than 180 participants. The event featured guest appearances by Texas Supreme Court Justices Eva Guzman and Brett Busby and Texas Senator Judith Zaffirini. State Bar of Texas President-Elect Sylvia Borunda Firth of El Paso served as host of “Law”tería. She was joined by special guest callers: Retired Judge Elsa Alcalá, Texas Court of Criminal Appeals; Chief Justice Dori Contreras, 13th Court of Appeals; Justice Leticia Hinojosa, 13th Court of Appeals; and Justice Rebeca Martínez, Fourth Court of Appeals.

“Law”tería participants were treated to special intermission entertainment including a cooking demonstration in which Justice Guzman shared her arroz Mexicano recipe, a book reading by Sen. Zaffirini and Chief Justice Contreras, a beautiful song sung by Amanda Arriaga of Austin, a moving message from Jim Harrington and an update from Texas RioGrande Legal Aid’s Pablo Almaguer on the important work of legal aid during the pandemic. Several participants received door prizes generously donated by Section members and special guests.

While the winners of the four games of “Law”tería did not win prizes, the proceeds of their winnings benefited legal aid and the many Texans finding themselves in need of legal help for the first time after losing their jobs, homes, access to health care or experiencing domestic violence. As has been widely reported, people of color generally, and Hispanic people specifically, are disproportionately

impacted by COVID-19, putting further pressure on our legal aid programs that even in good times are only able to respond to about 10% of legal aid needs throughout the state.

The contributions from “Law”tería were distributed as grants by the TAJF to five legal aid programs: Diocesan Migrant & Refugee Services, Inc., Equal Justice Center, Houston Volunteer Lawyers, San Antonio Legal Services Association, and Texas RioGrande Legal Aid to help with the legal needs of our fellow Texans who have been affected by the COVID-19 pandemic.

We thank the law firms, bar associations, and individuals who donated and contributed their talents to this fun event that also helped introduce our Section, our leadership and other Latino leaders, to lawyers from throughout the state. Stay tuned for information on “Law”tería 2021.



87TH LEGISLATIVE SESSION: BUDGET, CORONAVIRUS AND REDISTRICTING DOMINATE

By Gloria Leal, Attorney & Government Affairs Consultant

The biannual 87th Legislative Session convened in January 2021 under the cloud of potential violence and fallout from the siege of the U.S. capitol. Gone was the pomp and ceremony of previous sessions, as access to the capitol was restricted and swearing in ceremonies and other celebratory rituals were limited to family members, staff and press. Heightened security, health safety pandemic precautions and new procedures are resulting in a slow, slow legislative process this year.

RULES AND GOVERNANCE

In Texas, governance and policy is dominated by the “Big Three”, consisting of the Governor, Lt. Governor and the Speaker of the House, all Republicans. The “Big Three” also sets the pace and tone for the session through rules, designation of priority legislation and appointment of committees.

This session is being referred to as the “Virtual Coronavirus Session”. The first undertaking of the House and Senate was the adoption of governance rules in accordance with “in person” constitutional requirements and taking into consideration safety, access to the public and allowance for input at legislative hearings. Both chambers adopted procedural rules to allow public testimony and access virtually, a historical first. Both houses also adopted rules to comply with distancing and other safety protocols which are having the effect of slowing debate and consideration of bills as congregation of legislators on the floor is not allowed and less bills will be passed. However, the legislature must still abide by firm end-of-session deadlines for passage of bills.

As lawyers can relate to, changes to the rules of procedure for consideration of bills was a bit contentious. House governance rules were adopted after defeat of proposed amendments that would have restricted committee chair positions to the majority party. On the Senate side, the election of Jose Menendez (D-Bexar) potentially jeopardized the majority’s ability to advance the priorities of the Lt. Governor, but over the objection of Democrats, a key rule was adopted to protect majority rule. To further consolidate party dominance, Republicans were appointed to chair all but one key committee.

In the House, Speaker Dade Phelan (R-Beaumont) shook up leadership and adopted a bi-partisan approach to committee appointments. The committees overseeing public education, appropriations and redistricting are among those with new chairs. Unlike the Senate, House committees are diverse and include Democrats. Hispanics, African Americans and women in key committee chair positions. With assignments out, legislation can be referred to committees for potential hearings.

Of interest, the Senate re-established the previously abolished, Jurisprudence Committee, to be chaired by: Senator Joan Huffman (R-Dallas). Appointed Vice – Chair of the committee is Senator Juan Hinojosa (D-Edinburg). Bills previously referred to the State Affairs Committee will now be assigned to the Senate Jurisprudence Committee. The House Redistricting Committee, which will be particularly powerful this year, will also have a new chair: Committee Chair Todd Hunter (R-Corpus Christi). Hunter will spearhead the redrawing of the state’s political maps for the House in the once-in-a-decade process that lawmakers are expected to tackle in a special session later this year.

House Speaker Committee Appointments of Note:

Speaker Phelan made many appointments of note and interest to HIS members, many of whom are lawyers and members of the Section. Of note: Congratulations to State Rep. Joseph E. Moody (D-El Paso) who will continue to serve as the Speaker Pro Tempore of the Texas House of Representatives. Congratulations also to: Rep. Mary Gonzalez (D-El Paso) appointed Vice-Chair, Appropriations; Rep. Victoria Naeve (D-Dallas) Chair, Juvenile Justice & Family Issues; Rep. Senfronia Thompson (D-Houston), Chair, Licensing & Administrative Procedures; Mexican American Legislative Caucus Chair, Rep. Rafael Anchia (D-Dallas), Chair, Pensions, Investments & Financial Services; Rep. Harold Dutton (D-Houston), Chair, Public Education; Rep. Ryan Guillen (D-Rio Grande City), Chair, Resolutions Calendars, Rep. Terry Canales (D-McAllen), Chair, Transportation; and Rep. Philip Cortez (D-San Antonio), Chair, Urban Affairs Committee.

LEGISLATIVE PRIORITIES

In his biennial State of the State address, Governor Abbott outlined five emergency items, or items that the Legislature can vote on within the first 60 days of the session. Priority items for the 2021 Legislative session are: expanding broadband internet access; restoring public law enforcement safety funding in local budgets; bail system reform; election integrity and providing civil liability protections for business against Coronavirus-related claims. Not mentioned specifically by the Governor were Covid-19 -related measures already on tract: appropriations for essential state services, Medicaid expansion, and increasing individual and business support



Legislative Update

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initiatives. A returning issue of the Governor's is opposition to local control and government lobbying funding measures – both which target the city of Austin, in particular.

COVID-19 LEGISLATION

The priority bill for the Texas Civil Justice League and on the watchlist of many interested parties are proposals to shield businesses from pandemic business interruption, coverage and liability issue. Rep. Jeff Leach (R-Plano) will introduce Covid-19 liability legislation in the Texas House, joining Senate author Sen. Kelly Hancock (R-North Richland Hills) as the legislative leaders on the proposal. Rep. Leach was named Chair of the House Judiciary & Civil Jurisprudence Committee, where the legislation is expected to be referred. Because Governor Abbott also declared the legislation as one of five emergency items, this legislation may receive expedited consideration by the Legislature.

Also, of interest are various bills which have been filed which create the presumption that certain designated workers who acquired Covid-19 presumptively acquired the virus during the course and scope of their employment, thereby qualifying for workers compensation benefits. Numerous bills have been filed relating to the eligibility of workers compensation insurance benefits and presumptive coverage for nurses, first responders and certain school employees contracting the virus.

OTHER LEGISLATIVE INITIATIVES

The Texas Legislative Black Caucus is advocating for passage of the George Floyd Act, sweeping bills that would, in part, limit use of force, implement disciplinary guidelines for officers and stop police from arresting people accused of only non-jailable offenses, like traffic violations.

The Mexican American Legislative Caucus (MALC) is advocating legislative proposals to address: Covid-19 equity and distribution to deal with the disparate impact on the Hispanic and minority community and Medicaid expansion. MALC led by Rep. Rafael Anchia (D-Dallas) is also advocating for electronic and broadband access equity for minority and rural communities, small business initiatives and extending and increasing state unemployment benefits and other finance assistance for workers.

REDISTRICTING

Redistricting is the process of drawing electoral district boundaries to guarantee equal voter representation. All legislative, congressional and State Board of Education districts must meet two basic criteria set forth in the federal Constitution and laws: equal or near-equal populations and preservation of the right to vote regardless of race, color or language. The controlling standard is "one person, one vote."

By law, the U.S. Census Bureau was required to deliver 2020 population figures to the president by December 31, 2020,

for the reapportionment of U.S. House seats. For state redistricting purposes, the data must arrive at statehouses by April 1, 2021, but Texas legislative officials expect the numbers sometime in April or later, which may prompt a special session.

In anticipation of census data, in Texas, redistricting and mapmaking for state and federal redistricting has been underway in the Texas Senate for months. The Senate Committee continues public/virtual regional hearings to obtain comment and input regarding the boundaries for congressional, state legislature and the State Board of Education through the Spring, 2021. Also, to be considered, is proposed legislation to redraw court of appeals districts. See below, legislation filed with Senator Joan Huffman (R-Houston) taking lead in the Senate:

SB 11 Author: Huffman

Last Action: 01/12/2021 S Filed

Caption: Relating to the composition of the court of appeals districts.

SB 31 Author: Huffman

Last Action: 01/12/2021 S Filed

Caption: Relating to the composition of districts for the election of members of the Texas Senate.

Conclusion:

The next newsletter will feature specific legislation of interest to lawyers across the state. Key legislation filed to date are "shell bills" or "place holder bills" reserving the subject matter but not yet drafted. Committees will conduct a preliminary hearing for introductory remarks, to introduce members, and discuss jurisdiction but are not expected to take up legislation until mid-session, 2021. Legislation to be scheduled for hearings is at the discretion of the chair of the committee, which illustrates the importance of committee chairs.

ANNOUNCEMENTS:

March 2021: HIS and MABATX Biannual CLE & Legislative Update

MABATX appointed to MALDEF Redistricting Task Force

Former State Rep. Jose Menendez (D-Bexar Co), lawyer MABA -San Antonio, elected to Texas Senate

For more information, questions, or comments contact:
Gloria Leal at Gleallaw@sbglobal.net

STATE BAR OF TEXAS NEWS

David Calvillo Appointed SBOT At-Large Director

David N. Calvillo has been appointed by the State Bar of Texas as an At-Large Director. The three-year term began on June 25, 2020. David is a Shareholder with Chamberlain, Hrdlicka, White, Williams & Aughtry, P.C. in Houston, Texas. Originally from Weslaco, David is Board Certified in Civil Trial Law. He is former Treasurer of MABATX and a council member of the HIS. He was sworn in at the State Bar's Annual Meeting this past summer.



Sylvia Borunda Firth is elected President-elect of the State Bar of Texas

Sylvia Borunda Firth, of El Paso was elected president-elect of the State Bar of Texas. She was sworn in during a virtual Board of Directors meeting on June 25, 2020. She is the first Hispanic female elected to this position.

LOOKING FORWARD TO 2021

by Sylvia Borunda Firth

Every newly elected President-Elect of the State Bar is wisely counseled by those who held the office before to “Be prepared to adjust. You never get the year you planned for.” Truer words were never spoken. From the moment Pablo Almaguer and I started our respective campaigns, nothing has been typical. The global pandemic and the highly volatile political climate have made for interesting times and unique challenges. The State Bar does not exist in isolation. We are not only affected by world events; we must adjust to them and decide what role lawyers should play in the public discourse. Our country is divided. Emotions are running hot and respect for the rule of law seems to have fallen by the wayside. As lawyers who have all sworn to preserve, protect and defend the Constitution, we have a higher duty than the average citizen. We are community leaders and should strive to be worthy of the respect usually afforded members of the legal profession. In the coming months you will hear about State Bar initiatives to promote civility and a higher standard of professionalism in the practice of law. We all know words have consequences and we have a responsibility to speak the truth and to speak it respectfully. The attention to the veracity of our statements must not be limited to the courthouse. We do not misrepresent facts in court, we must not do it in our daily lives or in the transaction of our legal affairs. When we disagree about politics or any other topic, we should be examples of how it is done respectfully. The new year affords us all an opportunity to engage in self reflection and improvement.

In addition to a focus on civility and professionalism, 2021 will bring forward the work being done by the Task Force on Diversity, Equity and Inclusion. No hay mal que por bien no venga. Because of the unfortunate events of last summer, the SBOT Board approved the creation of my Task Force early. Ordinarily, the President-Elect does not get started on initiatives until January, but because of controversy regarding the comments made by President McDougal, I have been given a little bit of a head start. The Task Force Chairperson is Joe Escobedo from McAllen and he has presided over two meetings. A third meeting is scheduled for January 28 and the entire group will participate in implicit bias training together on February 19. Committees have been formed to focus on the following topics: implicit bias; CLE/education; pipeline issues; administrative and communications. It is my hope the task force will have a report ready for the April Board meeting and in time for me to select some projects for my presidential year initiatives.

I am also hoping to do some work in the area of law related education. I would like to supplement the educational information provided by the SBOT to feature more information about historically significant Hispanic/Latino lawyers. I am sure to need your help to complete this project.

I am very excited about 2021 and I invite you to accompany me on this great adventure!

Adelante! Sylvia