President’s Message

As we enter the official summer season with the kids out of school and longer days, I start to think of family vacations, beach getaways, and summer camp. We plan all of these things for our families and children to keep them occupied during the long summer days while we, for the most part, continue the daily grind at work.

If you’re longing for summer camp for grown-ups, I urge you to consider attending our annual retreat on June 18-19. Even the word retreat means to draw back and get away. Sounds good, right? What better way to embrace the summer season than to get away and recharge in the beautiful hill country of Bandera, Texas? You can reconnect with your colleagues, refresh your practical legal skills, and check several hours of CLE off your to-do list, all at a reasonable price. This truly is (con’d on p. 12)

June Luncheon: Judith Blakeway - Interlocutory Appeals

Please join us at noon on June 2 to welcome Judith Blakeway. A graduate of the University of Texas School of Law, Ms. Blakeway is a partner in the litigation practice section of Strasburger in San Antonio. Ms. Blakeway will discuss the interlocutory orders that are appealable, the steps for filing interlocutory appeals, the effect of an appeal on trial court proceedings, when notice of appeal must be filed, whether failing to take an interlocutory appeal forfeits the right to appeal later, and whether the Texas Supreme Court can review interlocutory appeals. CLE is approved.

When: Tuesday, June 2, 2015
Time: Noon to 1:00 p.m.
Where: Club Giraud
Cost: $25 for members, $30 for non-members, $20 for students, payable at the door
RSVP: Club Giraud has asked for a headcount well in advance of the luncheon, so please RSVP by Friday, May 29, 2015 to

Events@bexarcountywomensbar.org. Include any dietary restrictions in your RSVP. We understand that schedules change, but we cannot guarantee seats for individuals who do not RSVP by the date above. Walk-ins will be charged $35 to cover the additional demands on Club Giraud’s staff and no-shows will be billed. For more information, contact Lindsay Riley (liriley@dykema.com) or Rachel Skinner (rskinner@dykema.com). We hope to see you there!
Seeking Belva Nominations!

By Leslie Hyman

At Autumn Affair on October 22, the Bexar County Women’s Bar Foundation will present two distinguished female attorneys with the Belva Lockwood Outstanding Lawyer and Outstanding Young Lawyer awards and we are looking for nominations. Attorneys licensed to practice seven or more years as of October 2015 will be considered for the Outstanding Lawyer Award, while attorneys licensed to practice fewer than seven years by that time will be considered for the Outstanding Young Lawyer Award. The recipients must be current members in good standing of the Bexar County Women’s Bar Association.

The selection committee will consider:

- Contributions to the community, including charitable and volunteer work, appointed or elected offices, and membership and board involvement in community organizations
- Contributions to improve the status of women in society and in the legal profession
- Contributions to the legal profession
- Experience, reputation and standing in the legal community
- Contributions to the Bexar County Women’s Bar Association and Foundation and its projects

Because of our desire to honor at Autumn Affair all women who have achieved high honor by their ascent to the judiciary, sitting judges are not eligible for the Belva Lockwood Award.

Please forward the name and email address for your nominees to Leslie Hyman at lhyman@pulmanlaw.com no later than Friday, June 26. All nominees will be sent an application after the close of nominations.

Save the Date
October 22, 2015

2015 Autumn Affair

The Veranda
6:00 p.m.

benefiting
Children’s Bereavement Center of South Texas

hosted by
Bexar County Women’s Bar Foundation
Catherine Stone: This Year’s Recipient of Joe Frazier Brown Award

By Natalie Wilson

On May 1, 2015, Catherine Stone, former Chief Justice of the Fourth Court of Appeals, received the San Antonio Bar Association (SABA) Joe Frazier Brown Award in recognition of outstanding professionalism and commitment to the ethical practice of law. The BCWB proudly nominated Justice Stone for the prestigious award, which had only been awarded to one other woman since its inception in 1994. According to SABA, the recipient “should be a model of the Texas Lawyer’s Creed and an inspiration for others in serving our clients and fulfilling our responsibility to the legal system.” Justice Stone embodied these ideals from the beginning of her career in private practice, through a distinguished career on the bench culminating in her tenure as the Chief Justice of the Fourth Court of Appeals, and in her return to private practice at Langley & Banack, Inc. BCWB warmly congratulates Justice Stone on this tremendous recognition. Our community is fortunate to have lawyers of Justice Stone’s caliber setting the standards for the skill and civility aspired to by all San Antonio lawyers.

Book Review: The Final Note

By Gaylia Brunson

Kevin Alan Milne is being touted as the newest Nicholas Sparks but, in my very humble opinion, I do not agree. While this book is about love, loss and renewal, I did not find any real depth to it and continually found myself wanting to tell the protagonist, Ethan, to grow up. If, however, you are looking for a book that does not take any mental power, this is a nice, easy read.

Ethan and Anna randomly met on a bus while Ethan was studying music abroad in college. They married and fully expected to grow old together. After all, they were young, life was good, and faith in each other came easily, as evidenced by the love notes Anna periodically left between the strings of his guitar after he would play for her.

On their wedding day, Ethan made several promises to Anna, to love, honor, and cherish her...and to write a song for her. Despite his promises, Ethan allows “life” to get the better of him and it becomes much harder than he ever dreamed to write the song for Anna. The difficulties of life for Ethan began to effect the marriage and he completely stops playing music for Anna and becomes bitter and angry toward most of the world while neglecting his family at home. Anna is at her wit’s end in the situation and has told Ethan she is ready to leave the marriage when she is involved in a terrible accident and only time will tell if she is going to live.

Ethan’s grandfather, a veteran of World War II, knows a thing or two about regret and bitterness, and has his own stories to tell. One in particular, has the potential to change Ethan’s attitude and help him put the past to rest, if he can open his heart to the truth of it. But, Ethan does not want to hear it.

In the end, Ethan has to remember why he fell in love with Anna that day in Austria and decide if it is too late to finish the song he promised her on their wedding day.
Member Spotlight: Carolyn “Cari” Rangel

What’s your current job?
I recently celebrated my one-year anniversary as an Associate Attorney at Espey & Associates, PC where I practice insurance defense, primarily working on personal injury, trucking, and employment matters. Prior to that, I was in the Travelers Insurance local Staff Counsel office.

How long have you been a member of the BCWBA?
I have been a member of the BCWBA since I was in law school, probably joining my second year (in 2008).

Best Experience So Far:
Networking has absolutely been the best experience so far. I have been a little out of pocket these past several months, but since joining the BCWBA, I have attended as many luncheons and mixers as I possibly can. In addition to the CLE hours offered for luncheons, it is a great opportunity to take advantage of the vast knowledge of the BCWBA membership in a non-stressful environment.

Tell us about your morning ritual or daily routine.
Like most moms in the BCWBA, my day begins early because I have two children, one in middle school and one in fourth grade. They are mostly self-sufficient these days when it comes to getting ready for school, but sometimes it is like herding cats to get us all out of the house on time. We strive to leave by 7:00 a.m. - I drop off my youngest at school and my oldest takes the bus. My commute into work is long and tedious (someday I’m going to learn how to use those voice options on my phone to get work done on my commute!). The work day can be anything from court appearances, depositions, or simply working at the office. I usually work through lunch because inevitably, especially now with the end of the school year looming, there is something that I need to do involving my kids once or twice a week that takes me out of the office early. Both of my daughters are involved in competitive cheerleading, so most of the week nights involve Daddy delivering them to cheer practice, and Mommy either staying late to work at the office or meeting with other cheer moms to work on various projects until it is time to pick them up. On non-cheer nights, our routine is to eat dinner, do homework, get ready for the next day, go to sleep and then start all over again!

What was your childhood dream job?
From the time I was 10 years old, I had wanted to be a pediatrician. That was my goal all throughout middle school, high school, and most of undergrad. By the time I was finishing my junior year in undergrad, I was burned out on school, and the prospect of spending another untold number of years in school was anything but appealing. Best advice I ever got at that time was from my freshman Biology professor who urged me not to quit, but to just finish out the next year and a half to earn my degree, which I did. Many, many years later, that degree allowed me to be able to sit for the Texas Board of Legal Specialization exam as a Paralegal specializing in Civil Trial Law; it also helped me to get into law school much later in life. (con’d on p. 7)
Color of Justice Program

By Hella Scheuerman and Brittny Weil

Bexar County Women’s Bar Association, together with the National Association of Women Judges, invite you to participate in the Color of Justice Program. The purpose of the Color of Justice Program is to educate, encourage and motivate students from our local high schools to consider a career in the law and judiciary. Students will have an opportunity to meet and talk to attorneys and Judges in an informal setting. During the Color of Justice presentation, the goal is to have Judges discuss why they chose the judiciary as a career, their role and responsibility, and the challenges and rewards of the profession. Attorneys will share their experiences in law school and in practice. Along with Justice Rebecca Martinez, we will be forming a committee to start this program in Bexar County. This program will provide an excellent opportunity to mentor the generations of young women leaders of the future. If you are interested in serving on this committee, please contact Hella (hella@dilleylawfirm.com) or Brittany (bmweil@curlstahl.com).

Kid Friendly Restaurant Review: The Cove

By Romona Carr

After hearing rave reviews and visiting the restaurant’s website, my family and I decided to visit The Cove. The Cove prides itself on offering sustainable, organic and local food. The Cove is located at 606 West Cypress Street. The location is next to a Laundromat and carwash, which seemed like an odd location for a restaurant, but we remained open-minded. There is limited parking outside, however there were parking attendants outside aiding in the process.

Upon entering the restaurant area we noticed a huge playground, which my daughter quickly gravitated towards. There is also a basketball backboard for the older kids. There is also a dog park for four-legged friends. Seating was available both indoors and outdoors. A live band also performs most nights.

The food was delicious. The burgers are made with grass-fed beef. They also offer vegan and gluten-free options. The kids’ menu was pretty standard; the menu included burgers, veggie burgers and hotdogs with the choice of adding fries or apple slices to the meal.

The atmosphere was very relaxed. This place is ideal for the entire family and there is something for everyone.
Judicial Spotlight: Judge Lorina Rummel

Why did you decide to become a lawyer?

I grew up in a military family and spent my high school years in the Washington D.C. area. While there, I was exposed to many politicians and lawyers. I always admired these individuals and believed as an attorney, I could help society. My father and brother both served this country through their military service. My brother was deployed to both Kuwait and Iraq. I am extremely proud of his career. I am hoping, as a judge, I can contribute and serve society in my own way.

Who are the people who have had the greatest influence upon your legal career?

I am extremely proud of my family/work life balance. I have been able to practice law for my entire career, while balancing my family obligations - my husband and four children. I am very proud of each of their successes - the eldest in college, two in high school and one in middle school. All four are excellent students, great athletes and involved in multiple organizations. My husband is a prominent business man here in San Antonio. All of them are doing wonderfully. And, at the same time, I have had an extremely fulfilling legal career.

What are you most proud of so far in your legal career?

I am extremely proud of my family/work life balance. I have been able to practice law for my entire career, while balancing my family obligations - my husband and four children. I am very proud of each of their successes - the eldest in college, two in high school and one in middle school. All four are excellent students, great athletes and involved in multiple organizations. My husband is a prominent business man here in San Antonio. All of them are doing wonderfully. And, at the same time, I have had an extremely fulfilling legal career.

What tips can you give other lawyers interested in becoming a judge?

I would advise attorneys to always treat everybody with complete respect. It does not matter if you are speaking with another attorney, a defendant, a court staff, victim or family member. Treat everybody fairly and equally.

What are you looking forward to the most during your time on the bench?

Daily, I am doing my best to make a difference one defendant at a time. I love the legal challenges that each case presents. I enjoy continuing my legal knowledge by researching evidentiary issues as they arise. I am hopeful that I can continue making a difference in people’s lives and can effectively run a smooth and efficient district court.
Member Spotlight: (con’d from p. 6)

Guilty Pleasure: What can you not live without?

Guilty Pleasure - What I Cannot Live Without: Right now, life is sustainable for me if I have honey wheat pretzels and Diet Dr. Pepper. I know, I know! Sometimes that is what just gets me through the day.

What’s the best career advice you’ve offered?

I have only been practicing for four years, but before that, I spent 20+ years in the legal field as a legal secretary and paralegal. In that time, I have seen a lot of young lawyers come and go. My advice to classmates who were looking for a job and to attorneys just coming out of school today is to not be afraid to start out in a very small firm. Most attorneys coming out of school are seeking the big firm jobs, but those are very hard to come by unless you have spectacular credentials and/or you know someone. But even that is not always foolproof. Working for a solo practitioner or a small firm with just a few attorneys has its advantages: you get more one-on-one mentoring and learning time; you get more experience because there are fewer attorneys; you are forced to learn how to do it all (from filing your lawsuit, to answering discovery, to locating witnesses); and there is usually more opportunity to advance. Once you prove yourself, you can gain additional responsibility and additional satisfaction. It is also an opportunity to practice more general types of law. With such a diverse experience, your marketability also rises when it’s time to move on to the next job.

Family Movie Event

BCWBA is partnering with Moms-in-Law San Antonio for a private showing of the Minions movie at Alamo Drafthouse Park North on July 11. The movie will be released July 10, so this is a great opportunity to see the latest animated feature and enjoy the company of your fellow BCWBA members and their families. Of course, you’re welcome to come enjoy the movie even if you don’t have kids or just want to leave them at home!

Admission is FREE for current members of BCWBA or MILSA. The full Alamo Drafthouse menu (including alcoholic beverages) will be available for purchase. Show time is 2:30 p.m.
So You Want to...Be a Public Interest Lawyer

By Robin Thorner

I went to law school to be a public interest lawyer. I never wavered in my commitment to this career path, and have had the good fortune of loving the challenges (there are many) and rewards (thankfully, there are more of these!) of representing under-served and marginalized members of our community. For others, a career in public interest law, which can be broadly defined to include work in non-profit organizations and the government, may become more appealing after several years in the private sector. In a recent study of 6,200 lawyers about their jobs and health, "What Makes Lawyers Happy?: A Data-Driven Prescription to Redefine Professional Success," researchers Lawrence S. Krieger and Kennon Sheldon found that lawyers in public interest jobs who made the least money, such as legal aid attorneys and public defenders, were most likely to report being happy. While a switch to public interest practice does not guarantee happiness, it can certainly bring great personal and professional satisfaction.

As with any significant change, ask yourself why you are looking for something new and what you hope to gain. If you are not sure of the answers, take the time to sit with the questions until the answers crystallize. Public interest jobs are hard to come by for candidates with resumes loaded with social justice activities, and public interest employers tend to be rather skeptical about applicants who do not have public interest experience. I say this not to discourage you from considering a change, but to emphasize how best to position yourself to transition into public interest practice.

Pro bono, pro bono, pro bono. Not only is it our ethical obligation as lawyers to give back, but it can be an essential element of a plan to become a public interest attorney, and can give you a glimpse into different kinds of public interest practice. Just as lawyers in the private sector handle vastly different subjects and use different skills, so too public interest lawyers. Because there are myriad ways of doing pro bono work, handling different kinds of matters and with varying levels of engagement will help you focus on the kind of public interest lawyer you may want to become. The San Antonio Bar Association’s Community Justice Program offers a significant number of clinics throughout the year, covering various subjects. More and more companies are partnering with public interest law firms to create ongoing pro bono opportunities for in-house counsel. And many organizations welcome with open arms volunteer attorneys who simply reach out and offer their assistance.

At Disability Rights Texas, where I currently practice, I have partnered with a number of volunteer attorneys who had a particular interest in our work and wanted to collaborate on various projects, from legal research and records review, to developing handouts and other educational materials. Pro bono work does not have to be performed at a clinic or mean that you are all-in to represent an indigent client. Do not hesitate to research organizations that do inspiring work and contact them to explore ways of partnering. The same goes for serving on the board of directors for a non-profit organization - and it need not be a legal organization. Dedicating the time to supporting and guiding an organization that serves marginalized individuals reflects your values and generosity.

If you, like me, find inspiration in Albert Einstein’s observation that “Striving for social justice is the most valuable thing to do in life,” then I invite you to consider the innumerable benefits of using your law degree to help others in a way that comports with your beliefs, strengths and passions. I welcome the chance to brainstorm with you as you explore opportunities and chart your new course.

“Striving for social justice is the most valuable thing to do in life.”

- Albert Einstein
Women’s Law Association Update

By Leah Wise, WLA President-Elect

The Women’s Law Association (WLA) and St. Mary’s School of Law was honored to host the Fourth Court of Appeals for oral arguments at St. Mary’s. The Fourth Court Justices also judged our 1L moot court finals round and stayed after for a lunch reception. At the reception, awards were presented to women who have earned recognition for their leadership, charity and spiritual commitment. Melanie Lira received the Chief Justice Alma L. López Woman in Leadership Award. Alicia Grant, a former WLA 1L Senator, received the Chief Justice Catherine Stone Rock of Justice Award. We are always so grateful to have the Fourth Court of Appeals on campus and look forward to its return next year. WLA elected and inducted the 2015-2016 Board for the coming school year. The new board is as follows: President Leah Wise, Vice-President Kateland Payne, President-Elect Claudia Galan, Secretary Jessica Gonzalez, Treasurer Brooke Holland, Philanthropy Chair Brittany Perrigue, Alumni Relations Chair Staci Krause and Cultural Affairs Chair Dania Pulido. We are excited for a new, record-breaking school year with WLA! If you’re interested in getting involved with WLA or its annual silent auction, contact Leah Wise at leahmariewise@gmail.com.

Annual Retreat

By Leslie Hyman

There’s still time to register for the Bexar County Women’s Bar Retreat and CLE on June 11 and 12. Thursday’s CLE starts at 4:00 with Negotiation Skills training and concludes after dinner with a two-hour presentation from Linda Chanow on tips for building competence, improving communication between attorney and client, and developing zealous advocacy skills. Friday’s CLE includes Ethics Jeopardy, a presentation from two experts on “What Effective Witnesses Can Teach Any Attorney,” and Her FAVORITE ADR--“Accessories Demanding Raves” and Alternative Dispute Resolution Case Law presented by Justice Rebeca C. Martinez and Judge Renée Yanta. For more information, contact Leslie Hyman at lhyman@pulmanlaw.com. More details on p. 12.
Restaurant Review & June Around Town Lunch:
Yellowfish Sushi

By Suzanne Patrick

One of my favorite sushi restaurants in San Antonio is a small place called Yellowfish that is a former drive thru fast food restaurant. It is probably a place you have driven by many times. If you do not know about this little treasure on Wurzbach Road then you are missing out. It does not look like your typical trendy lunch spot until you step inside. Once you do, you will see that it has a modern décor that appears to be furnished right out of Ikea. The waiters and waitresses take your orders on iPads and the sushi bar is small but puts out some awesome eats. The owners are from Mexico City and the Mexican influence in the offerings is very apparent. They call their style of sushi “Japamex” as some of the dishes have a heat and spice to them that many enjoy. While I am not one for spicy food, everyone I have brought with me has loved what they have ordered. Their traditional hand rolls are called Japanese tacos and some have a spicy picante that folks love. I have had the hand rolls on several occasions and they are always fresh, tasty and consistent. They are also a BYOB establishment, so you can bring your favorite wine, beer and other beverages to accompany your sushi.

One of my favorite rolls, which might sound odd, is the delicious Frushi roll. It includes a center filled tempura-fried shrimp, cucumber and cream cheese and the outside has masago caviar topped with layers of avocado, plantains and strawberries and drizzled with a kiwi sauce.

Since Yellowfish opened, it has been well recognized as an excellent, fresh sushi spot in San Antonio. It was featured in SA Current Magazine in May of 2013 shortly after opening in February.


Please join me Thursday, June 25, 2015 at noon at Yellowfish for June’s Around Town Lunch. I will be enjoying a Frushi roll and look forward to seeing you and hearing your thoughts on some of their tasty offerings.
In *Stern v. Marshall*, 564 U. S. ___, (2011), the United States Supreme Court “held that Congress violated Article III by authorizing bankruptcy judges to decide certain claims for which litigants are constitutionally entitled to an Article III adjudication.” In this case, the Supreme Court clarified the impact of *Stern* on bankruptcy and magistrate court jurisdiction.

**ISSUE:** Does Article III permit bankruptcy judges to adjudicate *Stern* claims with the parties’ consent?

**HELD:**

1. The Supreme Court held “Article III permits bankruptcy judges to adjudicate *Stern* claims with the parties’ knowing and voluntary consent.” Pp. 8–17.

2. Consent to adjudication by a bankruptcy court need not be express, but must be knowing and voluntary. Pp. 18–19.

**FINDINGS:**

(a) The foundational case supporting the adjudication of legal disputes by non-Article III judges with the consent of the parties is *Commodity Futures Trading Comm’n v. Schor*, 478 U. S. 833. There, the Court held that the right to adjudication before an Article III court is “personal” and therefore “subject to waiver.” Id. at 848.

(b) Allowing bankruptcy courts to decide *Stern* claims by consent must be decided “with an eye to the practical effect that the” practice “will have on the constitutionally assigned role of the federal judiciary,” id. at 851. For several reasons, this practice does not usurp the constitutional prerogatives of Article III courts. Bankruptcy judges are appointed and may be removed by Article III judges, see 28 U. S. C.§§152(a)(1), (e); “serve as judicial officers of the United States district court,” §151; and collectively “constitute a unit of the district court” for the district in which they serve, §152(a)(1). Bankruptcy courts hear matters solely on a district court’s reference, §157(a), and possess no free-floating authority to decide claims traditionally heard by Article III courts, see Schor, 478 U. S., at 854, 856. “[T]he decision to invoke” the bankruptcy court’s authority “is left entirely to the parties,” id., at 855, and the power of the federal judiciary to take jurisdiction” remains in place, id. Finally, there is no indication that Congress gave bankruptcy courts the ability to decide *Stern* claims in an effort to aggrandize itself or humble the Judiciary. See, e.g., *Peretz v. U.S.*, 501 U. S. 923, 937. Pp. 12–15.

(c) *Stern* does not compel a different result. It turned on the fact that the litigant “did not truly consent to” resolution of the claim against it in a non-Article III forum, 564 U. S., at ____, and thus, does not govern the question whether litigants may validly consent to adjudication by a bankruptcy court. Moreover, expanding *Stern* to hold that a litigant may not waive the right to an Article III court through consent would be inconsistent with that opinion’s own description of its holding as “a ‘narrow’ one” that did “not change all that much” about the division of labor between district and bankruptcy courts.

2. Consent to adjudication by a bankruptcy court need not be express, but must be knowing and voluntary. Neither the Constitution nor the relevant statute—which requires “the consent of all parties to the proceeding” to hear a *Stern* claim, §157(c)(2)—mandates express consent. Such a requirement would be in great tension with the Court’s holding that substantially similar language in §636(c)—which authorizes magistrate judges to conduct proceedings “[u]pon consent of the parties”—permits waiver based on “actions rather than words,” *Roell v. Withrow*, 538 U. S. 580, 589. *Roell*’s implied consent standard supplies the appropriate rule for bankruptcy court adjudications and makes clear that a litigant’s consent—whether express or implied—must be knowing and voluntary. Pp. 18–19.
President’s Column (con’d from p. 1)

one of the best events the BCWB offers each year, and you don’t want to miss it!

If you’re thinking you can’t take this time from work to focus on yourself, I like to use the arrow analogy: an arrow can only be shot forward by pulling it back- ward. You’re pulling back for a day and a half in order to shoot yourself forward, reinvigorated, retrained, and ready to put your best foot forward in your work and personal life. Just relax, and keep aiming.

Special Mention

HUGE congratulations to Regina Stone-Harris and Suzanne Patrick, our Equal Times newsletter editors, and to all of our members who have contributed to the newsletter over the past year! The BCWBA has been selected as the winner of the Stars of Texas Bars award for the best overall newsletter! The award will be presented at the Bar Leaders Recognition Luncheon on Thursday, June 18, during the State Bar Annual Meeting here in San Antonio. We hope to see many of you there to cheer us on as we accept our award.

Please join us for the 2015 Bexar County Women’s Bar Retreat

4:00 p.m. on June 11 through 2:00 p.m. on June 12
Purple Sage Ranch in Bandera

This year we’re focusing on practical skills, including negotiation training exercises with Professor Wayne Scott of St. Mary’s Law School and a presentation by Linda Chanow of the Center for Women in Law at the University of Texas School of Law.

Single $380 / Semi-Single $360 / Double $325
(all inclusive – CLE, meals, room, snacks, wine, etc.)
7.0 hours CLE credit (pending)

Come as early as noon on Thursday to relax and enjoy the company and the beautiful Ranch including hiking, biking and walking trails, 24 hour fitness facility, game room, and snacks

Register at http://www.bexarcountrywomensbar.org/bcwb-annual-cle-retreat

For more information, contact Leslie Hyman – 210-892-1601