
CHAIR'S REPORT

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Keeping the BMW on the Road

Nearly a year ago, then-Chair Heidi Bloch turned over the Section reins to me with this comment: "I'm giving you the keys to a BMW. Don't drive it off a cliff." As I prepare to pass those keys to my successor, Cindy Timms, I'm pleased to report that the BMW is still on the road and performing nicely. And how could it not be? As Heidi more seriously reminded me, the Appellate Section largely runs itself—driven and inspired by the hard work, dedication, and enthusiasm of our officers, council, committee co-chairs, and State Bar board advisors. To all of them, I am eternally grateful.

The purpose of this report, however, is not to reminisce about the Section's many accomplishments over the past year. Rather, it is to share with you some of my hopes, wishes, and visions for the Section going forward. So here goes, in no particular order:

Prudent deployment of financial resources

Thanks to a growing membership and the cost savings from electronic delivery of the *Appellate Advocate*, the Section enjoys a sizeable surplus of uncommitted cash. Much of this money should be held in reserve, but some of it should be deployed on an annual basis in a way that assists our members and serves the mission stated in our bylaws—to promote the role of and enhance the skills of Texas appellate lawyers, and to improve the practice of appellate law in Texas. Scholarships, grants, and internships are all candidates for the Section's financial support, as are moot court competitions or speaker series.

Increasing membership

The Appellate Section currently has 1,823 members and, with just 177 more, the State Bar will classify us as a "large" section. We should reach out to non-renewing members and

to non-members who list “appellate” as a practice area in their State Bar contact information. We should also encourage minority lawyers to join the Section, perhaps by offering one-time complimentary memberships as we did this past spring at a highly successful CLE program for minority appellate lawyers.

Communicating with our members

We have tried this year to send our members a short “e-blast,” on at least a monthly basis, announcing a variety of appellate-related events. One or more of these future e-blasts should include a survey soliciting feedback from our members on how the Section can better serve its membership and the practice of appellate law in general.

Liaison to the Litigation Section

Trial lawyers are our friends, colleagues, and a major source of our business. Many of us also belong to the Litigation Section—the largest in the State Bar—but we should also continue to have at least one of our members serve as an officer, as a councilmember, or as a committee chair of the Litigation Section. We need to know what trial lawyers want from us, and to remind them of what we can do for them.

Liaison to the PJC Committee

The PJC volumes are of inestimable value to the bench and the bar, and our members are uniquely qualified to provide guidance on how the volumes can be expanded or improved. Our Section should designate members to serve as informal liaison to all the PJC volumes, and these members should be given the responsibility of providing appropriate suggestions, comments, and feedback to the committees overseeing those volumes.

Outreach to government appellate lawyers

Just this year, the Section established a committee to facilitate opportunities for education and mentorship within the community of federal, state, and local government lawyers practicing appellate law. A surprisingly large and multi-faceted number of lawyers comprise this community. We

must be ready to commit the time, people, and financial resources necessary to serve them.

Expanding pro bono

The Section has placed pro bono pilot programs in the Texas Supreme Court and nearly every Texas intermediate court, and we should now turn our attention to the Fifth Circuit. Many of our members are looking for opportunities to prepare briefs and present oral arguments in the Fifth Circuit, and the Fifth Circuit daily decides cases that could benefit from the skills of our members. The Seventh Circuit has pioneered a pro bono program for civil cases that could serve as a guide. On a different note, I would encourage members who volunteer for pro bono appeals to write short summaries of their experiences for publication in the *Appellate Advocate*.

Young lawyers and law students

Appellate lawyers are the “barristers” of the American legal profession, and young lawyers and law students strive to be like us and to be one of us. The Section should develop formal programs enabling our members to provide internships or mentoring opportunities to young lawyers and prospective lawyers who are seriously interested in the practice of appellate law.

Memorializing CLE programs

In the past, our very active CLE committee has periodically presented programs on such topics as legal writing, handling one’s first appeal, and presenting oral argument. These popular programs should be “memorialized” in a video, a webcast, or a podcast, and shown on a regular basis throughout the state.

Re-engaging veteran section members

There are many “appellate legends” who have served our Section with distinction for years but have become less involved. We should find ways to re-engage these veterans, perhaps by including them in CLE panels or roundtables or by asking them to provide voluntary “moot court” sessions for young practitioners facing their first oral arguments.

Service to small firm and solo appellate lawyers

Though perhaps personally biased, I have witnessed an increasing appetite for solo or small firm appellate practices. The Section should establish a committee to serve these groups, enabling them to share “best practices” about the business and the practice of appellate law.

I think those are enough ideas for now. Thank you for considering them, and thank you for giving me an opportunity to serve as the Chair of this outstanding Section. I have been honored and privileged to do so.

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