



Denton County Lawyer

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www.dentonbar.com

Investiture of Jonathan M. Bailey and David Jahn

By Brent Hill, Hill and Hill, www.hillandhillattorneys.com.

The Denton County Bar Association is honored to introduce the two newest members of the Denton County Judiciary: the Honorable Jonathan M. Bailey of the 431st Judicial District Court, Denton County, Texas and the Honorable David Jahn, Associate Probate Judge, Denton County, Texas.

Judge Bailey is the first Judge in the new 431st Court and was appointed by Governor Rick Perry. Judge Bailey, a Denton County native, graduated from Texas Tech University in May of 1997 and has proudly served our great county ever since. Judge Bailey has two beautiful future Aggies who pretty much rule

the roost in the Bailey home. When he is not busy dispensing justice upon us, Judge Bailey is either coaching his son's baseball team or cheering for his favorite ballerina.

Judge David Jahn was hired by Judge Bonnie Robison, of the Probate Court, and took over for Judge Jerry Parr. Judge Jahn, a father of three and a graduate of Texas Wesleyan University, graduated in December of 2001 and spent the last seven years as a misdemeanor and felony prosecutor with both the Denton and Wise County District Attorney's Offices. Judge Jahn was a private practice attorney in Johnson County before his years as

a prosecutor. Prior to this, Judge Jahn proudly served with the U.S. Army as both an infantryman and helicopter pilot in many touristy places such as South Korea and Somalia.

If you would like to contact the people who are the real brains and brawn behind our new judges, feel free to call the Court Coordinators, Denise Spalding for the 431st Judicial District Court and Jerome Coleman for the Probate Court.

Photos on left from the Investiture Ceremony for Judge Jonathan M. Bailey and Judge David Jahn, held on February 15, 2011. Below, David Jahn sworn in on January 31st, 2011 with his family.



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From the President

How time flies.... This is my last month as your Bar President. In May, Dena Reecer will be taking the helm. I have enjoyed my time as the President. Looking back, I don't think I had any idea how much time it would take. The year was interesting to say the least.

- we had our first "out of county" Bench/Bar Conference at Tanglewood;
- we saw Judge Gabriel go to the Court of Appeals;
- we have seen changeover of five of our District and County Court seats; and
- we've had the addition of a new District Court and a new Probate Court Associate Judge.



Since I have been practicing law, I have never seen so much change in our court system. I don't think anyone could have predicted all this change.

I didn't get done all that I had wanted to accomplish in this year. However, I'm not going to lament. My time is done. My favorite memory during my presidency was seeing those families and children on Adoption Day. Nothing will stick in my mind more than when Judge Collier asked a new mother, "What name do you give to your child," at which point the mother broke down crying. A lot of lives were changed that day for the better.

In no particular order, I want to thank the people that have been invaluable to me in my Presidency. Kim Killebrew is a driving force behind the Bench/Bar together with her committee. Joe Zellmer, also on that committee, was instrumental in getting our Veteran's Clinic together and continuing those efforts. I'd like to thank Travis Biggs for his social events and the freshness of his ideas

Don R. White, Jr. speaking to the media regarding the 2010 Adoption Day.



Don R. White, Jr., President

and "out of the box" thinking, Patricia Ryan for getting excellent speakers for our CLE programs, and Cynthia Burkett and all of the people that helped on Adoption Day. The entire Board of Directors who all spend valuable time assisting with all of our programs. Of course, last but not least, Michelle Houston who was truly cut from a different cloth and has been blessed with the best personality of anyone I have ever known. She makes the job fun and has a smile on her face in spite of what adversities may come.

Thank you for the opportunity to serve, and I wish Dena much success.

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Immediate Past President, Darcy Loveless
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DCBA Sections

- Trial Lawyer's Association
- Family Law Section
- Greater Denton County Young Lawyers Association
- Real Estate, Trust, and Probate Law Section
- Criminal Law

DCBA Membership

- Your DCBA Membership includes**
- Free and discounted CLE programs
 - Monthly luncheon & happy hour
 - Networking opportunities
 - Listing on the bar website, including photo, two practice areas, and a link to your website.

For more information see our website: www.dentonbar.com.

Upcoming Events & CLE

Monthly Meetings

Collaborative Professionals

DCCP will meet at **12:00 PM** on Tuesday, **April 5**, at Oakmont Country Club, 1901 Oakmont Dr. in Corinth.

Family Law

Family Law will meet for a CLE on Tax Issues for the Family Law Practitioner at **7:30 AM** on Friday, **April 1**, at Oakmont Country Club, 1901 Oakmont Dr. in Corinth. There will be a golf tournament following the bar luncheon.

Family Law will meet at **12:00 PM** on Thursday, **April 21**, in the Central Jury Room, 1450 E. McKinney St. in Denton.

Paralegals

DCPA will meet at **12:00 PM** on Thursday, **April 28**, at Oakmont Country Club, 1901 Oakmont Dr. in Corinth.

GDCYLA

GDCYLA will gather for their monthly:

- Meeting at **11:45 AM** on Thursday, **April 7**, at Taco Lady, 1101 E. McKinney St. in Denton.
- Happy Hour at **5:00 PM** on Thursday, **April 14**, at Sweetwater Grill & Tavern, 115 S. Elm in Denton.

REPTL

REPTL will meet at **11:45 PM** on Wednesday, **April 20**, at Oakmont Country Club, 1901 Oakmont Dr. in Corinth.

My Dear Guests, We are the Denton County Bar Association, your host. Welcome to....



May 20-22, 2011
Tanglewood Resort
and Conference Center
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pay online @ <http://services.dentonbar.com>

The Registration Fee for the Conference Attendee includes:

1. Accommodations at the beautiful Tanglewood Resort on Lake Texoma on Friday and Saturday nights for you and your spouse or guest
2. Friday lunch and dinner, Saturday breakfast, lunch and dinner, and Sunday breakfast for yourself
3. CLE
4. Receptions and entertainment indicated on the conference schedule

TO BE A SPONSOR

Please contact -

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Denton, Texas 76201

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(940) 320-1500

Golf Scramble—Friday morning. If you are interested, contact Andrew Passons or Joe Zellmer.

Here Come the New Judges

By Vicki H. Schmidt and Michelle Beecher, Denton County Paralegal Association, www.dentoncountyparalegals.com.

The Denton County Paralegal Association (DCPA) is a professional organization consisting of paralegals who either live in Denton County or work in Denton County. The association sponsors a number of speakers each year who provide legal education for members and guests of DCPA.

The speakers for the February meeting of DCPA featured the judges who have been recently elected or appointed to the bench. We also heard Cynthia Mitchell and Sherri Adelstein discuss new procedures and personnel in the County Clerk's and District Clerk's offices.

Each of the new judges spoke about their preferences for how procedural matters will be handled in their courts.



Judge Kimberly McCary
County Court at Law No. 1
(Juvenile Court)

The Honorable Kimberly McCary quickly conveyed her enthusiasm for her new position as judge of the Juvenile Court and shared with us her plans for the court including:

- Judge McCary plans to be on the bench from 7:00 AM–4:00 PM each work day, unless her docket requires her to stay longer.
- She has revised the rules for her court and posted them on the county website, along with the

forms her court requires.

- One goal is to move cases along without frequent resets, and she has a form to be used when a reset is requested.
- Out of courtesy, Judge McCary requests that attorneys request the court's permission if paralegals will be sitting at the counsel table, but otherwise, she has no problem with that.



Judge Robert Ramirez
County Court at Law No. 2

The Honorable Robert Ramirez stated his court hears civil cases with less than \$100,000.00 in controversy and requests for occupational driver's licenses. Some of Judge Ramirez' preferences include:

- Judge Ramirez tends to follow the local rules unless there is a complaint. He is willing to schedule final hearings with only 45 days' notice instead of 75 days unless there is opposition.
- He sets cases on the dismissal docket if there is no action for 15 months; once on the dismissal docket and a scheduling order is entered, there will be no continuance of the final hearing.
- Judge Ramirez schedules jury trials on Tuesdays and Wednesdays of each week.
- The judge requests that attorneys bring pre-marked exhibits to

court and that a copy be provided for both the judge and the court reporter before a witness is questioned about the exhibit.

- Attorneys may have their paralegals sit at the counsel table.



Judge Steve Burgess
158th Judicial District Court

The Honorable Steve Burgess gave us a summary of his background and discussed his preferences including:

- Judge Burgess really appreciates attorneys who give him a summary of requested relief and a list of issues that need to be resolved.
- He plans to be on the bench by 8:45 AM and will hear proveups Monday through Friday, or during a break in a trial; just give the file to the bailiff letting him know you are there for a proveup. Motions to enter will be heard on Fridays.
- In family law cases, the judge does not require the parents to go to For Kids' Sake unless a party requests that be ordered, he requires parties in a divorce to exchange inventories and will require mediation before a final hearing. For possession orders, the Judge favors expanded standard possession with pickup and drop off at school when school is in session.

Around the County

- If an order is approved by all attorneys of record, it can be delivered to the court or the court coordinator for the judge's signature. If the order is not approved, then the court's file must also be delivered along with the proposed order.
- A dismissal docket will be scheduled in the near future.
- When resetting a hearing, you must include a "Certificate of Conference" that includes specific details about the efforts made to confer with opposing counsel as to dates; copies of emails or letters can be attached as exhibits to the notice of hearing (which must be signed by the court coordinator).
- Out of courtesy, attorneys should request the court's permission if paralegals will be sitting at the counsel table.



Judge Margaret Barnes
367th Judicial District Court

The Honorable Margaret Barnes discussed procedural matters in her court, including:

- She will hear proveups on Tuesday mornings beginning at 8:00 AM.
- The judge will require contested family law cases to attend mediation prior to a final hearing.
- For jury trials in her court, Judge Barnes wants the attorneys to present the jury charge at the beginning of the trial.
- Attorneys are asked to bring a copy of any pleading they filed within three days prior to a hearing for the judge to review, because there may not have been time for the pleading to be added

to the case file.

- Judge Barnes does not routinely schedule telephone conferences.



Judge Jonathan Bailey
431st Judicial District Court

The Honorable Jonathan Bailey told us his court is currently located in the Attorney General's courtroom on the 4th floor of the courthouse, but he will eventually occupy what is now the 393rd courtroom. His Court Reporter is Mellony Ariel and Denise Spalding is his Court Coordinator and their offices are just outside the central jury room. Judge Bailey's preferences include:

- Since most of his cases have been transferred from other courts, be aware that hearings previously set by the prior court may not be available in the 431st. Therefore, the attorneys must check with the Court Coordinator about dates. If a hearing was begun before the prior court, check with the Court Coordinator to determine which court will hear the continuation of that hearing.
- If you have a case in which several hearings have already been had or a case that has lasted over a long period of time, Judge Bailey allows the attorneys to prepare, file (with a copy to the opposing counsel) a summary of the history of the case, and the relationship of the parties at the attorney's discretion.
- All the attorneys of record in a case are welcome to have an informal status conference with the judge between 8:00–9:00 AM, or they can ask the coordinator

to put such a conference on the docket.

- Judge Bailey urges the attorneys and their clients to conduct themselves in a civil and polite fashion. For example, he expects the attorneys in his court to timely respond to opposing counsel's requests for dates and to correspondence.
- Continuances are only given for good cause.
- Parties in a contested case are expected to go to mediation prior to a final hearing; however, if a party is opposed to mediation for good cause, the judge will usually waive the requirement.
- Judge Bailey expects to be on the bench by 8:00 AM.

The Denton County Paralegals Association February meeting featuring the Judges who have recently been elected or appointed to the bench.



Around the County



Judge Bonnie Robison
Probate Court

The Honorable Judge Bonnie Robison, Judge of the Probate Court described her duties including:

- Judge Robison plans to revise the local rules of her court, including the notice rule.
- The judges urged personal representatives to be careful not to introduce into the public records personal identification information that can lead to identity theft problems. They further suggested that the personal representative's

sheet, birth, and death certificates be introduced in camera.

- Judge Robison will hear jury trials during the first three weeks in a month and non-jury matters the last week of a month.
- Generally Judge Robison will hear contested matters. After a court matter has been set for hearing, the judge requires all attorneys of record to sign a mutual agreement for a reset date. If a continuance is requested, it must be filed at least five days prior to the hearing in question.
- Judge Robison hears uncontested proveups Monday through Friday from 9:30 AM–1:30 PM.

To get additional details about Judges and procedures, please visit www.dentoncounty.com.



Associate Judge David Jahn
Probate Court

Honorable David Jahn, Associate Judge of the Probate Court described his duties including:

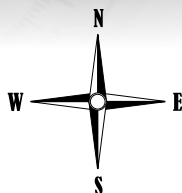
- Judge David Jahn hears arraignments at jail beginning at 7:30 AM.
- He then hears uncontested matters before the Probate Court from 9:30 AM and on.
- Judge Jahn reserves the afternoons to hear cases with mental health issues.

South Side Membership Drive Mixer

When:
Thursday, April 28th
5:00 PM–8:00 PM

Where:
Julian, Crowder & Shuster, P.C.'s New Office
860 Hebron Parkway, Suite 501
Lewisville, TX 75057

If you would like to host the North, West or East DCBA Membership Mixer please contact Michelle Houston by email at mhouston@dentonbar.com or by phone at 940-320-1500.



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From our Sponsors

Mediation Services



As a 40-year lawyer, with 34 years as a family law specialist and 17 years of mediation experience, I have decided to become a full time mediator starting April 1, 2011. As a mediator, I will prepare, remain neutral, and make every effort to establish trust and a positive connection with each party.

- Mike Gregory

Phone: 940-387-1600

Fax: 940-387-2173

Mike Cell: 940-368-1656

mike@dentonfamilylaw.com

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DCBA in 2010-11

April Bar Luncheon

Date:

Friday, April 1, Noon
Meal included
0.5 hr. CLE and 0.5 hr. Ethics

Location:

Oakmont Country Club
1901 Oakmont Drive
Corinth, Texas 76210

Program:

Changing Estate Tax Laws

Speaker:

Bob Widmer

May Bar Luncheon

Date:

Friday, May 6, Noon
Meal included

Location:

Oakmont Country Club
1901 Oakmont Drive
Corinth, Texas 76210

Program:

Business Meeting

Save the Date

STATE BAR OF TEXAS ANNUAL MEETING

SAN ANTONIO

————— 2011 —————

WHEN:

June 23–24, 2011

WHERE:

Grand Hyatt, San Antonio and
Henry B. Gonzalez Convention Center

REGISTER:

For more information and to register,
please visit the State Bar website at
www.texasbar.com/annualmeeting.