



DCAP Mediators Receive 40-Hour Training And Certification

From Wednesday, May 16 through Sunday, May 20, 2007, twenty-three Denton County Alternative Dispute Program (DCAP) mediators attended forty hours of mediation training at Texas Woman’s University, which earned each of them 40-Hour Basic Mediation Training Certification. Kay Elliott, J.D., an adjunct professor at Texas Wesleyan School of Law and professor at Texas Woman’s University, spent the five days with the DCAP mediators in a class specifically designed for DCAP. Kay Elliott was assisted in the training by her husband, Frank Elliott, J.D., formerly a law professor at the University of Texas, Dean of the Texas Tech School of Law, Dean of the Texas Wesleyan School of Law, and now Professor Emeritus of Texas Wesleyan School of Law. Chris Watts, Real Estate attorney and newly elected Denton City Councilman and Marty

Leewright, formerly a Denton County Bar Association member also assisted in the training.

Professor Elliott explained that mediation, at its best, is not simply compromising or splitting the difference, but a process that allows the parties to search for an optimal outcome to each party through interest-based negotiation rather than position-based negotiation. Many of the attorneys in the group have collaborative law training and were interested in how mediation dovetails with their collaborative training, enhancing what they already knew about interest-based negotiation. Other participants, who had previously had mediation training said this particular training enhanced the knowledge they already had about mediation and negotiation. Over the five days of training, the participants

learned through lectures, role plays, negotiation exercises, and videotaped mock mediations.

The following lawyers participated in the training. Kyle Basinger, Tamera Bennett, Gretchen Benolken, Lee Ann Breeding, Dave Bouschor, Dale Burrows, Stephen Dubner, Kelly Erickson, Beth Hayes, John Holland, Richard Johnston, Jarod Julian, Bill Kincaid, Gary Kollmeier, Camille Milner, Wayne Northcutt, Ted Ogilvie, Robert Ramirez, Ed Snyder, Grace Weatherly, Russell Welch, Joe Zellmer, and Tracy Zimmerman.

In exchange for DCAP sponsoring the mediation training, everyone who attended the training committed to mediating four *pro bono* cases each of the next two years for DCAP.

By Sunday evening, all the participants were exhausted but invigorated and excited about having more skills to bring to the mediations that they volunteer to do for DCAP.

All smiles, the mediators-in-training pose for photo during a break.



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From the President



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Fee Arbitration, *Darcy E. Loveless*

CLE Committee, *Theodore D. Ogilvie*

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Newsletter, *Don R. White, Jr.*

Internet/Web Page,

Don R. White, Jr., Patricia Ryan

Email/Blast Fax, *Hugh Coleman*

ADR/Settlement Week, *Duane L. Coker*

Pro Bono, *Dena Reecer*

Photography, *Hugh Coleman*

Membership, *Cynthia Burkett*

Awards, *Amie Peace*

DCBA Membership

Your DCBA Membership includes

- *Free and discounted CLE programs*
- *Monthly lunch and happy hours*
- *Networking opportunities*
- *Listing on the bar website which includes a photo, two areas of practice, and a link to your own personal website*

Your DCBA Membership offers

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

I'd like to use my column this month to address an important, but somewhat neglected, committee of DCBA—the Courts Committee. I am pleased that Darcy Loveless has agreed to head up this committee for the coming year, and want to thank her for committing her time.

As you all know, the Courts Committee is designed to be a vehicle for the Courts and the Denton County legal community to communicate openly about important issues. This committee should give the Bar a voice regarding the Court's administration and procedures. An example of the need for this type of communication is the recent enactment of Standing Orders by the District Courts that took many lawyers by surprise... myself included.

I received an email that proposed Standing Orders were available for review; then, just a few days later, they were a reality. An operating Courts Committee will provide a forum in which the Court can solicit and lawyers can provide input. Additionally, as we recognize the changing needs of our clients when representing them before our Courts, the Courts Committee provides us with an avenue to make those needs known to the Courts. This type of communication is necessary both to the smooth operation of the Denton County Courts and to the protection of our clients' interests when participating in court proceedings.

A project that I have proposed for the Courts Committee to tackle this term is to review the current procedures and standards for the appointment of individuals to perform social studies in family law cases. It is my understanding that there are currently



Tiffany L. Haertling, President

individuals who are included on the Courts' approved list, but lack the proper credentials to be performing this critical and sensitive task. This obviously does not serve our clients well and I believe that acceptable professional standards need to be imposed.

Equally important is that the communication afforded by the Courts Committee apply to all areas of law. While Darcy Loveless and Janette Baldwin, who have both volunteered their time and energy, can certainly represent the Family Law section, I feel it is important that we also have representatives from the Real Estate, Probate, and the Civil Litigation sections, as well as a Criminal Law representative participate on the committee. Each area of law poses its own unique concerns and, accordingly, needs to be involved. I would like to appeal to you to lend your voice to this very important committee to represent your particular area. If you are interested in serving with Darcy and Janette on the Courts Committee, please contact Darcy Loveless at 940-387-3776.

Denton County Bar Association

2007-08 Membership Application

Required Information (for directory, membership, and website use)

Name: _____

Business Phone: _____ Facsimile: _____

Firm/Company: _____

Business Address (including City & Zip Code): _____

Email/Web Address: _____

Texas Board Certifications (TBLS): _____

College Last Attended/Graduation Date: _____

Law School/Graduation Date: _____

Primary Areas of Practice* (list two): _____

**Having two areas of practice listed in the web directory is included in the fee for bar membership. If you would like three to five areas of practice listed, there is an additional, one-time fee of \$75.00. Choose from the following:*

<i>Family Law</i>	<i>Copyright & Trademark</i>	<i>Juvenile</i>	<i>Small Business</i>	<i>Corporate Finance</i>
<i>Criminal Law</i>	<i>Wills</i>	<i>Government</i>	<i>Mediator</i>	<i>Securities Law</i>
<i>Probate</i>	<i>Estate</i>	<i>Business</i>	<i>Eminent Domain</i>	<i>Collaborative Law</i>
<i>Real Estate</i>	<i>Guardianships</i>	<i>Education</i>	<i>Oil & Gas Litigation</i>	<i>Commercial Real Estate</i>
<i>Personal Injury</i>	<i>Bankruptcy</i>	<i>Employment</i>	<i>Social Security</i>	
<i>Civil Law</i>	<i>Worker Compensation</i>	<i>Tax</i>	<i>Fiduciary Litigation</i>	
<i>Intellectual Property</i>	<i>Immigration</i>	<i>Entertainment</i>	<i>Arbitration</i>	

Optional Information

Home Address: _____

Home Phone: _____ Birthdate: _____

Spouse's Name: _____ Number of Attorneys in Firm: _____

Date Licensed in Texas: _____ State Bar of Texas Number: _____

Other State Bar Admissions/Dates/License Numbers: _____

Do you speak a foreign language? _____ If yes, what language: _____

If you would like to post your photograph on the DCBA website, email your photo to Michelle Houston at mhouston@dentonbar.com. The website will be updated periodically throughout the membership year.

Application Certification

I, the undersigned, do hereby make application to the Denton County Bar Association for membership and, in making such application, I certify that I am validly licensed to practice law or am a law student of an accredited law school, that I promise to uphold and support the Bylaws of the association and the Texas Disciplinary Rules of Professional Conduct in all respects and to the best of my personal and professional ability, that all information provided by me in this application is true and correct.

Signature of Applicant: _____ Date: _____

Application Submission

Please mail this application along with a check made payable to **Denton County Bar Association** in the amount of **\$125.00** (licensed in Texas less than two years) or **\$150.00** (licensed in Texas over two years) to 512 W. Hickory, Suite 202, Denton, TX. 76201. Please do not include Collaborative Law, Family Law, or Real Estate, Probate, and Trust Law Section dues with your DCBA payment.

Members receive a complimentary meal at monthly Bar luncheons. If you have any questions about the DCBA, please call Denton County Bar Association at 940-320-1500 or Tiffany Haertling, President at 940-484-8200; or visit our website at www.dentonbar.com.

If We Build it They Will Come

The First Annual Denton County Collaborative Professionals' Spring Retreat

On May 24, 2007, the Denton County Collaborative Family Lawyers had their first annual spring retreat at the home of Duane and Louellen Coker. Mike Gregory decorated Duane Coker's neighborhood and home as a construction site to fit the theme of the retreat: *Building a Collaborative Practice Group*.

Approximately twenty members of the group attended the retreat, which lasted from 8:30 AM until after 6:00 PM. The day was filled with organizational workshops and short substantive presentations by various members of the group.

Collaborative Law has evolved in Texas in the past seven years from a two lawyer and two client model to primarily a multi-disciplinary team model. In the multi-disciplinary model, in addition to the two clients and their attorneys, there is also a communications coach (mental health professional) and a financial professional (either a Certified Financial Planner, Certified Divorce Financial Analyst or a Certified Public Accountant). While the Denton County Collaborative Practice group has invited the other disciplines to participate in its monthly meetings for some time, the non-lawyer professionals were not officially members of the group until May 24, when the Denton County Collaborative Lawyers voted to rename the group the Denton County Collaborative Professionals (DCCP). This official adoption of a

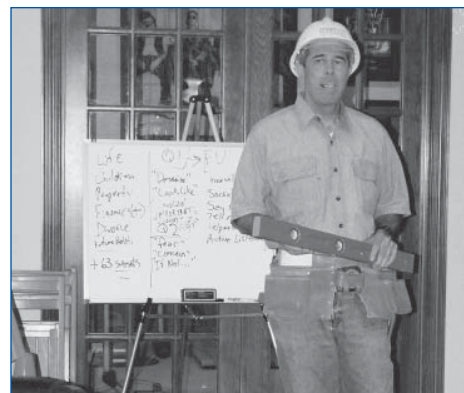
multi-disciplinary membership puts Denton's collaborative group in line with other practice groups, particularly metropolitan practice groups, around the state and the nation.

Jake Jacobson, a Denton County mental health professional, helped the group consider the elements of group dynamics, a presentation he called, *Forming, Storming, Norming, and Transforming*. Jake also demonstrated how effective the communications coach can be in helping the parties and other members of the team develop an agenda for each joint session based upon interests, goals, and options rather than positions.

In the *Building Codes Manual*, Mike Gregory and Gary Kollmeier presented a customized notebook for all Denton County collaborative process participants to use. Now, whenever a client in Denton County chooses to settle their family law matter in the collaborative process he or she will have a consistent experience.

Jim Diebold and James King, both financial planners and members of the group, presented *How Do We Finance This Thing?* Their presentation explained the process used by financial professionals to assist clients in settling the financial issues in their cases, whether that be actually dividing property or working out child support amount and health care costs.

Joe Zellmer presented the Collaborative Law Institute of Texas' *Presentation in a Box*, which



Mike Gregory lays the foundation of the retreat and gets the collaborative professionals ready to remodel and continue building their practice group.

is a powerpoint available to CLITX members so that members of the DCCP can be available to speak to groups who are interested in Collaborative Law. Patty Ryan reviewed the websites of other practice groups around the state with the DCCP members to make this group aware of trends in other practice groups in Texas. The group reviewed the development of its new website and discussed changes that will be implemented.

One of the most helpful portions of the day were the opportunities to network and talk about issues that come up in collaborative cases and how to most effectively deal with them—what works and what doesn't work in collaborative cases. At the end of an exhausting, but very productive day, with several hours of programming left to go, the group adjourned for a social, agreeing to have the remaining program topics given at the monthly meetings over the next several months.

From the Sections

Collab. Law Section Meeting

Date:

Tuesday, July 10, 12:00 PM

Location:

Guisepe's Italian Restaurant
821 N. Locust St., Denton

REPTL Section Meeting

Date:

Wednesday, July 18, 12:00 PM

Location:

Luby's Cafeteria
2440 S. Interstate 35, Denton

GDCYLA Section Meeting

Date:

Thursday, July 5, 11:30 AM

Location:

Katz's Hamburgers
901 Ave. C., Denton

Paralegals Monthly Meeting

Date:

Thursday, July 26, 12:00 PM

Location:

Oakmont Country Club
1901 Oakmont Dr., Corinth

Family Law Monthly Meeting

Date:

Monday, July 23, 5:30 PM

Location:

To be announced

Addendum to Phil Phillip's Denton Historical Journey

Several attorneys who practiced law in the 1960s were not included in Phil Phillips' Article *Phil Phillip's Denton Historical Journey* that ran in the May 2007 edition of the Denton County Lawyer. Those lawyers are

- Sam Houston, who later became District Judge of the 211th Judicial Court
- Jerry Cobb, who later became District Attorney of Denton County
- Jake Collier, who currently serves as District Judge of the 158th Judicial Court
- Miller Davidge of Miller Davidge, L.P.
- Tom Jester of Minor & Jester
- Richard Kelsey of Kelsey, Kelsey, Collister & Hickey, P.L.L.C.
- Curtis Loveless of Loveless & Loveless, L.P.
- William Ralph Mann of William Ralph Mann, P.C.
- Jerry Garrett
- Boyd Newman
- Michael J. Whitten

Texas Advanced Paralegal Seminar

Date:

October 3-5, 2007

Registration:

Register by August 31, 2007

DCBA Meeting Minutes, June 1, 2007

1. Meeting called to order: Tiffany Haertling
2. Secretary's Report/Treasurer's Report: Don White
2. Announcements:
 - a. Lee Ann Breeding: request to sign Court of Appeals petition for one of the Justices who is running for re-election.
 - b. A DCBA member introduced JD and Eric Bailey who are visiting from Dallas.
3. CLE: Introduced by Ted Ogilvie
Speaker: Gina Hill and Susan Piel
Topic: Changes and Updates in the DA's Office and Defense Bar.
4. Meeting adjourned: Tiffany Haertling

Bar Poll Results

This year's bar poll was conducted by the internet web company ballotbox.com. For the past two years the DCBA has used this electronic format which has increased participation of the bar poll.

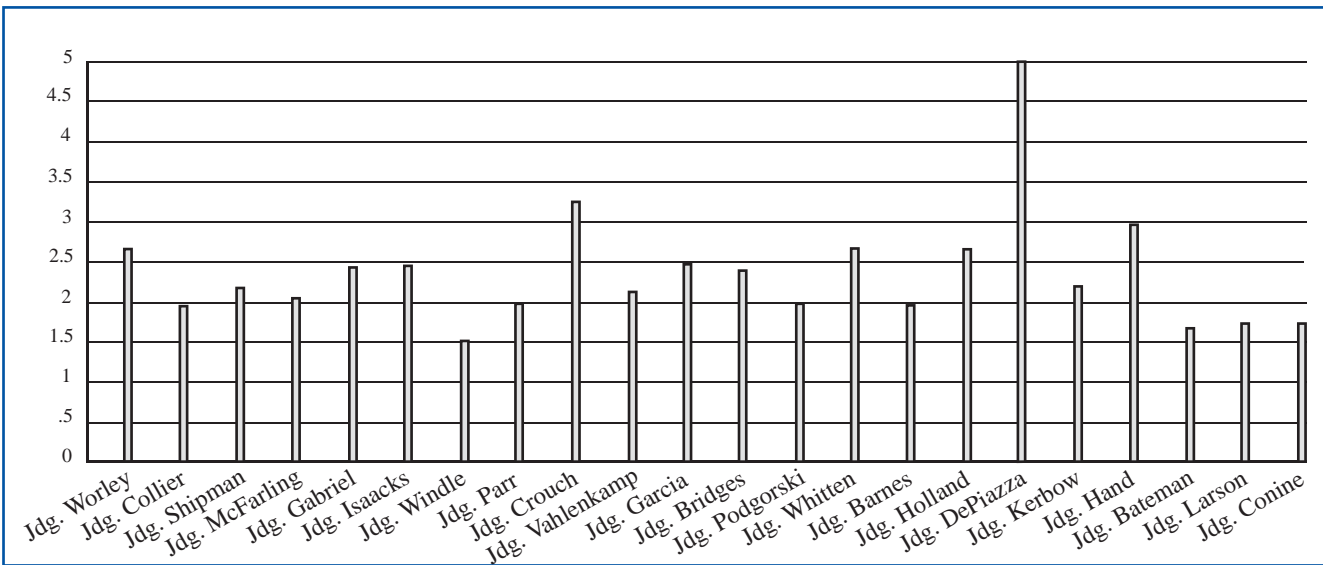
Because the poll was taken over the internet, the confidentiality of

the voters is ensured. Specifically, under the format for which the poll is conducted there is no way for even the moderator of the poll to determine how individuals voted.

However, unlike past years, the Judges were not included in the poll balloting as they do not practice in other courts.

Furthermore, the poll was conducted on a 1 to 5 scale as opposed to a 1 to 4 scale so as to better describe the opinions of the voters.

To receive a copy of the full bar poll results, please email Hugh Coleman at HColeman@hbvwlaw.com.



The Graph represents the overall ranking of each Judge. Judges were ranked on a scale from 1 to 5, 1 being best, 5 being worst.

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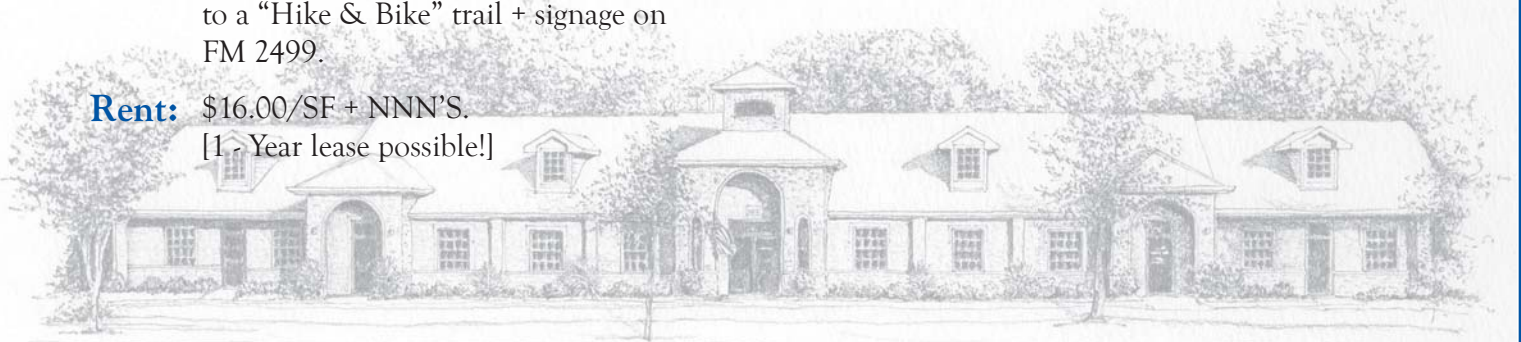
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Layout 2: Reception area, 2 pvt offices, conf room, 1 large work area & restrooms.



CONTACT INFORMATION

2612 Long Prairie Road, Suite B
Flower Mound, Texas 75022

Nick Jani / Waynette Walker
Jani Companies, LLC

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DCBA in 2007-08

July Bar Luncheon

Date:

Friday, July 6, 12:00 PM
Meal included

Location:

Oakmont Country Club
1901 Oakmont Drive
Corinth, Texas 76210

Program:

*Common Problems Attorneys
Face Regarding Professional
Misconduct*

Speaker:

Robert S. Bennett, Esq.

August Bar Luncheon

Date:

Friday, August 3, 12:00 PM
Meal included

Location:

Oakmont Country Club
1901 Oakmont Drive
Corinth, Texas 76210

Program:

*Practical Update on
Condemnation Law*

Speaker:

Michelle Jones, Esq.

Announcing

Gray Shelton and Dena Reecer are pleased to announce the relocation of their firm, Shelton & Reecer, LLP, to 400 W. Oak, Ste. 201, Denton TX 76201 (First State Bank Bldg). Telephone: 940-382-3168, Fax: 940-383-9650.

The DCBA office will be closed on Wednesday, July 4, 2007 to recognize Independence Day.