

KATY BAR ASSOCIATION

Issue 13 SEPTEMBER 2016

KATY BAR ASSOCIATION NEWSLETTER

*2016 Winner of Stars of Texas Bars Awards for Small Bar Newsletter
Sarah Springer, Editor*

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SEPTEMBER MEETING AND CONTINUING LEGAL EDUCATION

Date: September 27, 2016
Topic: Introduction to the Texas Medical Futility Statute—When Doctors and Patients Disagree
Speaker: Gerald Zimmerer, JD, LL.M.
Zimmerer & Associates, PLLC
Time: 11:30 AM to 1:00 PM
Place: Hasta la Pasta Katy, 1450 Grand Parkway South, Katy
Menu: Delicious salad, entrée and dessert, assorted beverages
Cost: \$25 for members \$30 for non-members or walk-in members
CLE: 1 hour participatory, .25 ethics

IMPORTANT: RSVP NO LATER THAN 1:00 PM on Friday, September 23. You may RSVP by email to christy@gtkatylaw.com and pay at the meeting, or you may register on line and either pay via credit card or at the meeting. You will also have the opportunity to register for the Featured Lawyer drawing for an additional \$5 paid in advance of the meeting. Entering the drawing at the meeting will cost you \$10. If you RSVP and do not attend or cancel, you are still responsible for your meal's cost. **If you do not RSVP, the meeting cost is \$30.00, but we cannot guarantee you either a seat or a meal.**

SEPTEMBER CONTINUING LEGAL EDUCATION

Pictured Left is Gerald Zimmerer, our CLE Speaker for the September CLE Luncheon.

Gerald Zimmerer received his JD from South Texas College of Law and his LL.M in Health Law from the University of Houston. Gerald interned in the Ethics Section, MD Anderson Cancer Center where end-of-life questions were often daily events. He is a member of the Texas Bar College and is a member of the Board of Advisors to the prestigious University of Houston Health Law and Policy Institute; rated "#2 – Health Care Law" by US News and World Reports in 2016.



**RESERVE YOUR SPOT AT OUR LUNCHEON BY 1:00 PM
ON SEPTEMBER 23!**

TOPIC FOR OUR SEPTEMBER CLE: INTRODUCTION TO THE TEXAS MEDICAL FUTILITY STATUTE – WHEN DOCTORS AND PATIENTS DISAGREE

Brief Course Description: End-of-life questions arise frequently. While such questions are much easier to resolve when an advance directive is offered, such directives are not always provided. This presentation asks the question, "What is medical futility and what happens when Physicians and Patients disagree about end of life decisions?" We will review how medical dispute questions have been interpreted by the courts and how common law has, with regard to this subject, changed over the years. Specifically, what rights do patients have under Texas Law? What are the moral, ethical and legal implications of these decisions, and who, under Texas law, makes the final determination? We will review several cases that have made their way before Texas and other state courts and review the legal issues and principals applied. We will ask if these decisions were made correctly, and what legal arguments might one make to persuade the courts to rule differently?

Don't miss out on what is sure to be an excellent CLE presentation. Come out for our second meeting of the 2016-2017 Bar Year at 11:30, September 27, 2016, at Hasta la Pasta Katy, 1450 Grand Parkway South, Katy.

AUGUST MEETING HIGHLIGHTS

President Elizabeth Pratt started out the new bar year with many announcements of what the 2016-2017 year has in store for the members of the KBA. Our first CLE luncheon at Salt and Pepper in Old Katy was very well attended, showing the continued growth and health of our organization. The members in attendance were privileged to hear a very interesting and comprehensive CLE presentation on Refugee and Asylum Law given by our guest speaker, Teresa Messer. Teresa's powerpoint has been posted on the KBA website, www.katybar.org.



VISIT OUR FACEBOOK PAGE! BE SURE TO "LIKE" US AND YOU CAN SEE PHOTOS OF OUR MEETINGS AND OTHER SPECIAL EVENTS THROUGH THE YEAR.

<https://www.facebook.com/Katy-Bar-Association-206976949484743/>

It's a public page, so I don't think you have to join Facebook to see the photos.



TUESDAY, SEPTEMBER 27 IS OUR SECOND MEETING OF THE 2016-2017 BAR YEAR. PLAN TO ATTEND! RSVP'S ARE DUE TO christy@gtkaty.com NO LATER THAN 1:00 PM ON FRIDAY, SEPTEMBER 23RD.

COMMITTEES

Committee work is a great way to get involved in your Bar Association, and it's fun! From time to time, ad hoc committees will be formed, so be ready to volunteer to staff those committees. In addition, there are standing committees which always are in need of additional help. These committees and their chairs are as follows:

| | |
|--------------------|------------------|
| SOCIAL COMMITTEE | KERRI GRAHAM |
| AUDIT COMMITTEE | ESTELEE GARRISON |
| MEMBERSHIP | GERALD ZIMMERER |
| YOUNG LAWYERS | KELLY RIZZO |
| EDUCATION | STU LEVIN |
| PUBLIC INFORMATION | DAVID FRISHMAN |

Please feel free to contact the Chair of any committee in which you have interest.

SCHOLARSHIP COMMITTEE

If you would like to be a part of the scholarship process for the 2016-2017 Bar year, please contact Stu Levin to volunteer. The Scholarships are awarded in May to graduating seniors. We need to begin planning now, so that we will have even more participation from area high school seniors.

PEOPLE'S LAW SCHOOL COMMITTEE

Grace Nwanguma, Rehan Alimohammad and Drew Zimmerman are working on plans for our People's Law School. If you would like to help on this committee, please contact Grace at attorneywanguma@hotmail.com, Rehan at rehan@aandzlegal.com, or Drew at drewzim@sbcglobal.net.

KATY YOUNG LAWYERS!!

The Katy Bar Association now has Katy Young Lawyers! The Katy Young Lawyers Committee, chaired by Kelly Rizzo, is planning the organization of our young lawyers and scheduling events for this new division of the Katy Bar Association. The purpose of this committee is to provide opportunities for young attorneys who live and/or work in the Katy area to meet other attorneys of similar ages and experience levels.

Save the Date! Katy Young Lawyers will host a **Meet & Greet** event on **Wednesday, September 14** at Little Woodrow's Katy, 22225 Katy Freeway, from 6:00 p.m. until 8:00 p.m. We will provide appetizers, and drink specials will be available all evening.

If you are interested in getting more involved with Katy Young Lawyers or in serving on the committee, please contact Kelly Rizzo at krizzo@huntlawtexas.com.

BENEFITS OF BAR MEMBERSHIP

There are many opportunities available to our members to get involved in our Bar—volunteer for a committee! Come out for a Veterans' Clinic! Volunteer to give a CLE presentation in your field of practice. Involvement in your Bar Association is beneficial for your professional and your personal lives. There are great people in the KBA who live and work in Katy.

Don't miss out: come to our next meeting on September 27th!

FEATURED LAWYER

Congratulations to **Michael Elliott** for winning the September 2016 Featured Lawyer drawing. Take a look at our website--the Featured Lawyer is everywhere! The website is optimized and comes up when people are looking for a lawyer in Katy, so it's a great opportunity to be in the drawings for the upcoming bar year. To participate, please pay \$45 to the Katy Bar Association and send your payment to Christy Theander at 21559 Provincial Blvd., Suite A, Katy, TX 77450. Alternatively, you may also pay \$5.00 per meeting to enter at the time you register online for the meeting. If you come to the meeting, want to be in the drawing, and you haven't paid in advance, the "on-the-spot" entry will be \$10 for that month's drawing. We will be drawing at the upcoming meeting for the October 2016 Featured Lawyer winner. The lucky winner will have one month as Featured Lawyer, so please give yourself this opportunity for great publicity! The proceeds from our website ads and the Featured Lawyer drawings help support the continued visibility and optimization of our website, so please consider participating and supporting our Bar.

WEBSITE ADS

As we are starting our new Bar year, it is time for you to renew your ad on our website, or to purchase an ad on our website. For a mere \$100, you will be front-and-center with an ad promoting your law practice on the optimized and wonderfully maintained Katy Bar website. If you wish to renew your ad, please send your check for \$100 to Christy Theander, KBA Treasurer, 21559 Provincial Blvd., Suite A, Katy, TX 77450. You may also pay for your ad on line. Please provide ad copy for our use in setting up your ad. The ads are rotated in position, so your ad will change in position each time the website is loaded. What a great bargain! Reserve your space now and help support our website.

If existing advertisers have not renewed by the end of September 2016, your ad will be removed from our website.

NEW VENUE UNDER CONSIDERATION FOR CLE LUNCHEONS

We are having amazing attendance at our fabulous CLE luncheons and we are outgrowing the space we have enjoyed at the Willow Fork Country Club. We are considering alternatives for our luncheon venues. If you have a recommendation of a favorite spot, please submit your suggestion to any member of the Board of Directors. We visited the Cellar Door in May and June, and the August meeting was at Salt and Pepper in Old Katy.

If you have feedback about Salt and Pepper, the Cellar Door, or Willow Fork, please send your comments and suggestions to any member of the Board of Directors.

KATY AREA ECONOMIC DEVELOPMENT COUNCIL

If you are interested in attending activities of the Katy Area Economic Development Council as a representative of the Katy Bar Association, please contact Elizabeth Pratt. We will be rotating our representatives on a first come, first served basis.

RSVP TO christy@gtkatylaw.com FOR OUR SEPTEMBER MEETING AT HASTA LA PASTA KATY BY 1:00 PM ON FRIDAY, SEPTEMBER 23, 2016.

FEATURED ARTICLE

The DOL Has Been Busy: Keep Up With Fall Changes and the FLSA Salary Increase Amendments Coming to You on December 1, 2016.

Effective on December 1, 2016, exempt executives, professionals, and administrators must be paid a minimum salary of \$913 per week (\$47,476 annually), which more than doubles the current minimum salary required to maintain those exemptions. A portion of the required minimum compensation may derive from nondiscretionary bonuses.

Many KBA members practice in small firms, but remember that these new rules apply to all employees covered by the FLSA, not just employees of large businesses. FLSA coverage may apply to an entire enterprise based on its revenues or to individual employees based upon their work activities. The Department of Labor (DOL) website offers information concerning the scope of FLSA coverage.

Businesses that employ personnel currently classified as exempt for FLSA purposes, but who earn less than \$913 per week in salary, must decide how the new minimum salary requirements affect their compensation structures. Remember that an employee is entitled to overtime pay unless he satisfies both the "duty" and the salary requirements for the particular exemption applied.

Hessam Parzivand, guest speaker at KBA's June meeting, provided an overview of the core changes and the need to take action. KBA member Elizabeth Pratt's May 2016 and August 2015 blog posts (<http://elizabethpratt-legal.com/#1/blog>) also provide information about the amended regulations and suggestions of how to minimize the impact of compensation changes on business finances and employee morale. The DOL website also provides a great deal of information.

Timekeeping rules and limits on compensable work time are important components of a compensation structure that minimizes overtime costs (and wage claims), so employers should get busy planning now if formerly exempt employees will be reclassified to non-exempt status.

Covered employees should also keep in mind that the DOL has issued a new FLSA poster for all employers covered by minimum wage requirements. The new minimum wage poster is already in effect and should be posted in a conspicuous place in establishments where covered employees work.

Capping off these changes, the DOL also increased its civil money penalties effective on August 1, 2016. The DOL may impose a penalty of up to \$1,100 for each repeated or willful violation of its minimum wage or overtime requirement, typically assessed per-person.

SAVE THE DATE! VETERANS' CLINIC SEPTEMBER 24, 2016

The Katy Bar will once again be partnering with Houston Volunteer Lawyers in a Legal Clinic offering free legal advice to area Veterans. Come on out and volunteer and give back to those who have sacrificed for our freedom and our way of life. The Clinic will be held on **Saturday, September 24, 2016** from 9:00 a.m. to noon at the Veteran's Clinic on Westgreen. If you are planning to volunteer or need more information, please contact Elizabeth Pratt, elizabeth@elizabethpratt-legal.com.

Our State Bar President, Frank L. Stevenson has this to say about **TEXAS LAWYERS FOR TEXAS VETERANS:**

The State Bar is committed to ensuring that our much-lauded Texas Lawyers for Texas Veterans (TLTV) program remains vibrant. As part of this effort, we have produced a new video, *TLTV: For Those Who Serve*, highlighting the important role that attorneys play in serving our veterans and encouraging more attorneys to volunteer. Also, the State Bar's Local Bar Services Department has created a new and improved [Veterans Clinic Marketing Tool Kit](#) to provide local bars all the tools to organize and publicize veterans legal clinics and recruit volunteer attorneys. Created in 2010 by Past President Terry Tottenham, TLTV has partnered with more than 30 local bar associations and has helped more than 23,000 veterans with the assistance of more than 7,000 volunteer attorneys, paralegals, and law students. Our State Bar is viewed as a national leader in a number of fields. This is one of them. Visit our [website](#) to watch the video and learn how you can serve those who have so selflessly served us.

PRESS RELEASE FROM THE VETERANS LEGAL INITIATIVE NEWS:

Veterans Legal Initiative News

Providing pro bono legal services to U.S. Veterans in 17 counties

Media Contact: Tara Shockley, 713-759-1133 or taras@hba.org

Free Legal Clinic for Veterans, September 24 in Katy (Houston, Texas – August 25, 2016) Veterans who need legal advice or legal assistance can visit a free legal clinic scheduled in Katy on **Saturday, September 24, 2016**. The clinic will be held at the **Katy VA Outpatient Clinic, 750 Westgreen Blvd., 2nd Floor, Katy, TX 77450 from 9:00 a.m. until noon**. No appointment is necessary. The clinic is a public service of the Katy Bar Association and the Houston Bar Foundation's Veterans Legal Initiative.

Any veteran, or spouse of a deceased veteran, can receive one-on-one advice and counsel at the clinic from a volunteer attorney in any area of law, including family, wills and probate, consumer, real estate and tax law, as well as disability and veterans benefits. Veterans who need ongoing legal representation and who qualify for legal aid will be assigned a pro bono attorney through the Houston Volunteer Lawyers to handle their case. The Houston Bar Foundation also sponsors weekly Friday afternoon clinics at the Michael E. DeBakey VA Medical Center from 1:00 p.m. until 5:00 p.m. on the first floor. More information about the clinics is available at www.hba.org.

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If you are interested in getting more involved with Katy Young Lawyers or in serving on the committee, please contact Kelly Rizzo at krizzo@huntlawtexas.com.

MEMBER NEWS—



Pictured here to the left is Chelsea Urech, daughter of KBA Member Joycelyn Urech and her husband Dennis. Unfortunately, Joycelyn cropped out Dennis' DeLorean, which we should feature in a future edition of the KBA Newsletter....

Chelsea Urech, daughter of KBA member Joycelyn Urech and her husband Dennis will be attending Loyola Marymount University School of Film and Television beginning in the Fall of 2016. Chelsea will be working towards her Masters in Fine Arts in screenwriting. She takes with her many years of writing and has been writing creatively since the tender age of 7 after she enrolled in a creative writing class in the summer. Chelsea is a

2011 graduate from Seven Lakes High School in Katy where she was a member of the Creative Writing Club and was a member of the newspaper staff throughout high school.

Chelsea graduated from Texas A&M with a BA in International Studies in August of 2015 and spent last Fall writing her first screenplay for her applications to graduate schools. Fortunately for her she was granted admission to 3 schools and chose Loyola Marymount because of the intensity of the program and connections to the movie and video game industry. She is very excited and is looking forward to honing her craft and writing screenplays to entertain movie and video game fans.



Pictured at left is KBA Member and Fort Bend County Bar Association President Sherrie Travers receiving a President's Commendation from Frank Stevenson, President of the State Bar of Texas (right). From left, KBA and State Bar Director Rehan Alimohammad, Larry McDougal, Sherrie Travers, Andrew Tolchin, and Frank Stevenson.

We want to brag about all of the honors and achievements of our members and their families! If you have news or photos you would like to see in the KBA Newsletter, please contact any member of the Board of Directors, or send an email to sarah@sarahspringerlaw.com.

UPCOMING CONTINUING LEGAL EDUCATION AT KBA LUNCHEON MEETINGS

Be sure not to miss our **September 27** meeting when KBA member Gerald Zimmerer will speak on the Texas medical facility statutes. Our meetings are a wonderful opportunity not only to network with Katy area lawyers, but also to learn about areas of law outside our usual areas of practice. Our programs cover a very broad array of topics, including but not limited to immigration, tax, disposal of bodies, cutting edge policing programs, employment law, personal injury, professional malpractice, end of life choices, estate planning, family law...you name it, you have learned about it at a KBA meeting or you will learn about it! We walk away from every single meeting having learned interesting and useful information, even if it is well outside our usual silo!

Stanley Santire, former chief counsel for Lockheed Aircraft International, A.G., will speak in **October** concerning the new federal trade secrets law and its impact on both employers and employees.

At our **November** meeting, Michael Burg will present a humorous, incisive, and insightful update on ethical issues confronting lawyers.

All CLE luncheons offer 1.0 hour of CLE, and usually at least .25 Ethics credit. Our November meeting featuring KBA Member Michael Burg will provide a full hour of ethics credit.

KBA Second Vice President Charles Knobloch (713-335-3021) is seeking Katy Bar members and/or others who wish to give presentations during 2017 at the Katy Bar monthly meetings. We have a few late spring openings and would like to have a broad variety of topics and especially topics that are relevant to the practice areas of our members. Judges at all levels are very much welcome to share with us their insights and peeves so that we may improve our litigation & appeal practice skills. If you are not the speaking type, let us know your topic and/or

speaker suggestion. All input is most welcome. You may email Charles at: charles@aklaw.com or CKnobloch@arnold-iplaw.com with a cc: to DBena@arnold-iplaw.com (713-335-3022).

OUR FALL CLE SCHEDULE:

| | | |
|----------|-----------------|--|
| 9-27-16 | Gerald Zimmerer | Medical Futility and the Texas Futility Statutes |
| 10-25-16 | Stanley Santire | The New Federal Trade Secrets Law: Impact on Employees and Employers—with discussion of the current Texas Trade Secrets law and (lack of) pre-emption. |
| 11-25-16 | Michael Burg | Update on Ethics |
| DECEMBER | NO MEETING | HOLIDAY PARTY!! |

If you know someone who may be interested in joining the Katy Bar Association, please forward this Newsletter to them. The more we grow our local bar, the more it will be able to provide a useful service to our members, community, and potential clients.

TEXAS BAR BENEFITS

There are many benefits available to members through the State Bar of Texas. Did you know that TLAP (Texas Lawyer Assistance Program) has wellness classes for free on line? You can get on the blind notice list by contacting cameron.vann@texasbar.com. Classes include: Anger and Boundaries; Dealing with Grief and Loss, Lawyer Addiction and Recovery, Lawyers Fighting Back Against Burnout and Depression, Lawyer Happiness, Practical Tips for Lawyer Self-Care, Taking Care of You and Your Colleagues: Donald Davis Story, Unstuck from Depression. There are also in-person wellness groups which are confidential and all lawyers are welcome. In Houston, the meetings are the first Monday of the month, 6:30 p.m., 303 Jackson Hill, Houston. The telephone number for TLAP is 800-343-8527, website is www.texasbar.com/TLAP.

DUES NOW DUE FOR 2016-2017 BAR YEAR

It is time to renew your membership in the Katy Bar Association. Please visit our website at www.katybar.org and renew your membership. You may also pay for ad space on the website—it's only \$100 for a full year of exposure on our fabulous website—don't miss out! Also, each month you can make your reservation for our luncheons on the website and you will be offered the option to pay for our Featured Lawyer drawing at the reduced rate of \$5.00 paid in advance of the meeting. Proceeds of the Featured Lawyer drawing help to support the maintenance of our website.

The membership renewal page is attached to this newsletter. You can fill this in and pay on line, or you can print off the page, fill it in, and mail it to Treasurer Christy Theander along with your check. Don't miss out on a great Bar Year with the KBA!

If you have not renewed by the end of September, 2016, you will be removed from our mailing list.

RSVP TO christy@gtkatylaw.com FOR OUR SEPTEMBER MEETING AT HASTA LA PASTA KATY BY 1:00 PM ON FRIDAY, SEPTEMBER 23, 2016. SEE YOU THERE!



MEMBERSHIP FORM

Name _____

Address _____

Email _____

Telephone _____ Fax _____

Bar Number _____

Preferred Areas of Practice: _____

Board Certification: _____

Jurisdictions: _____

Other Professional Credentials: _____

Annual Dues: July 2016—June 2017.....\$50.00

Please make your check payable to Katy Bar Association and mail to

Katy Bar Association
Christy Theander, Treasurer
21559 Provincial Boulevard, Suite A,
Katy, Texas 77450,

Or you can renew or join on line, and pay your dues on our website, www.katybar.org.

SPONSORSHIPS

If you or someone you know is interested in sponsoring a Katy Bar Association meeting or event, please contact Kerri Graham at kerri@gtkatylaw.com, Elizabeth Pratt at elizabeth@elizabethpratt-legal.com, or Sarah Springer at sarah@sarahspringerlaw.com.

NEWS!

Send your news and events to Sarah Springer at sarah@sarahspringerlaw.com for inclusion in future newsletters. We also invite our members to write and submit short posts on recent case law updates or areas of practice, or anything else you think might be a benefit for our members.

Editor: Sarah Springer

www.katybar.org

WEBSITE ADS

The Katy Bar Association website is a great place to get your name out there! Ad space can be purchased for \$100 and will run for a whole year. If you are interested in purchasing an ad, please visit www.katybar.org and click on the payment link.