

State Bar of Texas  
**Labor & Employment Law Section Council Meeting**  
January 22, 2015  
Dallas, Texas

PRESENT: Christopher Bacon, Jason Boulette, Kathy Boutchee, C. B. Burns, Kathy Butler, Richard Carlson, Teri Danish, Laura Gibson, Valorie Glass, Mike McQueen, Pat Maher, Susan Motley, Shannon Schmoyer, Trang Tran, John Wenke

APPEARING BY PHONE: John Griffin, David Wiley, Teresa Valderrama

ABSENT: Leticia Dominguez [Others? I didn't try to figure out if there were others]

1. Call to Order / Welcome: C.B. Burns, called the meeting to order at 6:32 p.m.
2. Approval of Minutes: Prior to the meeting, Teresa Valderrama emailed proposed minutes of the September 19, 2014 Council meeting for review. David Wiley moved for approval, Trang Tran seconded, and the minutes were approved.
3. Treasurer's Report: Richard Carlson reported that we are doing well financially. He reported that membership numbers are up, and other financial indicators are good – overall, the Section is in good financial shape. Our current bank balance is approximately \$162,000. Last year at this time we had approximately \$153,000. We have more this year in part because we have not yet awarded any amounts for law review articles. The group discussed reasons why we seem to have bigger surpluses in recent years than in prior years; several members discussed fact that this was likely due to our change to an electronic newsletter, which saves about \$50,000 a year.
4. Committee Reports
  - a. Website / Jury Charge (David Wiley and Teresa Valderrama) – David Wiley provided the report for both committees.
    - i. For jury charge, he noted that law student Nicole Gray had been hired to gather more charges, with primary goal of project to expand content in our jury charge database and to make it more searchable. Had 40-60 charges before, and now, we have about 100-120 more. He'd like to have them OCR'd to make them more searchable; First Step Internet has quoted price of \$75/hr to do that but there's also an Austin contact that has quoted \$25/hr.
    - ii. On Section website, he reported that the committee would like to get our own search engine on the site; cost will be about \$1,000 to set up and about \$1,500 per year. Main benefit will be that it will allow Boolean searches. He sought permission to keep Nicole and

expand work she's been doing and would like to hire another law student, with goal of having about 300-400 charges in the database. One member asked whether there is any way to identify the number of hits made on the jury charge section of website. He said he's not sure. He suspected there are currently not very many, but he will try to find out how many so that we can know how well it's being utilized and can better educate our members more about its existence if needed. Kathy Boutilier asked about adding something to the website about volunteering; David Wiley thought this could be done relatively easily.

- iii. Group discussed requests for a few minutes, and Kathy Boutilier moved to approve extension of Nicole Gray's employment and hiring of an additional clerk under the same terms as Nicole, along with an additional \$2,500-\$3,500 for search engine setup on website and addition of a volunteer banner for website. David Wiley offered an amendment to add additional funds to OCR the jury charges using an Austin contact who has quoted \$20 per hour, for a total additional budget of \$10,000 total. Kathy Boutilier accepted amendment. Richard Carlson asked for and received clarification and confirmation that the motion would move the annual budget from \$8K total to \$18K total. Jason Boulette seconded the amended motion, and it passed.
- b. Membership (John Griffin and Chris Bacon) – Chris Bacon provided the report. We currently have 3,135 members – a record. We had 426 non-renewals but added 532 new members. For 2012-13, we had 2,904 members, and in 2011-12, we had 2,831. Group discussed whether or not to offer some type of membership token/swag to give out at the upcoming annual meeting and potential budgetary needs for that. Kathy Boutilier reported she spent approximately \$1,500 and has a few leftovers. Shannon Schmoyer moved that we approve a budget of up to \$2,000 for new items. Kathy Boutilier seconded, and the motion passed.
- c. Pro Bono/Internships (Jason Boulette and John Wenke) – Jason Boulette provided the report. He indicated they are gearing up to send out the applications for both awards but had a question about best ways to expand the list of groups it is sent to or to encourage additional applicants. Consensus seemed to be that we would all like to see a richer batch of applications this year. Susan Motley discussed possibility that for some non-profits, who are strapped for time and resources, perhaps sweetening the award would encourage more applications. Group discussed possibility of increasing awards, but ultimately decided we did not need to make a decision to increase the specific awards at this point, but we could increase maximum award on

applications. Jason Boulette moved to change each application to state that awards of up to \$10,000 would be made; Teri Danish seconded, and motion passed.

- d. Law Review Writing (Shannon Schmoyer and Susan Motley) – Shannon Schmoyer provided the report. She reported that letters about the writing competition went out to every school and law journal in Texas. She intends to send a second reminder email. Deadline to turn in entries is in April. Because we have had low participation in recent years, she'd like to consider ways to expanding this. Group agreed to spend some time discussing this further at the upcoming retreat. By then, perhaps we can check with Tracy Nuckols or Bre Binder to find out what other sections are doing.
- e. CLE/Fall Update 2015 (Teri Danish and Trang Tran) – Teri Danish provided the report and indicated we've secured the J.W. Marriott San Antonio for the event.
- f. Annual Meeting Program (Leticia Dominguez) – Leticia Dominguez was not at meeting to provide report, but C.B. Burns said that she had emailed her ahead of time to share her ideas regarding the program this year. Her ideas include having a panel discussion on a particular topic and a presentation that would educate non-employment lawyers on specific deadlines and administrative procedures in our cases. Group discussed our most likely audience at the annual meeting, and at least some believed that many attendees are not our members. C.B. Burns asked any additional ideas be sent to Leticia Dominguez ASAP.

5. Old Business:

- a. 2013-14 Law Review Writing Award – C.B. Burns provided an update. Dan Dargene had been handling this committee alone last year before experiencing a need for an unanticipated leave of absence. Despite our efforts and his legal assistant's efforts, we have only been able to locate 2 of the articles that were submitted. We believe a third one might have been submitted but it is not completely clear, and it cannot be located. Group briefly discussed the 2 articles that we have received; both were published. C.B. Burns will circulate both articles to the entire Council for review over the next two weeks, and we can then vote electronically on whether to issue awards to both.
- 6. Retreat – Agenda Items: C.B. Burns discussed the upcoming retreat we will have in New Orleans in March. She sought agenda item ideas, which included decisions on pro bono awards (applications will be in by that point), discussion regarding future scope of law review writing awards, and possible development

of an orientation manual. C.B. asked members to send her additional ideas and any restaurant ideas to Bre Binder.

7. New Business: C.B. Burns invited others to identify any new business to discuss; hearing none, she said she would entertain motions to adjourn.

Kathy Boutchee moved to adjourn; Jason Boulette seconded. Motion passed, and the meeting adjourned at 7:48 p.m.