

Workshop Descriptions

1. **Low Income Housing Tax Credit (LIHTC) Program: Overview with Focus on Applicant and Tenant Protections (or Lack of Protections)**

Fred Fuchs, Texas RioGrande Legal Aid

Many legal services eligible individuals and families either live in LIHTC properties or apply for admission and encounter denials, or face issues relating to repairs, rents, utility allowances, and evictions. This session is designed to help the advocate recognize the special rights of tenants and applicants in LIHTC properties to ensure that advice to clients is legally correct and extended representation is focused.

2. **Child Support for Legal Aid Clients**

Kevin Dietz, Texas RioGrande Legal Aid

Earl Sneed, Office of the Attorney General, Child Support

Child Support is integral to almost every family law case. The 82nd Legislature made several significant tweaks to Chapter 154 for the Texas Family Code. This workshop will go over a case law and legislative update, including dis-establishment of parentage; how to help clients with "hardship modifications" if the obligor is retired or disabled; and tips for dealing with the OAG.

3. **Standing at the Crossroads: Demystification of Veterans Disability Benefits**

Janet Totter, Texas Legal Services Center

Attendees will learn about basic veterans disability programs and how these programs impact eligibility for other public programs.

4. **Updates in Foreclosure Law**

Kayla Dreyer, Texas RioGrande Legal Aid

Jack Salmon, Texas RioGrande Legal Aid

The Foreclosure-litigation landscape is shifting rapidly. This workshop will update participants on topics including: defending foreclosures with "where is the note", illegal MERS assignment, and lack of standing arguments; using the Protecting Tenants at Foreclosure Act to help renters stay in their homes after a foreclosure of the landlord's mortgage; the successes and failures of federal relief programs such as HAMP, EHLA, and the Independent Foreclosure Review and using these programs to your clients' benefit; using FHA mandated loss-mitigation to defend foreclosures; preventing abuse of administrative wage-garnishment for USDA-guaranteed loans; and Texas legislative changes affecting home equity, deed-in-lieu, and HOA foreclosures; federal changes under consideration including those mandated by the Dodd-Frank Act.

5. **Federal Debt Collection**

Patty Rangel, Lone Star Legal Aid

Sapner Aiyer, Lone Star Legal Aid

Sandra Brown, Lone Star Legal Aid

This panel will engage in discussion on debt collection by the federal government under the Federal Payment Levy Program. This program allows most federal agencies to engage in collection work with very few limitations upon how far they can go to collect. This provides an interesting (and very scary) nexus of foreclosure law, government entitlements, tax law and bankruptcy. One example of this program which is currently hitting the news is FEMA's use of the program to recoup alleged overpayments of disaster benefits by dunning Social Security payments to our low-income clients.

6. Effective Use of Videoconferencing Technology in the Courtroom

Robert Brothers, Texas Legal Services Center

Advances in consumer technology have greatly increased the average person's access to tools that can be used for videoconferencing. This consumer technology can be utilized by any practitioner to videoconference witnesses into the courtroom at minimal cost. Videoconferencing witnesses into the courtroom has a much greater impact than telephoned testimony and it is especially useful for witnesses who are located out of state who may be the only individuals who can speak with personal knowledge on a subject. This workshop will cover the fundamentals of effective use videoconferencing technology in the courtroom in a demonstrative and hands on interactive approach including: the technology, the software, and best practices. This workshop is designed for attorneys who have little to no experience in using videoconferencing technology. Each participant will also leave with a practice manual that provides a step by step reference on using videoconferencing technology in the courtroom.

7. Indigent Health Care and Hospital Districts in Texas

Jeff Larsen, Lone Star Legal Aid

Kim Brown, Lone Star Legal Aid

Attorneys Kim Brown and Jeff Larsen of Lone Star Legal Aid, Houston, will present information on indigent health care in Texas. This will focus on obligations and procedures for county indigent health care programs, hospital districts, and public hospitals, including illegal barriers to eligibility. These are an excellent alternative source for medical care for many of the lowest income adults who are not eligible for Medicaid or Medicare.

8. Hellooo – Where Are You, Client?

Karen Langsley, Karen J. Langsley Attorney at Law

What does a Texas practitioner do when representing a client who is unknown (think: termination of parental rights case) or missing (think: cite-by-pub case)? There are implications for attorneys who may inadvertently enter an appearance on behalf of a client from whom the attorney has received no direction. Some lawsuits require appointment of counsel. This workshop helps you navigate the steps to avoid common pitfalls, and explains the new law regarding paternity cases and duties of attorneys appointed to represent these ephemeral clients.

9. Client Empowerment: The Community as Your Ally to Fight Injustice

Andrea Harrington, Texas RioGrande Legal Aid/Texas C-BAR

D'Ann Johnson, Texas RioGrande Legal Aid/Texas C-BAR

Elliott Tucker, South Texas Civil Rights Project

Michelle Smith, Texas Civil Rights Project

Empowering clients to effect change and advocate for themselves goes to the heart of legal services' mission; to facilitate access to the legal system and structures of power for the disenfranchised. Community lawyering's use of the law to create empowered client communities is an important and effective way to achieve this mission. Building bridges with community organizations can provide a crucial avenue to both identifying systemic problems and empowering clients to come forward as plaintiffs and/or community leaders. In addition to exploring how to identify community lawyering opportunities, this panel will discuss how to incorporate community organizations into decisions about which cases are worth pursuing, and which defects in the legal system may be more effectively addressed by aiding advocacy efforts by community organizations.

10. E-file Free or Die (and PDF Creation)

Robert Doggett, Texas RioGrande Legal Aid
Casey Kennedy, Office of Court Administration

E-filing is now available for state court in all major metro areas and some rural counties too -- for free for IOLTA funded attorneys. Some counties mandate e-filing (e.g., Travis County). The Texas Supreme Court mandates e-filing and courts of appeal are soon to follow. This training will show you how to e-file in state courts, and eServe your opposing counsel for free. It will also show you how to create PDF documents which include bookmarks, embedded links to the cases cited, and the removal of metadata from the filing.

11. Ethical Guidelines for Representing Juveniles with Mental Disabilities

Lynda Frost, Hogg Foundation

This session will delineate the nature and incidence of psychological challenges among youth. It will explore relevant ethical principles, legal doctrines, and practical tips for attorneys representing youth with mental disabilities.

12. Collaborating with the FTC

Emily B. Robinson, Federal Trade Commission
Deanya T. Kueckelhan, Federal Trade Commission

The Federal Trade Commission has numerous resources to help consumers and those who provide services to consumers. There have been recent cases where the FTC and legal service providers have worked together to obtain great benefits for consumers. The FTC would like to expand and increase those types of collaborations. This workshop will demonstrate the ways the FTC and legal service providers can work together to benefit consumers, especially those in underserved communities.

13. Calculating Rent in Federal Housing Programs with Special Focus on Minimum Rent and Hardship Exemption from Minimum Rent, Earned Income Disregard, and Flat Rents and Hardship Exemption in Public Housing Program

Fred Fuchs, Texas RioGrande Legal Aid

Representing clients competently in federal housing cases requires an understanding of how rents are calculated to ensure that clients are not being overcharged on rent. Attendees will learn key differences among public housing, section 8 housing voucher program, and project-based section 8 program. Attendees will also learn the interrelationship between the minimum rent and utility allowances, and using hardship exemption and earned income disregard provisions to defeat nonpayment evictions.

14. Rights of Children and Relative Caregivers

Bruce Bower, Texas Legal Services Center
Trelisha Brown, Texas Legal Services Center

This workshop will explore the relationships between public benefits and family law that pertain specifically to children in relative caregiver households.

15. Ethics of Collecting Attorneys Fees

Chuck Herring, Herring & Irwin, L.L.P.

You spent two years preparing for trial in a case with slam dunk liability from a solvent defendant. Your client wants to accept the nuisance value offer on the courthouse steps and leave your program with thousands in uncollected fees, costs and expenses. What do you say? What do you do? This talk will cover the "Jeff D" situation and go over the solutions. If you ever plan to collect an attorney fee, you need to know the ethical and practical boundaries especially in settlement situations.

16. Keynote Address: Martha Bergmark, Mississippi Center for Justice

17. Overcoming Hurdles to Obtaining a Texas Driver's License

Justin Thompson, Cathedral Justice Project Houston

Leslie Schweinle, Cathedral Justice Project Houston

Having an ID is integral in finding employment and there are often many impediments clients face in obtaining ID. This workshop is geared to handling most of those impediments.

18. Tax Issues for Immigration and Family Law Attorneys

Polly Bone, Texas RioGrande Legal Aid

Patty Rangel, Lone Star Legal Aid

The presentation will explore how both immigration and family law clients benefit from attorneys receiving cross-training on federal tax issues. Tax issues can be useful in negotiating a divorce settlement (dependent exemptions, characterization of future payments as alimony or division of community property). Immigrants are vulnerable to preparer fraud if not advised regarding their eligibility for certain tax benefits, but additionally may miss allowable deductions or obligations. We will additionally discuss who needs to get a taxpayer identification number (ITIN), and how to request one.

19. The Perfect Storm: Harsh Discipline Policies, School-based Ticketing, and the School-to Prison Pipeline

Colleen Elbe, Disability Rights Texas

Celina Moreno, Texas RioGrande Legal Aid

The nature of school discipline can be subjective, and parents and their advocates often feel as though they have no input or choices. This presentation will discuss how the policies of using criminal citations as a school disciplinary tool disparately impact students of color and students with disabilities. The workshop will also give advocates tools for using federal statutes and other laws to fight alternative school placements and the criminalization of students.

20. Veteran Tactical Response – Keeping First Responders and Veterans Safe. A Guide to Understanding and Working with Veterans with TBI, PTSD and Homelessness.

Betty Peebles Beckworth, Office of Acquired Brain Injury

Christina Gindratt, Lone Star Legal Aid

This presentation will provide an overview of brain injury and how it affects cognitive functions and behavior. As our veterans come home, many of them will begin showing signs of traumatic brain injury (TBI) and PTSD. Legal service providers will learn how brain injury and the legal system overlap and receive tools to incorporate into their interaction with veterans.

21. Just because you fired me doesn't mean I won't get unemployment benefits

John Shaw, Legal Aid of NorthWest Texas

Unemployment benefits are the "lifeline" between unemployment and future employment. This workshop will teach legal services lawyers the importance of representing individuals seeking unemployment benefits and give them the tools to become effective advocates. Attendees will learn the general legal framework of the Texas Unemployment Compensation Act. They will also learn effective advocacy tools available to them in the administrative hearing and how to handle those hearings. Finally, they will learn about the process for judicial review of unemployment compensation denials including the pitfalls and legal complexities associated with motions for summary judgment.

22. Child Custody, Child Support & the Military Family

Capt. Dustin Kouba

This topic will cover many family law issues that are unique to military members and may not be seen on a regular basis by a typical legal service/pro bono attorney. As part of the presentation, the speaker will provide citations and resources to aid attorneys in their future research.

23. Assisted Pro Se: How legal aid attorneys can help pro se litigants do it right

Linda Good, Lone Star Legal Aid

Katie Bond, Office of Court Administration

Hannah Silk Kapasi, Texas Access to Justice Commission

24. Public Information Act: Using Litigation to Force Disclosure of Information

Brian McGiverin, Texas Civil Rights Project

Scott Medlock, Texas Civil Rights Project

Attorneys of all stripes and types need to get records from a government body at some point, but they don't necessarily have much background in litigating, and even if they do, there's a learning curve for new areas of the law. The issue is straightforward enough that a presentation would do much to get them over that curve.

25. Emergency! How to Obtain Immediate Relief in a Family Law Case

Julie Balovich, Texas RioGrande Legal Aid

Amanda Chisholm, Texas RioGrande Legal Aid

Family law practitioners need to be able to know how to respond quickly when a parent absconds with a child, when domestic violence occurs pending the suit, or when a court enters orders that are clear error and that harm your client's position. This presentation will help family law practitioners quickly assess what procedural remedies are available to obtain emergency relief, with a focus on writs of mandamus and what record is necessary to preserve claims for review.

26. The Undocumented Immigrant: Hidden Victim of Domestic Violence, Crime, and Human Trafficking

Linda Brandmiller, Catholic Charities San Antonio

Jenna Carl, Catholic Charities Dallas

People without legal status are everywhere. Learning what options are available to them and/or how to help them prepare for likely changes in the law will assist both legal service providers and clients. This workshop will explore why it is important to screen abuse/crime/trafficking victims for possible immigration relief, as well as discuss what immigration remedies are available to them. The workshop will also discuss how to prepare for probable upcoming changes in the law.

27. Finding the Law Made Easier and Faster: Lexis/Westlaw tricks to doing research

Robert Doggett, Texas RioGrande Legal Aid
LEXIS REP/WESTLAW REP

There are cases on point and there is no reason you can't find them after you come to this training. Lexis will help you with shortcuts and changes to their system, and Westlaw will demo their service as well for comparison. You may think you can research anything, but this training will help you do it faster and better.

28. The Jury Likes Me, The Jury Likes Me Not: Communications for Attorneys and Witnesses

Jason Bloom, Bloom Strategic Consulting

This presentation will discuss effective communication techniques for witnesses and attorneys. Backed by 15 years of research and consulting, this presentation aims to enhance persuasion power in the courtroom and deposition settings.

29. Compromise: Bringing No Sit/No Lie Ordinances into Compliance with the Americans with Disabilities Act

Richard Troxell, Texas RioGrande Legal Aid
Mark Urena, Texas RioGrande Legal Aid

Finding themselves in conflict with people experiencing homelessness, municipalities across America are passing Quality of Life ordinances such as no camping, no panhandling, no sitting, no lying down, etc. With half of the people experiencing homelessness so disabled they cannot work, it is clear that at least one of these ordinances is in direct violation of the Americans with Disabilities Act. This session is designed to illuminate how by working with the community and local advocates, compromise can serve the needs of all.

30. Nuts and Bolts of Attorney Fee Collection

TBD

The collection of attorney fees by legal services programs is now allowed and attorneys need to know the causes of action that entitle the award of fees, how to preserve those claims, keeping time records, evidence needed and other nuts and bolts on the issue. The opposing parties that are solvent need to be paying for the time and expenses legal services expend to right their wrongs.