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# The Bar Bulletin

*A Monthly Update of Events and Information,*

**November, 2006**

## 11th Annual Civil Trial Seminar

*February 9 & 10, 2007*

Paris Hotel. Las Vegas, Nevada



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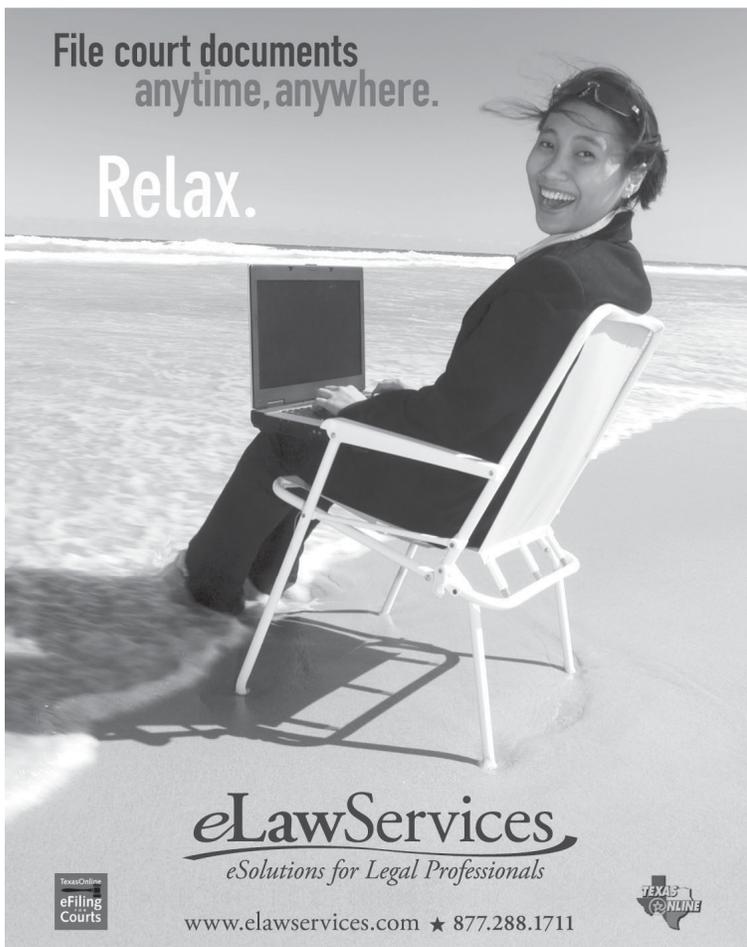
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The El Paso Bar Bulletin is a monthly publication for the El Paso Bar Association. Articles, notices, suggestions and/or comments should be sent to above address to the attention of Nancy Gallego. All the submissions must be in the office on or before the 10th of the month preceding publication. You may either fax or email your submission. Articles published in the Bar Bulletin do not necessarily reflect the opinions of the El Paso Bar Association, its Officers or the Board of Directors. Calendar listing, classified ad, display ad, and feature articles should not be considered an endorsement of any service, product, program, seminar or event. Please contact our office for ad rates.

## THE PRESIDENT'S

# “O” is for Outreach

This is the third article in my series on putting professionalism back in the profession. Outreach is a critical component on so many levels. EPBA reached out to the Katrina victims who were bussed here last year and to our own flood victims this year. The

Women's Bar Association is launching its third year of the Positive

Role Model program and beginning a pen-pal exchange. They have also partnered with EPBA through *Suits for Success*. The Young Lawyers Association is about to conduct another *Wills for Heroes* session. You'll find three features in this issue on local lawyers and judges who participate in mentoring projects. They are making a difference in children's lives. They're proving they care about this city and its future, and that there's more to lawyers than television sharks. [Is anybody else bothered by that show and its title?] Those of us who have received



the gift of education must share it. We thank those who blazed the trail for us by paving the way for the next generation.

But wait, there's more. We must also reach out to other lawyers in need. Within our own membership, we have experienced suicides, untimely death, catastrophic illness and injury. We have colleagues that struggle with depression, substance abuse, cancer, ALS, Parkinson's disease, multiple sclerosis, lupus, and Lyme disease, just to name a few. The Board of Directors has created a new standing committee this year called Lawyers' Assistance. It is chaired by Rob Belk who has worked with the Texas Lawyer's Assistance Program for years. The committee will be planning a CLE program for the spring. It is sorely needed and long overdue. Sometimes we are able to ascertain personal issues on our own; sometimes we need a little help. What do you do if a partner, an associate, or a friend is spiralling downward? How do you reach out to help? What if a judge begins to note problems that impact a lawyer's

*Continued on page 4*

EL PASO BAR ASSOCIATION  
**November Bar Luncheon**

Tuesday, November 14, 2006

El Paso Club, 201 E. Main 18th Floor, Chase Bank

- \$14 per person, 12:00 Noon

*Come and meet the new UTEP Basketball*

*Coach Tony Barbee*

Today's door prizes are donated by Steven C. James Mediation

- Two (2) bottles of Dos Lunas Tequila

**Please make your reservations by Monday, November 13, 2006 at noon by calling Nancy at 532-7052 or via email at [nancy@elpasobar.com](mailto:nancy@elpasobar.com)**

## "O" is for Outreach

representation of his client? What if a legal assistant sees lapses in judgment that could lead to malpractice claims? Where do you turn? How do you help a friend cope with a life-changing or life-threatening event? This seminar will answer these questions and more. In the meantime, pick up the phone and call someone whom you know is having a difficult time. Tell him you care. Offer to help – mean it – and then follow through.

In our business, it's easy to become jaded. We dislike a client, the opposing lawyer lied to the judge, the verdict went against us, the judge didn't rule our way. Part of the burn-out lawyers experience is that we

don't like each other any more. Maybe we don't even know each other. Maybe that's the problem. Once upon a time, El Paso was small enough that you knew all the other lawyers in town. Handshake deals were honored. A lawyer called opposing counsel to remind him that discovery was overdue. No one thought of checking vacation letters just so you could set a case for trial on the Monday after your adversary got back to town. Read Clinton Cross's interviews with our sterling senior lawyers. Practicing law back then was fun. I don't hear too many lawyers say that any more. We've lost that friendly feeling. Yes, we

work long hours. Yes, we compete for business. Yes, some clients expect us to play hard ball, to give no quarter, to draw first blood. The legal environment can be disheartening. World events are disheartening. Yet even in the most tragic circumstances, some people still find a glimmer of hope. One current event comes to mind – the man who burst into the high school in Colorado, lined up the girls, and shot one when she tried to escape. A beautiful child, a precious life snuffed out. And what did her parents say? "After this random act of violence, please go out and engage in random acts of kindness." What an amazing idea.

# CALENDAR OF EVENTS



**November, 2006**  
**Thursday, November 2**  
*Legal Support Staff Seminar*  
**Tuesday, November 7**  
*EPBA Board Meeting*  
**Tuesday, November 7**  
*Election Day*  
**Wednesday, November 8**  
*Swearing In Ceremony*  
**Thursday, November 9**  
*EPYLA Monthly Luncheon*  
**Thursday, November 9**  
*EPYLA Happy Hour*  
**Thursday, November 9**  
*Thomson-West Seminar*  
**Friday, November 10**  
*EPBA Office Closed, Veteran's Day*  
**Friday, November 10**  
*EPCLSA Monthly Meeting*

**Friday, November 10**  
*WBA's Annual Charity Bash*  
**Tuesday, November 14**  
*EPBA Monthly Luncheon*  
**Thursday, November 16**  
*EPPA Fall Seminar*  
**Thursday, November 16**  
*EPPA Monthly Luncheon*  
**Thursday, November 16**  
*FBA Brown Bag Seminar*  
**Thursday, November 23**  
*EPBA Office Closed, Thanksgiving Holiday*  
**Friday, November 24**  
*EPBA Office Closed, Thanksgiving Holiday*

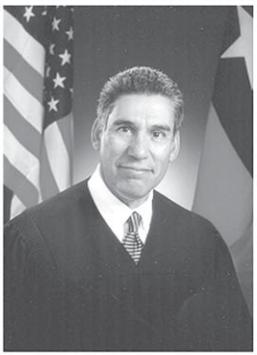
## UPCOMING EVENTS

**December 1, 2006**  
*Joint Association Holiday Party*  
**February 9 & 10, 2007**  
*11<sup>th</sup> Annual Civil Trial Seminar*

**PLEASE NOTE:** Please check the Bulletin for all the details regarding all above listed events. If your club, organization, section or committee would like to put a notice or an announcement in the Bar Bulletin for your upcoming event or function for the month of December, 2006, please have the information to the Bar Association office by Friday, November 10, 2006. In order to publish your information we must have it in writing. WE WILL MAKE NO EXCEPTIONS. We also reserve the right to make any editorial changes as we deem necessary. Please note that there is no charge for this service: (915) 532-7052; (915) 532-7067-fax; nancy@elpasobar.com - email. If we do not receive your information by the specified date please note that we may try to remind you, but putting this bulletin together every month is a very big task and we may not have the time to remind you. So please don't miss out on the opportunity to have your event announced.

## Meet the Directors

### THE CLASS OF 2007



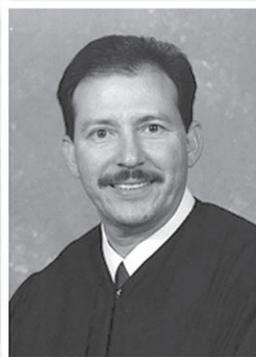
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Alcalá



Clinton Cross



Sergio Enriquez



H. Alejandro Gonzalez



Honorable Kathleen  
Anderson

**It's your Bar and your opinion matters. Give us your input!**

# Judges and Lawyers Reach Out to Empower Children through Mentoring

■ By JUDGE OSCAR G. GABALDÓN JR.

An insightful woman, Julie Cameron, observed: "The voice of our original self is often muffled, overwhelmed, and even strangled, by the voices of other people's expectations." This is precisely the situation experienced by many of our children. Oftentimes, the view that some children have about themselves is defined by the expectations placed on them by other people. Children are quite susceptible to the views others have of them. Thus, if they receive negative feedback and impressions about who they are, they may come to believe that they are not valued by others and are not worthy of making positive and significant contributions to the community. This is a sad reality that can be changed. We all have an obligation, as members of the human race, and more particularly as members of the bar, to reach out to others and touch their lives in positive ways.

That is precisely why the El Paso Bar Association is in the process of developing a mentor program which is geared towards helping at risk children and youth. The objective is to focus the mentoring efforts in the academic and behavior arenas, so as to foster growth and development in these areas of a child's life. Thus, the mentor program will target students that are having academic difficulties or that have been identified as having behavior-related problems. The association's mentor committee is in the process of developing recommendations of protocols and procedures that will help identify the children and youth to be served and that will delineate the processes to be implemented.

Who will be the knights in shining armor that will undertake the noble quest to serve as mentors? The El Paso Bar Association recognizes that El Paso is fortunate to have a

bar composed of highly gifted and talented lawyers and judges that are known for their outreach efforts in the community. The lawyers and judges that are willing to join this effort, by becoming mentors, undoubtedly realize that mentoring those in need brings a sense of meaningful contribution to, and satisfaction for, the betterment of others. Through mentoring: the children's creativity is encouraged to

flourish; a stronger sense of cooperation is instilled; an effective teamwork foundation is formed; skills, productivity, and motivation are improved; and overall self-confidence and self-esteem gets a tremendous boost. The mentor lawyer or judge has a wonderful opportunity to impart his or her knowledge and life

*Continued on page 7*



experiences, to develop his or her coaching skills, and to help make a lasting positive impact on someone's life. In short, they can serve as excellent role models for the children.

Of course, there are expectations of both the mentor and the mentee (sometimes referred to as mentoree or protégé). The mentor, for example, is expected to guide, but not to control; to seek opportunities for the mentee to learn from; to project enthusiasm; to give constructive feedback; to enable problem-solving; to listen proactively; to teach conflict resolution; and, to provide ideas, strategies, or other guidance that can inure to the mentee's benefit. The mentee, on the other hand, must take responsibility for his or her learning, develop a personal plan of action, be open-minded and willing to change practices and behaviors, and be willing to invest the time to practice certain skills, as well as explore certain ideas and suggestions provided by the mentor.

This developmental relationship between the mentor and the mentee, therefore, will benefit both. It can be a win-win situation. True, one may encounter obstacles in the process,

but they can be overcome. Sometimes, it may just take a little bit of patience and the need to take things one step at a time and things will work out. Jack Penn seems to know this all too well, for he said: "One of the secrets of life is to make stepping stones out of stumbling blocks."

Through this program, lawyers and judges can serve as formidable instruments of positive change. They can have a tremendous impact on a child's attitude and on a child's determination to succeed in spite of obstacles the child may encounter. Lawyers and judges can, in essence, serve as a resource of empowerment for the success of children. The

encouragement to persist can be a lawyer's or judge's gift to a child in the mentoring program. The importance of encouraging and teaching others to "hang in there," is well captured by the words of Calvin Coolidge, our 30<sup>th</sup> U.S. President: "Nothing in the world can take the place of persistence. Talent will not; nothing is more common than unsuccessful men with talent. Genius will not; unrewarded genius is almost a proverb. Education will not; the world is full of educated derelicts. Persistence and determination alone are omnipotent. The slogan 'press on' has solved and always will solve the problems of the human race."

*The El Paso Bar Association recognizes that El Paso is fortunate to have a bar composed of highly gifted and talented lawyers and judges that are known for their outreach efforts in the community.*

THE EL PASO BAR ASSOCIATION  
CONGRATULATES THE RECIPIENTS OF THE  
MABA'S ANNUAL AWARDS PRESENTED  
AT THE SEPTEMBER BANQUET:

**County Attorney Jose Rodriguez – Attorney of the Year**  
**Justice Ann McClure – Judge of the Year**  
**Naomi Gonzalez – MABA Member of the Year**

## El Paso Bar Association Bar Foundation

The El Paso Bar Association Bar Foundation met recently and elected officers to lead the foundation board:

**Al Weisenberger – President**

**Jeanne "Cezy" Collins – Vice President**

**Elizabeth Ramirez-Washka – Secretary**

**H. Keith Myers – Treasurer**

Judge Robert Anchondo is the El Paso Bar Association Board Liaison to the foundation. The other members of the foundation board are: Fred Morton, Terry Pasqualone, Luis Gomar and Rosendo "Sandy" Torres. If you would like to make a donation to the foundation, please send your check make payable to "El Paso Bar Association Bar Foundation" to the El Paso Bar Association, 500 E. San Antonio, Room L-115, El Paso, Texas 79901.



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## 2006-2007 Membership Dues

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## EPYLA'S NOVEMBER STAR OF THE BAR

# Danny Razo

*Danny has been a leader in organizations dedicated to the law for some time. In law school, Danny was the President of the Hispanic Law Students Association and a representative in the Student Bar Association.*

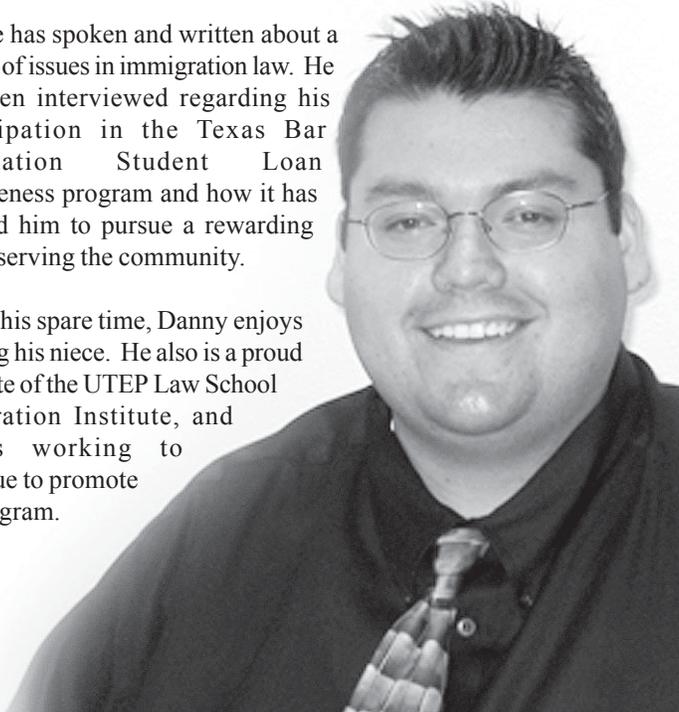
Treasurer Danny Razo is the youngest officer in the El Paso Young Lawyers, and has proved to be an invaluable resource. In his short tenure, Danny has already assisted in many projects, including chairing the Holiday Party for unaccompanied minors. In addition, Danny is essential in the daily operations of EPLYLA, including reporting on and applying for grants, overseeing financial matters, and developing membership. He is currently involved in coordinating and planning exciting new projects for this year and the future, including an event with the Center for Law and Border Studies at UTEP and new lawyer training.

Danny first joined EPLYLA after he was licensed in 2003. In 2005-2006, Danny served as EPLYLA's Secretary. Danny has been a leader in organizations dedicated to the law for some time. In law school, Danny was the President of the Hispanic Law Students Association and a representative in the Student Bar Association. While attending UTEP, Danny also served as the President of the Chicano/a Pre-Law Society.

Danny's dedication to public service extends to his practice. As a Staff Attorney and Trial Unit Supervisor at Diocesan Migrant & Refugee Services, Inc., his public interest practice focuses on immigration matters before the immigration courts and Board of Immigration Appeals.

He has spoken and written about a variety of issues in immigration law. He has been interviewed regarding his participation in the Texas Bar Foundation Student Loan Forgiveness program and how it has enabled him to pursue a rewarding career serving the community.

In his spare time, Danny enjoys spoiling his niece. He also is a proud graduate of the UTEP Law School Preparation Institute, and enjoys working to continue to promote the program.



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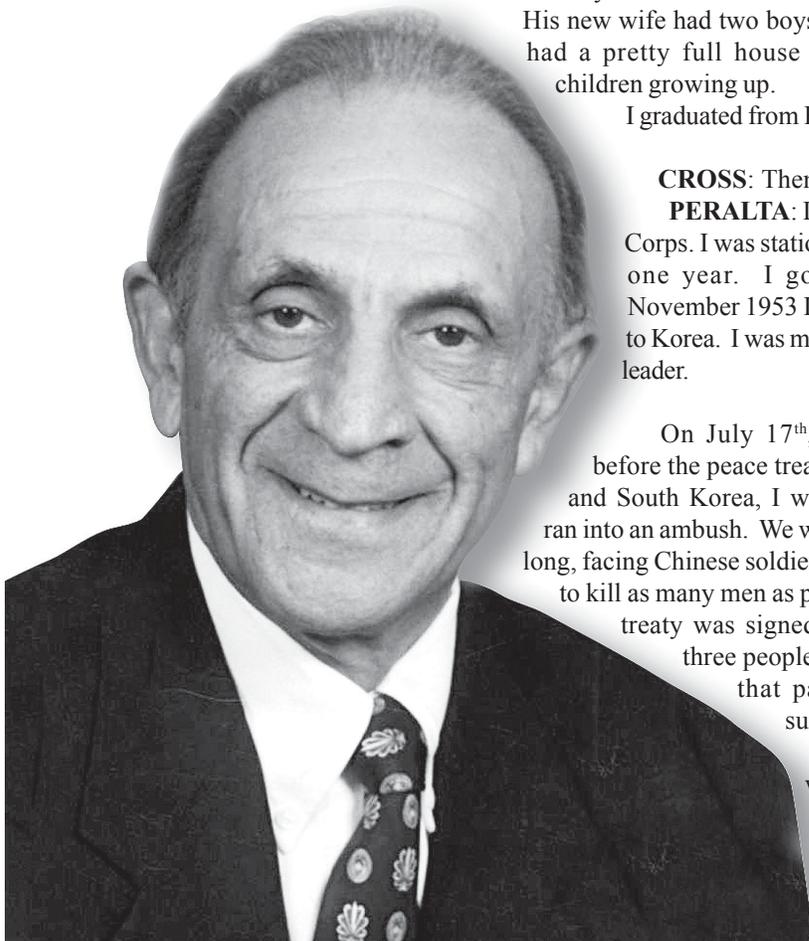
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## SENIOR LAWYER INTERVIEW

by Clinton Cross

# Armando Peralta

*“I was one of the original incorporators of El Paso Legal Assistance Society (EPLAS), our local legal aid office. I also served on the original Board of Directors, and remained on the board for about ten years.”*



**CROSS:** *This month I write about Armando Peralta. This is a story of determination, courage, and success. I hope you read it.*

Tell me about your childhood.

**PERALTA:** I was born in northern New Mexico. I had one brother and three sisters. I was 12 years old when my mother died. After her death, we moved to El Paso.

My father worked for the Southern Pacific Railroad. We lived behind Bowie High School, by the river—in the Chamizal area that was later transferred to Mexico. Shortly after we moved to El Paso, I enrolled in Bowie High School.

My father remarried when I was about 16. His new wife had two boys and one girl. We had a pretty full house then, with eight children growing up.

I graduated from Bowie in 1951.

**CROSS:** Then what happened?

**PERALTA:** I joined the Marine Corps. I was stationed in Hawaii for one year. I got bored, and in November 1953 I volunteered to go to Korea. I was machine gun section leader.

On July 17<sup>th</sup>, 1952, ten days before the peace treaty between North and South Korea, I went on patrol and ran into an ambush. We were there all night long, facing Chinese soldiers. Their goal was to kill as many men as possible before the treaty was signed. Of the twenty three people who went out on that patrol, only three survived.

I was wounded that night, and the following morning I was transferred to a

medical company and then to U.S.S. Hope to treat my injuries. I was there about forty days. I was then transferred to Yokosuka Medical Hospital, where I was remained for another thirty days. In September 1953 I was sent to another medical hospital in the states, where I remained until April 1954. I was released on temporary disability. In 1957 I was retired because of a 60% permanent disability, sustained when I was in Korea.

After I was discharged, I returned to El Paso. I went to work for the Post Office at night. During the day, I attended Texas Western College of Mines.

I met my wife during that time, at her place of employment. I married her nine months later. We had our first child a year later, Yvonne (now McLaughlin). Two years later we had another child, Terry Ann Peralta.

I graduated from Texas Western in 1960. I then decided to go to law school. I enrolled in the University of Houston Law School in 1961. When I was going to law school, I worked full time for the Post Office. I graduated in 1965.

When I came back to El Paso, I went to work for the law firm of Joe Calamia, Joe Langford, Gus Rallis, and Eddie Marquez. We worked together for about four years.

After I joined the firm, my wife and I had two more children, Jeanenne (now Green), born in 1964; and Duane Peralta, born in 1967.

In 1980, Gus Rallis and I went into practice together. We practiced law together for more than 20 years.

**CROSS:** Any public service?

**PERALTA:** I served as a municipal court judge for nine years.

**CROSS:** Political career?

**PERALTA:** I was first appointed to my municipal court position, but I had to stand for election afterwards.

I also ran for a District Court position. There were three Democratic candidates in that

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race, and one Republican (Skip Scoggins). I initially won in the Democratic primary, but there was a runoff. John McKellips beat me in the runoff, and he ultimately won the election.

**CROSS:** Professional involvement?

**PERALTA:** I was very active in the El Paso Bar Association. In 1990 I was elected President of the El Paso Bar Association. The Bar Presidency is a job that takes a lot of time. Fortunately, I had a lot of people who helped me succeed.

**CROSS:** Most important professional contribution?

**PERALTA:** I was one of the original incorporators of El Paso Legal Assistance Society (EPLAS), our local legal aid office. I also served on the original Board of Directors, and remained on the board for about ten years.

EPLAS was the last of the Office of Economic Opportunity (OEO) legal aid programs funded in Texas. It was the only program in Texas funded without local Bar support.

In the late '60's and early '70's, there was powerful opposition at the local level to federal

funding of legal services for the poor. It took some courage in those days to support the program.

**CROSS:** How has the practice law changed since you started practicing?

**PERALTA:** Technology has changed the practice of law. I feel that lawyers don't have the personal contact with their clients that they used to have. The personal contact is very important.

**CROSS:** In all of your life, what are you most proud of?

**PERALTA:** My children.

## SUITS FOR SUCCESS

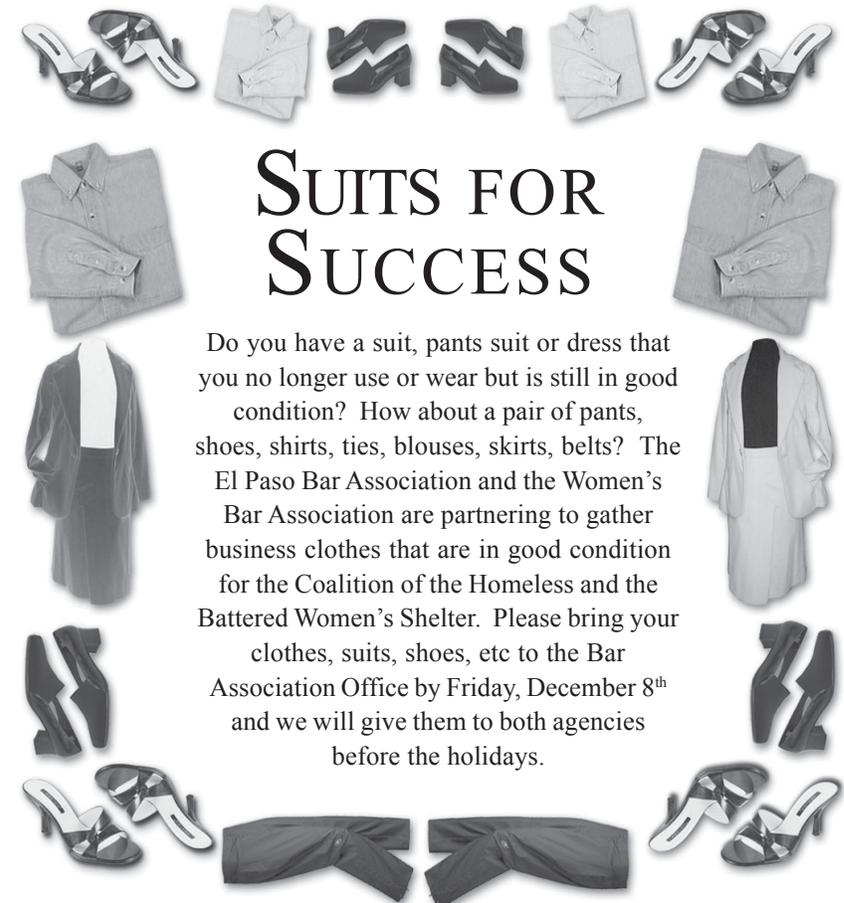
What do you think of when you hear of a homeless person? Is your first thought the nameless man or woman "flying" a cardboard sign at a busy intersection panhandling for cash? There are many faces of homelessness of which most of us are totally unaware. In El Paso, there are 29 shelters and over 40 programs and agencies that house and work with the homeless. You may be surprised that many of the 1,500 homeless people in El Paso are employed or seeking employment. Getting a job when you are homeless can be a challenge; with no permanent address, phone, source of clean and acceptable clothing, it is difficult to maintain employment.

Among the programs serving the homeless seeking employment is the Opportunity Center for the Homeless that operates the Veterans Transitional Living Center at 818 Myrtle where homeless veterans are housed for up to 2 years as they pursue their education or full-time employment. Another program of the Opportunity Center is the Women's Transitional Living Center at 1318 Myrtle where homeless single women receive case management and assistance with job searches. Also serving women is the YWCA Transitional Living Center at 3700 Altura where women with children receive housing and access to a job development counselor.

One of the most vital programs available for the homeless seeking to change their lives is Recovery Alliance located at 6000 Welch. Recovery Alliance receives funding through an Access to Recovery grant

awarded by the Department of Health Services. The agency provides 30 days to 6 weeks of housing and case management for persons discharged from the indigent detox center. In addition, persons involved in the judicial system—drug court defendants, probationers, and parents with open CPS cases—have access to services provided by

Recovery Alliance. The program includes peer-to-peer recovery support for persons with drug and alcohol problems. Included in the services provided is job development and locating permanent housing. For more information about Recovery Alliance, contact Ben Bass, Executive Director, at 594-7000.



### SUITS FOR SUCCESS

Do you have a suit, pants suit or dress that you no longer use or wear but is still in good condition? How about a pair of pants, shoes, shirts, ties, blouses, skirts, belts? The El Paso Bar Association and the Women's Bar Association are partnering to gather business clothes that are in good condition for the Coalition of the Homeless and the Battered Women's Shelter. Please bring your clothes, suits, shoes, etc to the Bar Association Office by Friday, December 8<sup>th</sup> and we will give them to both agencies before the holidays.

# Podcasting:

## Is it Useful for the Busy Lawyer?

By DAVID J. FERRELL  
djf@elpasolaw.com

My office is 12 miles from the courthouse and I drive to and from the halls of justice almost every day during the week, sometimes twice when I have morning and afternoon hearings. I spend lots of time in my car, and I often have “dead time” between hearings at the courthouse.

When the courthouse went broadband wireless in April of 2005 my “dead time” was reduced significantly because I began carrying a lightweight notebook computer with built-in Centrino technology and I was therefore hooked up to the Internet AND to my office during and between hearings. My notebook became another computer in my office network, except I could be at the courthouse or anywhere else that provided fast access to the Internet.

El Paso County, along with the City, commissioned a study on extending downtown broadband Internet access in a one square mile perimeter around the courthouse. The study has been published and is very positive for the extension of access. Many cities offer free broadband Internet access for their entire population and I think that is where the whole world is going (just read Thomas L. Friedman’s book, *The World Is Flat, A Brief History of the Twenty-First Century*).

Still there are times when you don’t have web access and it is here where you waste a lot of time, mostly when you are in transit. This is where audio PODCASTING comes to your rescue. The iPod is the hottest user friendly gadget on the market today. But, you don’t need an Apple iPod to take advantage of the podcasting

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#### American Center for law and Justice

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content that is freely available in various Internet libraries and/or you can make your own sound recordings (jury arguments, training sessions, voir dire presentations etc.).

All an audio podcast is - is an MP3 file. The content on the Internet is almost infinite. The hardest thing to do is FIND your content and putting it on your iPod or smart phone or any other MP3 player is easy. Then listening to the content is entertaining and/or educational. When things that interest you are being automatically delivered to a device you have with you all the time, you don’t need to “make time” to listen. Time makes itself (driving around, waiting for your turn in court, getting an oil change, etc.).

Another powerful attribute of podcasting in the legal field is, YOU can become a PODCASTING source, YOU can become CONTENT. This is a great vehicle for lawyers and firms to demonstrate expertise and distribute information on important, complicated, and/or controversial topics to col-

leagues, clients and/or potential clients. It is a great tool to use internally: in-house CLE, training, informational meetings, etc. could be captured as podcasts for those unable to be there in person or even virtually at the particular scheduled time. These sessions can be archived and reviewed again and again as needed. The use of podcasts for internal administrative uses is as broad as your imagination. The technology to create a podcast is NOT EXPENSIVE! You can listen to a podcast of this article by going to <http://www.elpasolaw.com/pocasting.htm> and clicking on My Podcast Example.<sup>1</sup>

Time shifting is a great tool for a busy attorney. Podcasting is like having an audio TIVO in your pocket. Of course, there are video podcasts but we will leave that discussion for a later time. For now let’s just say podcasting music, news, legal content and your own stuff really makes that thing in your pocket valuable.

So, here’s David Ferrell.”

<sup>1</sup> “This is Kristin Freeman, at David J. Ferrell PODCAST CENTRAL. Our firm has created a podcasting system that cost Mr. Ferrell twenty seven dollars, fifteen dollars for the Software “MP3 Recorder XP version 1.9” which you can download for a free trial at [www.ejoy.com](http://www.ejoy.com) and a twelve dollar microphone that plugs into Mr. Ferrell’s sound card on his computer.

# Lawyers making a *difference* as mentors at YISD with Project Change

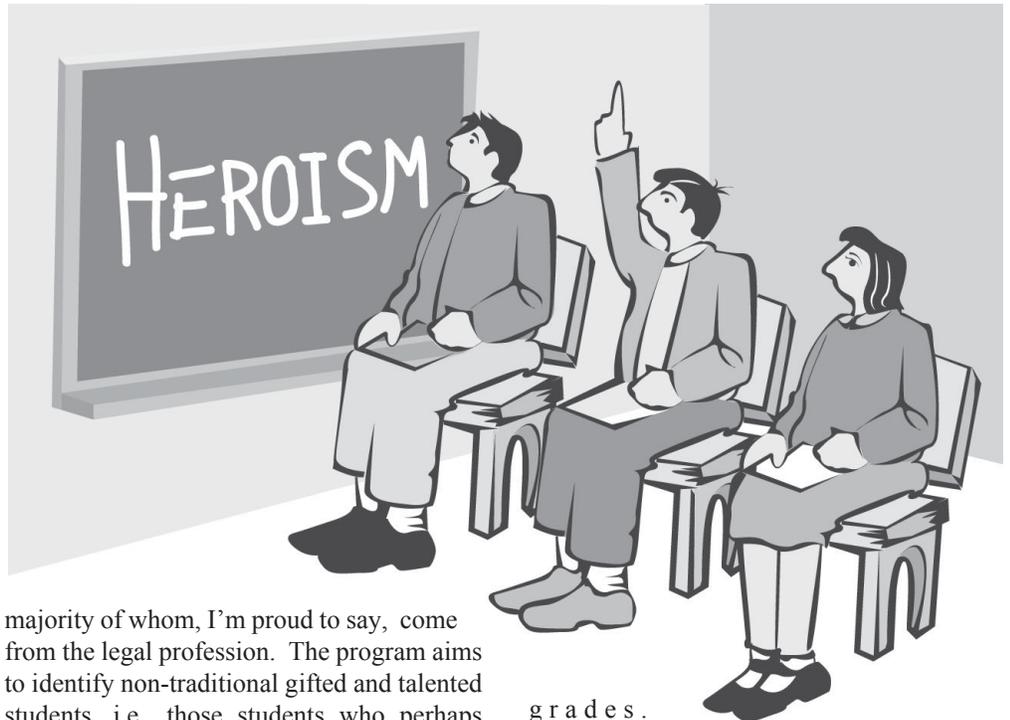
■ By MIKE TORRES

*Immediate Past President, M.A.B.A. El Paso*

Christian, a gregarious, smart, bright-eyed fifth-grader wearing what appears to be his default mischievous grin, holds his hands to his temples, concentrating on the question that I just asked. I'm a volunteer mentor at Loma Terrace Elementary School, and the question and discussion for the day's session with Christian and four other equally sharp and momentarily serious fifth graders is about heroism, how they define it, and who they consider to be heroes. The question of "who is a hero?" engenders a lively discussion with the kids about the qualities they admire, who and what they respect, and who they aspire to be. Our hour-long discussion goes by in what seems like 15 minutes, and before I know it, it's back to class for them, back to my office for me. I'm already thinking about next month's session, where we'll be discussing responsibility. In future sessions, we'll discuss issues like goal-setting and community and public service.

It's all part of Project Change, a new mentorship program being administered by the Ysleta Independent School District and funded by a \$300,000 Department of Education Jacob Javits Grant. The grant is named for the longtime New York congressman, state Attorney General, and U.S. Senator of humble beginnings who went to night law school and championed educational issues throughout his long career in public service. YISD has the distinction of being the only school district in the state of Texas and one of only fourteen school districts nationwide to receive this grant.

The program is a partnership between the district, parents, students, and mentors, the



majority of whom, I'm proud to say, come from the legal profession. The program aims to identify non-traditional gifted and talented students, i.e., those students who perhaps because of issues like limited English proficiency or economic disadvantage, have not been identified as gifted and talented, and have them participate in a curriculum administered by one-on-one mentors. The program seeks to develop the students in areas like critical thinking and goal-setting, with a not-so-thinly-veiled reinforcement of the idea that college is a goal they need to be thinking about now. For the lawyers involved, it's a fantastic opportunity to give back to the community in a very fulfilling and meaningful hands-on way.

The El Paso Bar Association and the Mexican American Bar Association stepped up to the plate, promoting the program with its members, who have generously responded with their time and have committed to a two-year mentorship that tracks the individual mentor's group of students through two

grades.

Lawyers from diverse practices, like Assistant D.A. Ingrid Rojas-Kinne (whose husband Kevin is also a mentor), David Mirazo from Mounce Green, Everett Saucedo from TRLA, former El Paso Bar President Mark Hedrick, and 12 other lawyers have volunteered for Project Change. Says Ingrid Rojas-Kinne, "I view mentoring students who, because they are limited English proficiency did not qualify for the 'gifted' program, as an opportunity to help these children set goals and dream big, especially when it comes to attending a university. To hear their desire for accomplishment of their dreams makes me feel truly blessed to have the privilege to connect with our future leaders."

If you are interested in becoming a Project Change mentor, contact Maria White at 434-0545.

# Ringside Seat to a Judicial Revolution

■ By STEPHANIE TOWNSEND ALLALA

It was a misdemeanor trial, ending with a DWI conviction. Witnesses testified for and against the accused, and both the prosecutor and defense counsel made impassioned opening and closing statements to a three-judge panel.

What's important isn't that the man was convicted, but that the charges were aired in open court, that witnesses testified live, and attorneys made opening and closing statements in front of a panel of judges— one of the first ever American-style trials in Mexico, and an El Paso judge was among those who made it possible.

Open trials, with juries and live witnesses, “makes for good government, it establishes confidence in government, and lets people know that the system of justice makes a forum available in which to air grievances and hopefully resolve them,” said El Paso Judge Alejandro Gonzalez, who is mentoring Mexican judges and lawyers transitioning to the new system. “It establishes faith in government, and trust in judges.”

The trial, held in Nuevo Leon, was a test run for a new era of justice in Mexico, what Mexican President Vicente Fox calls his vision for “A New Democracy.” As mentor and coach of the University of Ciudad Juarez Law School Mock Trial Team, Judge Gonzalez has been instrumental in organizing “juicios orales,” or “live hearings.” Before, trials in Mexico were held by evidence in the form of affidavits alone without live testimony in court. Fox has mandated that each state implement rules to allow a transition to an American-style justice system to include juries.

Judge Gonzalez is training the first wave of trial advocates, and has coached them to national fame. His team competed in Mexico's first National Mock Trial Competition in Mexico City against twenty-six other universities—including Mexico's premier institutions, like the U.N.A.M, the Universidad Iberoamericana, and Universidad Anahuac. The University of Juarez team won first place at the

competition, to become Mexico's first National Mock Trial Champions.

“The people I've been dealing with are very enthusiastic about the changes,” said Judge Gonzalez. “You get some resistance. But most are excited, especially law students, who have been watching American-style trials on TV for years.”

Once a month, a group of ten state judges visits the El Paso County Courthouse. The judges spend the day observing trials and quizzing El Paso judges about the trial process.

“I try to maximize the usefulness of the visit. We explain the trial process as the trial proceeds,” Judge Gonzalez said.

The judges are particularly focused on criminal trials, and have spent time with the Council of Judges, as they begin the long process of understanding every step in the administration of justice in America. Never before have Mexican lawyers spent so much time training in the United States, as they embrace the functions of a new system of justice.

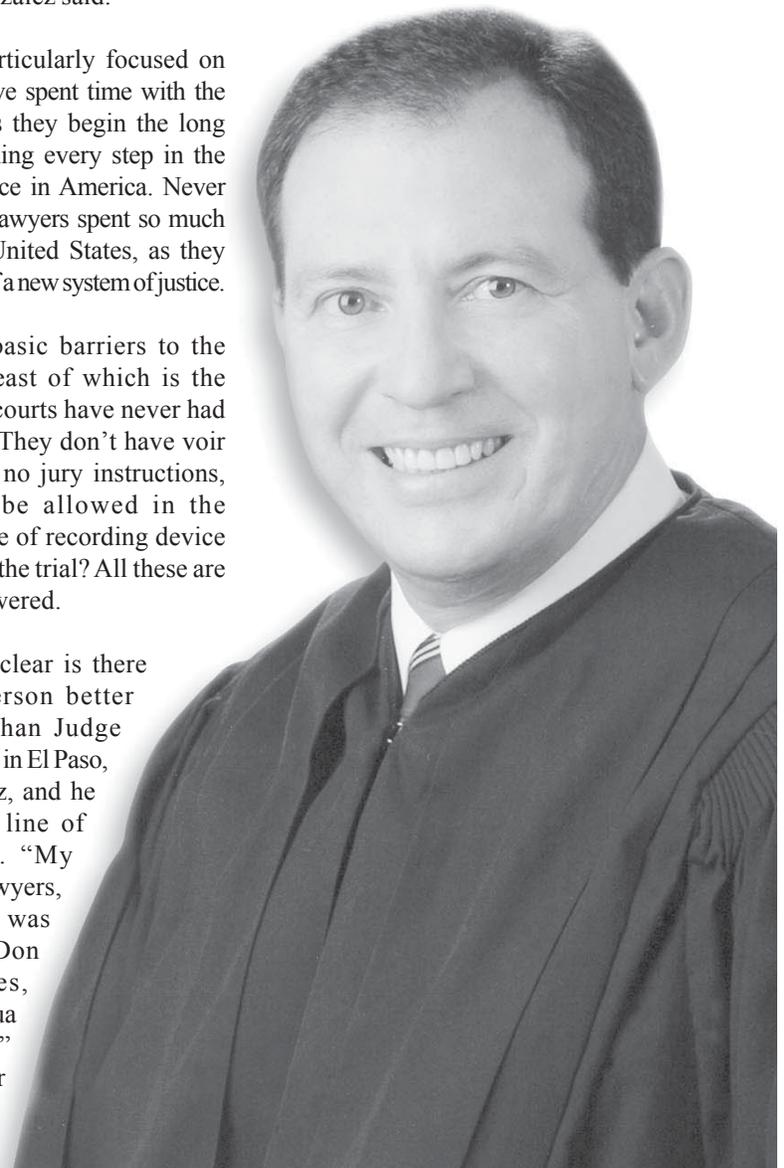
There are some basic barriers to the transition, not the least of which is the courtroom. Mexican courts have never had to seat a jury before. They don't have voir dire rules, they have no jury instructions, etc. Will cameras be allowed in the courtroom? What type of recording device will be used to record the trial? All these are questions still unanswered.

One thing that is clear is there probably isn't a person better suited for the job than Judge Gonzalez. He was born in El Paso, but grew up in Juarez, and he comes from a long line of Mexican attorneys. “My entire family were lawyers, and my grandfather was general counsel to Don Abraham Gonzales, Governor of Chihuahua during the revolution.” While his grandfather helped with political revolution, a century

later, Judge Gonzalez is leading a new revolution in Mexican justice.

“It's going to have a huge impact on Mexican citizens. They get due process of law, with the right to confront accusers, and present witnesses. It also creates a transparent system of justice open to the public. Judges will be accountable to the citizens. As neighbors, it could impact the way Americans are treated if they are involved in the Mexican justice system,” Gonzalez said.

Gonzalez says the United States Aid Agency is now working with Mexico, on state by state basis, to establish new trial procedures, and achieve uniformity.



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## ASSOCIATION NEWS

### •El Paso Paralegal Association

The EPPA will hold its next meeting on Thursday, November 16, 2006 at 12:00 noon at the El Paso Club, 201 E. Main, 18<sup>th</sup> Floor. Cost is \$14.00 for buffet and \$8.50 for soup/salad bar. Guest Speaker will be Nancy Perez with the EEOC-San Antonio. The EPPC is honoring our El Paso Area Veterans and the members will be collecting donations for the Veteran's Hospital in NE El Paso. To make your reservations contact Lynda Camacho, 546-8311.

The EPPA will hold its Fall Seminar on Thursday, November 16, 2006 from 8:00 a.m. to 11:45 a.m. at 201 E. Main, 6<sup>th</sup> Floor Conference Room. Seminar approved for 3.0 hours of CLE. Please contact Donna Crafton at 546-8313 for complete details and registration information.

### •El Paso County Legal Support Association

The EPCLSA will hold its next meeting on Friday, November 10, 2006 at 12:00 noon at the El Paso Club, 201 E. Main, 18<sup>th</sup> Floor. Cost is \$14.00 per person. To make your reservations please contact Tammy Schoemer-Castillo at 533-4424.

### •El Paso Women's Bar Association

The El Paso Women's Bar Association will have its next meeting on Thursday, November 2, 2006 at 5:30 p.m. at 3813 Hillcrest Dr. We will be making the final preparations for our annual charity bash – Moonlight Masquerade 2006. Also, the WBA Positive Role Model Program will hold its next session on November 15, 2006 at 1:50 p.m. in the 205<sup>th</sup> District Court at the El Paso County Courthouse. For more information on the Positive Role Model Program, contact Cezy Collins at (915) 533-4424 or ccollins@kempsmith.com

### •El Paso Young Lawyers Association

The El Paso Young Lawyers Association will hold its next meeting on Thursday, November 9, 2006 at 12:00 noon at Medallions 501 Texas Ave. The Board of Directors will meet at 11:30 a.m. There will be a panel discussion by members of the El Paso Judiciary on "Everything You Always Wanted to Know, But Were Afraid to Ask" Please RSVP to Katari Buck at 546-8209 or at kbuc@scotthulse.com The El Paso Young Lawyers will be hosting a happy hour on Thursday, November 9, 2006 at 5:30 – 7:30 p.m. at La Nortena, 212 W. Overland Ave. Everyone is welcome!!

If you are interested in volunteering as a coach or judge in the annual High School Mock Trial Competition (early January/late February), please contact Morgan Hazelton at 845-1354 or mhazelton@abanet.org

### •Federal Bar Association

The Federal Bar Association will hold its November Brown Bag Luncheon Meeting on Thursday, November 16<sup>th</sup> at 12:00 noon. Approved for 1.0 hour of MCLE.

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9:00 a.m. - 2:00 p.m.

Fire Fighter's Hall, 3112 Forney

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For more information or to volunteer, please contact:  
Cori Harbour, [cori@harbourlawpc.com](mailto:cori@harbourlawpc.com) or 532-3601  
or Kenneth Krohn, [kkrohn@elp.rr.com](mailto:kkrohn@elp.rr.com) or 351-1414

## MARK YOUR CALENDARS

### Legal Support Staff Training

Thursday, November 2, 2006

Commissioner's Courtroom, El Paso County  
Courthouse

Call (800) 204-2222 ext. 1300 to register  
\$105, Lunch included with registration

*CLE approval pending*

Call Nancy at 532-7052 for additional information.

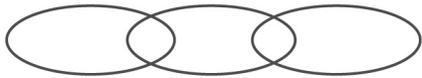
### WORDS OF WISDOM

*By Joe Calamia*

My purpose in offering my words of wisdom is to help young lawyers who want to know the law, lawyers who think they know the law, and judges who are expected to know the law:

*The difference between freedom and tyranny is indelible. In tyranny, the government rules by evil, without honor, and with disregard for the truth. With freedom, the government enjoys power only by virtue of truth and honor, law and order.*

## Agree to Disagree

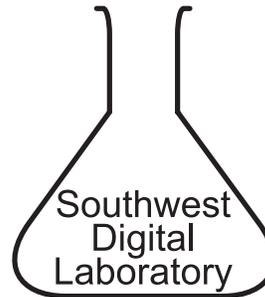


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Fax: (915) 541-8645  
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## Swearing In Ceremony

The 8<sup>th</sup> Court of Appeals will hold a Swearing In Ceremony for all newly licensed attorneys on **Wednesday, November 8, 2006** at 10:00 a.m. in the **8<sup>th</sup> Court of Appeals Courtroom.**

## El Paso Bar Association *Holiday Schedule*

The El Paso Bar Association office will be closed on the following days:

Friday, November 10, *Veteran's Day*  
 Thursday, November 23 *Thanksgiving Holiday*  
 Friday, November 24, *Thanksgiving Holiday*

### CLASSIFIEDS

#### Job Opportunity:

Notice to attorneys wanting to apply for a Judge Advocate position with the U.S. Army Reserve unit serving the El Paso, TX, Las Cruces, NM area. Eligible candidates may qualify for \$10,000, 6 year term, sign up bonus. State bar license required. Those interested visit the website, <http://www.jagcnet.army.mil/JARO> and the Application forms link, or contact LTC Jeffrey J. Tasher, 503th GSU, Ft. Bliss, TX (915) 568-6587 or

TasherJ@bliss.army.mil

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of experience in the practice of criminal law in Texas. Show proof of residency in El Paso to include the preceding 12 months. Previous experience as a judge preferred, but not required.

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## Council of Judges

The Council of Judges of El Paso County, Texas is considering pursuant to the "GUIDELINES FOR ASSOCIATE JUDGES," the issue of the retention of Judge James Carter as the Jail Magistrate. Anyone desiring to have input into such should put their comments in writing and deliver them to the COUNCIL OF JUDGES, c/o Mike Izquierdo, County Courthouse, 500 E. San Antonio St., #101, El Paso, Texas 79901 prior to November 8, 2006.

## El Paso County Historical Society to Honor Alice Dwyer

The El Paso County Historical Society will honor **Alice Dwyer** as a **2006 Hall of Honor honoree** at its annual banquet on **Sunday, November 5th** at the **El Paso Country Club**.

Tickets are \$40 per person.

Call Mary Jo Melby at 532-7213 to get your tickets.



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**Call Nancy at 532-7052 for any additional information**

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# Joint Association Holiday Party

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## 2nd Annual Joint Bar Association Holiday Party

*Friday, December 1, 2006*

*5:00 - 7:00 p.m.*

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***More details to follow!!***

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