



3rd Annual Kinship Fair Brings a Smile to All

The Greater Denton County Young Lawyers Association (GDCYLA), in partnership with Denton County Court Appointed Special Advocates and Denton County’s Child Protective Services (CPS) offices presented the 3rd Annual Kinship Fair on October 25, 2008. The event was held from 11:00 AM until 2:00 PM on the campus of Texas Woman’s University. The purpose of the fair was to honor Denton County’s kinship families.

Typically, when children are removed from their parents by the state due to abuse and/or neglect, they are placed in foster care. In the state of Texas, CPS is required by law to attempt to place these children with family members. Kinship placements are those which place children with family members or other persons who have had a previous connection with the children. These placements are not licensed by the state as are foster placements. Consequently, they do not get the same financial support as foster families do. Often, the additional expenses associated with adding children to a family can be overwhelming. Unfortunately, it is not uncommon for the financial strain to eventually threaten the viability of the placement.

The Kinship Fair was designed to be a free day of fun for these families. The children were able to enjoy a bounce

house, a petting zoo, a balloon artist, a face painter, carriage rides, and numerous carnival games. There were a number of community agencies including the Denton County Health Department, Denton County Friends of the Family, and Cook’s Children’s Medical Center that provided resource booths for the fair. The families were able to get family photographs taken by a professional photographer who had donated her services.

Thanks in large part to the generous donations of Denton County Bar Association members, GDCYLA was able to raise enough money to spend approximately \$75.00 per child to provide a care package of items such as clothing, diapers, and toiletries for each kinship child at the fair.

It was a truly rewarding experience to see these children, who have all experienced the trauma of having to be removed from their parents, being able to play and have a wonderful care-free time. Several of the caregivers were tearful in expressing their



appreciation for the items the children were given. The Kinship Fair was a great success and it was obvious that it helped to make a difference in the lives of these families.

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From the President



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DCBA Membership

Your DCBA Membership includes

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

Your DCBA Sections

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

On Friday, November 7, 2008, the Denton County Courthouse was transformed from a subdued set of courtrooms to a vibrant cruise ship filled with costumed characters, stuffed animals, and happy families, as Denton County celebrated its first annual Adoption Day. Twenty-three children who had been in State custody because they were the victims of abuse or neglect were officially adopted into their new families thanks to the wonderful pro bono work of the attorneys of the Denton County Bar Association and volunteers from CPS, CASA, and other groups.

This is the first pro bono project of its kind for the Denton County Bar Association and is the result of the inspiration of Tiffany Haertling and the wonderful organizational skills of Michelle Houston. November is National Adoption Month, and this was part of the nationwide effort to celebrate families that are welcoming new members from foster care and to draw attention to the continuing need for foster and adoptive homes.

Judges finalized the adoptions of twenty-three little ones into twelve families that, due to our wonderful association and its volunteers, will be well-prepared for

their new lives thanks to hundreds of donations, from teddy bears, books, and family portraits to jewelry.

We need to give special thanks to the wonderful attorneys of the Denton County Bar Association who donated their legal services, the Texas Department of Family and Protective Services, and Court Appointed Special Advocates with the assistance of Judge Vicki Isaacks, Judge Carmen Rivera-Worley, Judge Lee Gabriel, Judge Bruce McFarling, and Judge Margaret Barnes, City Councilman Joe Mulroy, Walter Eagleton Photography, First People's Jewelers, Content Solutions, and Brand It Promotions. They all did a great job and we should be very proud that the Bar Association initiated and coordinated this project.

The Crusin' Home theme was displayed throughout the second floor of the courthouse as children picked out a teddy bear after their adoption and "boarded" the cruise ship to enjoy games, food, and even pick out a new book..



10 Steps to Getting the Most Out of Your Mediation Session

Part one of a three part story by Julia A. Kerestine

Like many attorneys and mediators, I have seen the challenges presented when a client's attorney is not prepared for the mediation session. Sometimes the client is not aware of what the mediation process will be like or what strengths, challenges, and obstacles exist in their case. Sometimes clients and/or their attorneys do not know the difference between arbitration and mediation. In some cases, an attorney has not read the case file or prepared the client at all.

Often these challenges can be overcome by a skilled mediator. The experience, though, can be frustrating and time consuming for the participants. Ultimately, the lack of preparation is often reflected in the outcome of the mediated settlement.

This series of articles provides some suggestions to get the most out of your mediation session and to ensure clients the best result.

Ten things to consider include

1. Know Your Case
2. Analyze the Potential Trial Results
3. Analyze the Potential Risks
4. Identify the Client's Interests
5. Identify the Client's Best Alternative To Negotiated Settlement (BATNA)
6. Ensure All Parties Have the Necessary Information
7. Select the Appropriate Mediator
8. Educate the Client

9. Provide the Mediator with Information
10. Bring Your Best Game

1. Know Your Case

It should be obvious that it is important to know your case; you wouldn't show up to trial without being prepared. Regardless, some attorneys still do arrive without having studied their file.

It is important to understand and be able to identify what facts are disputed and which are not. Recognize that some facts are not as important to your case as others, but be clear what facts support the elements of your cause of action. Identify any challenges, such as causation, burden of proof, etc., that you would face in litigation and be prepared to discuss them reasonably in mediation.

All cases have some challenges and they cannot be ignored. If you do not talk about them, be assured that the opposing attorney will. Anticipate and identify challenges, counterclaims, defenses, and liability issues.

2. Analyze the Potential Trial Results

Analyze potential trial or arbitration results. It can be helpful to identify a best case scenario, a worst case scenario, and a range of most likely outcomes at trial and be prepared to discuss them at the mediation session. You can look through comparable jury

verdicts, discuss jury or judicial trends in your respective court, or share your experience.

3. Analyze the Potential Risks

Analyze other risks if the case is not settled. This question and analysis is broader than paragraph two, potential trial results, discussed earlier. The inquiry also requires input from the client. As attorneys, we often focus on the case and the obvious costs, such as ongoing litigation costs, expert fees, attorney fees, etc, and on preparing the case for trial or arbitration. Sometimes we can anticipate some of the other emotional costs to the clients. There are almost always, however, additional personal costs to the client that as attorneys we cannot be aware of unless we ask.

Part two of this story will continue in the January issue.

Julia Kerestine is an attorney and mediator who has conducted over 1400 mediation sessions. Julia's law office is located in Denton. She practices mediation in Denton, Tarrant, Dallas, Wise, and surrounding counties. If you would like a copy of the entire article and a worksheet that helps clients identify their concerns, anticipate the opposing parties' concerns, identify options, and BATNA, please contact Julia at Julia@jkadr.com or 866-559-4440.

Denton Attorneys Part of KERA's Award-Winning Radio Program

Denton County attorneys Camille Milner of Camille Milner, Attorney at Law (Denton) and Kevin K. Fuller of Koons, Fuller, Vanden Eykel & Robertson, P.C. (Denton and Dallas) were featured guests for an award-winning episode of KERA's FM's radio talk show, *Think*. On October 29, the Dallas Bar Association awarded KERA-FM the 2008 Stephen Philbin Award for excellence in legal reporting in the radio news category for the *Collaborative Law* story that originally aired on March 26, 2008.

The Stephen Philbin Awards were

created in 1983 to honor the memory of Stephen H. Philbin, a long-time member of the Dallas Bar Association and a partner with the firm of Locke, Purnell, Boren, Laney & Neely. Mr. Philbin died in 1982 from leukemia at the age of 39.

In honor of Mr. Philbin's contributions to media law in Dallas, the Stephen Philbin Awards were created to honor those in the legal system who contribute to the public's understanding of the legal system and those who display creativity, accuracy, clarity, resourcefulness, and initiative

in pursuing the story. For more information on the Philbin awards, visit www.dallasbar.org/philbin/ or if you wish to listen to this broadcast on *Collaborative Law*, it is available at www.milner-law.com.

KERA is a not-for-profit public broadcasting organization that is independently owned and operated in North Texas. The station's services include national television and radio productions, online information and resources as well a resource center that develops outreach programs for children, families, and educators.

Mervin Waage Named Top Eleven Bankruptcy Attorneys

Congratulations to Mervin Waage for being named one of the "Top 11 Foreclosure Lawyers." The list of top foreclosure lawyers features eleven attorneys whom all have a perfect Avvo Rating in California, Florida, Illinois, New York, Pennsylvania, Texas, and Washington State.

Avvo.com is a Web site that allows users to rate attorneys and search for a specific type of lawyer.

The Avvo Rating is an evaluation of a lawyer's background and that is calculated using a mathematical model that considers the information shown in a lawyer's profile. This rating includes disciplinary history, professional achievements, years in practice, and industry recognition. Each lawyer is an expert in a foreclosure-related area such as real estate, bankruptcy, mortgage defense, and consumer debt.

Mr. Waage has over 34 years of experience and has over 16,000 cases. For more information about Mr. Waage please contact 940-497-4448 or visit his website at www.lawattic.com.



Mervin Waage

From the Sections

Monthly Meetings

Collaborative Professionals

DCCP will meet at **12:00 PM** on Tuesday, **December 2** at Oakmont Country Club located in Denton.

Family Law

To be announced.

GDCYLA

GDCYLA will meet at **11:45 AM** on Thursday, **December 4** at Frilly's Taco Shop located at 115 Industrial in Denton.

Paralegals

DCPA will meet at **12:00 PM** on Saturday, **December 6** for their Christmas Social at MasterGrill located at 1800 S. Loop 288 in Denton.

REPTL

REPTL will not be meeting in December. Regularly schedule meetings will resume in January.

Denton Bar Annual Christmas Party

Date and Time:

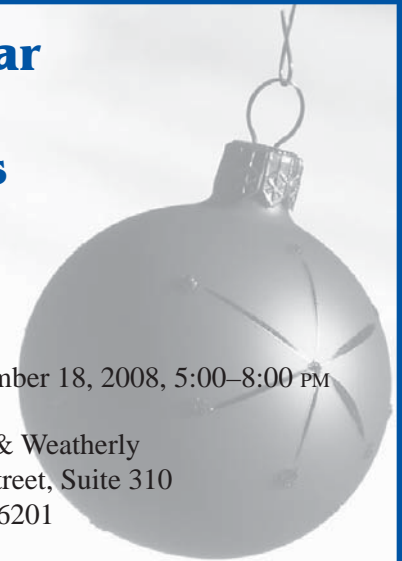
Thursday, December 18, 2008, 5:00–8:00 PM

Location:

Thacker, Wood & Weatherly
400 West Oak Street, Suite 310
Denton, Texas 76201

Activities

Food, beverages, and Holiday Cheer will be provided by DCBA, Griffin & Jones, and Wood, Thacker & Weatherly. All are invited. To RSVP and for more information, please contact Michelle Houston at mhouston@dentonbar.com.



Denise Spalding Named 2008 TACA Member of the Year

Denise Spalding proudly accepted the 2008 Member of the Year award from the Texas Association for Court Administration (TACA).

Spalding has been a member of TACA for 14 years. "Being a part of this organization has led me to meet many other coordinators and administrators throughout this state. We are able to network and learn from one another," Spalding reflected.

Spalding is the Vice Chair of the Scholarship Committee where the members work throughout the year to get donations from the community and bar associations for a scholarship raffle. This year, the scholarship committee was able to raise \$4,500 for scholarships.

The TACA began in 1976 as an organization dedicated to "promoting continuing education and to aid in

identifying the individual needs of the Courts and their administrative personnel improving justice in Texas." What began with only 55 Coordinators and Administrators has grown into approximately 276 members.

For more information about TACA please visit www.taca.com.

From our Sponsors

**Texas Criminal Defense
Lawyers Association:
Jolly Roger Hal Jackson
Memorial Criminal Law
Seminar Followed by a Reception**



Date:

December 12, 2008
7:30AM-5:00PM

Location:

Marriot Hotel & Golf Club, Denton Texas

CLE:

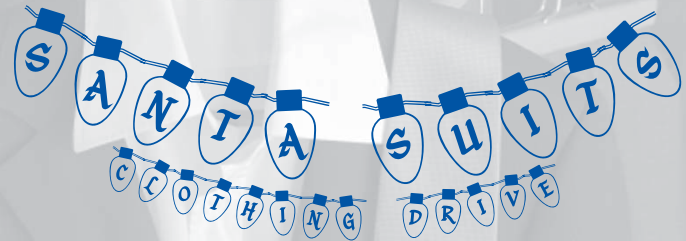
7 hours CLE, 1 hour Ethics

Registration:

Register online at www.tcdla.com.

Reception and Texas Hold'em:

Immediately following for all members, whether or not you attend the seminar. The reception, co-sponsored by the DCBA, will be at Rick Hagen's house. Following the reception there will be a Texas Hold'em tournament, buy-in is \$100. Contact Michelle for more information.



benefitting

Family Resource Center of North Texas

Santa needs your help!

Help Santa gather business attire for men and women. DCBA will be accepting donations of business attire through January 5, 2009. Your contribution will allow men and women to dress well for that all-important job interview and while working in their new job.

You can drop off your donation at any time at the DCBA/DCAP office. Please contact Michelle Houston at mhouston@dentonbar.com for more information.

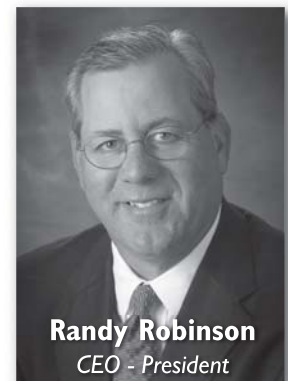


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DCBA in 2008-09

December Bar Luncheon

Date:

Friday, December 5, Noon
Meal included

Location:

Oakmont Country Club
1901 Oakmont Drive
Corinth, Texas 76210

Program:

*International Child Abduction
Issues through an Immigration
and Family Law Perspective*

Speaker:

Elena Kareneva

January Bar Luncheon

Date:

Friday, January 2, Noon
Meal included

Location:

Oakmont Country Club
1901 Oakmont Drive
Corinth, Texas 76210

Program:

*State Bar of Texas President
Harper Estes*

Speaker:

Harper Estes

Condolences

DCBA would like to express our
condolences to Allison Martin on the
passing of her mother, Ryndae Halter,
on November 6, 2008.