33rd Annual

Advanced Real Estate Law COURSE



Highlights

- The Supreme Court Perspective on the State of the Disciplinary Rules
- What Every Real Estate Lawyer Should Know About Property Tax Exemptions
- Using Series LLCs in Real Estate Transactions
- Addressing Title Problems Following the Owner's Death
- Dealing With Ground Water Districts: The Shifting Sand of the Water Law Practice

Come a day early and attend the *Real Estate Law 101 Course*

(at the SAN ANTONIO site only)

sBarCIE

LIVE San Antonio July 7-9, 2011

VIDEO Dallas August 17-19, 2011

VIDEO Houston September 21-23, 2011

MCLE CREDIT 17.25 HOURS (Up to 3.25 Ethics)



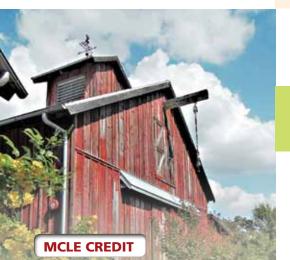
Course materials available on a USB drive

TexasBarCLE presents the

Real Estate Law 101 (San Antonio site only

LIVE San Antonio

July 6, 2011 Hyatt Hill Country Resort & Spa 9800 Hyatt Resort Drive San Antonio, TX 78251



4.75 HOURS (1 ETHICS) MCLE COURSE NO: 901219232 Applies to the College of the State Bar of Texas and to the Texas Board of Legal Specialization in Real Estate Law.

Come learn or relearn the basics!

We will walk you through the basic documents of most real estate transactions, and give you an introduction to client relationships, the people you deal with in a real estate practice, title insurance basics, surveys, special problems and ethical traps.

You will benefit from a panel with nearly 180 years of combined real estate practice experience and a wide variety of practices. You will receive a desk reference course book with materials covering over 20 practice topics.

The course is intended for new lawyers, experienced lawyers new to the real estate law practice area or as a refresher.

SCHEDULE

12:30 Registration

If you have been licensed 1 year or less, this course is only **\$75!** See registration on page 11.

1:00-6:00 Seminar (includes a 15-minute snack break)

TOPICS

- Basic Real Estate Documents
- Understanding a Survey
- Clients
- Other People You Will Meet
- Ethical and Practice Traps
- Special Problems
- Resources for a Real Estate Practice
- Title Insurance
- Foreclosure Basics
- Social Media

FACULTY

Course Director Michael Baucum, *San Antonio* Baucum Steed Barker Law Firm

J. Cary Barton, *San Antonio* Barton, East & Caldwell

Stephen A. Boykin, *Franklin* Guaranty Title Company

Rhonda G. Jolley, *Boerne* Nunley Jolley Cluck Aelvoet

Richard Melamed, *Bellaire* Melamed Law Firm

Rebecca Smit, *Georgetown* Attorney at Law

Adjunct Instructors

Laura A. Baucum, *San Antonio* Baucum Steed Barker Law Firm

Kacy D. Cigarroa, *San Antonio* Barton, East & Caldwell

COMING SOON!



New Edition Texas Real Estate Forms Manual (2nd ed.)

Visit the TexasBarSolutions table at the San Antonio site to order your copy.



TexasBarBooks

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- Windflower: The Hill Country Spa with 21 treatment rooms
- 4-acre water playground
- Health Club
- Jogging, nature & bicycling trail
- The Underground: New for teens (ages 12-16)

Join us for a challenging pre-course event:

Real Estate Law Golf Tournament Sponsored by Roger Beasley Porsche - Austin

Wednesday, July 6 at 11 a.m. Open to all — you need not be an accomplished golfer nor a registrant of the Advanced Real Estate Law Course to enter. Fun and prizes for ALL!

Reserve a spot now!

Please use this form to register for the Real Estate Law Golf Tournament.

Name			
Firm Name/Court			
Address for Bar-Related Mail			
City/State/Zip			
Phone () ()			
E-mail address			
Handicap or Average Score			
Preferred Playing Partners			
Fee includes golf cart, practice balls, and complete tournament services. I am paying \$185 by: Enclosed check made payable to State Bar of Texas (SEPARATE CHECK Do not include an amount for CLE) Visa MasterCard AMEX Discover			
Account No			
Name on Card (please print)			
Signature			
If I paid with a credit card, I may fax this form to (512) 427-4111.			
Return to: State Bar of Texas Professional Development			

Return to: State Bar of Texas Professional Development Attn: Dept. LB#972298, P. O. Box 972298 Dallas, TX 75397-2298

You may include the forms and payment for the tournament and the CLE course in a single envelope; see page 11 for the course registration form.



S tart your discussions about real estate law over a game of golf! Join us for a game set in 170 acres of rolling meadows, steep hill-sides, wooded ravines and tree-shaded plateaus.

Designed by acclaimed golf course architect Arthur Hills and nominated in its first year by Gold Digest for best new resort course, the Hill Country Golf Club was listed amoung Golf Magazine's "Top Ten Courses You Can Play."

This championship course will not only capture your senses, but also test your skills. Other than that, it is a wide open course.

OPEN TO ALL!

Real Estate Law Golf Tournament Wednesday, July 6th 11:00 a.m. Fee: \$185

Advanced Real Estate Law Course

Cosponsored by the Real Estate, Probate and Trust Law Section of the State Bar of Texas

Register early and **save \$50!** To save, see dates for each site below.

Real Estate, Probate and Trust Law Section members can **save \$75!**

LIVE San Antonio July 7-9, 2011 Hyatt Hill Country Resort & Spa **To save, register by June 23**

VIDEO Dallas August 17-19, 2011 Cityplace Conference Center To save, register by August 4

VIDEO Houston September 21-23, 2011 Crowne Plaza River Oaks To save, register by September 8

MCLE CREDIT

17.25 HOURS (Up to 3.25 ETHICS) MCLE COURSE NO: 901219230 Applies to the College of the State Bar of Texas and the Texas Board of Legal Specialization in Real Estate Law.

Day 1 6.5 hours including 1.25 hours ethics

UPDATES & HOT TOPICS

- 8:00 **Registration, Pastries, and Coffee**
- 8:30 Welcoming Remarks and Program Introductions Course Director Mark McPherson, Dallas McPherson Law Firm
- 8:45 **Case Law Update (Part I)** .75 hr (.25 hr ethics) David A. Weatherbie, Dallas Cramer Weatherbie Richardson Walker
- 9:30 **Legislative Update** .75 hr Justin V. Switzer, *Houston* Haynes and Boone
- 10:15 Break
- 10:30 The Supreme Court Perspective on the State of the Disciplinary Rules 1 hr ethics Hon. Nathan L. Hecht, Austin Justice, Supreme Court of Texas
- 11:30 Using Series LLCs in Real Estate Transactions .5 hr Philip D. Weller, Dallas DLA Piper LLP
- 12:00 Break Lunch provided
- 12:15 Awards Ceremony
- 12:30 Luncheon Presentation: Texas Demographic Characteristics and Trends (No MCLE Credit) Lloyd B. Potter, Ph.D., M.P.H., San Antonio State Demographer Professor, University of Texas at San Antonio
- 1:15 Break

AFTERNOON WORKSHOP

Residential Real Estate 3.5 hours Moderator

Sharon Reuler, Dallas Sharon Reuler, P.C.

- 1:30 Home Equity Survival Guide - Cures, Modifications & Development .5 hr Michael K. O'Neal, Dallas Winstead
- 2:00 **Residential Construction Liability Act** .5 hr Thomas J. Walthall, Jr., San Antonio The Gardner Law Firm
- 2:30 How to Heal a Fractured Condo .5 hr Edward A. Peterson, Dallas Winstead

Jeanne Marie Caruselle, *Dallas* Winstead

- 3:00 Break
- 3:15 Lady Bird Deeds and Medicaid Adjustments .5 hr Mike J. Lucksinger, Burnet Hutto Lucksinger Garrett & Kennedy
- 3:45 Standards of Duty & Liability for HOA Officers & Directors .5 hr Marc D. Markel, Houston Roberts Markel

Stephanie L. Quade, *Houston* Roberts Markel

- 4:15 Established Subdivisions Without Mandatory HOAs - Adding HOAs "After-the-Fact" .5 hr Rosemary B. Jackson, *Houston* Law Offices of Rosemary B. Jackson
- 4:45 **Consumer Rights & Protections in the HOA Context** .5 hr Mitchell Katine, *Houston* Katine & Nechman

5:15 Adjourn to Social

TexasBarCLE Advanced Courses are sponsored by LexisNexis, a division of Reed Elsevier Inc.

Day 2 7 hours including up to 1 hour ethics

SESSIONS

MORNING BREAKOUT SESSIONS

Commercial Real Estate 3.5 hours *Moderator* Jonathan "Kent" Newsome, *Houston* Greenberg Traurig 1:30 Annotated Insurance Specifications - What Landlords, Tenants, Owners and

Contractors (and Their Lawyers) Wished They Had Known .5 hr William H. Locke, Jr., *Austin* Graves, Dougherty, Hearon & Moody

- 2:00 When They Don't Pay: Lockouts and Other Remedies .5 hr Suzanne Frossard, Fort Worth M. Suzanne Frossard PC
- 2:30 **Ground Lease Issues** .5 hr Jonathan "Kent" Newsome, *Houston* Greenberg Traurig
- 3:00 Break
- 3:15 **Key Joint Venture Issues for Real Estate Transactions** .75 hr Justin A. Hoover, *Fort Worth* Winstead
- 4:00 Purchase and Sale Agreements and Statutory Notices: Pitfalls and Cautions .75 hr J. Cary Barton, San Antonio Barton, East & Caldwell
- 4:45 Arbitrating the Construction Defects Case: AAA Options and Process .5 hr Gregory M. Cokinos, Houston Cokinos Bosien & Young

5:15 Adjourn to Social

Handling Higher Authorities				
3 hours (.75 ethics)				
Moderator				
	Justin V. Switzer, Houston			
	Haynes and Boone			
8:15	Pastries and Coffee			
8:45	New Trends in Property Use			
	Regulations .5 hr			
	Harrel L. Davis III, El Paso			
	Gordon Davis Johnson & Shane			
9:15	If You Can't be Jed Clampett, You			
	Don't Want to Be Jethro Bodine:			
	How to Prepare for Oil and Gas			
	Pipeline Condemnation .5 hr			
	J. Ken Nunley, <i>Boerne</i>			

9:45 **Open Meetings and Open Records: Rights, Remedies, and Risks** .5 hr William G. Christian, III, Austin Graves, Dougherty, Hearon & Moody

The Nunley Firm

- 10:15 Break
- 10:30 Sovereign Immunity: It's Good to Be King .5 hr Robin A. Melvin, Austin Graves, Dougherty, Hearon & Moody
- 11:00 Criminal Issues: What to Do When Law Enforcement Is at the Door .5 hr (.25 hr ethics) J. Craig Jett, Dallas Burleson Pate & Gibson
- 11:30 **DOs and DON'Ts for the Dirt Lawyer** *.5 hr ethics* Hon. Karen Gren Johnson, *Dallas* Jones Day

Susan C. Cox, *Dallas* Jones Day

12:00 Break - lunch provided

Cleaning Texas Titles 3 hours (.5 ethics) *Moderator* Suzanne Frossard, *Fort Worth* M. Suzanne Frossard PC

- 8:15 Pastries and Coffee
- 8:45 **The Title Objection Letter: Guidelines and Solutions** *1 hr* G. Roland Love, *Dallas* Winstead

E. Paul McNutt, Jr., *Dallas* Title Resources Guaranty

9:45 Easements: How They Change or Do Not Change Over Time .5 hr James N. Johnson, *Austin* Johnson, Rial & Parker

10:15 Break

10:30 Someone Had Better Clean Up This Mess! Addressing Title Problems Following the Owner's Death 1 hr Tina R. Green, Texarkana Capshaw Green

M. Keith Branyon, *Fort Worth* Jackson Walker

Laura Upchurch, *Brenham* Moorman, Tate, Urquhart, Haley, Upchurch & Yates

11:30 Advanced Waivers of Conflict of Interest .5 hr ethics Craig Barton Anderson, Dallas DLA Piper

12:00 Break - Lunch provided

Day 2 continued

UPDATES & HOT TOPICS PART 2

12:15 Luncheon Presentation: From Wandering Creek to Grand Prix: Development Challenges of the 900 Acre Formula 1 Racetrack Facility 1 hr Tavo Hellmund, Austin Full Throttle Productions

> Richard T. Suttle, *Austin* Armburst & Brown



Draft layout for the forthcoming Circuit of the Americas

1:15 Break

- 1:30 **Case Law Update (Part II)** .75 hr (.25 hr ethics) David A. Weatherbie, Dallas Cramer Weatherbie Richardson Walker
- 2:15 What Every Real Estate Lawyer Should Know About Property Tax Exemptions .5 hr John Brusniak, Jr., Dallas Brusniak | Blackwell
- 2:45 Allocating Environmental Liabilities by Contract and Making That Stick .5 hr John Slavich, Dallas Guida, Slavich & Flores

3:15 Break

- 3:30 **Texas Foreclosures: Reality and Myths** .5 hr Tommy Bastian, Addison Barrett Daffin Frappier Turner & Engel
- 4:00 Servicing, Foreclosing, and Re-Selling Non-Securitized Single Family Residential Real Estate Lien Notes .75 hr Frederick J. "Fred" Biel, McAllen Atlas & Hall

Day 3 3.75 hours including 1 hour ethics

The most fun you can have at a CLE Course! (relaxed wear approved)

- 8:00 Pastries and Coffee
- 8:15 Announcements and Program Introductions Course Director/Moderator Mark McPherson, Dallas McPherson Law Firm

8:30 Ethically Using Leading Edge Technologies to Better Your Practice: Clouds, Blogs, Social Media, eDiscovery, ePublishing and Other eTools 1.5 hr (1 hr ethics) Peter S. Vogel, Dallas Gardere Wynne Sewell

> Thomas H. Watkins, *Austin* Brown McCarroll

Tom Mighell, *Dallas* Contoural, Inc.

- 10:00 Dealing With Ground Water Districts: The Shifting Sand of the Water Law Practice .5 hr Marvin W. Jones, Amarillo Sprouse Shrader Smith
- 10:30 Break

10:45 A Role Play Illistrating Opportunities and Challenges in Obtaining Water: Utilities, GCDs and Whooping Cranes 1 hr

Michael A. Gershon, *Austin* Lloyd Gosselink Rochelle & Townsend

Ingrid Karin Hansen, *Austin* Texas Water Development Board

Grady B. Jolley, *Boerne* The Nunley Firm

11:45 Adverse Possession: Presenting the Evidence & Jury Charge .75 hr John C. D. Drolla, Jr., Austin Law Offices of John C. D. Drolla, Jr.

James N. Johnson, *Austin* Johnson, Rial & Parker

12:30 Adjourn

Course Director

Mark McPherson	Dallas
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Tommy Bastian	Addison			
Michael Baucum	San Antonio			
Frederick J. "Fred" Biel	McAllen			
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John C. D. Drolla, Jr	Austin			
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Yoland Giner	El Paso			
James N. Johnson	Austin			
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William H. Locke Jr.	Austin			
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Sharon Reuler	Dallas			
David W. Tomek				
Philip D. Weller	Dallas			

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Real Estate, Probate and Trust Law Section of the State Bar of Texas David A. Weatherbie.....Chair Craig S. Adams.....Chair-Elect/Secretary Robert "Doc" WatsonTreasurer Harry Wolff.....Immediate Past Chair

> Real Estate Law 101 Course Director

Michael	Baucum	 	San	Antonio

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Advanced Real Estate Strategies Course



The Westin Stonebriar Resort 1549 Legacy Drive Frisco, TX 75034 972.668.8000

October 27-28, 2011 Dallas (Frisco), Texas

Renew yourself after an intensive CLE seminar, by indulging in luxurious spa treatments, or play like a pro on The Westin Stonebriar's Tom Fazio-designed championship golf course. When you're ready to explore, discover the attractions of Frisco and Dallas, with world-class dining, shopping, sports and culture—just a short drive to the south. Frisco offers shopping and fun for the kid at heart.

Reserve Your Hotel Room By October 7th

A limited number of rooms have been blocked at a special rate: \$169 single king/double queens (all rooms are standard suites). Inform the hotel that you will be attending the State Bar of Texas Advanced Real Estate Strategies Course.

Sign up for Advanced Real Estate Strategies **AND** Advanced Real Estate Law— SAVE UP TO \$125!

Three ways to register:

Mail

State Bar of Texas - CLE LB #972298 P. O. Box 972298 Dallas, TX 75397-2298 check or credit card Phone 800-204-2222, x1574 during regular business hours credit card only ■ Fax 512-427-4111 credit card only

Registration

\$745 Regular Registration Fee

□ Subtract \$50 for also registering now for the Advanced Real Estate Law Course; see the form on p.11

Subtract \$25 because (check one) I'm a member of the
□ Real Estate, Probate and Trust Law Section
□ State Bar College
-OR- □ I have been licensed 2 years or less.

- Subtract \$50 if registering before October 13th, 2011
 - (If registration is by mail, date of postmark will determine if this fee applies.)
- ❑ As a Judge, I AFFIRM I qualify under §7.03.06 (State Bar Policy Manual) for complimentary admission (see p. 10).

My fee after above calculations: \$____

	Payment and shipping information				
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Signature _

DON'T FORGET

to register now for the Advanced Real Estate Law Course. (See form on p.11.)

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TexasBarSolutions CLE, books, and online resources to help your firm succeed



To help your firm devise CLE strategies, cut CLE costs, and access a wider range of CLE products, TexasBarCLE offers you a new partner: our TexasBarSolutions service. Firm and Group Sales Manager **Laura Angle** will help identify your firm's specific needs and suggest ways to keep up to date in its practice areas, efficiently and affordably. For example:

- Seminars. TexasBarCLE offers MCLE-accredited seminars covering a full spectrum of practice areas.
- The Online Classroom. At TexasBarCLE.com, this feature offers over 1,500 hours of MCLE-accredited video and audio presentations accessible anytime.
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- DVD CLE. This service can help you schedule your own CLE events based on seminar DVDs and accompanying materials for presentation whenever and wherever it best suits your firm. Gain the

unsurpassed substance of TexasBarCLE programs without the inconvenience and expense of travel.

- Studio-produced webcasts. Typically accredited for 2 MCLE hours, live webcasts allow TexasBarCLE to respond quickly to changes in the law or hot topics that Texas lawyers need to know about now.
- Publications. Own respected reference works and practice manuals prepared by expert lawyers and the skilled staff of TexasBarBooks.
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Ways to Save on This Course!

Meet the "Register By" Deadline and Save \$50

because early registrations help us ensure that sufficient course books, seating, and refreshments are available. Course materials and seating will be reserved for pre-registrants until the start of the first topic.

Real Estate, Probate and Trust Law Section Members Can Save \$75

by registering no later than the "Register by" date for that course (thereafter, save \$25); see the registration form. Not a member? To join, email sections@ texasbar.com or phone 800-204-2222, x1425. Please do not send Section membership payment with your registration fee.

Earn Discounts by Registering Five or More

from your firm or agency. Contact Firm & Group Sales Manager Laura Angle of TexasBarSolutions at 512-250-5575 or laura.angle@texasbar.com.

State Bar Policy §7.03.06 Allows Active State and Texas-Area Federal Judges to Attend for Free

provided (1) the course is directly related to their tribunal's jurisdiction, (2) they are full-time judges or judges retired under the Texas Judicial Retirement System and (3) space is available for all paying registrants. This privilege does not extend to receivers, trustees, court staff, or persons serving part-time in any judicial capacity. NOTE: Judges must actually attend to receive course materials.

Parking Information for Attendees Not Staying at the Hotel

is subject to change without notice and is not a guarantee of available space. SAN ANTONIO: self parking is complimentary. DALLAS: self-parking in the underground Cityplace garage is complimentary by picking up a validation ticket from the State Bar staff onsite. HOUSTON: self parking is complimentary.

If You Need Special Accommodations to Attend,

please contact us as soon as possible at 800-204-2222, x1797. For the Cityplace Conference Center in Dallas, please call us at 800-204-2222, x1797 in advance of your arrival so that assisted parking can be arranged for drivers of handicap-designated vehicles.

Registered But Can't Attend? Still Earn MCLE Credit

and receive course materials by (1) calling 800-204-2222, x1574 to transfer your registration to a later presentation or (2) taking the course online later, in which case you'll automatically be sent the course materials; see "FREE TO OUR REGISTRANTS!," below. However, if you wish a refund instead, mail or fax (512-427-4111) your request so that we receive it at least one business day before the program.

FREE TO OUR REGISTRANTS!

Online Videos and MP3s of the Topics, as Well as PDFs of Course Materials, will be available to registrants 6-8 weeks after the course. Provide us your e-mail address when registering and we'll alert you when these benefits are available and how to access them. (Note: Presentation lengths may vary from that which was advertised.) There's no extra charge; as a registrant, you're already entitled!

Policy of Impartiality

The State Bar of Texas does not endorse political candidates. When a candidate for public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.

Reserve Your Hotel Room Early

Hotel rooms have been blocked at special rates on a space available basis. To make a reservation, contact the hotel and indicate that you will be attending this State Bar of Texas course.

SAN ANTONIO Live

Hyatt Hill Country Resort & Spa 9800 Hyatt Resort Drive San Antonio, TX 78251 (210) 647-1234 \$207/night Deadline: June 7

The reserved block of rooms may fill up before the deadline. **Act now!**



DALLAS Video

Cityplace Conference Center 2711 N. Haskell Dallas, TX 75204 (214) 515-5100 chgcityplace.com No rooms have been blocked for this showing



HOUSTON Video

Crowne Plaza River Oaks 2712 Southwest Freeway Houston, TX 77098 (713) 523-8448 \$99/night – Ask for this special rate for State Bar registrants.



Registration Form WAY					
	X I-427-4111 dit card only	Mail State Bar of Tex LB #972298 P. O. Box 972298 Dallas, TX 75397 check or credit of	3 7-2298	Registering five or more? E-mail Laura Angle at laura.angle@texasbar.com for group discount information.	
On the Advanced Course save up to \$75!	ed Real Es	tate Law	Course	5005	
 Here are my choices: Advanced Real Estate Law		 Iwant my Advanced Course materials format to be: Electronic materials (PDFs on a USB drive) Hard-copy materials (2 notebooks) BOTH so I'll ADD \$115 I'm entitled to 1 or 2 discounts on the Advanced Course: \$50 OFF because I'm registering by the "Register by" date at the left. (If by mail, date of postmark will be determinative.) \$25 OFF because (choose 1 box only) I'm a member of the Real Estate, Probate and Trust Law Section State Bar College Legal Administrators or Paralegal Division OR I am licensed 2 years or less. \$ is my total for course(s) and materials. As a judge, I AFFIRM I qualify under §7.03.06 (State Bar Policy Manual) for complimentary admission (see pg. 10). 			
I can't attend. Just send course materials.* FRI Advanced Course books \$230 s Advanced Course materials on USB drive \$230 s Real Estate Law 101 book \$155 s	set [†] For info each [†] service	ormation on audio at 800-204-2222,	x1575. MP3 fil	rse topics, contact our DVD CLE es of the course topics will be 8 weeks after the course.	
I am paying by: Check (enclosed) payable to the State Bar of Texas for Visa MasterCard AMEX Dis PLEASE PRINT LEGIBLY Account No. Name on card (Please print) Signature State Bar Membership No.	scover E		*PDFs of course materials will be available for purchase 6-8 weeks after the course in the Online Library at TexasBarCLE.com. Registrants receive access to the PDFs at no additional charge (see "Free to Our Registrants" in this brochure). [†] Plus 8.25% sales tax on total. Please include sales tax or attach an exemption certificate. Book and USB orders are shipped separately and filled 4-6 weeks after the live program. A bill will be sent unless a credit card charge is		
Name Badg Firm Name/Court Address for Bar-Related Mail City/State Zip Phone () Fax (authorized o	n this form.	

A confirmation of your registration will be sent to the e-mail address you provide.

E-Mail:

33rd Annual Advanced Real Estate Law Course

State Bar of Texas P.O. Box 12487 Austin, TX 78711-2487

LIVE July 7-9, 2011 San Antonio VIDEO August 17-19, 2011 Dallas VIDEO September 21-23, 2011 Houston NON PROFIT ORGANIZATION U.S. POSTAGE **PAID** PERMIT NO. 1804 AUSTIN, TEXAS

Where do I 🕆 💽

Where is the sale site?

What about IRS issues?

How do I comply with state law and federal law?

What are the **alternatives** to foreclosure?

Find these answers and more in the NEWLY UPDATED

Texas Foreclosure Manual



The *Texas Foreclosure Manual*, written with the general practitioner and the real estate expert in mind, includes:

- Forms and instructions to take you through the foreclosure procedure from beginning to end
- In-depth analyses of cases and statutes dealing with the basics and more complex situations
- A digital product containing the entire manual, as well as a useful county appendix

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