

INSURANCE LAW SECTION

State Bar of Texas

**Policies and Procedures
Manual**

As Adopted
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Introduction

The Insurance Law Section (the “Section”) was created in 1998 as an official, sanctioned section of the State Bar of Texas (“State Bar”). It was not an easy process and many people worked tirelessly to obtain approval from the State Bar for an Insurance Law Section. Since that time the Section has grown rapidly, currently consisting of over 2000 members and therefore qualifying as a “large section” within the State Bar. Membership is open to all members of the State Bar. The Section’s stated mission is “Promoting collegiality and educating the bench, bar, and public about Texas insurance law.”¹

The Section is governed by a Council elected from and by the Section membership. Section officers are elected from and by the Council. The Council hired an Executive Director in 2002 to assist the Council in administering the day-to-day activities of the Section.

In addition to maintaining overall diversity of geography, law firm size, gender, age, race, and other traditional diversity considerations, the Section strives to maintain a balance between competing interests of insurance lawyers. In the words of the Section’s original Chair, Ernest Martin, Jr.:

In large part, the Insurance Law Section was formed to fill two perceived needs of the State Bar membership: (i) a section that would comprehensively address many of the substantive areas of Texas insurance law, and (ii) a section whose goal would be to have a bi-partisan focus, balancing the interests of both policyholder lawyers and insurance company lawyers.²

Members of the Section receive many tangible membership benefits. These benefits include: (i) registration discounts to CLE programs; (ii) access to “Members Only” side of the Section’s website including the Section’s Membership Directory, this Manual, articles, archives of seminar papers, and other educational resources; (iii) the *Journal of Texas Insurance Law*, which was first published in the Winter of 1998–1999 and now targets publication of 3 to 4 issues per year; and (iv) “Right Off The Press” emails more-or-less weekly transmitting recent insurance law court decisions, case summaries, insurance-related employment opportunities, occasional commentaries on developments in Texas insurance law, and other Section news.

The Section strives to provide Members with quality continuing legal education (CLE), and a forum to network in conjunction with Section / Council meetings and at our CLE events, including occasional happy hours and other social occasions. The Section is devoted to helping our Members stay abreast of the latest legal developments affecting insurance law and to encouraging collegial interchange among insurance law practitioners.

¹ The Section Council adopted this mission statement on September 20, 2019.

² “Comments from the Chair” published in *The Journal of Texas Insurance Law* (Winter 1999)

Purpose of This Manual

This Policies and Procedures Manual (“Manual”) is intended primarily to assist the Section’s Council and Executive Director in the administration of the Section. It is not intended to cover every situation or to be mechanically applied without reference to the specific facts involved. This Manual is intended to act as a basis and reference for the Section and its Council to operate.

The Section has developed a variety of policies and procedures. The starting—and often ending—point is the Bylaws. A copy of or hyperlink to the Bylaws is included at **Appendix A**.

Throughout the years, however, the Council has made a number of decisions that are relevant and helpful to the structure and on-going management of the Section. These decisions invariably and sometimes become lost in meeting minutes or in the knowledge base of past Council Members and Officers who might not be available to respond to questions requiring immediate attention. This Manual has been developed to provide Section Officers, Council Members, Committee members, and the Section’s Executive Director with a basic roadmap of the Section’s policies and procedures.

It is intended that, as further decisions are made or more information becomes available, those experiences will be incorporated by change or refinement into this Manual by the Secretary or Executive Director or as otherwise delegated by the Council, promptly after each meeting of the Council in which such changes are approved.

I. COUNCIL, OFFICERS AND EXECUTIVE DIRECTOR

A. COUNCIL

1. **General.** The governing body for the Section is the Council.³ The Council generally supervises and controls the affairs of this Section, subject to the provisions of the current State Bar of Texas Board of Directors Policy Manual and the Bylaws of this Section.

2. **Council Composition.** As provided by the Bylaws, the Section’s voting Council consists of twenty (20) members—fourteen (14) Council Members elected from and by the Section membership, and six (6) Officers elected from and by the Council. The 14 Council Members serve two-year terms, with a limit of three consecutive terms. Although a rare occurrence, a person appointed to finish out a term of another Council Member would be able to serve three (3) consecutive two (2)-year terms beyond the initial appointment. As a matter of tradition, the terms of the 14 Council Members are staggered—seven (7) positions are elected annually—to promote continuity as well as a desire to have fresh faces on the Council. As a matter of practicality, due to interim resignations or other departures from Council the number of vacancies in any given year rarely involves an equal half of the formal number of positions.

As further provided by the Bylaws, non-voting members of the Council include ex officio representatives of the State Bar, Past Chairs, a representative of the Young Lawyers subcommittee, and up to three (3) Judicial Liaisons.

B. OFFICERS

The Section officers (the “Officers”) are the Chair, Chair-Elect, Treasurer, Secretary (collectively “general Officers”), along with a Publications Officer and a Communications Officer. The Officers comprise the Executive Committee of the Council.

General Officers serve one-year terms and are elected annually from and by the Council. The Bylaws specify that the Chair serves a single one-year term, then automatically becomes the immediate Past Chair for the following year with the duties and responsibilities of that position. After serving a one-year term the Chair-Elect automatically becomes Chair. The Bylaws do not restrict persons serving in positions of Secretary or Treasurer to a single one-year term. The Council invariably has elected its general Officers on a succession ladder—as of 2023 in the order of Secretary, Treasurer, Chair-Elect—which effectively limits all positions to single one-year terms.

The Immediate Past Chair remains an active member of the Council and serves as chair of the Nominations Committee per the Bylaws. Other Past Chairs in good standing remain ex-officio, non-voting members of the Council and many remain actively involved in Section matters; however,

³ The term “Council” can be somewhat confusing insofar as in different contexts it may refer variously to: (i) a broad body including non-voting ex-officio members such as past chairs, State Bar representatives, and judicial liaisons; (ii) or “Council” may refer to the voting members consisting of both Officers and the 14 elected Council members as such; (iii) or “Council” may mean the 14 elected Council members in distinction from the elected Officers. The Bylaws and this Guide attempt to maintain clarity among these various meanings. But where in this Guide, as here, the governance or work of the Council is concerned, the term typically means the combination of Officers and 14 elected members entitled to vote on proposals as the current representatives of the Section.

notifications to Past Chairs of Council meetings and reimbursement for attendance is in the discretion of the serving Chair. A list of Past Chairs is included as **Appendix B**.

Because the Publications and Communications officers hold positions requiring major time investments and skills that must be learned, those two positions serve a two (2) year term for up to three (3) consecutive terms.

The Officers have the power and authority as may be necessary to continue the business of the Section consistent with the budget approved by the Council and the Section Bylaws. Duties of the Officers are detailed in the Bylaws, some of which from time to time may be delegated to the Executive Director.

In addition, as of 2023 and unless otherwise delegated (i) the Chair-Elect will be responsible for maintaining the Bylaws and presenting revisions as may be requested and approved by the Council; (ii) the Treasurer will be responsible for soliciting and handling sponsorship solicitations, revenues, and benefits, and acts as chair of any sponsorship subcommittee; and (iii) the Secretary will assist the Treasurer with sponsorships, and also is responsible for maintaining and revising this Manual from time-to-time as warranted by Council decisions and acts as chair of any related subcommittee.

C. SELECTION OF COUNCIL MEMBERS AND OFFICERS

The Nominations Committee makes and reports Council Member nominations and recommends a slate of Officers to the Council. Historically, the selection of nominees for Council Members and Officers has tried to strike a balance between policyholder lawyers and insurance company lawyers. The selection of nominees for both Council Members and Officers should promote diversity—including but not limited to: gender, ethnicity, age, type of practice, geographic residence, and size of law firm.

1. Selection Procedure. The Nominations Committee is responsible for identifying and recommending candidates for Council Member and Officer positions. However, nominations for Council Member or Officer positions may come from the Council itself for Officers and from the Section at large for Council Members. The Nominations Committee affirmatively solicits candidates for new Council Members from a broad cross section of the Section membership via announcements in the Section’s Journal, the Section’s website, ROTP, emails, or otherwise. No person will be considered for Council selection as a new or renewing Council Member or Officer unless the person timely submits an application provided by the Nominations Committee, except no application is necessary for Chair-Elect to assume the position of Chair or for Chair to assume the Past-Chair position. A copy of or hyperlink to the application form currently in use is attached as **Appendix F**.

2. Factors to Consider for Council Member Nominations. Guidelines for the Nominating Committee to consider in reviewing candidates are provided in **Appendix F**. In making and evaluating applications or nominations for the Council, the Nominations Committee and the Council should consider but are not strictly bound by those factors.

3. Factors to Consider for Officer Nominations. In the normal course and in accordance with the Bylaws, the Nominations Committee will recommend to the Council a candidate for Secretary drawn from current Council members (including from the current serving Publications

or Communications officer positions) who have served at least one complete term on the Council before being nominated. Absent contrary cause the Nominations Committee typically also will recommend that the current Secretary succeed to the Treasurer position and that the current Treasurer succeed to the Chair-Elect position. The Nominations Committee may also from time to time recommend candidates from the current Council to serve as Publications and Communications Officer(s), and to renew or recommend non-voting Judicial Liaisons. The Nominations Committee similarly makes recommendations to the Council to fill interim vacancies for Officer or Council positions that may arise during the Bar year, in accordance with the Bylaws.

Candidates for Officer positions must meet at minimum the same criteria as for renewal of Council members, per **Appendix F**. Factors of diversity should play a significant role, especially to ensure that the Officer cadre in general--and Chair in particular--does not become unbalanced with regard to these factors across several successive years.

(a) Considerations for Secretary position:

In making the recommendation for Secretary, the Nominations Committee should take into account that in normal course the selectee will proceed through the successive general Officer positions to become Chair of the Section. Insofar as the Chair is the face of the Section to the public, and is the face of the Council to the Section membership, the high standards and criteria for serving as Chair also should apply for nomination of a Secretary.

In particular, the character and characteristics of the person in the position as Chair— and therefore the person recommended as Secretary—should further the primary purposes that prompted the formation of the Section and are reflected in the Section’s mission statement: Promoting collegiality and educating the bench, bar, and public about Texas insurance law.

Among the principal but non-exclusive factors the Nominations Committee should consider (but are not bound by) in a candidate for Secretary are the following, in no particular order:

(i) Demonstrated dedication and longstanding service to the Bar and the Section in terms of effort and time devoted to Section projects to achieve the Section’s goals as set out by the Council;

(ii) Demonstrated leadership capability in positions of responsibility, especially in leadership roles for committee work, including ability to delegate tasks and coordinate with other Council and Section members and third-parties, to accomplish or exceed project goals;

(iii) Demonstrated ability to work effectively and in an impartial bi-partisan manner (vis-à-vis policyholder and insurer sides) with a diverse range of personalities, and across a variety of Council activities;

(iv) Demonstrated communications capabilities, both within the Council framework and with respect to the larger Section and the public;

(v) Demonstrated interest in and activity with educational outreach through seminar presentations, publications, webinars, and the like, preferably including experience as a director or editor;

(vi) Demonstrated character, professionalism, achievement and recognition from peers within the practice of insurance law.

(b) Considerations for Publications and Communications positions:

The Publications and Communications positions are among the most important for meeting and maintaining the core purposes of the Council in service to the Section. The Publications Officer oversees, delegates, and directs all the major electronic and tangible publications issued by or to the Section, with primary responsibility as Publisher/Editor-in-Chief of the Section’s Journal of Texas Insurance Law. The Publications Officer serves as chair of the Publications Committee, including within its purview sub-committees involved with the Journal, Right Off the Press, and Social Media / Website (described in **Appendix G**).

The Communications Officer is responsible for developing and maintaining key platforms of communication with members, the State Bar, and the general public, including having primary responsibility for the Section website and social media accounts and updating these platforms with relevant content. The Communications Officer will further coordinate and collaborate with other Section officers and committees to ensure that all platforms are used appropriately to increase Section membership, promote Section events, and provide an accessible platform for member benefits, including publications, case updates, CLE and webinar materials. The Communications Officer also will assist Section leadership in special projects and initiatives requiring technology support. See **Appendix G** for a more detailed description of these responsibilities.

In contrast to the general Officer positions, the Publications and Communications positions serve for a two-year term for up to three consecutive terms. So it is anticipated that the Nominations Committee will need to focus on candidates for these positions only infrequently, and typically not on an annual basis as for the Secretary position.

Because these positions require substantive and procedural knowledge, and because the Journal and Website are so critical to the core mission of the Section, candidates for these roles ordinarily should be qualified through prior involvement with these functions in an assistant or apprentice capacity or otherwise. Candidates should be committed to filling these roles for a significant period. Neither the Nominations Committee nor the candidate ordinarily should treat these positions simply as a place to “park” Council members whose terms otherwise would expire, until they can be inserted into the general Officer ladder of succession. On the other hand, individuals serving in the Publications and Communications positions gain significant experience in areas critical for the Section’s mission, and consequently they often are among the most qualified Council members for consideration as candidates for the ladder Secretary position.

Some or all of the criteria pertinent to candidates for Secretary / Chair likewise are applicable to the Publications and Communications positions, albeit a candidate’s demonstrated interest, capability and experience in the specific work of these positions is of particular importance.

D. EXECUTIVE DIRECTOR

The Executive Director shall provide administrative support and recommendations to the Section Officers, Council Members and the Section Members. Services of the Executive Director typically include administrative assistance at Section Council Meetings, coordination and preparation of financial information for the Treasurer’s use in transmitting to the State Bar, communication and

working with the State Bar, membership recruitment, retention, and communication, including internet, website, emails, and printed materials to members and non-members and media issues as directed by the Council. The Executive Director's duties shall include:

1. Basic Services

(a) Section Council Meetings. The Executive Director shall provide vital support for Council and other meetings and coordination of various committee meetings. The Executive Director shall:

(i) reserve facilities for all Council Meetings and Council Members and provide timely notice of meetings to the Members of the Section and the State Bar;

(ii) coordinate with the Section Chair to set agenda and prepare informational materials for discussion at all Council Meetings and transmit packets of approved agenda with informational materials to Council Members at least fourteen (14) days in advance of Council Meetings;

(iii) provide newly elected Council Members with new member packet and assist the Section Chair with scheduling and conducting the new Council Members orientation meeting;

(iv) attend Council Meetings, record a draft of Minutes for review by the Secretary, and participate in discussions as needed; and

(v) coordinate the work with Section committees to ensure projects and time sensitive matters are completed in a timely fashion.

(b) Section Financials. With the advice and consent of the Treasurer, the Executive Director shall provide coordination of the Section's financial accounts and accounting. In particular, the Executive Director shall:

(i) receive and reconcile Section bank statements;

(ii) process checks drawn on Section accounts for the Treasurer's signature;

(iii) educate and provide guidance to the Treasurer regarding the Section's financial history, expenditures, and income;

(iv) obtain signature cards each year for bank account;

(v) with advice from the Treasurer, prepare as required and/or necessary monthly financial report and transmit same to the State Bar (with copies to the Treasurer);

(vi) prepare draft yearly budgets as requested by the Chair Elect; and

(vii) prepare financial reports for each Council Meeting with input from and to the Treasurer.

(c) Member Recruitment, Retention and Communications. The Executive Director shall collect, compile, and maintain membership information and support all reasonable methods

including the information-gathering processes to retain existing Section Members and expand Section membership through communication efforts. The Executive Director shall:

- (i) develop member recruitment/retention strategies which include ideas and planning for maintenance of current membership and expanding Section membership;
- (ii) track non-renewing members from year to year and prepare correspondence to non-renewing members to rejoin the Section;
- (iii) maintain the Section database of current members, specifically including current e-mail addresses and mailing information and obtaining updates where necessary;
- (iv) prepare new member packets for new Section Members and “thank you for rejoining the Section” letters;
- (v) prepare correspondence for the Chair to Section Members as needed and/or requested using our internal database of information; and
- (vi) prepare and send electronic communications to Section Members as requested and/or approved by the Chair.

(d) Communications. The Executive Director shall provide specific guidance and recommendations to the Council and Officers to be technologically current and progressive in providing relevant information to the existing legal market with the assistance of the Technology Officer. These efforts shall include assistance and maintenance of a Website, publication of the *Journal of Texas Insurance Law*, communications for various seminars sponsored by the Section and other methods of communication. The Executive Director shall:

(i) ***Website***

- 1) assist in developing content and monitoring website, including working with the webmaster for the Section to create online directory, upload articles, minutes, CLE materials, etc.;
- 2) coordinate and assist the Technology Officer, to ensure that the Section website is functioning at the appropriate level; and
- 3) timely respond to Section Member inquiries from website.

(ii) ***Journal***

- 1) coordinate with the Publications Editor to ensure timely publication, production and mailing of the *Journal of Texas Insurance Law*; and
- 2) prepare the mailing list and send electronic list and postage to mail house.

(iii) ***Miscellaneous***

- 1) order and maintain new stationary for the Section after elections for new Officers at Annual Meeting;
- 2) maintain current version of the Section Bylaws and assist in drafting suggested Bylaw changes; and
- 3) notify Section Members of Bylaw changes as required by the Section Bylaws.

2. Executive Director Compensation. The Executive Director is compensated by the Section for Basic Services. Payments to the Executive Director shall be made within thirty (30) days of receipt of an invoice. Invoices shall include the monthly charge for Basic Services provided during the preceding thirty (30) day period; (2) reimbursable expenses (copying charges, postage, etc.); and (3) charges for assistance with any Special Projects. All invoices shall be sent to the Chair and Treasurer for review and for payment.

(a) **Executive Director Basic Services.** The Executive Director shall perform Basic Services at the monthly rate established in the attached Schedule of Compensation (**Appendix C**). Services to be provided as Basic Services and related compensation for those services shall be subject to renegotiation each year.

(b) **Special Projects.** As specifically requested, the Council may call upon the Executive Director for additional assistance for special projects, including collaboration and financial commitment and remuneration on CLE programming, not included in Basic Services. Upon request by the Council that the Executive Director provide special project assistance, the Executive Director and Council will agree to a reasonable fee for such assistance. Special project compensation shall be separate and be payable in addition to the monthly invoice upon approval of said fees by the Council.

3. Annual Review. The Officers of the Council may meet once a year with the Executive Director for performance evaluation at the request of either party.

4. Reporting to State Bar of Texas. The Executive Director shall prepare all reports to the State Bar relating to the Section, including but not limited to, reports to governing committees, reservation forms and reports for the State Bar Annual Meeting. In addition, the Executive Director will coordinate with the Chair Elect the preparation of the initial draft of the annual Section budget and all annual and mid-year reports. The Executive Director in coordination with the Treasurer will also prepare the monthly financial reports as required by the State Bar.

II. COUNCIL OPERATIONS

A. COUNCIL MEETINGS

The Council meets annually and in special meetings periodically as determined by the Chair and/or the Council pursuant to the Bylaws, to plan and implement the business of the Section.

1. Attendance Requirement. Council Members are expected to attend all Council Meetings as required by the Bylaws. Attendance is essential to carry out the Section's mission and business. Attendance requirements are strictly enforced. The Chair may excuse an absence for actual emergencies or when notified in advance of a Council meeting for good cause. An excused absence is within the sole discretion of the Chair.

2. Removal from Office. Pursuant to the Bylaws, if within a twelve-month period (not calendar year) any Council Member fails personally--or telephonically or by other authorized communications technology if offered as an option--to attend three Council meetings, none of which are excused, the position held by such Council Member shall be automatically vacated, and the Council shall fill the vacancy for the unexpired term in accordance with Bylaws.

B. EXPENSE REIMBURSEMENTS

The Section may reimburse reasonable requests of Officers, Council Members, Judicial Liaisons, the Young Lawyer representative(s), Speakers, immediate Past Chair, other past Chairs and past Council Members when specifically invited by the current Chair, or certain others at the Chair's discretion, for travel, lodging, or other expenses related to Section business, as provided below. The Section's reimbursement policies and authorized amounts may change from time to time as determined by the Council in conjunction with the Executive Director. The current Travel Reimbursement Policy and expense reimbursement submission form is attached in **Appendix D**, with standard items for reimbursement recited below.

1. Officers/Council Members.

(a) Travel/Rental Car. Driving costs shall be reimbursed at the rate provided for mileage reimbursements by the State Bar. Council Members may be reimbursed for reasonable round-trip airfare expenses incurred while traveling to/from Council Meetings not to exceed the roundtrip amount specified in **Appendix D**. Rental car reimbursements shall not exceed two (2) days at no more than the per-day amount specified in **Appendix D**. Reasonable taxi fare to and from Council Meetings may be reimbursed. Any amounts above these amounts may be approved by the Chair or the Treasurer in their discretion.

(b) Lodging/Per Diem. Council Members will be reimbursed reasonable lodging expenses in connection with attendance at Council meetings.

(c) Meals. Council Members will be reimbursed reasonable meal expenses not to exceed the per-day amount specified in **Appendix D**.

(d) Reimbursement Requests. Any reimbursement request shall be submitted for reimbursement on the approved reimbursement request form within 45 days of attendance at the function, conference or meeting. Any reimbursement requested thereafter will be accepted only at the discretion of the Chair or the Treasurer. An expense reimbursement form or hyperlink is included in **Appendix D**. Payment of reimbursement requests shall be made within 30 days of receipt of a properly completed and documented as necessary expense reimbursement form.

2. Speakers. Speaker expenses for any conference or seminar will be reimbursed according to the requirements and/or rules for the conference seminar sponsor. For events solely

sponsored by the Section, speakers will be reimbursed on the same basis as Officers/Council Members above, except that out-of-state speakers will be reimbursed for lowest available air fare and are not subject to the roundtrip fare limit.

3. Others. At the discretion of the Chair, other individuals may be reimbursed for travel expenses related to Section business. Ordinarily, those individuals incur the travel expense as a result of appointment to committee work or other project undertaken at the request of the Chair or Council. In these limited instances, the same policies for reimbursement apply unless the Chair and Treasurer both agree otherwise in consultation with the Executive Director.

C. COUNCIL ORIENTATION FOR NEW MEMBERS

The Executive Director shall provide newly elected Council Members with a new member packet, including a copy of the Bylaws, this Manual, the expense reimbursement form, and any other relevant information that may assist new members with understanding Council operations. At the first Council Meeting following the election of new Council Members and Officers, the Chair, with the assistance of the Executive Director, shall conduct a Council orientation to discuss Council operations and priorities for the coming year.

III. COMMITTEES

The Section Bylaws provide for a standing Nominations Committee. From time to time, the Council and/or Chair may create ad hoc Committees (including specific Task Forces) as needed. Historically, ad hoc committees have included Membership, Bylaws, CLE, Website, Legends Award, Sponsorships, and Policies & Procedures.

Currently, the Council conducts the majority of its activities through three main Committees and their respective subcommittees, as described in **Appendix G**.

The CLE Committee includes subcommittees for the annual Advanced Insurance Law Course co-sponsored with the State Bar; stand-alone seminars; content in support of the insurance law specialization examination and certification administered by the Texas Board of Legal Specialization; and webinars. The Publications Committee is chaired by the Publications Officer and includes subcommittees for the Journal of Texas Insurance Law; Right Off the Press; and Website / Social Media. The Outreach Committee promotes collegiality through networking opportunities such as happy hours, and includes subcommittees for Membership; Scholarship programs; and Young Lawyers. The Communications Officer often coordinates with and provides additional support for these committees and subcommittees.

Outgoing committee / subcommittee chairs ordinarily will meet with the current Chair and Chair-Elect at their request ahead of the last meeting of the Bar year, to review accomplishments in the past year and make suggestions on tasks and committee membership for the upcoming year. The incoming Chair selects the chair and members of each committee and subcommittee, and the Chair-Elect may select a co-chair, subject to approval by the Council at the first meeting of the new Bar year. It is anticipated that co-chairs selected by the Chair-Elect ordinarily, but not necessarily, will advance to become the committee chairs in the succeeding year when the Chair-Elect advances to the Chair.

Current Task Forces include committees dedicated to supporting the insurance law specialization certification administered by the Texas Board of Legal Specialization, and to reviewing the Section's agreement for services with the Executive Director for possible re-negotiation of terms. At the Chair's discretion a Task Force may be formed to consider possible candidates for the Legends of Texas Insurance Law Award and to make recommendations to the Council per Art. V.B below.

Where applicable and practical, ad hoc Committees and Task Forces should include members outside the Council. Doing so provides broad Section participation and allows for mentoring and training of Committee members as future Council Members.

In conjunction with attendance requirements, Committee participation and work is the mainstay and life blood of the Council and Section. This is where the Section's mission statement is put into practice and where and how the Section's business is carried out. The Section and Council depend on Committee work and the efforts of each Committee's members. Simply said, attendance is not enough. A Committee member must meaningfully contribute and a Council Member or Section Member who seeks appointment or reappointment will be evaluated on contributions or efforts regarding Committee work.

IV. FINANCIAL MANAGEMENT

A. BUDGET

1. Section Council shall adopt a budget each fiscal year that provides detailed projected expenditures and revenue. This budget may be amended, if necessary.

- a. The Chair Elect, in consultation with the current officers, shall draft the next year's proposed budget by the June meeting. The Chair Elect may request an initial working draft of the budget from the Executive Director.
- b. The Section Council shall review and adopt the budget during its June meeting.
- c. If a significant deviation from a budget occurs, as defined by a variance in excess of \$5,000, an explanation should be presented to the full council. A variance in excess of \$20,000 will require the Council to adopt an amended budget.

2. The Section will submit the adopted budget to the State Bar by July 15 of the fiscal year.

B. DEFINING ROLES AND PROCEDURES

1. Bookkeeping services, approval duties and second approval duties for Sections' financial records will be separated into distinctly defined roles:

- a. the 'Executive Director' who is a provider of bookkeeping services as described below.

- b. the ‘Treasurer’, who is authorized to supervise and review bookkeeping services and authorize and/or approve deposits and expenditures.
- c. the person designated as an additional approver for expenditures over a designated amount or for payments issued to the Treasurer.

2. The person who performs the Section’s bookkeeping and reconciliation must not be the same person responsible for approving expenditures.

C. EXECUTIVE DIRECTOR DUTIES

1. The Executive Director will perform the following duties:
 - a. Issue checks and invoices to be approved and signed by an authorized signor.
 - b. Ensure invoices are paid within two weeks of receiving the invoice.
 - c. Obtain approval on all payments as established in these policies.
 - d. Deposit revenue within three business days of receipt.
 - e. Keep accounting books according to Generally Accepted Accounting Standards. Revenues should be recognized when earned and expenses should be recognized when a liability is incurred.
 - f. Reconcile bank and investment accounts by the end of the month following the reporting month.
 - g. Prepare financial reports by the end of the month following the reporting month.
 - h. Retain all documentation, such as invoices, approvals, reports, etc. according to the records retention policy.
 - i. Calculate and pay sales tax.
 - j. Collect W-9 forms for all contracted services.
 - k. Provide State Bar with financial reports in a timely manner.
 - l. Provide Section Chair and Treasurer with financial reports in a timely manner.
 - m. Protect the confidentiality of and access to section financial information.
 - n. Provide financial information or complete other duties as required.
 - o. Communicate yearly with State Bar auditors.
 - p. Provide explanation on budget-to-actual variances.

2. The provider of bookkeeping services responsible for the duties described in this section will be the Section contracted Executive Director.

D. TREASURER DUTIES

The Treasurer reviews and monitors finances through the following activities and/or meets the following criteria:

1. The Treasurer (and primary approver of section payments) must be a member of the Council with a fiduciary duty to the Section.
2. When an additional approval is required for any transaction, that secondary approver or signor will be the Chair or such other Officer as approved by the Chair to make the decision.
3. The process of approving payment must comply with one of the controls listed below:
 - a. All invoices are approved in advance of payment by the Treasurer or Chair through check signature, email approval, or approval during Council or Officer meetings and documented in the minutes of such meeting. Documentation of approval is retained.
 - b. All invoices are approved after preparation of the books through review of detailed transactions by the Treasurer or Chair. Documentation of approval is retained.
 - c. For debit or credit card charges linked to the Section, receipts for charges should be provided and reviewed by the Treasurer or Chair, whichever was not the cardholder responsible for the charge. Documentation of approval is retained.
4. All payments over \$2,500 require additional approval in advance of payment by both the Treasurer and Chair. Documentation of approval is retained.
5. All reimbursement requests or invoices made by a check signor require an additional approval by the other check signor, by second signature, email approval, or approval during Council or Officer meetings and documented in the minutes of such meeting. Documentation of approval is retained.

E. BANK ACCOUNTS AND CHECK WRITING

1. At least two individuals are required signors on the bank account at all times. The authorized signors on the checking, savings, or investment accounts are the current Section Treasurer, Chair, and such SBOT persons as the Treasurer and Chair shall approve. If the section Executive Director is a check signor, there must be an additional approval of the expenditure by another authorized signor by email, additional signature, or approval during Council or Officer meetings and documented in the minutes of such meeting. Documentation of the additional approval is retained.
2. Checkbooks should be physically secured at all times. Checks should be written in sequential order and a record retained of all checks written or voided. Checks should be dated at the

time the check was written and should be recorded on the same date. No post or pre-dated checks are allowed.

3. Blank checks or checks made out to “cash” are prohibited. A second approval is required for all checks over \$2,500, by second signature, email approval, or approval during Council or Officer meetings and documented in the minutes of such meeting.

F. PAYMENT OF EXPENSES AND INVOICES

1. A detailed invoice and/or contract is required for any payment. Money should not be paid to any person or company without appropriate and detailed back-up and/or documentation. An invoice should contain the following information:

- a. Vendor name and address
- b. Itemized description of the goods or services provided
- c. Total amount billed
- d. Period of time for which the services will be/were rendered
- e. Terms of payment for late fees or discounts for early payment (if applicable)
- f. Due date
- g. Invoice number and date
- h. Itemized fees

2. Vendors shall not be paid in advance of full completion of the contracted services with the exception of reasonable advance deposits, payments for subscription services, insurance, rent, software licenses, etc.

3. Any payment should meet the following criteria:

- a. The expenses are reasonable and necessary.
- b. The expenses have been budgeted.
- c. The goods and services have been received (subject to section 2 above).
- d. Contracted terms have been met.

4. Reimbursement requests should contain the following information:

- a. Completed reimbursement request form, signed by requestor. (An electronic signature is acceptable).
- b. Itemized receipts and invoices.
- c. A second approval, if the requestor is an authorized signor on the bank account.
- d. Explanation for any lost receipts or requests that do not have back-up documentation.

G. DEPOSITS

All money or checks received by the Section should be deposited within three business days of receipt. Immediately upon receipt, the Executive Director should stamp the check “for deposit only” and the bank account number of the section. Associated invoices or other supporting documents demonstrating the reason the deposit was collected should be attached to the check/deposit slip and retained for audit purposes and/or customer inquiries.

H. CONFIDENTIAL DATA

All confidential data must be protected.

1. Credit card numbers should not be transmitted through email.
2. All confidential information should be redacted or stored in a protected manner.
3. Access to bank accounts, credit card processing accounts, and financial records should be limited to the council and essential users only.
4. Care is required in the destruction of credit card and other sensitive information to ensure that the information cannot be copied or duplicated.
5. Automated controls will be established with any credit card processor so that refunds may only be made to the credit card originally charged, and the refund cannot exceed the original payment.

I. FINANCIAL REPORTS AND RECONCILIATIONS

1. Checks and deposits must be reconciled in the Section's bookkeeping system within 30 days but no more than 60 days. The reconciliation should also note all outstanding deposits and checks. All checks or deposits that are outstanding for longer than three months should be reviewed for resolution. Voided and/or reissued checks should also be reported to the State Bar's section accountant in the regular monthly documentation.

2. The Treasurer should use monthly budgets, financial statements, and historical financial records to investigate significant variances, whether positive or negative. Inquiry should be made on projects with excessive costs.

3. Financial statements, bank reconciliations, bookkeeping ledgers, and bank statements that include check images will be provided to the State Bar within 30 days but no more than 60 days. Financial statements should contain:

- a. an income statement that compares current year to prior year, and compares current year to the approved budget;
- b. a balance sheet;
- c. a bank reconciliation for each bank or investment account (including outstanding checks);
- d. a bank and investment statement which includes check images; and
- e. the bookkeeping ledger.

4. Financial statements should be provided by the Council on a quarterly basis. The financial statements should include an income statement that compares current year to prior year, and compares current year to the approved budget and a balance sheet. The inclusion of a bank reconciliation and bank and investment statement in the financial report is recommended but not required.

J. FUND BALANCES

1. A minimum fund balance for the section is defined as one year of budgeted operating expenditures. The section council will evaluate an investment strategy when the section fund balance exceeds \$150,000. Any investment policy strategy will protect the Section's principle while producing the best yield for the section in accordance with the Public Funds Investment Act.

2. The Section will carry a reserve of approximately two years of operating expenditures, or \$160,000 based on the 2019-2020 budget year and adjusted on an annual basis.

3. If the Section determines the need to reduce its reserve, the negative spending shall be budgeted to specific projects within the Section's budget and shall not reduce the corpus by more than 10% per year.

K. Reimbursement Policy

The section has developed a reimbursement policy which is addressed in Article II.B. above and attached to this financial policy in **Appendix D**.

L. Continuity

The Treasurer shall compile a Critical Information sheet at the beginning of the Treasurer's term and update it as necessary throughout the year, to include such information as is necessary for the continuing operation of the Section. Such Critical Information sheet shall not be shared electronically; a hard copy only of the Critical Information sheet shall be delivered in person to the Officers and Executive Director at a Council or Officers Meeting or at any other reasonable time. Such Critical Information shall be kept in confidence and shall include, but not be limited to, the Section's bank and credit card accounts (account numbers, bank name(s) and address(es) and phone numbers, listed signatories, online user name(s) and password(s)); website and domain hosting and access information (vendor contact information, website access instructions, credentials, account names, and passwords); key vendor information; and such other information deemed to be critical to the continuing operation of the Section including emergency information in the event of a data breach.

V. SCHOLARSHIPS & AWARDS

A. LAW SCHOOL INSURANCE STUDENT SCHOLARSHIPS

The Annual Statewide Law Student Writing Competition is a scholarship program created by the Insurance Law Section in 2020 that provides law students with the opportunity to showcase their interest in the Section and insurance related issues. The Competition accepts written articles on insurance law, insurance coverage, or an insurance law-related topic, chosen at the discretion of the law student author. The Section solicits submissions from law students in good standing from all accredited law schools in Texas.

The Competition is coordinated by the Section as delegated through its Scholarship Committee, and is governed by the "Statewide Law Student Writing Competition - Procedures &

Guidelines” as determined from year to year which is distributed to law schools and posted to the Section’s website. The Competition will be conducted annually during the Fall school term, with submissions due by a designated date in December. Judging takes place near the end of the calendar year, and monetary awards for winners will be issued early in the following year. Specific rules and guidelines for the current scholarship program are included at **Appendix H**.

At the Council’s discretion, some or all winners may be recognized and receive their award at the Section’s annual Advanced Insurance Law seminar. The Section retains certain legal interests in the written submissions, including but not limited to the sole right to publish any submitted article for up to one year. Publication media may include but are not necessarily limited to the Journal of Texas Insurance Law, Right Off The Press, the Section website, social media, or Section-sponsored insurance law seminar or other continuing legal education.

In addition to the statewide writing competition, the Section may sponsor annual scholarship awards to a student in each accredited Texas law school designated as “best in class” by the faculty member teaching the main insurance law course in each law school.

The Insurance Law Section historically awarded scholarships to an insurance law student at SMU’s Dedman School of Law, named after Ben Love, a former outstanding Section and Council Member who died of cancer in 2004. The Section no longer actively supports that scholarship, and has no further involvement in its administration or funding. The Council also provided initial funding for scholarships to an insurance law student at The University of Houston School of Law and at the University of Texas at Austin School of Law, but makes no ongoing financial contribution and has no continuing role in administering those awards. The UH award is named for distinguished alumnus and former Council Member and Chair of the Section, Russell H. (“Rusty”) Mc Mains; the UT award is named for distinguished alumnus and adjunct faculty member and former Council Member, Mark L. Kincaid.

B. LEGENDS AWARD

The Section from time to time presents the Russell H. McMains Legends of Texas Insurance Law Award to recognize a senior Texas insurance lawyer who represents the highest levels of accomplishment, competence, professionalism, and ethics in the practice of insurance law, and who inspires others to do likewise. As the award is not given every year and is discretionary, the committee shall make its recommendations conservatively, and the recommendation shall address the various factors set out herein.

It is not required that the award be given each year, and the Section has used various methods over the years to determine whether to give the award and how to determine its recipient. In recent years, the Chair has appointed a Legends Award Committee (or Task Force) that is responsible for making recommendations to be considered and approved or rejected by the Council. If the Council decides that an award should be given and decides on an appropriate recipient, the Committee typically also is tasked with arranging for its presentation, which usually occurs at the annual Advanced Insurance Law CLE seminar co-sponsored by the State Bar and the Section.

The award is named for the late Russell H. (“Rusty”) McMains, who was a Chair of the Section and one of its founders, and who epitomized the type of practitioner the award is designed to honor.⁴ Included as **Appendix E** is a list of past recipients of the award.

V. MISCELLANEOUS PROVISIONS

A. CONFIDENTIALITY/DISCLOSURE

The work of the Section, the Council, and matters related thereto are not confidential and are subject to disclosure consistent with State Bar rules and regulations. As a practical matter, the Section is an open book.

Sometimes the Council expects and insists confidentiality be honored and maintained. For example, if the Council/Section is negotiating a contract with a vendor or entity, the Section’s negotiating position should not be disclosed. Another example may be the results of a survey requested or initiated by the Council.

Additionally, State Bar rules and regulations prohibit the sale, disclosure, or publication of the contact information of any Section member. See Bylaws, Art IX, Sec. 5, at Appendix A. Contractually, our Section also has agreed to maintain the confidentiality of any contact information of any attendee for any seminar the Section has sponsored in whole or in part. Such contact information for a seminar attendee may not be sold, published, or disclosed. Information obtained by Officers, Council Members, or the Executive Director by virtue of or in the course of their respective roles with the Section, including contact information of any Section member or seminar attendee, may only be used to carry out Section business.

B. CONFLICTS OF INTEREST/DISCLOSURES

The purpose of the Section and Council is to serve our members and to educate the public at large regarding insurance law. Should a conflict of self-interest, actual or perceived, arise either for yourself or any other Council member with regard to participation of the Section or Council, you should report same to the Chair or Chair-Elect. While the issue of a self-interest conflict should be exceptionally rare, the integrity of our Section and the Council depends on all of us. A practical rule of thumb is that if you would be embarrassed to hear about it on the six o’clock news, the issue or situation should be disclosed.

C. VOLUNTEERING

There are no paid Council positions except for the Executive Director. The Section and the Council, including its Website, Journal of Texas Insurance Law, Right Off the Press, etc. all heavily depend on the voluntary participation and efforts of Section and Council members.

Leadership necessarily involves volunteering and actually contributing to the work and tasks that must be done to serve our members. Council members and/or committee appointees are expected to volunteer and do the work in a timely manner. With volunteering comes accountability. When

⁴ A more complete tribute to Rusty’s character and accomplishments can be found at 10 Journal of Texas Insurance Law 26 (Spring 2010).

volunteering, please be accountable by timely and competently carrying out the task or work for which you volunteered.

One part of the volunteering and accountability component is that Council Members, including Officers, each year are expected to either write an article that is submitted to the Journal of Texas Insurance Law or have someone else provide an article that you directly solicited.

Submitted to Council for approval
May 31, 2023

By Chair-Elect, Insurance Law Section:

/s/ Robert J. Cunningham
//Robert J. Cunningham

Approved by majority vote of Council:

/s/ Stephen A. Melendi
//Stephen A. Melendi
Chair, Insurance Law Section

Date: 5-31-2023

APPENDIX A

**BYLAWS OF THE INSURANCE LAW SECTION
OF THE STATE BAR OF TEXAS**

A copy of the current Bylaws is available on the Section website, here:

<https://www.insurancelawsection.org/about/>

APPENDIX B

PAST CHAIRS INSURANCE LAW SECTION OF THE STATE BAR OF TEXAS

| | |
|--------------------------|-----------|
| Ernest Martin Jr. | 1998–1999 |
| Ernest Martin Jr. | 1999–2000 |
| Michael Sean Quinn | 2000–2001 |
| Michael W. Huddleston | 2001–2002 |
| J. Mark Lawless | 2002–2003 |
| James L. Cornell | 2003–2004 |
| Patrick J. Wielinski | 2004–2005 |
| Veronica Carmona Czuchna | 2005–2006 |
| Russell H. McMains | 2006–2007 |
| Karen L. Keltz | 2007–2008 |
| Brian S. Martin | 2008–2009 |
| Beth D. Bradley | 2009–2010 |
| Lee H. Shidlofsky | 2010–2011 |
| John C. Tollefson | 2011–2012 |
| Vincent E. Morgan | 2012–2013 |
| Stephen E. Walraven | 2013–2014 |
| Mark A. Ticer | 2014–2015 |
| J. James Cooper | 2015–2016 |
| L. Kimberley Steele | 2016–2017 |
| Meloney Perry | 2017–2018 |
| Lisa Songy | 2018–2019 |
| William Chriss | 2019–2020 |
| Pamella A. Hopper | 2020–2021 |
| Douglas P. Skelley | 2021–2022 |
| Stephen A. Melendi | 2022–2023 |

APPENDIX C

SCHEDULE OF COMPENSATION EXECUTIVE DIRECTOR

I. Basic Services

A. Fees: \$2,000 per month

B. Reimbursable Expenses:

Copies: 25¢ per page

Fax: No Charge

Postage: As consumed on the postage meter

II. Special Projects

Upon request by the Council that the Executive Director provide special project assistance, the Executive Director will determine and obtain Council approval for a reasonable fee for such assistance. Special Projects Under Consideration or Currently Underway:

A. Policies and Procedure Manual

B. Webcasts

C. Focused administrative assistance with Journal

D. Creation of a New Council Member Packet

APPENDIX D

TRAVEL REIMBURSEMENT POLICY & EXPENSE REIMBURSEMENT FORM

Council Officers, Council Members, Judicial Liaisons, the Young Lawyer representative, Speakers, the immediate Past Chair, other past Chairs and past Council Members when specifically invited by the current Chair, and certain others at the Chair's discretion may be eligible for reimbursement of reasonable travel expenses to attend scheduled in-person Council or Executive Committee meetings.

Reasonable travel expenses associated with in-person attendance at Council or Executive Committee meetings shall be reimbursed if travel is solely for attendance at the meeting and the attendee's law firm or organization does not provide reimbursement for such Bar or business development related expenditures. Travel expenses submitted for travel to a Council or Executive Committee meeting held in conjunction with a CLE program will not be reimbursed if the traveling attendee is registered for or speaking at the CLE event and reimbursement may be obtained from the CLE sponsor or the traveler's law firm or other employer.

In-person meetings will be scheduled at a time intended to allow all or most attendees to travel to and from the meetings in a single day. Unless travel to and from an in-person meeting in one day is not feasible, Council, Past Chair and Committee chair attendees are encouraged to avoid incurring hotel and other expenses associated with an overnight stay. Requested reimbursement for expenses related to overnight stays will be considered on a case-by-case basis.

Council members are encouraged to make their air travel reservations well in advance of the scheduled meeting in order to obtain the lowest available air fare. Reimbursement of air fare shall not exceed \$450 round trip. Rental car may be reimbursed up to 2 days at \$100 per-day maximum. Food may be reimbursed up to \$80 per-day.

The Request for Reimbursement must be submitted within 45 days of travel and should be sent to Insurance Law Section, c/o Texas Institute of CLE, P.O. Box 4646, Austin, TX 78765, faxed to 512-451-2911, or scanned and emailed to bills@clesolutions.com.

The Request for Reimbursement Form may be obtained by request to the email address immediately above, in a pdf or as fillable spreadsheet format. A copy of the form is included as **Attachment 1** to this **Appendix D**.

Appendix D – Attachment 1

Request for Reimbursement Form

SECTION

Request for Reimbursement of Expenses

PURPOSE OF TRAVEL:

| | From | To |
|---------------------|------|----|
| Date(s) of meeting | | |
| Date(s) of travel | | |
| Location of meeting | | |

MAKE CHECK PAYABLE TO:
(Name of Individual, Firm, or Company)

Barcard # (if applicable) _____

Name _____

Company _____

Street Address _____

City, State and Zip _____

Telephone Number _____

Date of Request _____

To be completed within 45 days of travel and mailed to:

Section: **Insurance Law Section**
 Address: **c/o Texas Institute of CLE**
PO Box 4646
 City, State and Zip: **Austin, TX 78765**
 Telephone #: **512.451.6960**
 Fax #: **512.451.2911**
 Email: **admin@insurancelawsection.org**

APPROVAL

Date Approved for Payment: _____, 20____

(Section Treasurer Signature)

Accounting Category _____

| MEETINGS AND TRAVEL EXPENSE | | | | AMOUNT |
|--|--------------|--------------|-----------------------------------|-------------|
| Transportation Items and Descriptions | | | | |
| Airfare | \$ | - | | \$ - |
| Speaker Airfare | \$ | - | | \$ - |
| Car Rental & Fuel | \$ | - | | \$ - |
| Taxi / Limo Service | \$ | - | | \$ - |
| Parking & Tolls | \$ | - | | \$ - |
| Auto Mileage | \$ | - | @ Effective 1/1/2023 0.655 =====> | \$ - |
| Other | \$ | - | (Enter Description Here) | \$ - |
| Travel Subtotal | | | | \$ - |
| Lodging and Meals Items and Descriptions | | | | |
| Date | Hotel | Meals | Daily Total | |
| | \$ - | \$ - | \$ - | |
| | \$ - | \$ - | \$ - | |
| | \$ - | \$ - | \$ - | |
| | \$ - | \$ - | \$ - | |
| | \$ - | \$ - | \$ - | |
| | \$ - | \$ - | \$ - | |
| Lodging & Meals Subtotal | | | | \$ - |
| Expenses Not Related to Travel, Lodging, or Meals | | | | |
| Description | \$ | - | | \$ - |
| Total Reimbursement Requested | | | | \$ - |

01-9396-50975

CERTIFICATION OF CLAIMANT

The above described expenses were incurred by me for the purpose stated. I have attached receipts for applicable expenditures (airlines, hotels, etc.), except in cases where receipt has been lost. I certify that this request is true, correct, and unpaid.

Signature of Claimant _____ Date _____

APPENDIX E

The Russell H. McMains LEGENDS OF TEXAS INSURANCE LAW AWARD RECIPIENTS

| | |
|----------------------------|---------------------|
| Michael W. Huddleston | 2022 |
| Beth D. Bradley | 2019 |
| Mark Kincaid | 2016 (Posthumously) |
| Sid Davis | 2015 (Posthumously) |
| Joe Longley | 2011 |
| Jim Cowles | 2010 |
| Bob Roberts | 2009 |
| Ernest Martin | 2008 |
| Jim Cornell | 2008 |
| Brent Cooper | 2007 |
| Russell H. (Rusty) McMains | 2006 |
| Michael Sean Quinn | 2005 |

APPENDIX F

NOMINATIONS COMMITTEE CANDIDATE REVIEW GUIDELINES & APPLICATION FOR POSITION ON COUNCIL OF THE INSURANCE LAW SECTION OF THE STATE BAR OF TEXAS

NOMINATIONS COMMITTEE CANDIDATE REVIEW GUIDELINES

The Nominations Committee is tasked each year with the review of applications of prospective members of the Council from Section membership, as well as interviews of those individuals. The applications will include those from both past Council members and current Council members up for renewal. The following guidelines provide the Nominations Committee with criteria to consider when evaluating prospective Council members for nomination to the Council. Such guidelines should be utilized so as not to simply “rubber stamp” renewal applications.

To serve on Council, an applicant must meet the following minimum qualifications requirements:

1. Have practiced law for 5 years.
2. Have been in the Insurance Law Section for 2 years.
3. Have devoted at least 30% of their practice to insurance matters.
4. Can commit to
 - a. attending approximately eight in-person Council meetings a year, as well as several phone conferences as necessary.
 - b. writing or soliciting an article for the Journal each year; and
 - c. active and substantive participation in at least one committee each year during the person’s tenure (CLE, Publications, or Outreach).

The Nominations Committee should further consider and discover whether the applicant:

1. Has demonstrated a willingness to make the time commitment to the Section (or to similar type involvements).
2. Has demonstrated leadership, whether in the Section or other similar activities.
3. Has shown interest by applying in the past.
4. Will contribute to the diversity of the Council, as to practice area (policy holder v. carrier practice), regional diversity, and/or traditional diversity considerations.
5. Possesses a working knowledge or interest in various forms of technology used to further the substantive activities and marketing of the Section.
6. Is a member of a firm already represented on the Council, including any officer position. While having multiple people from the same firm is not preferable, that should not be an automatic disqualifying factor.

In respect to renewing or past Council member applicants, the Nominations Committee should conduct a more in-depth analysis of active participation in the Council (as opposed to outside affairs). All applicants, including current members up for re-election and past members seeking to rejoin the Council, should be interviewed by at least one member of the Nominations Committee. The following signs of active involvement should be reviewed with respect to each applicant for renewal / re-election and for open Officer positions:

1. Time commitment consideration should not be limited to simply serving as a Council member and attending meetings but should include consideration of a renewing or past Council member's *active* participation in meeting discussions and committee work. Nominations Committee members should contact committee leaders to obtain information regarding applicants' committee participation.
2. Committee leadership in the Section should be given additional weight while keeping in mind that committee leaders often are selected by the Chair rather than given to volunteers. Such selection often is based on prior involvement in the committee topic and outward indications of interest and the desire and ability to lead. Thus, a results-oriented evaluation of such leadership is necessary.
3. While indications of leadership through other similar activities should be highlighted, the Nominations Committee should evaluate any risk of overcommitment because of concurrent leadership roles among multiple organizations. Although the Council needs "go getters" to thrive, overcommitted applicants should be avoided to ensure an active and productive Council.
4. The submission of past applications should carry less weight. Instead, the focus should be on active involvement in the Section through committees and meeting participation, as noted above.

APPLICATION FOR COUNCIL OF THE INSURANCE LAW SECTION

Minimum criteria:

1. Have practiced law for 5 years.
2. Have been in the Section for 2 years.
3. Devote at least 30% of practice to insurance matters.
4. Can commit to:
 - attending approximately eight in-person Council meetings a year, as well as several phone conferences as necessary;
 - writing or soliciting an article for the Journal each year; and
 - active and substantive participation in at least one committee each year during your tenure (CLE, Publications, or Outreach).

Considerations, but not requirements:

1. Have demonstrated a willingness to make the time commitment to the Section (or to similar type involvements).
2. Have demonstrated leadership, whether in the Section or other similar activities. Consideration may also be given to the applicant having shown interest by applying in the past.
3. Contributes to the diversity of the Council, as to practice area (policy holder v. carrier practice), regional diversity, and/or traditional diversity considerations.
4. Possesses a working knowledge or interest in various forms of technology used to market the Section.
5. It is preferred that no more than one member of a firm be on the council at the same time.

Frequently Asked Questions: Please see FAQs below for additional criteria and expectations from Council members.

The application deadline is March __, 202X. Please return by email to the Nominations Committee Chair (Immediate Past Chair of the Section), xxx xxx, at xxxx@xxxxxx.com with the subject line “Insurance Council Application.”

Name _____

Law Firm/Company Name _____

Address _____ City/State/Zip _____

Phone _____ E-Mail _____

Please respond on a separate sheet to the following:

Describe how in the past you have demonstrated a willingness to make the necessary time commitments involved to productively serve in the section or other extracurricular commitments.

Describe how you have demonstrated leadership in the section or other activities.

Why are you applying for a position on the Council and how do you plan to serve?

Is there anything else you think the nomination committee should consider about your application?

On which Insurance Law Section Committees would you have an interest in serving?

How can your knowledge of marketing or technology contribute to the Board's efforts to grow membership in the Section?

FREQUENTLY ASKED QUESTIONS

What is the Insurance Section?

The Insurance Law Section is an official, sanctioned section of the State Bar of Texas consisting of approximately 2,300 members. Membership is open to all members of the State Bar of Texas.

What is the mission of the Insurance Section?

Promoting collegiality and educating the bench, bar, and public about Texas insurance law.

What is the Insurance Council?

The Section is governed by a Council selected from the Section membership. The Council exercises general supervision and control of the affairs of the Section, subject to the Charter and Bylaws of the State Bar. The Council is composed of 14 members who serve staggered 2-year terms renewable for no more than 6 years, plus officers who are selected from active Council membership who have served at least one term.

What is the time commitment to be a Council member?

There are anywhere from six to ten Council meetings during a typical year, all being in-person. The location of the meetings varies at the chair's discretion but are typically in easy-to-access cities around the state. Reasonable travel costs will be reimbursed by the Section for attendance at these meetings when requested. A Council member missing three meetings during a twelve-month period without reasonable excuse will be automatically removed from the Council.

In addition to the attendance at the Council meetings, members are expected to take on an active role each year in at least one committee and likely two. The time commitment for these activities is significant. Please review the description of the various committees and their activities below.

What do the committees do?

The committees are the working bodies of the Section and Council.

The Publications Committee handles the Insurance Section's main publications: The Journal of Texas Insurance Law, Right Off the Press email alerts, and content for the website. The Journal is the academic jewel of the Section, published approximately three times a year. Articles are solicited and edited to ensure academic quality, and the Journal articles are made available through Westlaw and cited in published cases. Right Off the Press provides an invaluable service to Section members by identifying recent cases and indicating through key words the issues addressed in those cases. Content for the website can vary but will typically include summaries of key, recent case law important to insurance law.

The CLE Committee organizes and puts on at least two main continuing legal education offerings each year, with the assistance of the Section’s administrators and the State Bar. The Insurance 101 and the Advanced Insurance Law Seminar is a State Bar program planned and hosted by the Council and the State Bar, traditionally held for two-and-a-half days at the Hyatt Hill Country Resort in San Antonio each June, including our well-attended and popular Casino Night. The committee plans for at least four webinars each year to address trending and topical issues. The committee also puts on stand-alone CLEs that vary by topic and location, typically with a full day of CLE for attendees. Committee members work on identifying topics, speakers, and co-sponsors and facilitating the events.

The Outreach Committee includes membership, sponsorships, scholarships, and young lawyer engagement. The scholarship program seeks to award excellence in writing and course work among Texas law school students. The program coordinates an annual state-wide writing contest, and in 2023 initiated a scholarship award for the highest grade in insurance law classes. The Young Lawyer subcommittee engages lawyers who are either licensed for ten years or less or are 40 years old or less, to assist the Council on various projects and to give young lawyers opportunities to network and learn about the Council’s activities. Sponsorships give law firms and other interested businesses the opportunity to support the Council’s core functions while also publicizing their involvement and “branding” to the greater Section.

The Nominations Committee consists of the Chair; the Immediate Past Chair; the Chair Elect; and two members of the 14 non-officer Council members who have completed at least one full 2-year term and whose terms are not set to expire in the current year. The Immediate Past Chair serves as the Chair and all members have a vote.

Special considerations for renewing and former Council members and Officers

Renewing or past Council member and Officer applicants should focus more on their active participation in the Council (as opposed to outside affairs). The following signs of active involvement will be considered:

1. In addition to your time serving as a Council member and attending meetings, your application should show your active participation in meeting discussions and committee work. Include the committee leaders with whom you worked while on the Council.
2. List your leadership roles on the Council and the results you were able to achieve while in those roles.
3. Describe your other leadership roles in other organizations and whether you are able to be an active and productive member of the Council despite these other commitments.

What is the procedure for approving new and renewing Council members and Officers?

The Nominations Committee recommends a slate of candidates to the Council, which votes independently to approve those recommendations or reject them in favor of other applicants. The slate of candidates for Council members approved by the Council is presented to the general

membership for vote at the annual meeting in June. Upon receiving a majority vote of the Section membership in attendance, new and renewing Council members serve for a 2-year term beginning with the close of the current Bar year (at the close of the State Bar of Texas annual meeting in June). The Council elects its Officers from among its currently serving Council members (including from its current Officers), after receiving and considering the recommendations of the Nominations Committee.

APPENDIX G

COMMITTEE STRUCTURE, OPERATIONS, AND PROCEDURES

CLE COMMITTEE

The CLE Committee researches, evaluates, reviews, schedules and manages all CLE that is sponsored or co-sponsored by the Section. The Committee coordinates CLE content in conjunction with the State Bar or offered as support for the insurance law specialization examination conducted annually by the Texas Board of Legal Specialization, any other standalone conferences, and webinars, podcasts or any internet-based CLE offering. The Committee selects the course directors and assistant course directors for the State Bar CLE program.

The Committee coordinates with the Treasurer for expenditures from sponsorship funding supporting special events or amenities offered to seminar attendees and ensures that sponsors receive appropriate recognition or other associated benefits involving Section CLE events.

The Committee operates through subsidiary subcommittees with responsibility for the annual Advanced Insurance Law seminar and associated Insurance 101 course, any standalone seminars or content, and online educational resources including webinars / podcasts.

PUBLICATIONS COMMITTEE

The Publications Officer serves as chair of the Publications Committee and as Editor-in-Chief of the Journal, with general oversight of all subsidiary functions operating as separate subcommittees for the Journal, ROTP, and Website content / social media resources. This Committee furthers the educational component of the Section's mission statement through various publications made available to Section members, the Bar, insurance professionals, and the interested public.

Journal of Texas Insurance Law:

This subcommittee is responsible for issuing the Journal on a timely and consistent schedule. Committee members assist in soliciting, vetting, and editing the articles in conjunction with the authors. They work directly with the Executive Director to proof and finalize the publication, which currently is issued both in print and electronic format. It is anticipated that there will be no fewer than 3 issues per year and no more than 4 per year.

It is contemplated that the managing editor(s) will handle or delegate tasks necessary to bring issues to print, at the direction of the Publications Officer as editor-in-chief, and with the assistance of associate and contributing editors. Additional particulars about tasking and processes for publishing the Journal are being developed and will be provided as an attachment in this **Appendix G** when ready to be implemented.

The committee is working towards indexing archived Journal articles on the website and coordinating with the Website subcommittee, the Communications Officer, and the Executive

Director to convert articles into fully searchable pdf files. The committee also is developing a plan to be implemented in the 2023-2024 year for Section members to receive the Journal electronically by default, with an option to affirmatively opt-in for a printed copy.

Right Off The Press:

The ROTP subcommittee is responsible for tracking, summarizing, and posting to the website recent court opinions involving issues relating to Texas insurance, and circulating that content to Section members via email. ROTP endeavors to post and circulate new opinions on a weekly or a bi-weekly basis, subject to a minimum of relevant new opinions being issued by the courts.

ROTP also functions, as needed, as an email list to inform Section members of new developments and other pertinent business, such as: (1) soliciting articles for the Journal of Texas Insurance Law and the website; (2) providing notice of applications to serve as a member of the Council or on the Young Lawyers committee; (3) announcing seminars, webinars, website articles, and other services and opportunities provided for Section members; (4) reporting particulars about the scholarship competition and awards. These supplemental functions of ROTP are intended to support but not supplant the email list and notification service available via the State Bar of Texas or the Executive Director.

Further specifics about ROTP are provided in the Practices and Procedures Guide attached to this **Appendix G** as **Attachment 1**.

Social Media/Website:

This subcommittee is responsible for keeping the educational content on the Section website up to date and relevant, as well as improving website functionality/content and increasing engagement across social media platforms.

The committee works closely with the Communications Officer to achieve these goals, under the guidance of the Publications Officer.

OUTREACH COMMITTEE

The primary purpose of the Outreach Committee is to promote the “collegiality” aspect of the Section’s mission statement. The Committee focuses on and provides oversight for non-seminar, non-publication activities enhancing the Council’s ability to provide benefits to Section members.

The Outreach Committee includes within its purview specific subcommittees addressing membership services, scholarship programs, young lawyer involvement, and networking opportunities. The Outreach Committee also may assist in the Council’s efforts as led by the Treasurer to solicit and maintain sponsorship funding to support Section activities.

Membership:

The Membership subcommittee is charged with identifying the demographics of our membership, determining which other sections of the Bar our members have joined, what practice groups or major categories compose our Section, and what our members expect or request. The committee is charged with analyzing this data and presenting a plan of action to the Council on how to reach out to retain and recruit members as well as developing a report on how the demographics of the Section influence CLE programming.

This committee is responsible for growing our membership and improving our retention numbers. This committee is also responsible for member recruitment and retention drives at the various Section-sponsored CLE events. The committee also is charged with planning, promoting, and seeking specific sponsorship support for networking opportunities, including happy hours in conjunction with Council / Section meetings and otherwise.

Scholarship Programs:

The Scholarship subcommittee administers the Council's scholarship program and looks for opportunities to expand or revise the Section's scholarship efforts to support interest in Texas insurance law among law students within the State. Current programs include an annual statewide writing competition open to every accredited Texas law school, and a best-in-class award to a student designated by the faculty teaching the principal insurance law course in each law school. The committee also may consider options for the Section to support needs-based scholarships related to insurance law. The committee works in conjunction with the Treasurer and any Sponsorship Committee to raise funds for scholarship awards and to ensure sponsors receive appropriate recognition or other benefits related to the scholarship program.

The committee is in the process of developing administrative processes to provide ongoing structure for continuing evolution of the competition criteria and awards, promoting the scholarship program(s) to law schools, assigning Council liaisons to engage with administrators and insurance faculty for each law school, ensuring fair and efficient judging for scholarship competition(s), and providing reliable and prompt payment of awards to awardees or through participating law schools.

Further specifics about the current scholarship program involving the statewide writing competition are provided at **Appendix H** consisting of the solicitation for the Fall 2022 competition sent to all accredited Texas law schools for distribution.

Young Lawyers:

The Young Lawyers ("YL") subcommittee is intended to be operated by and for younger lawyers (10 or fewer years of practice, or 40 years old or younger) initially assembled from Section members employed in several of the larger cities.

The committee focuses on (i) increasing the number of younger lawyers who join the Section through networking events, happy hours, and other social opportunities and (ii) increasing

the involvement of younger Section members in the work of the Council and Section through committee work or other activities. The principal goal of the YL subcommittee is to connect the Section's young lawyer population with the Council, helping to promote more young lawyer involvement throughout the Section, and providing young lawyers with the opportunity to learn more about the work of the Council. An ultimate goal of the YL subcommittee is to help bolster the interest and qualifications of active subcommittee members as potential candidates for Council membership.

For its initial full Bar year in 2023-24 the subcommittee will explore virtual and actual happy hours or other networking activities and events to bring together young lawyers interested in insurance law. They will help with ROTP case law summaries, Journal and website articles and editing, developing seminar topics and papers, and happy hour scheduling and promotion. The subcommittee will elect a Young Lawyer representative to serve as an ex-officio liaison to the Council.

Particulars are provided in **Appendix G – Attachment 2** concerning the application criteria and procedures, selection of an ex-officio Young Lawyer representative to Council, engagement with young lawyer Section members, and the subcommittee's work to support Council activities.

Sponsorship:

In recent years sponsorship funding has become an increasingly important revenue source to support the Council's annual budget providing for Section activities and membership benefits. The Treasurer has primary responsibility for soliciting sponsors, monitoring receipt of funding, and ensuring sponsor benefits are provided for different levels of sponsorship.

In consultation with the Treasurer, the Chair may appoint a Sponsorship subcommittee to assist with these responsibilities. It is anticipated that members of the Sponsorship committee may include Council or committee members who are involved in activities that particularly benefit from sponsorship funding and/or that provide recognition or other benefits to sponsors at various funding levels.

A copy of the most recent Sponsorship solicitation outlining the various sponsorship opportunities and benefits is included in this **Appendix G as Attachment 3**.

OTHER COMMITTEES / TASK FORCES

Nominations Committee

The composition and duties of the Nominations Committee are specified in the Bylaws, Art. III, Secs. 4-6 and Art. V, Sec. 2. This Committee is responsible for soliciting and reviewing applications for election to the Council. Members interview applicants, confer together, and make recommendations to the Council. The Committee also is responsible for making recommendations to the Council for Officer positions and for renewing expiring terms of currently serving Council

members who are not yet term-limited. The Committee also makes recommendations to the Council to fill vacancies that may develop during the course of the year.

Details concerning the application process, criteria for considerations in reviewing candidates, and answers to frequently asked questions are provided in **Appendix F**.

Task Force on Insurance Law Specialization

This task force provided the initial impetus to achieve approval from the Supreme Court of Texas in creating a legal specialization certification for insurance law administered by the Texas Board of Legal Specialization (“TBLS”). The task force continues to provide support to TBLS in helping to develop qualification criteria for applicants seeking to take the specialization examination and in developing the testing itself. Insofar as task force members are vetted and approved by TBLS for these functions and agree to serve for a three-year period, it is anticipated that membership on the task force will not vary annually but only as needed.

The task force may coordinate with the CLE Committee to provide continuing legal education on insurance issues to assist members of the Section and Bar in generally preparing for taking the test and meeting ongoing certification requirements. The task force also is charged with developing a plan to market the specialization opportunity to Section members, in coordination with the Outreach Committee.

APPENDIX G – Attachment 1

Right Off the Press Practices and Procedures Guide

Right Off The Press (“ROTP”) is an email publication maintained by the Insurance Law Council for the State Bar of Texas. The ROTP mailing list includes the members of the Insurance Law Section of the State Bar of Texas, subject to each section member’s option to opt-out of receiving ROTP. ROTP is managed by a Managing Editor and three (3) Associate Editors. The number of Associate Editors may be increased or decreased by the Managing Editor as needed.

ROTP functions to circulate to the section members recent court opinions involving issues relating to Texas insurance law, including those issued by the Texas Supreme Court, the Texas courts of appeals, the Fifth Circuit Court of Appeals, the federal district courts for the Northern, Eastern, Southern, and Western Districts of Texas, and any other Texas court that may issue a substantive opinion involving Texas Insurance law. On occasion, ROTP may circulate opinions from jurisdictions other than Texas that involve current trends and developing case authority on insurance issues relevant to Texas practitioners.

ROTP also functions, as needed, as an email list to inform the section members of other section business, such as: (1) solicitation of articles for the Texas Journal of Insurance Law; (2) circulation of applications to serve as a member of the Insurance Law Council; (3) to announce seminars, webinars, and other services provided for members of the Insurance Law Section. These supplemental functions of ROTP are intended to support but not supplant the email list and notification service available via the State Bar of Texas.

ROTP endeavors to circulate new opinions on a weekly or a bi-weekly basis. ROTP generally will not circulate opinions during a certain week if the email would include less than three (3) new opinions, unless one or more of those opinions involves a noteworthy opinion on a significant insurance issue that should be circulated at the discretion of the Managing Editor.

The legal opinions ROTP circulates should involve substantive insurance issues and should preferably be dispositive in nature rather than procedural. Some exceptions are important discovery rulings relating to discoverability of insurance-related materials and rulings on expert discovery and/or admissibility. Non-dispositive opinions are circulated under these guidelines at the discretion of the Managing Editor.

Insurance-related opinions include all types of insurance, including but not limited to: (1) homeowners; (2) life; (3) auto; (4) commercial auto; (5) commercial property; (6) commercial liability; (7) directors and officers; (8) errors and omissions; (9) builders risk; (10) inland marine; (11) wrap-up and/or OCIP; (12) cyber liability and/or data breach; and (13) ERISA.

ROTP functions as follows:

- (1) The Editors identify new opinions, either by searching via legal research software, monitoring new opinion publication announcements from the courts, or by receiving

new opinions from members of the section. Generally, one associate editor is assigned to monitor new opinions from Eastern and Southern Districts of Texas; one associate editor is assigned to monitor new opinions from the Northern and Western Districts of Texas; one associate editor is assigned to monitor new opinions from the Texas Supreme Court and Texas courts of appeals; and the Managing Editor monitors new opinions from the Fifth Circuit Court of Appeals. The Editors' assigned jurisdictions may be revised at the discretion of the Managing Editor.

- (2) The Editors post the new opinions to the Insurance Law Section website via their administrative access. This includes uploading the new opinion, entering data concerning the case style, date, and court of issuance, drafting an "Excerpt" (a/k/a "headline"), a one-sentence summary of the opinion, and entering "tags" concerning the content of the opinion.
- (3) The Managing Editor reviews each new opinion and website post for style, accuracy, and content.
- (4) The Managing Editor prepares the ROTP email for circulation to the section members. The email is prepared in and circulated via third-party Mailchimp. The ROTP email includes the date and name of each new opinion, the court of issuance, the Excerpt, and the pertinent tags. The case name is hyperlinked to the section website where the case summary is maintained, and a copy of the opinion is available. Each new opinion is circulated in the ROTP email in the following format:

2023-02-27 [Schlumberger Technology Corp. v. Carolina Casualty Insurance Co.](#)
— Fifth Circuit Court of Appeals — **Fifth Circuit Holds Additional Insured Endorsement Not Satisfied Because Additional Insured's Status Limited to Named Insured's Negligence** — commercial auto policy, insured, insured contract, additional insured, blanket additional insured endorsement, negligence

- (5) The case summaries should be succinct one-sentence descriptions of the opinion, which ideally identify the court, the type of policy, the type of claim, the posture of the case, the outcome, and reasoning, such as follows:

The Fifth Circuit Court of Appeals reversed the district court, holding that supplier did not qualify as an additional insured under trucking carrier's business auto policy because the blanket additional insured endorsement limited additional insured's status "only to the extent of" the named insured's negligence, and because the putative additional insured was seeking coverage for its own negligence, the insurer owed it no duties to defend or indemnify.

- (6) Other stylistic practices of ROTP are as follows:

1. The "style" of the case name does not follow blue book form. Insurance is always spelled out and not abbreviated, while "company" "corporation" "association," etc.

are abbreviated. If there are multiple plaintiffs or defendants, only the first plaintiff and first defendant are listed, without requiring an “et al.” abbreviation.

2. The “tag” entered should not be capitalized unless a proper noun. The type of policy should be entered first, followed by the type of claim, the motion or order at issue, legal concepts, rules, etc. Each should be separated by a comma. For example:

- commercial liability policy, property damage claim, motion to dismiss, failure to state a claim, duty to defend, duty to indemnify, ripeness, subject matter jurisdiction, FRCP 12(b)(6), FRCP 12(b)(1).

APPENDIX G – Attachment 2

Young Lawyers Purposes, Practices and Procedures

The Young Lawyer (“YL”) subcommittee is composed of younger lawyers throughout Texas organized to assist the Council in the performance of its duties and focused on increasing the number of younger lawyers who join the Section through networking events, happy hours, webinars, and other continuing education opportunities. YL subcommittee meetings may be conducted via Zoom, Microsoft Teams or other online conferencing platform in general use. Meetings will be organized and chaired by one or more Council members designated within the Outreach Committee.

The goal of the YL Subcommittee is to connect the Section’s younger lawyer population with the Council, helping to promote more young lawyer involvement throughout the Section and providing young lawyers with the opportunity learn more about the Council. The YL subcommittee provides help with publishing the Journal and case law summaries, reviewing applicants for the YL subcommittee, collecting papers for the Insurance 101 and Advanced Insurance Law Conference, organizing and hosting an annual young-lawyer targeted webinar, and scheduling and promoting regular happy hours and other networking events.

The YL subcommittee comprises six to eight young lawyers who are members of the Section, serving for a two-year term. Applications to fill upcoming expiring terms on the YL subcommittee are due by September 30th of each year. Members of the Outreach Committee will prepare an application form, solicit submissions, conduct interviews of the applicants and provide recommendations to the Council by October 31st. The Council will vote on the recommendations during the November Council meeting.

For the 2023-24 Bar year, two subcommittee positions will be added to the existing six members selected in 2022-23, and each will have a two-year term. When the terms of six initial members expire in 2024, two of the original six positions will have a one-year term such that there will be four positions available in 2025. The purpose is to stagger the terms of the YL subcommittee members going forward such that the terms of half of the members expire each year and are available for selection. Expiring terms of YL subcommittee members may be renewed for a single additional two-year term if recommended by the Outreach Committee and approved by the Council, so long as the renewing members meet the application qualification criteria and other considerations at the time of renewal.

Out of the YL subcommittee, one will become the Young Lawyers Committee Representative. The Outreach Committee will recommend the Representative of the YL subcommittee to the Council based on interest of the applicants and discussion with the subcommittee members. The Representative of the YL subcommittee will be a non-voting ex-officio member of the Council, attending all Council meetings, reporting to the Council about the activities and needs of the YL subcommittee, and acting as liaison to the YL subcommittee.

Minimum criteria for YL subcommittee membership at the time of application includes: (1) the applicant has been practicing ten (10) years or less *or* is under the age of 40; (2) is a member of the Insurance Section of the State Bar; and (3) will commit to help: (a) organize the annual Insurance 101 CLE and the Advanced Insurance Law Course (primarily working with presenters and collecting articles); (b) organize two young lawyer happy hours a year; (c) participate in case summaries for the Section website; (d) assist in the publication of the Journal; and (e) possibly attend in-person meetings with the full Council.

Considerations but not requirements include: (1) the applicant demonstrates a willingness to make the time commitment involved through a history of other similar-type involvements; (2) demonstrates leadership in other similar activities; and/or (3) contributes to the diversity of the Council, as to practice area (*e.g.*, policy holder v. carrier practice, regional diversity) in addition to traditional diversity considerations.

When selecting candidates, priority shall be placed on the potential candidate's ability to commit time and resources to the YL subcommittee. The Outreach Committee and the Council may review a potential candidate's prior involvement or assistance with articles, journals, CLE materials, or presentations.

There is no current rule or requirement restricting or requiring that the YL subcommittee members (1) be from different law firms than the Council members, (2) from being members of the same firm, or (3) to be allocated among practice diversity (*e.g.*, policyholder vs. carrier vs. inhouse). The Council may in the future impose restrictions. Candidates are selected based on their application and interview with Council members.

Appendix G – Attachment 3

Sponsorship Letter and Submission – 2022-23

STATE BAR OF TEXAS



INSURANCE LAW SECTION

Dear Colleague:

Your Insurance Law Section is working hard to maintain and expand our activities, furthering our Section's mission of "[p]romoting collegiality and educating the bench, bar, and public about Texas insurance law."

The Section seeks Sponsorships to support a myriad of activities, including:

The **Annual Advanced Insurance Law Course** is the Section's cornerstone event, to take place June 1 & 2, 2023, once again at the Hyatt Hill Country Resort in San Antonio, Texas. The **Casino Night** continues to be an attendee favorite, with great food, drinks, and prizes.

Texas Insurance Law Foundations will be the title of this year's new annual one-day seminar, to be held each fall. This year, because the Texas Supreme Court approved an insurance specialization, the seminar will focus on a broad overview of Texas insurance law, in anticipation of the first specialization test. Future years will cover different topics.

CLE webinars were a new emphasis for the Section during the pandemic, and our goal will be to continue these lunchtime events on a quarterly basis, addressing trending issues and developments. Topics have included Texas Supreme Court updates, COVID-19 coverage, hurricane claims, the construction anti-indemnity act, and practical *Stowers*, among others.

Scholarships continues our writing competition offered through every Texas law school, with awards presented in early 2022 (coming up soon!). **We have expanded** further by introducing scholarships specific to each Texas law school offering an insurance course this calendar year.

Happy hours for mentoring young lawyers and networking will continue with more in-person events this year, with events currently contemplated for Houston, Dallas, and Austin.

We invite you and your organization to support these activities by sponsoring Casino Night, the Foundations Seminar, the Scholarship competition, Happy Hours, or all of these programs at one of the levels below:

Platinum - \$4,500

- 1 Complimentary Registration to the Advanced Insurance Law Course and Casino Night and 1 Complimentary Registration to the Foundations Seminar
- Recognition in PowerPoint slide rotation, including a special event slide with **logo shown between sessions and during conference breaks** at the annual and Houston Seminars
- Recognition with timely-submitted full-color logo in printed brochures for the annual Advanced Insurance Law Course and the Foundations Seminar mailed to more than 20,000 attorneys and insurance professionals
- Recognition by the Seminar course directors in Welcoming Remarks
- **Vendor table at Advanced and Foundations Seminars** (space is limited, first-come basis; **non-law firm sponsors only**)
- Recognition when Scholarship competition awards are presented
- Casino Night **signage at the entrance** of the event, including full-color logo at the Advanced Seminar
- Sponsorship of a **specific table during the Casino Night** with exclusive signage at the Advanced Seminar
- Opportunity to make **opening remarks at the beginning of Casino Night at the Advanced Seminar**
- **Recognition at regional Happy Hour events** (virtual or actual) scheduled throughout the year

Gold - \$3,500

- Recognition with timely-submitted full-color logo in printed brochures for the annual Advanced Insurance Law Course and Foundations Seminar mailed to more than 20,000 attorneys and insurance professionals
- Recognition by the Seminar course directors in Welcoming Remarks
- Casino Night signage at the entrance to the event, including full-color logo (Advanced Course)
- **Vendor table at annual and Foundations Seminars** (space is limited, first-come basis; **non-law firm sponsors only**)
- Recognition when Scholarship competition awards are presented
- **Recognition at regional Happy Hour events** (virtual or actual) scheduled throughout the year

Silver - \$2,500

- Recognition with timely-submitted full-color logo in printed brochures for the annual Advanced Insurance Law Course and Foundations Seminar mailed to more than 20,000 attorneys and insurance professionals
- Recognition by the Seminar course directors in Welcoming Remarks
- Casino Night signage at the entrance to the event, including full-color logo (Advanced Course)
- Recognition when Scholarship competition awards are presented

Bronze - \$1,500

- Recognition by the Seminar course directors in Welcoming Remarks
- Casino Night signage at the entrance to the event, including full-color logo (Advanced Course)
- Recognition when Scholarship competition awards are presented

Happy Hour, each - \$500

- Recognition at one of our regional happy hour events scheduled intermittently during the year

Scholarship only - \$1,000 for school-specific sponsorship

- Recognition as a co-sponsor with the Insurance Section when Scholarship competition awards are presented at that Texas law school

Your firm can obtain great visibility and marketing benefits by sponsoring at any level, while supporting the Section's efforts.

Scholarship sponsors should commit prior to ***December 2022*** for full recognition. Details of the Scholarship competition can be found here: <https://www.insurancelawsection.org/about/law-student-writing-competition/>

Checks should be made payable to the 'Insurance Law Section' and mailed to the Section at P.O. Box 4646, Austin, Texas 78765 with a copy of the completed sponsorship form.

Thanks for your consideration and support. We look forward to hearing from you.

Sincerely,

The Insurance Law Section, Sponsorship Committee

Blair Dancy, Chair

Rebecca DiMasi, Jason McLaurin, Chris Avery, Jennifer Johnson, and Paul Stafford

The Insurance Law Section of the State Bar of Texas
2023 Annual Sponsorship Registration Form

Yes, I would like to sponsor the Insurance Law events at the following level:

- | | |
|--|--|
| <input type="checkbox"/> <u>Platinum Sponsor (\$4,500)</u> | <input type="checkbox"/> <u>Bronze Sponsor (\$1,500)</u> |
| <input type="checkbox"/> <u>Gold Sponsor (\$3,500)</u> | <input type="checkbox"/> <u>Scholarship Only (\$1,000)</u> |
| <input type="checkbox"/> <u>Silver Sponsor (\$2,500)</u> | <input type="checkbox"/> <u>Happy Hour, each (\$500)</u> |

PAYMENT INFORMATION

Please send this form along with your payment to:

Insurance Law Section, P.O. Box 4646, Austin, TX 78765 | Fax: (512) 451-2911 | Email: admin@insurancelawsection.org

Total Enclosed..... \$ _____

Name _____

Firm _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____ E-mail _____

Make checks payable to "Insurance Law Section" or Please Charge: Visa MasterCard AmEx

Card No.: _____ Exp. Date: _____

Security Code (3 or 4 digit number): _____

Billing Address (incl. zip): _____

Cardholder: _____ Signature: _____

**** Please also email a high resolution image of your organization's logo to admin@insurancelawsection.org if you are a Silver Sponsor or above and include a copy of this completed sponsorship form with your payment.***

Details of new Scholarship competition here: <https://www.insurancelawsection.org/about/law-student-writing-competition/>

Insurance Law Section of the State Bar of Texas | PO Box 4646 | Austin, Texas 78765
 Phone: (512) 451-6960 | Fax: (512) 451-2911 | Email: admin@insurancelawsection.org

APPENDIX H

INSURANCE LAW SECTION SCHOLARSHIP PROGRAM Call for Submissions - Fall 2022 Student Writing Competition

The Insurance Law Section of the State Bar of Texas (“Section”), through its governing Council, is requesting submissions for its Fall 2022 Student Writing Competition (the “Competition”) to be coordinated by the Law Student Writing Competition Committee (the “Scholarship Committee”).

The Competition is a state-wide competition, open to written submissions of articles (the “Submissions”) by law students from any of the ten accredited law schools in Texas, specifically:

- Baylor University School of Law
- South Texas College of Law Houston
- Southern Methodist University Dedman School of Law
- St. Mary’s University School of Law
- Texas A&M University School of Law
- Texas Southern University Thurgood Marshall School of Law
- Texas Tech University School of Law
- The University of Texas School of Law
- University of Houston Law Center
- University of North Texas at Dallas College of Law

Through this Call for Submissions, you are invited to submit student-authored papers on an insurance law, insurance coverage, and/or insurance-law related topic of the student’s choice and at the student’s discretion.

- The Submission word limit is 2500, and page limit is ten (10) pages double-spaced, 12-point font, with 1” margins all around. Submissions exceeding the word or page limit will be ineligible for consideration.
- A law student may make only one Submission for the Fall 2022 Competition. Multiple Submissions by a student during the Competition will render all Submissions by that student ineligible for consideration.
- Scholarships Awards will be presented to “Statewide Winners” and “Best of School Winners” (collectively, the “Winners”).
- The Scholarship Awards for the Statewide Winners will be based upon ranking of the best Submissions as determined by the Review Committee, and shall be:

First Place: \$4,000; Second Place: \$2,000; Third Place: \$1,000

Insurance Law Section – Fall 2022 Student Writing Competition Call for Submissions

- The Section may, at its discretion, invite any or all Statewide Winners to attend the annual Advanced Insurance Law Seminar in San Antonio to receive their respective awards, with travel stipends of up to \$400 per person upon proof of expenditure.

- Scholarship Awards of \$500 for Best of School will be awarded to the student with the best Submission from each respective law school, as determined by the Review Committee, provided that the Section receives a minimum of three (3) Submissions from that law school and there is no Statewide Winner from that law school.
- A law school in which a Statewide Winner is enrolled is eligible to have a student named a Best of School Winner during the Competition in which the student was named a Statewide Winner. A student named as a Statewide Winner may also be named Best of School Winner during the Competition in which the student was named a Statewide Winner. In such instance, the Statewide Winner shall only receive the Statewide Winner monetary award; however, the Statewide Winner's law school will not be eligible to receive the \$500 Best of School Winner monetary award.
- Payment of the Scholarship Award will be made through the respective law school's financial aid department and is to be used for tuition and fees and expenses during the current semester or quarter, or the semester or quarter immediately subsequent to the Competition. Any Scholarship Award amount remaining after payment of the tuition and fees and expenses during the semester or quarter will be paid directly to the Winner. If any Winners are not enrolled in law school during the semester due to graduation, or due to having fulfilled the requirements of graduation, or due to any reason not related to academic eligibility or disciplinary actions, that Winner will receive the Scholarship Award through direct payment of the awarded amount to the Winner rather than through the law school's financial aid department. Any Winner not enrolled in the Spring Semester due to academic eligibility or disciplinary action is ineligible to receive any Scholarship Award as of the date of the academic ineligibility or disciplinary action.

The deadline for Submissions of student papers ("Submission Deadline") is receipt by the Section on or before the extended deadline of 11:59 p.m. CDT on Wednesday, December 28, 2022. Submissions should be emailed to admin@insurancelawsection.org.

Details of the Competition Procedures & Guidelines are available online at <https://www.insurancelawsection.org/about/law-studentwriting-competition/>. The Procedures & Guidelines will prevail over the terms of this Call for Submissions, to the extent of any inconsistencies. Submissions shall be reviewed by a Review Committee, which shall select Winners and notify them by and through the students' respective law schools. Winners shall be publicized through the Section.

By submitting an entry, you agree to grant the Section the exclusive right for up to one year after the Submission Deadline, and the non-exclusive right in perpetuity, to publish your Submission in any of the Journal of Texas Insurance Law, Right Off The Press, Section website or social media, Section-sponsored Insurance Law Seminar or other media as further described in the Competition Procedures & Guidelines.

We hope you participate in this Student Writing Competition, and best of luck.