

# 2018 SOUTH TEXAS INSURANCE LAW SEMINAR

*“Insurance Law for Trial Lawyers  
and General Practitioners”*



**Earn 7.50 MCLE Hours  
including 1.50 Hours Ethics!**



**The ITEC Center @  
Texas Southmost College  
Brownsville, Texas  
February 16, 2018**



**Designed for  
Texas Lawyers and  
Insurance Professionals**

*Sponsored by*  
**THE INSURANCE LAW SECTION  
OF THE STATE BAR OF TEXAS**

*in cooperation with*  
**THE TEXAS INSTITUTE OF CONTINUING LEGAL EDUCATION**

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*sponsored by The Insurance Law Section of the State Bar of Texas*

**February 16, 2018**

**The ITEC Center @ Texas Southmost College \* 301 Mexico Blvd. \* Brownsville, TX 78520**

*This course has been approved for 7.50 hours credit (including 1.50 hours of ethics credit) which will apply towards MCLE, the College of the State Bar of Texas, and the Texas Board of Legal Specialization in Consumer and Commercial Law. To obtain full MCLE credit, you must attend all sessions. If you need CLE credit in a state other than Texas, please let us know at the time of registration.*

*The Texas Institute of CLE is an accredited sponsor with the Texas Department of Insurance. An application has been filed for 7.50 hours of General credit (all license types) and 1.50 hours ethics.*

## PROGRAM

### FRIDAY, FEBRUARY 16, 2018

- 7:15 a.m.     **Late Registration** – Foyer, The ITEC Center @ Texas Southmost College, 301 Mexico Blvd., Brownsville, TX 78520
- 8:00 a.m.     **Welcome & Introductory Remarks**  
                  Robert J. Cunningham, Houston/Rockport (*Presiding Officer*)  
                  Juan “Trey” Mendez, III, Brownsville (*Presiding Officer*)
- 8:15 a.m.     **Overview of Standard Commercial and Personal Lines Insurance Policies, and Comparing Restatement Developments with Established Texas Law**  
                  General overview of standard types of insurance, highlights of coverage they afford, and important issues concerning each. Includes CGL, homeowners, auto, excess / umbrella, life insurance. Also notes developments in ALI / Restatement, particularly areas that potentially conflict with current Texas law.  
                  Roger W. Hughes, Harlingen
- 9:00 a.m.     **Policyholder v. Insurer Perspectives**  
                  Highlighting weather-related events and recent legislative session amendments to the Texas Insurance Code.  
                  Juan “Trey” Mendez, III, Brownsville  
                  Victor V. Vicinaiz, McAllen
- 9:45 a.m.     **Representing the Insured before the Declaratory Judgment Action**  
*.25 Ethics Credit*   Learn what not to do in representing the insured the easy way. The hard way has consequences.  
                  Norton A. Colvin, Jr., Brownsville
- 10:15 a.m.    **Morning Break**
- 10:30 a.m.    **Insurance Issues in Auto & Truck Casualties**  
                  This session will focus on handling insurance aspects of vehicle accident litigation.  
                  Michael R. Cowen, San Antonio
- 11:00 a.m.    **Texas Windstorm Insurance Association Update**  
                  A discussion of TWIA related law and policy provisions in light of Hurricane Harvey and its effect on coastal residents and business owners.  
                  David P. Salyer, Galveston

- 11:30 a.m. **Practical Tips for Finding Insurance Coverage**  
A seasoned trial attorney explains the best practices for finding insurance coverage from her experience representing both insureds and carriers.  
Dana R. Allison, Brownsville
- 12:00 Noon **LUNCH PRESENTATION** (Lunch included in the registration fee.)  
**Judicial Panel: Expectations of Ethical Conduct in the Courtroom**  
The panel will discuss the ethical expectations, requirements, practice, and procedures in their courts.  
*Moderator:* Brandy Wingate Voss, McAllen  
The Honorable Laura Betancourt, Brownsville  
The Honorable David Gonzales III, Brownsville  
The Honorable Noe Gonzalez, Edinburg
- 1:15 p.m. **Holding the Unfaithful Insurer Accountable?**  
A panel of carrier, policyholder/defendant, and underlying plaintiff address the challenges and implications of *Gandy's* "fully adversarial trial" requirement as imposed by recent *Hamel* decision.  
Jamie R. Carsey, Houston  
William J. Chriss, Corpus Christi  
Samantha K. Boutte Trahan, Houston
- 2:00 p.m. **Mediating the Insurance Coverage Case**  
Including concurrently with mediation of the underlying liability case.  
J. Scott McLain, McAllen
- 2:30 p.m. **Appraisal: The Texas Consumer's Last Best Hope for a Semblance of Justice**  
A discussion of the appraisal clause and the evolving policy language in first party cases in light of increased use by both insurance carriers and insureds.  
Robert L. Collins, Houston
- 3:00 p.m. **Afternoon Break**
- 3:15 p.m. **Stowers**  
*.25 Ethics Credit*  
Including the challenges of "other insurance" and multiple layers / claims / insureds, and analyzing aspects of indemnity and additional insured benefits.  
Blair Dancy, Austin
- 4:00 p.m. **New Life for Bad Faith Damages?**  
The Supreme Court of Texas accepted rehearing in *Menchaca* to reconsider its recent ruling on insurance bad faith. An overview, analysis and speculation about bad faith in Texas, together with tips on navigating the Prompt Payment Act for augmented prejudgment interest damages.  
Robert J. Cunningham, Houston/Rockport
- 4:30 p.m. **Adjourn**

# CONFERENCE FACULTY

Dana R. Allison, Brownsville  
The Allison Law Firm

The Hon. Laura Betancourt, Brownsville  
County Court at Law No. 2,  
Cameron County

Jamie R. Carsey, Houston  
Markel - Claims

William J. Chriss, Corpus Christi  
Law Office of William J. Chriss, P.C.

Robert L. Collins, Houston  
Robert L. Collins & Associates

Norton A. Colvin, Jr., Brownsville  
Colvin, Chaney, Saenz & Rodriguez, LLP

Michael R. Cowen, San Antonio  
Cowen | Mask | Blanchard

Robert J. Cunningham, Houston/Rockport  
Roach & Newton, LLP

Blair Dancy, Austin  
Cain & Skarnulis PLLC

The Hon. David Gonzales, III, Brownsville  
County Court at Law No. 3,  
Cameron County

The Hon. Noe Gonzalez, Edinburg  
370th Judicial District Court,  
Hidalgo County

Roger W. Hughes, Harlingen  
Adams & Graham, L.L.P.

J. Scott McLain, McAllen  
McAllen Mediation Center

Juan "Trey" Mendez, III, Brownsville  
Mendez Law Firm

David P. Salyer, Galveston  
McLeod, Alexander, Powel & Apffel, P.C.

Samantha K. Boutte Trahan, Houston  
Trahan Dinn Kornegay Payne LLP

Victor V. Vicinaiz, McAllen  
Roerig, Oliveira & Fisher, L.L.P.

Brandy Wingate Voss, McAllen  
Law Offices of Brandy Wingate Voss PLLC

## ***Presiding Officers / Council Members, Insurance Law Section***

Robert J. Cunningham, Houston/Rockport  
Roach & Newton, LLP

Juan "Trey" Mendez, III, Brownsville  
Mendez Law Firm

### **Not an Insurance Law Section Member?**

***Join now to register at the member rate.***

***You save \$50!***

Check the appropriate box on the registration form  
and include the dues with your payment.

STATE BAR OF TEXAS



INSURANCE LAW SECTION

### ***Membership Benefits include:***

- Complimentary subscription to the *Insurance Law Journal*
- Discounts to all section sponsored CLE programs
- Complimentary subscription to "Right Off the Press" Email Updates
- Access to the Member's Only section of the [www.insurancelawsection.org](http://www.insurancelawsection.org) website
- Online access to past CLE course materials and brief bank
- A listing in the online Membership Directory

For more information about Texas Institute of CLE seminars and  
available CLE materials see our website at [www.clesolutions.com](http://www.clesolutions.com).

## GENERAL INFORMATION

**The ITEC Center @ Texas Southmost College** – Located at 301 Mexico Blvd., Brownsville, TX 78520, the International Technology, Education and Commerce (ITEC) Building is our host venue for the seminar. If you require hotel accommodations there are numerous options nearby. We recommend that you make a hotel reservation immediately if you plan to attend this course.

**Pre-Registration** — To ensure sufficient materials are available for all attendees, advance registration is strongly encouraged. Door registration is an additional fee.

**Registration by Telephone** — You may also register by calling 512/451-6960. Phone-in registrations require an AMERICAN EXPRESS, VISA or MASTERCARD number, expiration date, security code and billing address.

**Cancellations and Refunds** — Refunds, less a \$50.00 processing fee, will be given to registrants who cancel by 5:00 p.m. on the Friday preceding the course. No refunds will be granted thereafter. Audio CDs and course materials will automatically be mailed to prepaid registrants who were not able to attend.

**Special Accommodations** — If special arrangements are required for a person with a disability to attend this program, please contact us at 512/451-6960.

## REGISTRATION FORM

**Mail to:** Texas Institute of Continuing Legal Education  
2018 South Texas Insurance Law Seminar  
P.O. Box 4646  
Austin, Texas 78765-4646

**FAX to:** 512/451-2911  
**Phone:** 512/451-6960  
**Online at:** [www.clesolutions.com](http://www.clesolutions.com)  
*(Phone, Fax and Online Registrations must be accompanied by American Express, Visa or MasterCard Information.)*

**Please register me for the course as follows:**

<input type="checkbox"/> Pre-Registration fee for INS Section Members (Due by 5:00 p.m. January 12) .....	\$ 195.00
<input type="checkbox"/> Pre-Registration fee for Non-Members (Due by 5:00 p.m. January 12) .....	\$ 225.00
<input type="checkbox"/> Registration fee (After 5:00 p.m. January 12 and before 5:00 p.m. January 26) .....	\$ +25.00
<input type="checkbox"/> Late Registration fee (After 5:00 p.m. January 26 and before 5:00 p.m. February 9) .....	\$ +50.00
<input type="checkbox"/> Door Registration fee (After 5:00 p.m. February 9 and at the door) .....	\$+100.00
<input type="checkbox"/> Insurance Law Section Dues ( <i>to be eligible for the discounted member registration fee</i> ).....	\$ 30.00

**Conference Materials: Choose ONE!**

Registrants have the option of choosing between electronic or printed versions of the conference materials. Please choose one option below. If you would like to receive *both* the USB and printed materials, an additional \$54.13 must be included with your registration.

<input type="checkbox"/> USB Version (includes hard copies of PowerPoint presentations for note-taking.) .....	\$ -0-
<input type="checkbox"/> Printed Version (3-Ring Binder) .....	\$ -0-
<input type="checkbox"/> Both USB & Printed Version at \$50 + .0825 tax.....	\$ 54.13

*I cannot attend the conference. Please forward the following:*

<input type="checkbox"/> Audio CDs & course materials ( <input type="checkbox"/> USB <i>or</i> <input type="checkbox"/> Printed) at \$245 + .0825 tax.....	\$ 265.21
<input type="checkbox"/> Course materials only ( <input type="checkbox"/> USB <i>or</i> <input type="checkbox"/> Printed) at \$100 + .0825 tax.....	\$ 108.25

**TOTAL ENCLOSED** ..... \$ \_\_\_\_\_

*No refunds after 5:00 p.m., Friday, February 9, 2018. See cancellation policy above.*

Name (*Please Print*) \_\_\_\_\_

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Designed for Texas lawyers, insurance industry professionals, and others who are interested in gaining the latest updates and developments in Texas insurance law.

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