
PUBLICATIONS

2019

- *In Case of a Bad Day, Read This Column*, 82:1 TEX. B.J. (Jan. 2019)
- *Undaunted: Houston's Earliest African-American Lawyers*, 56:4 HOUS. LAW. (Jan./Feb. 2019)
- *Shades of Greed* (book review), 82:2 TEX. B.J. (Feb. 2019)
- *And Still He Rose: William A. Price, Texas' First Black Judge and the Path to a Civil Rights Milestone*, 8:2 J. TEX. SUP. CT. HIST. SOC'Y (Winter 2019)
- *Now That's Just Ridiculous*, 82:3 TEX. B.J. (Mar. 2019)
- *Will Robot Lawyers Take Our Jobs?*, DCEO MAG. (Mar. 2019)
- *Facing Up to the FaceTime Bug*, CIRCUITS (Mar. 2019)
- *Court—Where the Weirdness Never Stops*, TEX. LAW. (Mar. 18, 2019)
- *Judges Love Game of Thrones, Too*, TEX. LAW. (Apr. 1, 2018)
- *Ethics and Social Media: Let's Chat About Chatbots*, 5 STATE B. TEX. FAMILY L. SEC. RPT. (Spring 2019)
- *The New Duty of Digital Competence: Being Ethical and Competent in the Age of Facebook and Twitter*, 44:2 UNIV. DAYTON L. REV. (Spring 2019)
- *Upheaval in the Courts: The 2018 Texas Appellate Elections and Their Implications for the Future*, TEX. ASS'N DEFENSE COUNSEL J. (Spring 2019)
- *Law Students Do the Darndest Things*, TEX. LAW. (May 28, 2019)
- *You Can't Always Get What You Want*, 82:5 TEX. B.J. (May 2019)
- *The Raging Court Dispute Between a Frisco Gaming Company and a Former Exec*, D CEO MAG. (May 2019)
- *Ethics and Social Media: 'No Contact' Means Exactly That – Including on Social Media*, STATE B. TEX. FAMILY L. SEC. RPT. (Summer 2019)
- *William A. Price: Texas' First Black Attorney, Judge, and Civil Rights Pioneer*, THURGOOD MARSHALL L. REV. (Spring 2019)
- *Alexa, Testify*, 82:7 TEX. B.J. (July 2019)
- *The Future is Now: The Rise of Artificial Intelligence in the Legal Profession*, 82:7 TEX. B.J. (July 2019)
- *Green Eggs and Law: Lessons From Dr. Seuss*, 82:7 TEX. B.J. (July 2019)
- *Texas' Battle of the Bars*, D CEO MAG. (July 2019)
- *Social Media Use by Physicians: Risks and Benefits*, ACNM SCANNER (July 2019)
- *Humor in the Courtroom: No Laughing Matter*, AM. B. ASS'N J. (July 11, 2019)
- *Ethical 'Fails': Social Media Pitfalls and In-House Counsel*, CORP. COUNSEL (Aug. 12, 2019)
- *Funny Business*, 82 TEX. B.J. (Sept. 2019) (book review)
- *Texas' Legal Community SLAPPs Back*, D CEO MAG. (Sept. 2019)
- *Chair's Message*, CIRCUITS (Sept. 2019)
- *Facebook Faceoffs: Artist Fights Over Social Media Rights and the Need to Address Page Roles in Contract*, CIRCUITS (Sept. 2019)

- *Ghosts in the Machine: Algorithmic Bias and the Courts*, CIRCUITS (Sept. 2019)
- *Service of Process via Social Media Comes to Texas*, CIRCUITS (Sept. 2019)
- *Legislative Update: Cybersecurity*, CIRCUITS (Sept. 2019)
- *Ethics and Social Media: Service Via Social Media: Coming Soon to a Courtroom Near You*, STATE B. TEX. FAMILY L. SEC. RPT. (Fall 2019)
- *It's All in the Name*, 82:9 TEX. B. J. (Oct. 2019)
- *Corporate Conundrums*, DCEO MAG. (Oct. 2019)
- *How Not to Impress a Judge With Your Writing*, TEX. LAW. (Oct. 2019)
- *Don't Take Heat For That Tweet: Avoiding Ethical Pitfalls in the Use of Social Media*, FED. LAW. (Sept./Oct. 2019)
- *Taking Heat for a Tweet: Ethical Concerns With Lawyers Communicating on Social Media*, BENCHER (Nov./Dec. 2019)
- *Data Held Hostage*, DCEO MAG. (Nov. 2019)
- *Even Big Names Fail the Bar*, TEX. LAW. (Nov. 2019)
- *Alexa, Testify: New Sources of Digital Evidence*, COMPUTER & INTERNET LAW. (Nov. 2019)
- *The Evolving Duty of Tech Competence*, ADVOCATE (Winter 2019)
- *Social Media Ethics for Appellate Practitioners*, APPELLATE ADVOCATE (Winter 2019)
- *The Emerging Duty of Technological Competence*, LA. B.J. (Dec. 2019)
- *Constitutional Issues in Public Officials Blocking Critics on Social Media*, OKLA. B.J. (Dec. 2019)
- *It's 9 O'clock: Do You Know What Your Legal Assistant Just Posted?*, STATE B. TEX. FAMILY L. RPT. (Winter 2019)
- *How Not to Get a Continuance*, TEX. B.J. (Humor Column) (Dec. 2019)
- *Year in Review: Legal Education*, TEX. B.J. (Dec. 2019)

2018

- *Product Review Technology*, 81:1 TEX. B.J. (Jan. 2018)
- *The Year in Review: Legal Education*, 81:1 TEX. B.J. (Jan. 2018)
- *From Outlaw to Attorney at Law: The Brief Legal Career of John Wesley Hardin*, 7:2 J. TEX. SUP. CT. HIST. SOC'Y (Winter 2018)
- *Love Is in the Air—Even for Lawyers*, 81:2 TEX. B.J. (Feb. 2018)
- *Ethics in Social Media: Ethical Risks in Responding to Online Reviews*, 4 STATE B. TEX. FAMILY L. SEC. RPT. (Winter 2018)
- *A Mission of Bettering Trial Lawyers*, 81:3 TEX. B.J. (Mar. 2018)
- *The Jury is Out*, DCEO MAG. (Mar. 2018)
- *Adventures in the English Language*, 81:4 TEX. B.J. (Apr. 2018)
- *Taking the Heat for a Tweet*, 81:5 TEX. B.J. (May 2018)
- *Yes, That Really Happened*, TEX. LAW. (May 1, 2018)
- *The Battle Over Biometrics*, CIRCUITS (May 2018)

- *Yielding to Outside Rivals*, DCEO MAG. (May 2018)
- *Adventures in Legal Weirdness*, 81:6 TEX. B.J. (June 2018)
- *Cautionary Tales About Practicing Law While Drinking*, TEX. LAW. (June 29, 2018)
- *Insta-Famous or Insta-Infamous? Ethical Perils for Lawyers on Instagram*, 4 STATE B. TEX. FAMILY L. SEC. RPT. (Summer 2018)
- *Those Wanna Get Away Moments*, TEX. LAW. (Aug. 1, 2018)
- *The Ironies of Lawyers Getting Ensnared by the Law*, TEX. LAW. (Aug. 31, 2018)
- *Chief Justice Carolyn Wright: A Profile in Excellence*, 7:4 J. TEX. SUP. CT. HIST. SOC'Y (Summer 2018)
- *The Texas Revenge Porn Law: On Life Support After Ex Parte Jones?*, CIRCUITS (Sept. 2018)
- *Not Their Finest Moments*, 81:8 TEX. B.J. (Sept. 2018)
- *More Disorder in the Court*, TEX. LAW. (Sept. 30, 2018)
- *The Battle Over Biometrics*, 81:9 TEX. B.J. (Oct. 2018)
- *Friends* (book review), 81:9 TEX. B.J. (Oct. 2018)
- *Stranger Things, Indeed*, TEX. LAW. (Oct. 29, 2018)
- *When Domestic Abuse Goes Digital*, 4 STATE B. TEX. FAMILY L. SEC. RPT. (Fall 2018)
- *A Very Shaky Case*, 81:10 TEX. B.J. (Nov. 2018)
- *Only in Texas*, TEX. LAW. (Dec. 19, 2018)
- *You Have the Right to Remain Amused*, TEX. LAW. (Dec. 19, 2018)
- *2018—Oh, What a Year It Was*, TEX. LAW. (Dec. 27, 2018)

2017

- *When the Bullseye Is on You: Law Firms and Cybersecurity (Part II)*, 9 LITIG. COMMENTARY & REV. 7 (Jan./Feb. 2017)
- *The Year in Review: Legal Education*, 80:1 TEX. B.J. (Jan. 2017)
- *Free Legal Tips, With a Side of Humor*, 80:3 TEX. B.J. (Mar. 2017)
- *The Five Year Impact of the America Invents Act*, DCEO MAG. (Mar. 2017)
- *Straight From the Department of Bad Ideas*, TEX. LAW. (Mar. 1, 2017)
- *Lawyer, Lawyer, Pants on Fire*, TEX. LAW. (Mar. 20, 2017)
- *Behaving Badly: When Is Online Jury Misconduct Severe Enough for a Mistrial?*, 80:4 TEX. B.J. (Apr. 2017)
- *Alexa, Will You Testify Against Me?*, DAL. BAR HEADNOTES (May 2017)
- *Express Yourself*, 80:5 TEX. B.J. (May 2017)
- *Drafting Dallas' Dream Team*, DCEO MAG. (May 2017)
- *No Ink, No Problems? Validity of Email Signatures as Contracts*, CIRCUITS (May 2017)
- *Meet the Next Witness: Alexa*, 9 LITIG. COMMENTARY & REV. 41 (May/June 2017)
- *A Column That Really Ties the Room Together*, TEX. LAW. (May 2017)
- *Pitfalls of Social Media for Judicial Transparency*, THE BENCHER (May/June 2017)
- *Saying It With a Straight Face*, 80:6 TEX. B.J. (July 2017)
- *The Major Leagues of Litigation*, DCEO MAG. (July/August 2017)

- *Examining Precedent*, 80:8 TEX. B.J. (Sept. 2017)
- *Online Juror Misconduct*, 24:9 COMPUTER & INTERNET LAW. (Sept. 2017)
- *Five Ways This Column Will Amuse You*, TEX. LAW. (Sept. 2017)
- *The Trouble With Texting*, 80:9 TEX. B.J. (Oct. 2017)
- *Bradley Adams: At the Intersection of Grief and Hope*, DCEO MAG. (Oct. 2017)
- *Denise McWatters: Leaning In*, DCEO MAG. (Oct. 2017)
- *Burton Brillhart: All The Way to the Top*, DCEO MAG. (Oct. 2017)
- *Breaking Up is Hard to Do*, DCEO MAG. (Oct. 2017)
- *Winter is Coming – To Court*, TEX. LAW. (Oct. 1, 2017)
- *A Story Our Profession Needs to Hear*, 80:10 TEX. B.J. (Nov. 2017)
- *And The Envelope Please . . .*, TEX. LAW. (Nov. 2017)
- *Lawyer, Lawyer, Pants on Fire*, 9 LITIG. COMMENTARY & REV. 75 (Dec. 2017)
- *HB 1774 and a Hailstorm of Controversy*, DCEO MAG. (Dec. 2017)
- *From the Sublime to the Ridiculous*, 80:11 TEX. B.J. (Dec. 2017)
- *No Ink, No Problems? Validity of Email Signatures as Contracts*, 80:11 TEX. B.J. (Dec. 2017)
- *Unsung Heroes* (Reprinted in JLTLA Newsletter The Express (Dec. 2017))

2016

- *Making a Difference in Practice and on Paper*, 79 TEX. B.J. 10 (January 2016)
- *What is THAT Doing on Facebook?! A Guide to Advising Clients to ‘Clean Up’ Their Social Media Profiles*, The Houston Lawyer, Vol. 53, No. 4 (January/February 2016) (with Al Harrison)
- *No Contact Means No Contact – Including On Social Media*, Family Lawyer Magazine (Winter/Spring 2016)
- *In Terms of Bizarre, 2015 Will Be Hard to Beat*, Texas Lawyer (January 7, 2016)
- *Rules of Engagement – Exploring Judicial Use of Social Media*, 79 Tex. B.J. 100 (February 2016) (with Justice Don Willett)
- *A Funny Thing Happened On the Way to the Courthouse*, 79 Tex. B.J. 188 (February 2016)
- *Haters Gonna Hate: Ethical Issues in Responding to Negative Online Reviews*, State Bar College Bulletin (Spring 2016)
- *Now’s the Time to Recognize Racial Injustice*, Dallas Morning News (February 18, 2016)
- *A New Course For Patent Law – Has the Turning Tide Finally Washed Ashore in East Texas?* DCEO (March 2016)
- *Another Funny Thing Happened On the Way to the Courthouse*, Texas Lawyer (March 28, 2016)
- *Haters Gonna Hate: Ethical Issues in Responding to Negative Online Reviews*, 8 Litigation Commentary & Review 6 (March/April 2016)
- *The Justice Scalia I Knew*, 79 Tex. B.J. 294 (April 2016)
- *Another Funny Thing Happened On the Way to the Courthouse*, 79 Tex. B.J. 332 (April 2016)
- *That’s An Order Y’ALL!* Texas Lawyer Magazine (April 2016)
- *Austin’s First African-American Lawyer: John N. Johnson*, Austin Lawyer (April 2016)

- *Dealing with Digital Detractors: Ethical Concerns with Responding to Online Reviews*, AttPro Ally (Spring 2016)
- *George W. Fremont: San Antonio's First African-American Lawyer*, San Antonio Lawyer (May/June 2016)
- *Texas' First Civil Rights Lawyer: John N. Johnson*, National Bar Association Magazine
- *What Texas Companies Need to Know About Open Carry*, DCEO Magazine (May 2016)
- *If Your Heart Skips a Beat, It May Have Been Hacked: Cybersecurity Concerns with Implanted Medical Devices*, 67 S. Carolina L. Rev. 3 (2016)
- *Selfie-Absorbed: Ballot-Selfies, the First Amendment and the Sharing Generation*, Bloomberg BNA Electronic Commerce & Law Report (May 2016)
- *Don't Get Your Legal Advice From a Plush Toy*, 79 Tex. B.J. (June 2016)
- *New Developments in Social Media*, 35 Corporate Counsel Review 1 (Summer 2016)
- *The Dangers of the Digital Confessional*, 8 Litigation Commentary & Review 32 (Summer 2016)
- *Being 'Socially' Acceptable: Avoiding Incivility and Unprofessionalism in Social Media Activities*, 17 DRI Professionalism Perspectives 1 (June/July 2016)
- *Why Cybercriminals Are Targeting Law Firms*, DCEO Magazine, (July 2016)
- *Negative Online Review Response Ethics: Do's and Don'ts*, Professional Liability Defense Quarterly, Vol. 8, Issue 3 (Summer 2016)
- *More Disorder in the Court*, Texas Lawyer (Aug. 1, 2016)
- *ABA, Give UNT Law School a Chance*, Texas Lawyer (Aug. 31, 2016)
- *That's Not Supposed to Happen in Court!* 79 Tex. B.J. 8 (Sept. 2016)
- *What is THAT Doing on Facebook?! A Guide to Advising Clients to 'Clean Up' Their Social Media Profiles*, The Computer & Internet Lawyer Vol. 33, No. 9 (Sept. 2016)
- *The Judge as Digital Citizen: Pros, Cons, and Ethical Limitations on Judicial Use of New Media*, Faulkner Law Review (Fall 2016)
- *Solving One of History's Mysteries*, Texas Lawyer Magazine (October 2016)
- *Testing a Law School*, DCEO Magazine, (October 2016)
- *When the Bullseye is on You: Law Firms and Cybersecurity*, 8 Litigation Commentary & Review 33 (Fall 2016)
- *Flattery Will Get You Everywhere – Including the Disciplinary Board: Ethical Issues with Social Media Endorsements*, DRI Professionalism Perspectives
- *Veterans: You're Not Alone*, 79 Tex. B.J. 10 (November 2016)
- *Guardians of Morality*, 79 Tex. B.J. 10 (November 2016)
- *Never a Dull Moment*, Texas Lawyer Magazine (November 2016)
- *Top Challenges for Corporate Counsel: Doing More with Less*, DCEO Magazine (November 2016)
- *Top Challenges for Corporate Counsel: Compliance*, DCEO Magazine (November 2016)
- *Top Challenges for Corporate Counsel: Cybersecurity*, DCEO Magazine (November 2016)
- *More Than Sticks and Stones on the Internet: The Ethical Do's and Don'ts in Responding to Negative Online Reviews*, Oklahoma Bar Journal (December 2016)
- *A Snowball's Chance in Court and Other Legal Weirdness*, 79 Tex. B.J. 11 (December 2016)

- *The Digital Confessional*, Circuits
- *More Than Words: The Evidentiary Value of Emoji* (updated version) *The Computer & Internet Lawyer*
- *Don't Be Socially Unacceptable: Avoiding Ethical Issues with Lawyers' Use of Social Media*, *The Arkansas Lawyer*, (Winter 2017)
- *Socially Unacceptable: How Being Instagram Famous Won't Help Your Chances of Landing a Law Firm Job*, *DCEO Magazine* (December 2016)
- *Just Who Owns That Social Media Account, Anyway?* *The Business Suit* (DRI Commercial Litigation Newsletter), Vol. 20 Issue 6 (December 2016)
- *The Facebook Follies*, *Texas Lawyer Magazine* (December 2016)
- *Crazy But True Defenses*, *Texas Lawyer Magazine* (December 2016)

2015

- *Making a Difference in Practice and on Paper*, 79 TEX. B.J. 10 (January 2016)
- *Legal Education*, 78 TEX. B.J. 1 (Jan. 2015)
- *Wearable Tech*, 78 TEX. B.J. 1 (Jan. 2015)
- *Considerations Before You 'Clean Up' A Client's Facebook Page*, DALLAS BAR HEADNOTES (Jan. 2015)
- *A Long Time Ago in a Courtroom Far, Far Away*, 78 TEX. B.J. 2 (Feb. 2015)
- *Why National Law Firms Are Flocking to Texas*, DCEO MAGAZINE (March 2015)
- *Laugh Out Loud*, 78 TEX. B.J. 3 (March 2015)
- *# Snitches Get Stitches: Witness Intimidation in the Age of Facebook and Twitter*, 35 PACE L. REV. 192 (Fall 2014)
- *Dallas Law Firms Lack Diversity*, DCEO MAGAZINE (April 2015)
- *The Law According to Mark Twain*, 78 TEX. B.J. 4 (April 2015)
- *Just Like in the Cartoons*, 78 TEX. B.J. 5 (May 2015)
- *Judge's Use of Social Media Within Reason*, GALVESTON DAILY NEWS (May 7, 2015)
- *Fit to Admit? Evidentiary Use of Fitbit Data*, THE VOICE (DRI Newsletter) (June 17, 2015)
- *Life in the Fast Lane*, 78 TEX. B.J. 6444 (June 2015)
- *Going From Voir Dire to Voir Google: Ethical Considerations in Researching Jurors on Social Media*, CIRCUITS, Vol. 4 (Summer 2015)
- *And the Gods Will Judge: Trial by Combat in Game of Thrones*, 20 MEDIA AND ARTS LAW REVIEW 147 (2015)
- *Should Voir Dire Become Voir Google? Ethical Implications of Researching Jurors on Social Media*, 17 SMU SCI. & TECH. L. REV. 603 (Winter 2014)
- *'Tis But a Lawsuit! How Monty Python Has Crept Into the Legal System*, 78 TEX. B.J. 520 (July 2015)
- *History Mystery*, MINEOLA MONITOR (July 1, 2015)
- *Fitbit Data Brings Another Dimension to Evidence*, IADC TECHNOLOGY NEWSLETTER (July 2015)
- *Civility and Deposition Objections*, THE BENCHER (July/August 2015)
- *The Proving Ground*, DCEO MAGAZINE (July/August 2015)
- *Baby, We Were Born to Cite*, TEXAS LAWYER (July 13, 2015)

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- *A Guide to Advising Client to 'Clean Up' Their Social Media Profile*, FACTS & FINDINGS (July/August 2015)
 - *In Era of Social Media, What's A Facebooking Judge to Do?*, TEXAS LAWYER (August 6, 2015)
 - *A Clean Slate, or a Trip to the Disciplinary Board? Ethical Considerations in Advising Clients to 'Clean Up' Their Social Media Profiles*, 48 CREIGHTON L. REV. 4 (2015)
 - *Trial by Combat: Truly An Alternative Dispute Resolution*, TEXAS LAWYER (August 18, 2015)
 - *John N. Johnson – Crusader for Justice*, JOURNAL OF THE TEXAS SUPREME COURT HISTORICAL SOCIETY, Vol. 5, No. 1 (Fall 2015)
 - *Pop Goes the Culture With These Judges*, TEXAS LAWYER (Sept. 17, 2015)
 - *Sam Wyly is Bloodied But Unbowed; The One-Time Billionaire Takes on the SEC and the IRS*, DCEO MAGAZINE (October 2015)
 - *Haunted Courthouses*, 78 TEX. B.J. 9 (October 2015)
 - *More Than Words: The Evidentiary Value of Emoji*, FOR THE DEFENSE (October 2015)
 - *Advising Your Clients to 'Clean Up' Their Facebook Pages? It's Complicated*, 7 LITIGATION COMMENTARY & REVIEW 76 (Fall 2015)
 - *Avoiding the Heat for a Tweet: Ethical Limits of Advising Clients to 'Clean Up' Their Social Media Profiles*, THE BENCHER (November/December 2015)
 - *Editor's Note: The Crisis in Legal Education*, 78 TEX. B.J. 10 (November 2015)
 - *Out of Order*, TEXAS LAWYER (Nov. 30, 2015)
 - *Voir Dire Becomes Voir Google: Ethical Concerns of 21st Century Jury Selection*, THE BRIEF (Winter 2016)
 - *We Stood on Their Shoulders: The First African-American Attorneys in Texas*, 59 HOWARD L.J. 1 (2015)
 - *Dallas' First African-American Lawyers* (Part 1 of a 3 part series), DALLAS BAR HEADNOTES (January 2016)
 - *I Can't Make This Stuff Up*, 78 TEX. B.J. 11 (December 2015)
 - *Texas' Earliest African-American Lawyers*, JOURNAL OF THE TEXAS SUPREME COURT HISTORICAL SOCIETY, Vol. 5, No. 2 (Winter 2016)
 - *Fifty Shades of Green*, DCEO MAGAZINE (December 2015)
 - *All Atwitter About Social Media Ownership*, DALLAS BAR HEADNOTES (Dec. 2015)
 - *Socially Unacceptable: Ethical Issues in Lawyers' Use of Social Media*, TEXAS LAWYER (Dec. 16, 2015)