PUBLICATIONS

2019

- *In Case of a Bad Day, Read This Column*, 82:1 TEX. B.J. (Jan. 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)
- *Facing Up to the FaceTime Bug*, CIRCUITS (Mar. 2019)
- *Court—Where the Weirdness Never Stops*, TEX. LAW. (Mar. 18, 2019)
- *Ethics and Social Media: Let’s Chat About Chatbots*, 5 STATE B. TEX. FAMILY L. SEC. RPT. (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 Damdest 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)
- *Alexa, Testify*, 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)
- *Ethical ‘Fails’: Social Media Pitfalls and In-House Counsel*, CORP. COUNSEL (Aug. 12, 2019)
- *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)
• **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

• **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)
• **The Jury is Out**, DCEO MAG. (Mar. 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)
- Not Their Finest Moments, 81:8 TEX. B.J. (Sept. 2018)
- More Disorder in the Court, TEX. LAW. (Sept. 30, 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 Five Year Impact of the America Invents Act, DCEO MAG. (Mar. 2017)
- Straight From the Department of Bad Ideas, TEX. LAW. (Mar. 1, 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)
Breaking Up is Hard to Do, DCEO MAG. (Oct. 2017)
Winter is Coming – To Court, TEX. LAW. (Oct. 1, 207)
A Story Our Profession Needs to Hear, 80:10 TEX. B.J. (Nov. 2017)
And The Envelope Please . . ., TEX. LAW. (Nov. 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)
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)
• 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)
• 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)
• 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)
• 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)