

TEXAS ETHICS COMMISSION

MCLE Webinar Series

April 19-21, 2022 (9.0 total hours)

This course has been approved by the Texas Board of Legal Specialization for certification and recertification continuing legal education requirements for attorneys and paralegals in the following specialty fields:

APPROVED HRS SPECIALTY FIELD

9.00 Legislative and Campaign Law

Training Provided by Texas Ethics Commission

Tuesday, April 19

1:30 pm Campaign Finance for Local Filing Authorities (1.0 hours)

This presentation will cover the laws that local filing authorities must comply with in accepting campaign finance filings.

James Tinley is the Deputy General Counsel for the Texas Ethics Commission and has been with the agency since March 2014. After earning a B.A. in sociology from the University of Connecticut in 2007, James spent three years working as a newspaper reporter. In 2013, James received his J.D., cum laude, from The Catholic University of America School of Law in Washington, D.C., where he was an associate editor of the Law Review. Prior to joining commission staff, James worked as a law clerk for the appellate division of the Travis County District Attorney's Office.

2:30 pm Ethics for Local Officials (1.0 hours)

This presentation will cover the laws under the jurisdiction of the Texas Ethics Commission as they apply to local elected officials. This includes campaign finance reporting requirements and restrictions, regulations governing political advertisements, and the Texas Penal Code provisions addressing bribery and abuse of office. The presentation is designed for, and targeted to, local officials and the attorneys who represent them.

J.R. Johnson is the General Counsel of the Texas Ethics Commission. He was appointed by the agency's eight commissioners in 2020 to serve as their chief legal counsel and director of the Office of General Counsel. Before he joined the Commission, J.R. was a partner at Kelly, Hart & Hallman, where his practice focused on the trials and appeals of commercial, intellectual property, and environmental disputes.

Wednesday, April 20

9:00 am Forming a Political Committee in Texas and Complying with the Law (1.0 hours)

This presentation will cover the laws under the jurisdiction of the Texas Ethics Commission that regulate political committees in Texas. This includes campaign finance reporting requirements and restrictions. The presentation will explain the different types of political committees and cover the life cycle of a political committee from start to finish, including its formation, maintenance, and dissolution.

Nick Espinosa is the Director of Enforcement of the Texas Ethics Commission. Nick has served as an attorney for the Commission since 2011, where he has investigated and resolved hundreds of sworn complaints against candidates and elected officials through agreed settlements and administrative hearings. In addition to managing the enforcement division, Nick provides guidance and training on Texas campaign finance and election laws, lobbying, and various other ethics laws administered by the agency. Nick earned his J.D. from Thomas Jefferson School of Law in San Diego, California in 2010 (cum laude) and his B.S. in economics from Texas A&M University in 2006. Nick is admitted to practice law in California and Texas.

10:00 am Political Advertising (1.0 hours)

This presentation will cover the “do’s” and “don’ts” of political advertising – what must go on the advertising, and what to avoid. It will also cover Section 255.003 of the Election Code, which focuses on the unlawful use of public funds for political advertising, and the ways that the Commission has previously interpreted “public funds.”

Natalie McDermon serves as Assistant General Counsel for the Texas Ethics Commission, a position she has held since 2019. Previously, she was a deputy clerk at the Supreme Court of Texas for 4 years. Natalie graduated from University of Texas School of Law in 2015. She has a BA in English from the University of California Los Angeles.

11:00 am Advising Clients on Election Code Issues (1.0 hours)

Decisions made by a candidate (for example, withdrawing from a race) can have implications relating to the conduct of the election and to the candidate's filing duties under the Election Code. Campaign law attorneys need to be aware of all of the issues, and that different governmental entities administer and regulate candidacies.

Anne Peters is the executive director of the Texas Ethics Commission. Previously, she worked at the Texas Legislative Council for 18 years, where she drafted legislation and provided legal advice to legislators and staff in the areas of finance, elections, and ethics. Her speaking engagements have included presentations on the subjects of drafting legislation, drafting voter propositions, and ethics for government attorneys. Ms. Peters graduated from the University of Texas School Of Law with honors, and was an associate editor of the Texas Law Review. She has a Bachelor of Arts in Political Science from Texas A&M University.

Jennifer Jackson is a Senior Legislative Counsel at the Texas Legislative Council and a member of NCSL's Executive Committee and Legislative Staff Coordinating Committee. For 19 years (and counting), Jennifer has advised and provided bill drafting services for the members of the Texas Legislature. Regarded as an expert in Election, Higher Education, Transportation, and Redistricting law, she has worked on high profile legislation such as Texas' Voter ID law. Jennifer received her J.D. from the University of Houston Law Center in 2002 (cum laude) and her B.A. in history from Texas A&M University in 1998 (cum laude).

12:00 pm TEC Update (.5 hours)

This presentation will cover the previous twelve months of developments in state and local government ethics laws. This includes advisory opinions and rules adopted by the Texas Ethics Commission as well as recent court decisions regarding the laws under the Ethics Commission's jurisdiction. The presentation is designed for, and targeted to, attorneys who advise candidates, officeholders, and public servants in Texas.

J.R. Johnson is the General Counsel of the Texas Ethics Commission. He was appointed by the agency's eight commissioners in 2020 to serve as their chief legal counsel and director of the Office of General Counsel. Before he joined the Commission, J.R. was a partner at Kelly, Hart & Hallman, where his practice focused on the trials and appeals of commercial, intellectual property, and environmental disputes.

Thursday, April 21

9:00 am Personal Financial Statements (1.0 hours)

This presentation will cover the requirements related to personal financial statements filed with the Texas Ethics Commission under Chapter 572 of the Government Code. Specifically, this presentation will discuss the categories of individuals required to file personal file statements with the Commission, the type of information that needs to be disclosed, filing deadlines, and the penalties associated with failing to comply with the requirements of Chapter 572.

Carmen Dalpiaz serves as Assistant General Counsel for the Texas Ethics Commission. Prior to joining the Commission, Carmen was a Deputy City Attorney with the City of San Jose, California for approximately 5 years. During this time Carmen handled a wide variety of litigation ranging from criminal prosecutions, personal injury defense, collection cases, and nuisance abatement. Carmen earned her J.D. from Santa Clara University School of Law in 2014, where she served as an editor for the Santa Clara Law Review, and her B.S. in public policy, planning, and development from the University of Southern California in 2007. Carmen is admitted to practice law in California.

10:00 am Judicial and Non-judicial Candidates (1.5 hours)

This presentation will cover the filing requirements applicable to judicial and non-judicial candidates and officeholders under Title 15 of the Election Code. The presentation will also cover restrictions imposed by Title 15 on candidate and officeholder activity, and will address some of the most common reporting errors by candidates and officeholders.

Jordan Hunn is the Texas Ethics Commission's Deputy Director of Enforcement. Jordan has served as an enforcement attorney with the Commission since 2019. Before joining the Commission, Jordan worked as a staff attorney for Susman Godfrey, LLP, in Houston, and served as law clerk to Justice Jane Bland during her tenure with the First Court of Appeals. Jordan graduated with honors from the University of Texas School of Law, where he served as an executive editor of the Texas International Law Journal. Jordan also has a bachelor's degree in history from the University of Texas at Austin.

11:30 am Ethics for State Employees (1.0 hours)

This presentation will cover the laws under the Jurisdiction of the Texas Ethics Commission as they apply to the employees of state agencies. This includes the standards of conduct applicable to all state employees, the Texas Penal Code provisions addressing bribery and abuse of office, the laws governing registered lobbyists, and the revolving door statutes. The presentation is designed for, and targeted to, current and former state agency employees and the attorneys who represent them.

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