Inside 2Q2009

ACC AMERICA
Association of Corporate Counsel
South/Central Texas Chapter

FOCUS

President's Message

Kay Grimes

Does It Matter—Does It Really Matter?

Many times we wonder whether what we do matters. I had the privilege of attending the Chapter Leader Training hosted by ACC national. I found myself boasting about the wonderful board and members that I serve. All of you make so many things happen for ACC, and I want you to know that it matters. It really matters.

We kicked off this year by having our first annual planning retreat at Serengeti Ranch, which was fabulous. Tori Payne, ACC's director of membership development and chapters, was gracious enough to come and share her insight with us.

Tori's presence and ideas were very much welcomed and appreciated. We accomplished all items on our agenda, which was happily followed by a wine tasting and safari. It was quite an interesting little adventure. The only protection between the wild exotic animals and us was a golf cart, which could have easily been crushed by the long-necked, lion-killing giraffe. That, along with the fear of being digested by the ravenous ostriches made Jurassic Park a reality show for Amber and me. (Incidentally, I think we should have received T-shirts after the safari saying, "I survived.")

Although our annual planning retreat is a once-a-year affair, we also host a luncheon program on the first Wednesday of every month. Thanks to our many sponsors who make the luncheons possible, our members and nonmembers enjoy informative talks on a wide variety of topics including insurance, employment law and litigation trends. Each attendee receives one hour of continuing legal education credit for each luncheon. In response to a survey completed by our members, we are going to kick off the season with two "Summer Fun" luncheons at Dave & Buster's. Who says CLE can't be a great time?

In addition to eating, drinking and planning, our chapter also contributes its time and money to charitable organizations. Ingrid Etienne, our president-elect, chairs the Charitable Organizations Committee. Due to all the efforts of Ingrid and the members that serve on this committee, we host an "Ask a Lawyer" night for nonprofit organizations and conduct a panel discussion at St. Mary's Law School. In addition to giving our time, we are able to make a charitable contribution to the Community Justice Program through proceeds raised at our annual Ethics Follies production.

Lee Cusenbary, our past chapter president, chairs the Ethics Follies Committee and never ceases to amaze us on what he can do! We are all convinced that he just doesn't sleep. The Ethics Follies program is gaining national recognition—some of the cast performed for a national law group in Charleston, SC. As always, the show was a huge success! This year, our Ethics Follies will be offering two performances: a daytime show on October 14, and an evening show followed by a gala on October 15. Each performance will be two hours. None of us ever think it can get better, but it always does.

Somewhere between the annual planning retreat, the monthly luncheons, our charitable activities, our roundtable legal discussions and the Ethics Follies, we find time for social networking. This year, we hosted a night at the Missions Ballpark. Short of not serving apple pie, it was fabulous! We will also be hosting a happy hour the beginning of June, at which time we hope to report the results of a salary survey that is about to get underway.

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Alternative Fee Arrangements: Moving Toward Better Valuation of Lawyer Services

Susan Hackett
Senior Vice President and General Counsel, Association of Corporate Counsel
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We can all agree that our clients believe that the cost of a legal problem should not be assessed simply by how much a lawyer would like to be paid to spend time solving it. As we struggle to deal with tighter budgets and as clients become increasingly disenchanted with many law firms' lack of focus on value, we get more and more interested in alternative fee relationships.

Both clients and firms struggle when figuring out how to value legal services they previously "costed" exclusively on an "hourly rate X time spent" basis. Some of our frustration with finding other ways to value a lawyer's contribution is inexperience or a lack of comfort with reassessing risk or quantifying the unknown, supported by a lack of good data that would point to the actual cost of a matter (rather than the cost of a lawyer's time).

The result is that clients are guilty of not managing their outside counsel with clear directives and understanding of what value is and how they want it quantified. At the same time, many outside counsel with experience in doing certain kinds of matters really well somehow haven't yet figured out how much the next matter will cost.

What is needed to move us forward?

Law firms need to better "mine" their own business knowledge and align their practices to their clients' needs—in terms of pricing and expertise. But no law firm will agree to throw out what are largely proven and successful business practices (in terms of profit and their current experience) without clients willing to reward them for trying something different and somewhat more risky (from their perspective).

In-house counsel can best drive value in firms by better understanding and communicating their expectations and their assessment of the value of the work they are outsourcing. Too many clients ask firms to think creatively in making a bid for work or in yearly assessments, and then award their work to firms that continue to bill by the hour and simply offer a discount.

My experience with the ACC Value Challenge project suggests that firms will do whatever you want them to do. So if moving your firm to an alternative fee or staffing structure is important to you, all you need to do is show your firms that you will reward those who step forward with such solutions.

The following is a short outline of alternative fee issues; you can also find a lot more information at *www.acc.com/advocacy/valuechallenge/toolkit/index.cfm*. Remember that you can often combine these kinds of fee structures or relationship alternatives to create service models that best fit your clients' needs.

Volume, Blended and Discounted Fees

Description: Law firm reduces its hourly rates or offers a blended rate that all timekeepers adopt, often in return for client guaranteeing a certain volume of legal work. (Not an "alternative" fee at all, but mentioned here since so many folks think this is alternative billing.)
Advantages: It's quick and easy.
Disadvantages: Experience shows us that discounts don't generate real savings, since poor business models at firms remain unchanged. Lawyers have no incentive to bill fewer hours, nor do they need to be more efficient or consider staffing that makes more sense; perversely, some firms will feel penalized for discovering an early resolution of the matter. Lawyers billing on a discount do not learn to establish a value and cost for the services they provide—and they often offer discounts without thinking through whether they can actually profit at that rate. Finally, discounted fees can be difficult to manage.

Contingency Fees

Description: Client pays the law firm based on results achieved. Payment is often expressed as a percentage of the recovery, settlement or amount saved.
Advantages: Clients only pay when the law firm achieves successful results—they don't pay for time. This allows economically challenged clients to obtain legal representation, and allows law firms that carefully screen new matters to fully leverage their efficiency and expertise.
Disadvantages: Law firms assume all of the risk. As a result, those firms with little experience, inefficient operations, poor screening processes, weak financial skills or a case that goes south risk losing money. In addition, some jurisdictions are placing caps on contingencies in certain circumstances.

Retrospective Based on Value

Description: Fee is determined by law firm at the conclusion of a matter and is based on client objectives as defined at the outset. Some firms that are trying this method allow the client to adjust their final bill to what they think is a better assessment of the value.
Advantages: Shifts focus from time spent to the value of results. The amount of the fee is based on the value to the client.
Disadvantages: Requires a great deal of trust between lawyer and client. Client may not agree with how law firm values its services and vice versa.
(This kind of arrangement is best for clients and law firms that know and trust each other well—and when the value to the client of the results achieved can be accurately calculated.)

Retainers

Description: Client makes a deposit against charges for future services or client makes a deposit in return for which law firm guarantees its availability for a specific period of time.
Advantages: Clients are more likely to seek legal help when they know the clock isn't ticking, and this leads to good relationships and better ability for firms to provide meaningful counsel. Law firms are paid upfront and thus can avoid billing, collection and profitability problems, provided retainer is kept current and accurately reflects the costs

of providing legal services. Many folks using retainers in today's market are outsourcing an entire function to a firm on a flat fee per month, quarter or year. **Disadvantages:** Disagreements about what is included in the retainer can occur if details are not clearly specified. This can cause firms to think they're doing too much and/or it can cause clients to think they're receiving too little. (While not required, law firms are wise to provide clients with periodic summaries of tasks performed and results achieved to demonstrate the value of the services the client is receiving.)

Fixed or Flat Fees/Capped Fees

Description: Client engages law firm to provide a specific service for a set price. This service could also represent one segment of a larger matter or a recurrent type of litigation. For capped fees, the law firm is paid up to a specified maximum amount. **Advantages:** Fee is not based on time (even if the firm continues to internally track hours for its own use); both client and firm know at the outset what the (maximum) fee will be. This allows client to budget accordingly and avoid billing surprises, and it allows firm to leverage its expertise and efficiency. It requires both firm and client to document with specificity what services will be performed for the fixed fee. It gives firm an incentive to improve staffing decisions, processes and workflow and make better use of technology. **Disadvantages:** Law firm assumes the risk of cost overruns. Thus, unforeseen circumstances could lead to tensions around the need for higher quality work product and/or additional effort. Clients must also be ready for the firm that succeeds under the model and not expect the firm to return a large profit that they fairly won. Some firms/clients choose to manage risks in both directions by including safety valves or "reopeners" that allow both client and firm to revisit and revise the agreement in specified circumstances.

Budgeting

A growing number of companies have come full circle, from discounts to alternative fee arrangements to "hard budgeting." To my mind, alternative fees are actually little more than a full understanding, anticipation and management of costs through a well-crafted budget, which have been a requirement in retainer letters for years. However, they tend to be observed in the breach, used by one side only or used only for accrual/forecasting purposes—not for cost management.

To truly budget a matter, you have to have data that suggests the matter's worth from the outset. This is the real work of alternative billing—shifting the focus from lawyer contributions to client assessment of value and desired outcome.

My advice to those of you just getting started is to remember that you can approach many of these strategies in smaller bites until you develop greater comfort and more experience. You can design staged fees so that some portions are billed on a traditional hourly basis, but a portion that is more easily segregated for cost purposes can be billed on a fixed or other alternative fee.

Additional Thoughts

- Base your expectations on data that you or your firms have mined: what is the average cost of such matters across all your firms, or in the experience of your in-house practice peers at other companies (time to use the ACC networks!), or in the experience of your firms which have done this work over and over for hundreds of clients. Begin there, even if that information is based on billable hours. You need to start somewhere, so start with what you know.
- Focus on a budget or the cost of all-in tasks rather than an arbitrary fee. Manage to the cost and outcomes, and not time spent.
- Establish metrics and evaluation processes that allow measurement of how you're doing so you can engage in continuous improvement in the process. Link compensation to results.
- Consider an ebilling system, if you don't already have one; the idea is not to focus on "gotcha!" auditing practices on each bill, but to use the system to help both sides manage matters without surprises and stay on target from before the process is done to the mandatory evaluation process that concludes each matter. Check out the services offered by companies such as Serengeti (*www.serengetilaw.com*), which has offered ACC lots of great ideas and support on our value project.
- Ask your firms if they are monitoring the running costs of your alternatively priced matter against billable hours—they probably are if they're also early into this process. If so, ask them to share the results. There are probably some matters that are better billed on an hourly basis.

Beyond Fees: It's Not Just About Alternatives to the Billable Hour!

Don't just apply these theories to law firms; apply them to other vendors of legal services too.

Combine alternative fee ideas with other value-based alternative strategies, such as partnering your firms with service providers who can do portions of the task for far less. Ask your firm if they will rethink their own staffing of your matters to assure you're driving the right horses for courses, or ask the firm to offer you a seconded associate or junior partner to help you get a matter done that you can't afford to pay for at higher rates (or to help you staff through high volume surge periods or maternity leaves, etc.).

Ask firms to complement their commitment to value-based billing with other kinds of offers: have them train your in-house staff to do certain kinds of work, man a hotline for your clients to call at no additional fee or establish an extranet with resources they can offer to help you get their jobs done. Don't limit your quest for value to the bill: Think broadly.

What we're all interested in is the place where the firm makes more money because you've given them more work and they've gotten really good at doing it, but you pay less because the firm agrees to price your matters based on stronger efficiencies, proper staffing and a focus on what value means to you: speed, result, relationship, communication skills, innovation—whatever that may be!

Read about what others are doing *www.acc.com/advocacy/valuechallenge/IdeasDiscussions.cfm*, or contribute your or your law firms' best billing and alternative fee practices by emailing us at *accvaluechallenge@acc.com*.

Buttoning Up on Privacy/Data Security Issues

Bart Huffman and Erin Fonté, Attorneys, Cox Smith

Information security is a critical legal, compliance, and public relations issue facing companies today. Drawing from our presentation at the March 2009 ACC luncheon, we have prepared a few basic, suggested steps for fine-tuning your company's privacy practices.

1. **Conduct an Internal Assessment.** Assess the various types of electronic data, including personal information, that your company maintains, and understand data flows for personal information of customers, employees, applicants, newsletter or other mailing recipients, and prospects or leads. Determine whether and at what level data is encrypted, and analyze what personal/sensitive information is transported or utilized by your business/employees in mobile or wireless form (such as flash drives, smart phones/PDAs, and laptops). Assessment results should be the basis of your privacy and data security policies.

2. **Line Up Policies with Practices.** Customer-facing privacy and data security policies must line up with your current internal practices, as well as your customer agreements. Oftentimes, confidentiality provisions inadvertently overlap with privacy provisions, and the two should be examined for consistency. Remember that your use of data is governed by the applicable data security and privacy policies in effect at the time when the data is gathered. Be sure to implement appropriate training for personnel that come into contact with personal or other sensitive information (including that pertaining to other employees).

3. **Setting Employee Expectation of Privacy.** Employment policies should set forth the appropriate employee expectations of privacy when using company computers, e-mail accounts, and other company technology. Such expectations are particularly important in connection with any internal monitoring as well as company responses to government investigations.

Bart Huffman

Erin Fonté

4. **Address Protection of Financial Transaction Data.** Assess payment systems procedures, equipment, and data (including point-of-sale terminals) for compliance with federal FACTA account number truncation and expiration date suppression requirements, as well as various related state laws. If you accept debit or credit cards, you should also review your procedures, and those of your vendors (where applicable), to ensure compliance with the applicable Payment Card Industry Data Security Standards (PCI-DSS).

5. **Formulate a Data Security Breach Response Plan.** Prepare and implement the preparatory phases of a data security breach response plan, so that you can respond quickly and minimize damage in the event the company suffers an internal or external data security breach.

6. **Don't Forget Your Vendors.** Review vendor contracts that involve the handling or other use of personal or other sensitive information originating from your company. Take into account the particular data that is flowing to and from outside vendors, as well as the geographic jurisdictions where the vendor is using or storing such data and the geographic jurisdictions where the data subjects (e.g. customers or employees) reside. Seek amendment of the contracts where necessary, and consider replacing vendors that will not stand behind their privacy and data security practices. Vendors should be held to the same privacy and data security standards as the company itself.

7. **Assess Applicability of Privacy and Data Security Laws.** Determine whether your company is subject to industry or data-type specific laws that address privacy of personal information, such as the FACTA red flag identity theft rules, or HIPAA. Also, consider a plan for advance compliance with emerging encryption requirements and wireless standards (such as those embodied in recent Massachusetts legislation or suggested by the National Institute of Standards and Technology).

We Are What We Choose To Be

Stephen R. Fogle, Partner in the San Antonio office of Jackson Walker

Is there any doubt that our choices make all the difference in how our lives unfold? Most often we think of these in terms of where we attend school or whether we take a particular job. Those are significant, but they are not the most important. I believe the choices we make in how we do what we do are more influential in living a healthy and fulfilling life.

There is one thing each of us controls that can make an onion taste like chocolate, can only be changed by others if we let them, and makes all the difference in how we feel about our job, our life, our situation. It's our attitude.

It's uniquely ours. We decide what it will be and how it will influence our life and those around us. We can easily allow external forces to mold it and to control how we feel about things. That's just part of our human makeup that finds it easier and faster to react rather than to act. But living life in reaction mode allows others to decide how we enjoy, or more accurately, how we do not enjoy the gift of every day life.

So how do we decide to act in a way that not only improves our lives, but those around us? Here are a few ideas, which you may recognize from lessons learned in our collective past.

Help out those in need. Be cheerful around the office. Don't spread gossip or stay in the presence of those who do. If you have a choice in assuming the best or the worst of someone, choose to assume the best. If it's not true, you will know soon enough and others will give you credit for having given them the benefit of the doubt. If it is true, you will be rewarded by their loyalty and confidence.

Support your local sheriff. He/she may not be the best, but he/she protects you from things you are not even aware are going on. Remember that you are a part of a team, if you choose to be. No one is irrelevant, no one is beneath you, no one is better than you. It's not just that the people you see on the way up may also be the ones you see on the way down. It's a bonafide respect for the worth and significance of each soul.

Don't be discouraged if you think you are the only one trying to build something more than just a place to work. Your example will seep into others like butter on hot mashed potatoes. Eventually, you won't be able to tell them apart. You have a greater influence on how others act than you know. How they react to you, is how you act towards them. To be treated nicely, you have to treat others nicely.

Try to find something each day to be thankful for and keep in mind that there are others who are in far worse circumstances. Choose to be happy. If you are happy with what you do, you will do it better every time. Hopefully, all of us are doing what we wanted to do. If so, it brings great satisfaction and happiness all by itself. If you are unhappy in your job, try to understand why and either fix it or get into a job that will make you happy.

Happiness is like sunshine, it makes everyone in its presence feel better. If you are unhappy, don't despair. You work in a profession with many facets. If where you are is not where you want to be, choose to look at other alternatives and decide whether its time for a change. Just don't confuse the momentary unpleasantness as indicative that you need to call the truck driving school advertised on late night television.

Life is rarely a straight line. Most often it's a three-dimensional spider web where everything is connected and forces beyond your control affect you in ways you don't always understand or recognize. The only way to exercise control is to keep your eyes open, ask questions, and try to understand the situation before choosing your action. If you can do that, you have taken a giant step to becoming truly happier in your job, your surroundings and your life.

Welcome New Members

Alan Carlson, Clear Channel Communications

James Gilman, Methodist Healthcare System

Melissa Killen, Bexar Metropolitan Water District

Frank Morrill, Threatguard, Inc.

Les Sachanowicz, SACU

Stacy Sampeck, Kinetic Concepts, Inc.

James Whetzel, USAA

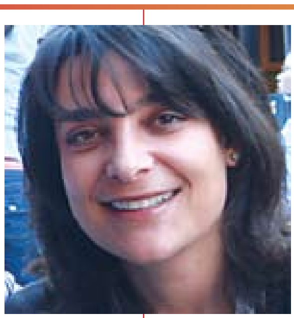
Member Spotlight: Frances DeCecco

Frances DeCecco

How long have you been a member of ACC? What is the greatest value you get from the organization and how have you seen it grow over the years?
I have had more fun being a part of ACC this past year than ever before. I've met some great people and enjoyed getting involved in ACC activities, including the Ethics Follies. I've been inspired by Lee Cusenbary, put to work by Amber Clark, and generally accepted and embraced as part of a team by the other active members. It's been a wonderful experience that I hope to continue.

Tell us something about yourself that may surprise other people.
When I was 13, my father bought a farm and we had horses, cows, pigs, ducks, chickens, rabbits—you name it. I had chores to do all summer long, like feeding the animals and cleaning pens. I learned to drive a tractor at 14, and can carry a 50-pound bag of horse feed from the feed shed to the stable. I can ride bareback, have seen a calf being born and helped slaughter turkeys. I still love animals and am married to a veterinarian.

What is your most embarrassing moment? How did you handle it?
I think that my closest friend, Leslie Hoffman, would love the chance to answer this one, but I'm not going to ask her! I try not to take myself too seriously and not let feelings of embarrassment or what others might think stop me. I speak up quite a bit and truly enjoy my work. Once, when designing new office space with the president of my former company, he told me that I couldn't place my office next to his because I laughed too much. After feeling a bit embarrassed by his comment, he told me he meant it as a compliment. He said if his head of compliance could laugh all day, then the company was doing something right! And after our next SEC visit, I proved him right.



Where did you attend law school and college? What did you enjoy most about your college and law school experience?
I attended the University of Florida College of Law and graduated with honors in 1997. I had a great time in law school and met the people who I continue to call my closest friends.

Why did you become an in-house counsel?
I spent some time as a firm attorney with Stradley Ronon in California and enjoyed the opportunity very much, but I've always been interested in that something extra that in-house counsel work provides. Working in-house gives me the opportunity to put my undergraduate degree in business management to use as well as my years of legal experience. I enjoy the partnership with the business and the opportunity to partner with my clients as part of a team to accomplish their objectives.

What has been your most challenging legal issue to date and how did you handle the situation? What are your most memorable or significant accomplishments as a lawyer?
I'd say, "getting to yes." Sometimes as in-house counsel, we get some pretty difficult legal challenges from our business clients and can be tempted to just say, "You can't do that." Sometimes you can't. But the most challenging thing, and the thing I love, is getting to yes. If you keep asking the questions, keep looking for what the business objective really is rather than the method they have proposed, you can find a method that accomplishes the real objective in a different manner that meets legal and regulatory requirements. It's the partnership that in-house counsel work provides that most inspires me.

What are some of your hobbies and interests? What do you enjoy doing outside of work?
I love to travel and scuba dive. Before I started law school, I took a three-month trip around the world, stopping in Hawaii, Fiji, Australia and Thailand, and was able to do some great diving and exploring. I went on to backpack through Europe after that and had a fantastic experience.

Who influenced you the most to become an attorney? In what ways? Who do you "lean on" for moral or spiritual support?
Actually, I never met the attorney who influenced me to become an attorney. I was working with a large new division of a global company and had been negotiating the technical aspects of mainframe systems support. This work required quite a bit of travel and went on for about six months. When we finally reached agreement and were ready to launch, I was thanked and told the attorney could handle it from here. Well so could I, so I took the LSAT, applied to law school and graduated with honors three years later.

What is your favorite book or movie? Why?
My favorite movie is "Joe Versus the Volcano." It stars Tom Hanks and Meg Ryan, and it's about a hypochondriac with a miserable life who is duped into thinking he's dying and agrees to throw himself into a volcano. He discovers so much about courage and truly living life along the way. It inspires me to always take the chance and do the things you may be a little afraid to do because that is when you learn what you can truly do, who you can truly be.

Chapter News

Motions to Strike!

We are in the process of putting together chapter bowling teams. Individuals, corporate law departments, family members and sponsors are all welcome to participate! Please email Amber Clark at *accasouthcentral@yahoo.com* if you are interested.

"Peer Review"

All lawyers have opinions! We thought it would be fun to share our members' opinions about their favorites, including restaurants, books and movies. Find out what your peers enjoy doing in their spare time and maybe even discover some new things to try! Send your reviews and opinions to *accasouthcentral@yahoo.com*!

Brief on the Beef: **Kathy Yates** recommends Soleil Bistro and Wine Bar on Blanco Rd. as a great place to stop in for drinks. However, her new best favorite hangout is La Tuna Grill on Probandt. Best and biggest hamburgers in the city—and cold beer.

Throw the Book at 'Em!: **Manuel "Manny" Pelaez-Prada** just finished reading "The Moon is a Harsh Mistress" by Robert Heinlein

Manny's Book Review: I have always been guilty of the prejudice that many of us harbor against science fiction. This novel, however, is anything but a run-of-the-mill sci-fi book. It's an in-depth analysis of the merits and deficiencies of anarchism, unregulated free markets, monogamous/polygamous relationship, and political conflict resolution. The story is set against the backdrop of a lunar colony population that decides to revolt and secede from Earth. In so doing, moon inhabitants must wrestle with the creation of a new government, the redefinition of politics' rules and "national" defense. Interesting parallels to the birth of the United States are made throughout and cause the reader to stop and think about how our culture and government(s) have evolved.

Manny's Favorite Book: As for my favorite book, it has to be "The Napoleon of Crime" by Ben Macintyre. It is a biography of Adam Worth, the most prolific and wildly neurotic art thief that ever lived.

Motion Picture: **Kay Grimes** recently saw "Taken" starring Liam Neeson. The film is about the trafficking of teenage girls, prostitution and drugs. Kay says it's an eye-opener and is very well done. So well done, in fact, she was "taken" by it.

Job Openings?

Is your company looking to fill an in-house position? Do you know about a current in-house job opening? If so, please let us know so that we can advertise the position to our membership.

Send an email to our chapter's executive director at *accasouthcentral@yahoo.com.*

ACColades

Tim Alcott, general counsel for the San Antonio Housing Authority and chapter vice president, successfully completed the Lone Star Half Ironman Triathlon. It took him 5 hours and 24 minutes to swim 1.2 miles, bike 56 miles and run 13.1 miles. Tim is scheduled to do the full Ironman this summer. Way to go, Tim!

Congratulations to **Anthony Fetter,** Zachry member, for winning the ACC South/Central Texas Chapter Survey door prize gift card to Tiago's Cabo Grille! Thanks to all of you who participated in the survey!

Four ACC South/Central Texas Chapter member corporations earned spots on Fortune Magazine's latest list of the top 500 companies ranked by revenue: **Valero Energy Corp., Tesoro, USAA and, NuStar Energy LP.**

NuStar Energy also recently made the *San Antonio Business Journal's* list of "Best Places to Work."

Ethics Follies Update

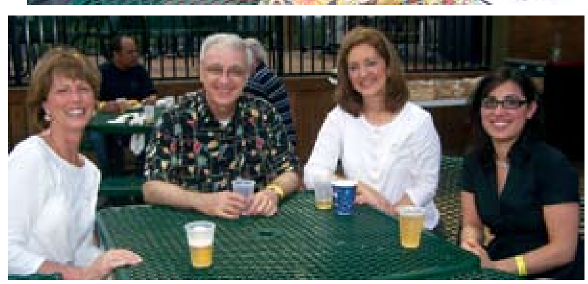
C. Lee Cusenbary, General Counsel, Mission Pharmacal Company

Our Ethics Follies Committee has wrapped up the 2008-09 season after four performances of the ethical tale, "Decent's Descent," the last of which was at the USLAW Network's national client conference in Charleston, South Carolina in March. The show is available as a three-DVD set from the San Antonio Bar Association (contact SABA's Kim Palmer at *kimp@sabar.org*). In-house legal departments can get up to three hours of ethics CLE credit from watching the DVDs. Some companies have set up ethics CLE lunches, one hour each week, to get their in-house attorneys low-cost and entertaining CLE. The three DVDs are also shown each month at the courthouse by SABA as an ethics CLE course.

The committee has started work on a new production featuring timely ethics issues found in headlines like Bernard Madoff's purported $50 billion fraud, deadly peanut butter, unethical litigation tactics, Facebook® antics, and many other interesting corporate ethics topics and legal ethics rules brought to life by the Follies performers. Mark your calendars for October 14 at 2:00 PM for the next performance of Ethics Follies, "Ain't Misbehavin'," at the Empire Theatre, or plan on attending the evening of October 15 for a special gala performance at 7:00 PM. A portion of the proceeds will be donated to the Community Justice Program. CLE, a great time and a donation to charity—all in one fun event!

If you would like to join the committee, or just give us ideas on ethics issues, we always welcome your input. Please contact Lee Cusenbary (*lcusenbary@missionpharmacal.com*) with ideas for ethics issues to be covered. Or if you would like to get involved a little (or a lot) with the Follies, there's always room on the committee. So please join us! Check out the Ethics Follies Alumni page at *www.facebook.com* and clips of the show "Decent's Descent" at *www.ethicsfollies.com.*

Chapter Event Photos: Missions Game



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We plan to have another happy hour in the fall. In addition, our Christmas party is tentatively scheduled for December 17. We hope you can come to some, if not all, of the events we have planned.

Lastly, as I mentioned earlier, I attended ACC's Chapter Leader Training earlier this year and realized how well we do everything. There was a report on how to handle chapter finances. For those of you who have served on the board, you know it does not get any better than Bob Leckie! Then, when the panel began discussing executive directors… well, it goes without saying that we have the best—Amber Clark! Our pro bono efforts are good, our social efforts are good, our finances are good, our monthly luncheons are good, are roundtables are good, our Ethics Follies show is good…as they say, "it's all good!"

I have instructions to limit this article to approximately 600 words. Trust me, that is not an easy task for me. I could go on and on bragging about our chapter, what it does and what it means to me. Let me just say that next time you wonder whether what you do matters, remember me saying: "It does matter. It really does matter." You are the reason "it's all good!"

Chapter Board Retreat

Chapter board members plan out the year at their first annual planning retreat. Pictured: Dan Lopez, Ingrid Etienne, and Tim Alcott.

Chapter board members and Tori Payne from ACC national play a little after planning retreat. Pictured: Tori Payne, Linda Drozd, Tim Alcott, Kay Grimes, Bob Leckie

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Don't Miss

We will continue to hold our monthly luncheons on the first Wednesday of the month from 12:00–1:30 PM. Our June luncheon will be at the San Antonio Plaza Club. We will host special "Summer Fun" luncheons at Dave & Buster's in July and August. The cost to attend the luncheons is $10.00 for members and $20.00 for nonmembers. (In-house counsel and sponsoring firm only, please.) Check out our chapter webpage at *www.acc.com/chapters/sanant* for our current calendar of events and registration information.

Remember: no other professional organization in San Antonio offers better CLE programs at a more affordable price that are specifically geared to meeting the needs and issues of in-house counsel.

Upcoming Chapter Events

Wednesday, June 3	June Luncheon, San Antonio Plaza Club, Frost Bank Building, 100 W. Houston Street, Ste. 2100
Wednesday, July 1	"Summer Fun," July Luncheon, Dave & Buster's, 440 Crossroads Blvd., San Antonio
Wednesday, August 5	"Summer Fun," August Luncheon, Dave & Buster's, 440 Crossroads Blvd., San Antonio