

Texas Beckons

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that same period, we increased funding for higher education by almost \$6 billion in state and federal funds. Texas stands in stark contrast to many other states that cut spending in public education.

This year, we made even more progress in improving public education. I helped pass landmark legislation establishing accountability baselines so we can measure for the first time growth in public schools across school districts as well as individual schools and classrooms. That same legislation makes Texas the first state in the nation to incorporate college readiness into its public school accountability system.

Long a champion of higher education in Texas, I made it a priority to create more Tier 1 Texas universities. And we increased funding for student loan programs such as our innovative grant program, "B-On Time." This program provides interest-free loans to students for college tuition, books, and associated fees. If the student graduates in four years with at least a B average, then every penny is forgiven.

Editor: Can you tell us something about the quality of life Texas offers to the employees of Texas-based employers?

Dewhurst: Being born and raised right here in Texas – I'm a little biased – but we do have a great state. Geographically Texas is very diverse, with beautiful coast lines, beaches, deep forests in East Texas, rugged plains and mountains in West Texas, and beautiful rolling hills in Central Texas. Texas has several of the nation's largest cities, with an incredible mix of cultural and social activities.

Our children and young adults have access to some of the finest public schools and universities in the country.

The generosity of our citizens through philanthropy is really impressive. For example, Dallas is in the midst of building a new symphony and opera hall.

We also have great traditions in sports, with pro-football, pro-basketball, and pro-baseball teams. And of course, you can't think of Texas without thinking of high school football. There's even a TV show, "Friday Night Lights," based on that great Texas Friday night tradition.

When businesses relocate to Texas, they want a highly skilled and well-trained workforce, good infrastructure, and a good quality of life, and I'm proud to say that we have it all in Texas.

Editor: Generally speaking, could you describe the impact of Texas' legal climate and regulatory environment on the business community?

Dewhurst: A few years ago, we had a judicial system that was dominated by activist judges, but that's no longer the case. We aim for a fair and just judicial system that protects all Texans, rich or poor, and from any walk of life. In the 2003 legislative session, I was proud to help pass model tort reform legislation for medical malpractice. Since then, the number of frivolous lawsuits in Texas

has fallen like a rock. The goal of our regulatory agencies is to protect people and the environment. We're trying to promote the use of the best available technology to reduce emissions, while still growing jobs in Texas.

Editor: What roles do Chambers of Commerce and other business development groups play in attracting business to locales within the state?

Dewhurst: Business organizations help shape a better Texas by promoting a favorable business environment that leads to more jobs for our citizens. All our local chambers of commerce representing both large and small cities, plus the statewide organization, the Texas Association of Business, are influential in not just business issues, but in advocating continuing improvement to public education, higher education, transportation and work force development.

I appreciate our fine chambers of commerce around the state, working tirelessly to showcase our cities and our state, and attracting new businesses to Texas that create jobs and further strengthen our economy.

Editor: What about the attitude and quality of labor Texas offers? There is an ongoing effort in Congress to pass legislation like the Employee Free Choice Act. What is the relevance of this legislation for Texas?

Dewhurst: I think today's employers are more enlightened, and arguably there is less of a need for unions in Texas today, which is a "Right to Work" state. My experience is that most employers want to take care of their workforce by ensuring adequate training and high safety standards. We have been working with small businesses to find new approaches to healthcare coverage for their employees. Although Texas has a higher percentage than the national average of large companies that provide health insurance, since most of our employment in Texas is from smaller businesses, we are looking for ways to help these businesses provide health insurance.

Over the past six years, I have helped pass legislation eliminating all state mandates on insurance. We have passed legislation to permit small employers to pool together to buy cheaper insurance. Senate Bill 10, which I helped write in 2007 with Senator Jane Nelson, provided an insurance pool for the uninsured. In 2009, Senator Nelson and I revisited insurance pooling through Senate Bills 7 and 8, which create pilot programs focusing on clinical integration, secure electronic records, bundling payments for episodes of care, creating scheduled premium payments for new coverage and creating incentives for doctors and hospitals to follow best practices.

Editor: What is being done to spur invention and innovation and the growth of new businesses?

Dewhurst: Our universities and our hospitals are working with the private sector on cutting edge research and development projects that can be commercialized and will result in new businesses and industry for our state, and

ultimately, create more jobs.

Also, I think folks realize that Texas historically has had a lower tax rate on businesses and individuals than most states. Said differently, Texans have always insisted that their tax rate as a percentage of disposable income be less than the national average. Whereas some states like California and New York depend heavily on personal income taxes, we don't have this in Texas. We rely on property taxes, which we have reduced by some \$7 billion a year, and sales taxes, which are generally considered to provide a more reliable foundation for the state.

Editor: Texas has weathered this economic storm well. What accomplishments from this past year are you most proud of?

Dewhurst: Though not immune to the national recession, Texas hasn't felt it as

Partners Notes

ABA Recognizes Pro Bono Work By Lawyers In First National Celebration

For one week in October, law schools, law firms, bar associations and other legal groups from New York to New Orleans and Boston to Seattle will recognize accomplishments on behalf of the poor and underserved. The American Bar Association Standing Committee on Pro Bono and Public Service is sponsoring this first pro bono recognition from October 25 through 31.

Pro bono work can include representing individuals near the poverty line in civil cases such as landlord-tenant disputes, custody issues or foreclosures. It can also include legal work on behalf of an organization that serves the poor, such as a homeless shelter.

"The legal profession in the United States is among the very few that calls on its members to make a difference in their communities through pro bono work. We take pride in the fact that nearly three quarters of lawyers – 73 percent – report providing free legal work for people of limited means," ABA President H. Thomas Wells Jr. said.

He pointed out that the ABA has an aspirational goal for each lawyer to provide 50 hours of pro bono service each year. "This celebration offers a time for lawyers to reflect on this core value of the profession. Pro bono work brings hope to the powerless and gives a voice

severely as other states because for the last several years Governor Perry and I have worked hard on growing jobs and building our workforce. Just a couple of months ago, Caterpillar announced in the midst of a national layoff that it was going to add 1,400 new jobs in Seguin, Texas. As other states increased taxes, we cut taxes while also balancing our budget, investing in critical areas like public education that affect workforce development, and saving enough money in our "Rainy Day Fund" so that our budget will be balanced in 2011.

This year we also passed landmark Windstorm Insurance legislation, protecting residents along our long Texas coast, and we passed legislation to improve healthcare through innovative pilot programs that will compensate our doctors fairly, increase the use of best practices, provide patients with choice and portability, and improve outcomes without costing more money.

against injustice. While we have done much, there is still so much to be done."

As part of the National Pro Bono Celebration Week, former Vice President Walter Mondale will speak during an October 30 Civil Gideon continuing legal education program sponsored by the Minnesota State Bar at the University of St. Thomas Law School in Minneapolis. Also during that week the Pennsylvania State Bar will offer child advocacy training in Philadelphia and the Wyoming State Bar will present a legal clinic at the Cheyenne Public Library.

To date local organizers have planned more than 180 events in 39 states.

"We are gratified to see the response from the legal community," said Mark Schickman, chair of the ABA Standing Committee on Pro Bono and Public Service, who also serves as the chair of the inaugural pro bono event. "In addition to legal clinics, we have seen law firms planning events to recruit more lawyers to take on pro bono projects, continuing legal education programs on such topics as domestic violence and bankruptcy, and a series of bar and law school symposia throughout the San Francisco Bay area."

Visit www.celebrateprobono.net for more information.

Williams Kastner Attorney Appointed Co-Chair Of ABA Committee

Mark Davidson, member in the Seattle office of Williams Kastner, has been appointed to a three-year term as co-chair of the American Bar Association Section of Litigation Business Torts Committee. The committee is the third largest of the Litigation Section's 40 committees, with over 2,400 members. As co-chair, Mr. Davidson will oversee the committee's efforts to provide litigators with the latest developments and updates in business torts law. During his three-year term, Mr. Davidson will also serve as a member of the Section's leadership.

Mr. Davidson's practice concentrates

on litigation and arbitration of business disputes, emphasizing real estate and securities matters and international commercial disputes. Prior to joining Williams Kastner, Mr. Davidson was a U.S. Department of Justice attorney specializing in bank and securities fraud.

Paul Battaglia has joined Williams Kastner's office as of counsel. He will focus his practice on matters related to real estate, leasing, and collections. Mr. Battaglia has 18 years of experience representing lenders, creditors, property owners, property managers, and businesses in litigation and work-outs.