

August 16, 2019

**Co-Chairs Joe Longley and Laura Gibson
Members, SBOT Nominations and Elections Subcommittee**

**RE: Resume and Statement of Interest to Serve as President
of the State Bar of Texas**

Dear Co-Chairs Longley and Gibson and Subcommittee Members,

It is an incredible honor to be included for consideration as a potential nominee for President-elect of the State Bar of Texas. In 2002, when I was elected to serve on the board of directors of my local bar association, becoming the first legal aid lawyer to do so, I knew my focus would be to build relationships and not squander the opportunity. I intended to learn from others while at the same time open doors so that I would not be the last legal aid lawyer to serve. I would have never believed that seventeen years later I would have the opportunity to interview for President-elect of the State Bar of Texas.

For as long as I can remember I wanted to be a lawyer. I came to this country with my parents and siblings when I was five years old. My father provided for us by working as a mechanic and my mother worked in housekeeping at a nursing home before earning her GED to become a certified nurse's assistant. Because of their sacrifices, my sister, brother and I focused on our educations and achieved goals that my parents could have only imagined. I became the first in my family to attend college. I worked throughout my undergrad years so I could avoid taking out school loans until I reached my goal of going to law school.

At every milestone, I have felt a responsibility to give back to my community. So, when I became a licensed attorney, I started my legal career at the place where I work to this day, Texas RioGrande Legal Aid. I am dedicated to my clients and to the role legal aid plays in our justice system but I am also passionate about achieving goals when serving at the local, state or national bar association level. When I started practicing law it seemed that legal aid lawyers had no interest in bar service and felt there was no place for us within bar leadership roles. This attitude started to change as we saw the State Bar of Texas in conjunction with the Supreme Court of Texas increase support of legal aid funding in Texas through the creation and ongoing support of the Texas Access to Justice Foundation, the Texas Access to Justice Commission, and the Texas Legal Services Center. Acknowledging that support, my message changed from relationship building to bridging the communication gap that exists between the private practitioner and the legal aid lawyer.

Today I hold a unique position within my organization that recognizes the important role of developing a relationship with the private bar and educating others on what we do. However, my role is more than just education about *pro bono* efforts. I am also careful to listen to private bar concerns so that *pro bono* or funding ideas can flourish through dialogue. The position of

President-elect of the State Bar requires those two leadership skills — promoting and listening —and I have developed both through my work and service.

Even as I drafted this statement, I had to take a break in order to assist our El Paso office with the response to the tragedy that befell the city on August 3rd. Our client community was targeted so once our branch staff had been accounted for as safe, we set to work on ways to assist the victims and their families. I have spent the past few days listening to the offers for *pro bono* help from the local and state bars while at the same time keeping an eye on the needs of our clients and staff. As the offers to help came in, the immediate legal needs of those affected began to take shape. As I write this statement, a half day CLE with the El Paso Bar Association has been organized to recruit and train *pro bono* attorneys on how to respond to the tragedy. The training will encompass information on crime victim compensation applications, probate law and employment related issues along with the “life-cycle” of the response to a human-created disaster. This hands-on experience of responding to a crisis effectively and efficiently is something I will bring to the position of State Bar President-elect and will not have to learn on the job.

In addition to serving in leadership positions at Texas RioGrande Legal Aid and at my local bar association, my experience with the State Bar of Texas is extensive. I have always tried to be a good volunteer, learned from those who came before me, developed expertise about how the various entities work together, and been honored with leadership positions along the way. I served as vice-chair of the Local Bar Services Committee, and learned of the breadth of services and dedication of lawyers throughout the state. I was appointed a Minority Director on the State Bar Board of Directors and was elected chair of the board during a challenging referendum year. I served on the Commission for Lawyer Discipline and was chair during the last Sunset Review by the Texas Legislature, a time when our disciplinary process was under the spotlight. Currently I serve on the Board of the Center for Legal Ethics and Professionalism. I have also been active in several State Bar sections. I believe these experiences have prepared me to serve as President-elect of the State Bar of Texas.

I believe strongly in the mandatory bar and believe that the most serious challenge that the State Bar of Texas is currently facing is the lawsuit questioning that status. The individuals challenging the Bar may not care to hear the counter to their rhetoric but our constituents, both attorneys and the public, need to understand what is at stake. The decision will be made in a court of law but it is imperative that our publics know that the regulation of the practice of law cannot be a static idea that is void of the realities that affect it. Diversity, access to justice, and inclusiveness are characteristics of a healthy democracy and the rule of law ensures our democracy will flourish. If the rule of law is to be the fertile ground that provides sustenance to the roots of our system of government, then it needs consideration of all, access for all, and the ability to adapt to the realities of a changing world.

The capacity to adapt is also a way to respond to the issues that affect our profession. We do not leave it to an attorney wanting to raise a family to figure out a way to have a healthy work/life balance; we propose mandatory continuances for parental leave. We do not sit idly as the use of technology changes the way we practice law; we develop disciplinary rules and trainings to be proficient in the use of technology. We do not ignore the fact that the practice of

law is no longer contained by state boundaries; we study application and effects of a uniform bar exam. If the purpose of the State Bar was to protect the *status quo* and operate in a vacuum, then no mechanism would exist to respond to the issues stated above. A mandatory bar that acknowledges and responds to these realities enhances, promotes and embodies the purpose of the State Bar Act.

I look forward to continuing the discussion with the Subcommittee on these and other issues of importance to the State Bar. I believe that my skills and experiences have prepared me to meaningfully contribute to the dedicated State Bar leadership team and would consider it an honor to be able to make the case to our members.

Sincerely,

A handwritten signature in black ink, appearing to read "Pablo Almaguer". The signature is written in a cursive, flowing style.

Pablo Javier Almaguer

Pablo Javier Almaguer
TEXAS RIOGRANDE LEGAL AID, INC.
316 S. Closner, Edinburg, TX 78539
(956) 393-6200

Employment and Education

Texas RioGrande Legal Aid, Inc., 316 S. Closner Blvd., Edinburg, Texas (1997 - Present)

Director of Private Bar and Government Relations, (May 2018 – Present)

Group Coordinator, Private Attorney Involvement Program a/k/a *pro bono* projects director (Jan. 2010 – May 2018)

Branch Manager, Edinburg Branch Office (2005 – Jan. 2010)

Team Manager, Family Law / Domestic Violence Team (Feb. 2005 – Jan. 2010)

Team Manager, Torts/Civil Litigation (2002 - Jan. 2005)

Chicago-Kent School of Law, Jurisdoctorate Degree (1997)

Dean's List

Teaching Assistant for Professors of American Jurisprudence and Contracts

First Year Moot Court Semifinalist

The University of Texas - Pan American, Bachelor of Arts, Political Science (1994)

Bar Admissions

Texas

Professional and Board Memberships

Texas Center for Legal Ethics, Board Trustee (June 1, 2019 – present)

State Bar of Texas Commission for Lawyer Discipline (2012-2018)

Chair (2017-2018)

Vice Chair (2015-2017)

State Bar of Texas Board of Directors, Minority Director (2008-2011)

Chairman of the Board (2010-2011)

ABA Days in Washington DC, Texas Delegation member (2011)

Chair, Unauthorized Practice of Law Subcommittee (2009-2010)

Member, Task Force on Grievance Committee Structure (2008-2009)

Member, Biannual Committee Review Task Force (2008)

American Bar Association, Section of Litigation

Legal Services Delivery Committee (2011-2015)

State Bar of Texas Committee / Section / Task Force Appointments
Task Force on Aging Lawyers Issues (2013)
Solutions 2012 (<http://bit.ly/Solutions2012>)
Recommended solutions for issues faced by indigent self-represented litigants
Member, Local Bar Services Committee (2003 - 2008)
Co-Vice Chair (2007-2008)
Hispanic Issues Section, member (2006 – present)
Council member (2006 – 2017)

Hidalgo County Bar Association / Hidalgo County Bar Foundation, Director (2002 - 2009)
President of the Board (2007-2008)

Texas Civil Rights Project Board of Directors (2001 - 2017)
President (January 2009 – 2017)

Community Justice Programs (a/k/a *pro bono* projects) created
Criminal Records Expunction clinic (2014)
Hidalgo County

Southern District of Texas, Bankruptcy Courts, Chapter 7 filings (2010)
Cameron, Hidalgo and Nueces counties

Divorce/Family Law clinics (2008 – 2017)
Cameron, El Paso, Hays, Hidalgo, Kerr and Willacy counties

Continuing Legal Education Planning and Presentations
Highland Lakes Bar Association (2019)
“What is Legal Aid?”

Texas RioGrande Legal Aid, Inc.
Texas Disciplinary Process (2018, 2015)
Expunctions 101 (2014), Planning Committee, Moderator

State Bar of Texas, Poverty Law Conference
Proper Drafting of Statement of Inability to Pay, TRCP Rule 145 (2017)
Texas Disciplinary Process (2016)
Providing Access to Justice for *pro se* litigants (2011)
Defending the use of Affidavits of Inability to Pay Court Costs (2010)
Trial Notebook (2006 and 2008)

Bankruptcy Section of the State Bar of Texas, Young Lawyers Committee

“Starting out Right” CLE Seminar
Pro Bono Representation and TRLA (Oct. 2016)

State Bar of Texas, *Pro Bono* Coordinators’ Retreat
Nuts and Bolts of *Pro Bono* Coordinating (2014-2017)

Federal Bar Association, Southern District of Texas and Hidalgo County Bar Association
Federal Law Conference, Texas Disciplinary System (2013)

Webb County Bar Association’s Social Justice Night Court
Family Law 101 (2013)

Hidalgo County Bar Association
Family Law Section Presentations (Section Chair, 2018-present)
Hidalgo County Domestic Relations Office (2018)
Texas Disciplinary Process (2015)
Changes in Hidalgo County’s Child Support Division of the Attorney General’s Office and the District Attorney’s Office, Moderator (2015)
Affidavits of Indigency in State Court (2012)
Women’s Bar Section presentation
Texas Disciplinary System (2015)

Webb County Bar Association
Motions for New Trial and Preserving Error for Appeal in Jury Cases (2011)

El Paso County Bar Association and TRLA, Free CLE for the well-rounded *pro bono* volunteer
Community Justice Program: a new *pro bono* model (2011)

Galveston County Young Lawyers Association
Pro Bono Services for National *Pro Bono* Month (2011)

Pro Bono Committee of the Family Law Section of the State Bar of Texas
Effective and Efficient Case Presentation, speaker at Kingsville seminar (2011)

Southern District of Texas, Bankruptcy Bench-Bar Conference
Pro Bono Bankruptcy panel speaker (2010)

UT Law School’s County and District Clerks’ Legal Education Program
Effective Way to Use Rule 145 without It Negatively Impacting the Truly Indigent Party (2010)

Hays County Bar Association
Access to Justice and the Community Justice Program *pro bono* model (October

2010)

Kerr County Bar Association

Access to Justice and the Community Justice Program *pro bono* model (March 2010)

State Bar of Texas Minority Counsel Program

Employment Law Update (October 2008)

West Texas Bench / Bar Conference

Access to Justice and the Community Justice Program *pro bono* model (September 2008)

University of Texas School of Law Civil Rights Litigation Seminar

Jury Selection in Civil Rights Cases (2006)

Seminar Moderator (2005 and 2006)

State Bar of Texas Board of Directors - Member Services and Education Committee

Professional Development Subcommittee (2008-2009)

Hidalgo County Bar Foundation Bench / Bar Family Law Conference

Planning Committee, Moderator and Speaker, Hidalgo County Community Justice Program and the Family Law Case (September 2007)

Hidalgo County Bar Association

Planning Committee, HCBA Family Law and Probate Law Hybrid CLE (2010)

Planning Committee, HCBA Criminal Law Seminar (2004)

Planning Committee, HCBA Nuts and Bolts C.L.E. (2004)

Professional and Civic Recognition

Hidalgo County Bar Association, John E. Cook *Pro Bono* Award (2019)

Wheelock College, Honorary Doctorate Degree in Education (2017)

State Bar of Texas Judge Sam Williams Award (2014)

State Bar of Texas Board of Directors, Presidential Citation for commitment to the profession while serving as Director (2012)

Texas Hispanic Journal of Law and Policy, "Latino Focus" article based on professional work (2009)

Chicago-Kent College of Law, Hon. Abraham Lincoln Marovitz Public Interest Award, (2006)

Hidalgo County Bar Association / Texas Center for Legal Ethics and Professionalism,
Texas Center Professionalism Award (May 2006)

Mujeres Unidas / Women Together's Domestic Violence Shelter Attorney of the Year
Award (2005)

Hidalgo County Bar Association's Member of the Year Award (2004)

Hidalgo County Bar Association's Outstanding Committee Award – C.L.E. Committee
(2004)



August 13, 2019

Co-Chairs Laura Gibson and Joe Longley
Members, SBOT Nominations and
Elections Subcommittee

RE: Statement of Interest and Resume

Dear Co-Chairs Gibson and Longley and Members of the Subcommittee:

Thank you for including me in the group being considered for nomination to run for the office of State Bar President. Never in my wildest imagination did I ever think I would have this opportunity. From my vantage point as a young lawyer in the mid-1980's, leadership in the State Bar always seemed to be reserved for those practicing in the most elite of firms housed in the tall glistening buildings in Dallas and Houston. I began my bar service later in my career than most of the other candidates the subcommittee will interview, but during that time I have found that my impression of those who volunteer and serve our profession was incorrect. On the SBOT Board, I met lawyers from every part of the state with diverse backgrounds, practices and careers. I was selected as a Minority Director by none other than Lisa Tatum. I have been warmly welcomed and had my opinions not only heard, but also respected and valued. Through my involvement with the Board, I have been able to open doors for others like me who come from the far reaches of the great state of Texas. Which brings me to the point of this communication, explaining why I am interested in running for President of the State Bar of Texas.

My life experiences and career have made me uniquely qualified to lead the State Bar at this juncture where our organization finds itself under attack from within. Whether it is true or not, there are some who believe the State Bar is no longer relevant, does not represent a majority of lawyers, is a good old boy's club controlled by insiders, etc. We have worked hard to overcome these misperceptions and some inroads have been made under the great leadership of SBOT Presidents who have come before, but still we have more work to do. I have carried the message of inclusion and diversity within leadership at the State Bar and will continue to do so; whether I am selected as a nominee or not.

My career has taken a very some very interesting turns and I have had the experience of working for a small firm, the second largest firm in El Paso, as inhouse corporate counsel, in municipal government and most recently as a solo practitioner. Through all these experiences I have gained a unique perspective to the challenges of lawyers in different practice groups. While I have never been a litigator, as general counsel for a large corporation and as City Attorney for El Paso I have managed litigation and have had the privilege of working with some of the most

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talented litigators in the state. I understand their challenges. As a transactional lawyer myself, I relate to the lawyers who toil away at their desks seeking to draft the documents to effectively capture the meeting of the minds, transfer valuable real estate or protect clients from liability. Having spent one-half of my career in public service as a government lawyer, I can attest to the fact most government lawyers feel totally disenfranchised from the State Bar. Government lawyers pay dues for the privilege of practicing law, but the very nature of their practices make it difficult for them to serve in leadership roles or attend CLE courses across the state. They are seldom active participants in Bar activities. As a member of the Government Law Council, I have worked with my colleagues to address those obstacles. Finally, as a solo practitioner I now know how tough it is to start from scratch and open a new law office. This latest adventure has given me the opportunity to avail myself of many of the services the Bar provides for its members, an insight that will allow me to speak from first-hand knowledge about the benefits of Bar membership. Simply put, I can relate to a broad base of lawyers from differing practice areas and use my voice to communicate their issues and concerns.

While I was a Minority Director on the Board, I learned about how the Bar is managed. I served on the Budget Committee, Executive Committee, Legislative Committee and I was on the committee to select the Executive Director, among others. I served on the Texas Bar Foundation Board and I am current vice-chair of the Local Bar Services Committee and a member of the Government Law Council. I am the current President of the Texas City Attorneys Association and a member of the El Paso Bar Association Board of Directors. I have the experience necessary to serve the State Bar as President.

During my tenure at the City of El Paso I served as Director of Governmental Affairs and testified before numerous legislative committees at both the state and federal level. I was also frequently called upon to grant media requests for on screen interviews for local media. Both of those skills will serve the organization well if I am fortunate enough to be elected President.

I was born, raised and live in a part of the state that is so remote we are closer to neighboring state capitols than we are to Austin. El Paso lawyers cannot just hop in the car and drive 2 or 3 hours to attend Bar meetings or CLE courses. I am acutely aware of the need to continue the good work started by previous SBOT Presidents who have reached out and sought to not only engage, but to serve the lawyers in the most out-of-the-way locations. I personally know what it is like not to have an employer who will pay for attendance at expensive, out of town continuing legal education seminars and I know we can continue to do better to serve lawyers in that same boat. The El Paso community is grossly underserved by the legal profession, so I have a deep understanding of the need for legal services for the poor. As SBOT President I would work to expand the Access to Justice initiatives already started and find ways to expand the pipeline for lawyers to serve rural and remote areas. The Texas Opportunity & Justice Incubator (TOJI) championed by Frank Stevenson needs to be expanded to mentor new lawyers and create access to legal services to those who might otherwise not be able to afford them. The New Opportunities Volunteer Attorney (NOVA) Program should be advertised widely so the agencies that qualify might be able to recruit pro bono legal assistance and the lawyers who meet the qualifications would learn of the program and volunteer. I firmly believe that the Texas Young Lawyers Association (TYLA) programs need to be promoted more robustly. I continue to be impressed by

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the quality of the programs. On numerous occasions I have been able to point agencies in our community to the TYLA website for timely, relevant and excellent materials. We need to continue the focus of lawyers' mental health issues and the good work done by Alan DuBois with TLAP.

I believe the State Bar of Texas is a superior organization and we must continue to communicate all that is done by our Bar in service to the profession, its members and the community at large. I was personally moved by the almost immediate outreach from Randy Sorrels and the members of the State Bar staff when El Paso suffered the mass shooting at Walmart. Our local bar association was contacted and told the State Bar was there to help us serve the members of our community who might need legal assistance. I received numerous phone calls, text messages and emails from friends around the State who had served on the Board and other committees with me reaching out to see what they could do for El Paso in our hour of crisis. Those are the lawyers I know. I would be very honored to have the opportunity to represent those lawyers and spread the good word regarding the work done by the State Bar of Texas.

Thank you again for this opportunity. Regardless of the outcome of the interviews you can always count on me when there is work to be done for the State Bar of Texas.

Sincerely,


Sylvia Borunda Firth

Encl. (Resume)

Sylvia Borunda Firth

Law Center – 311 Montana
El Paso, Texas 79902
915-531-7500
sbfirth@fbknlaw.com



Sylvia Borunda Firth is a solo practitioner with extensive experience in representing governmental entities including compliance with Texas Open Meetings and Open Records laws, drafting local ordinances and state legislation, negotiating and drafting leases, contracts, interlocal agreements, public procurement and finance. Her practice also includes real estate and business organizations law.

PROFESSIONAL EXPERIENCE

Sylvia Borunda Firth, PLLC: October 2018 – present

El Paso City Attorney: December 2011 – May 2018

Chief of Staff to Mayor/Director of Intergovernmental Affairs -City of El Paso: 2014-2010

Senior Assistant City Attorney, City of El Paso: 2001-2004

General Counsel, American Garment Finishers, Inc.: 1991-2001

Assistant City Attorney, City of El Paso: 1989-1991

Associate, Grambling & Mounce Law Firm: 1985-1989

Associate, Law Office of Merton Goldman: 1984-1985

State Bar of Texas: Licensed November 2, 1984, State Bar No. 02675550

EDUCATIONAL BACKGROUND

University of Texas at Austin School of Law: J.D.	1981-1984
St. Mary's University, San Antonio, Texas: B.B.A.	1977-1981

PROFESSIONAL ORGANIZATIONS

- Texas City Attorneys Association: President 2019
Board Member 2009 – Present
- State Bar of Texas
 - Government Law Council: 2016 – Present
 - Local Bar Services Committee: Vice Chair 2019
 - Board of Directors: 2014 – 2018 (Minority Director, term extended)
 - Committee Service: Executive
Budget
Discipline & Client Attorney Assistance
Selection of Executive Director (Ad Hoc)
Public Services & Education - Legislative Policy
- Texas Bar Foundation: Board of Trustees 2018 – June 2019
Sustaining Life Fellow
- El Paso Bar Association: Board of Directors 2017 – Present
2017 President's Award - Exemplary Service to the Bar
- Texas Bar College: Multiple years and present member
- Texas Land Title Institute: Associate Member 2018 - Present
- El Paso Hispanic Chamber of Commerce: 2019
- Harvard Kennedy School – Urban Policy Impact Forum: 2009 – 2010

COMMUNITY SERVICE

- Executive Forum: Current Vice President of Programs
Board of Directors 2016 – Present
- REALIZE Board Training Program – Volunteer Consultant 2018 – Present
- United Way Vello Program – Online Tutor 2018 – Present
- Las Americas Immigrant Advocacy Center Volunteer Attorney 2018 – Present
- Women's Fund of El Paso: Board of Directors 2009 – 2011
- Girl Scouts of the Rio Grande: Board of Directors 2007 – 2009
- El Paso Psychiatric Center: Chair, Board of Directors 1996 – 2001
- El Paso MH/MR: Board of Directors 1991 – 1996
- Texas Association of Business and Chambers of Commerce: Board of Directors 1993 – 1995
- KCOS-TV (Local PBS Station) Board Member: 2008 – 2010
- Loretto Academy: Board of Trustees 1995 – 1998