

BRACEWELL

July 18, 2022

BY E-MAIL

Co-Chairs Sylvia Borunda Firth and Santos Vargas,
SBOT Nominations and Elections Subcommittee

Re: Statement of Interest in serving as President of the State Bar of Texas

Dear Co-Chairs Borunda Firth and Santos and Subcommittee Members,

Please accept my sincere thanks for this opportunity to submit my statement of interest in becoming a candidate for President-Elect of the State Bar. I am genuinely humbled to be considered for the position.

Okay, straight to the point: I'd love to serve! This opportunity seems to be the natural apogee of the trajectory of my service to our profession. As reflected in my attached resume, that service began at the local level in Austin, where I served as President of the Austin Bar Association, Chair of the Austin Bar Foundation, District 9 Nominating Chair for the Texas Bar Foundation, and, more recently, President of my Inn of Court.

Those initial positions of service then opened opportunities for me to serve attorneys across the State of Texas in a variety of legal-related organizations ... as a director of the State Bar, as a trustee of the Texas Bar Foundation, as Chair of Texas Legal Protection Plan (Now, Texas Legal) and as a member of numerous committees and subcommittees thereof.

I sincerely believe that all these opportunities have prepared me to serve the State Bar as its President. Have served on the State Bar Board, I understand its dynamics and its relationship with the Bar's staff and affiliate organizations. Having served on the boards of the TBF and Texas Legal, I understand the challenges of affiliate entities, who are tethered to the State Bar but operate independently or nearly so. Having served the Austin Bar, I understand the priorities of the local bars, as well as what they expect and need from the State Bar. Through these many opportunities, I have developed a broad network of relationships and friends in our profession across the State, which I believe will not only inure to my benefit, and to the State Bar's, but more importantly, will enable me to serve their needs more effectively and listen to their concerns more empathetically.

As ever, the State Bar continues to grapple with a variety of issues ... most importantly, its relevance and utility in the minds of practitioners around the State. I'm not sure it is accurate to say that attorneys question the Bar's relevance, because I believe many lawyers don't even think or care about the Bar long enough to question its value. Much of that, I believe, is attributable to the (in)effectiveness of our communication to our constituency. The State Bar does so many things and addresses so many issues that are on the minds of Texas attorneys and should be important to them. We need to look for ways to

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more effectively and more frequently get the word out about the good and vitally important work of the State Bar. Among other messages:

- The Bar is vigilant. Attorneys need to better understand not only how the grievance process works, but how it works well. Despite those who say otherwise, we are effectively policing our profession through the grievance system. Should we continue to look for ways to improve it? You bet. But it is not a broken system; it works. Lawyers need to know that.
- The Bar is compassionate. Attorneys need to better understand the variety of programs offered by the State Bar that address their unique and often dire needs. Texas Lawyers Assistance Program is but one example, and the Client-Attorney Assistance Program is another. Yet, how many lawyers in need of these services are aware they even exist?
- The Bar is civil. Attorneys need to be reminded that civility is the touchstone of our profession. In our society, courtesy and mutual respect appear to be at an all-time low, and this has begun to fray the edges of our own profession, in how we treat and address one another. If the State Bar does not bear the banner of professionalism, does not consistently remind practitioners of the directives of the Texas Lawyers Creed, who will?
- The Bar is a good steward. Attorneys need to better understand how fiscally responsible the State Bar is, and how efficiently and prudently attorneys' annual dues are applied and used ... and that those dues haven't been increased in many years. Should we continue to examine ways to maintain a tight budget and periodically re-evaluate the programs and services we fund? Of course. But the State Bar spends its funds wisely, and Texas lawyers need to appreciate that.

Again, thank you for this opportunity. I look forward to our continued conversation.

Sincerely,



W. Stephen Benesh
Partner

WSB/TE

W. STEPHEN “STEVE” BENESH

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PRACTICE

Steve Benesh has spent his entire legal career, 34 years, with Bracewell. Steve focuses his practice on business litigation and commercial disputes. He has represented clients in diverse matters, including securities, class action, business torts, fraud, breach of fiduciary duty, deceptive trade practices, breach of contract, and products liability. Steve has first chair jury and non-jury trial experience representing plaintiffs and defendants in state and federal courts, as well as arbitration and mediation experience. He is a frequent author and lecturer on legal topics, and he has been quoted in numerous publications.

EDUCATION

- B.B.A., The University of Texas at Austin, 1984
- J.D., The University of Texas School of Law, 1987

CIVIC/COMMUNITY ACTIVITIES

Pioneer Bank, SSB

- Board of Directors, 2018-2022

Dripping Springs Independent School District

- School Board President, 2008-2010
- Board of Trustees, 2004-2010

Leadership Austin

- Chair, 2008-2009
- Board of Directors, 2005-2010

Boy Scouts of America

- Capitol Area Council Executive Board, 2012-2021
- Volunteer Scout Leader, 1995-2021 (many positions)
- Honors: Silver Beaver, Award of Merit

Junior Achievement of Central Texas, Board of Directors, 2012-2015

Rogue Athletic Club, Board of Directors, 2011-2013

Literacy Coalition of Central Texas, Founding Director, 2003-2004

Sunset Canyon Baptist Church, Deacon, Adult Sunday school teacher, 2000-present

PROFESSIONAL ACTIVITIES

State Bar of Texas

- Board of Directors, 2008-2011
- Annual Meeting Chair, 2014
- Texas Pattern Jury Charge (General Negligence) Committee, 2011-2019
- Litigation Section, *The Advocate* Editorial Board, 2010-present
- Public Affairs Committee, 2004-2010
- Grievance Committee, District 4, 1991-1997

- Board Committees - Technology Oversight (Chair), Client Security Fund, Litigation and Contracts, Affordable Legal Services, UPLC, 2008-2011
- Board Advisor to Sections/Committees – Local Bar Services, Antitrust and Business Litigation, Judiciary Relations, Administrative and Public Law, Legal Administrators, 2008-2011

Texas Bar Foundation

- Board Chair-Elect, 2022-present; Fellows Chair, 2019-2020
- Board of Directors, 2017-present, also 2010-2011 (liaison for State Bar board)
- Nominating Committee, Co-Chair, District 9, 2010-2018
- Life/Sustaining Life Fellow, 2005-present

Texas Legal Protection Plan

- Chair, 2014-2015
- Board of Directors, 2012-2016

Austin Bar Association

- President, 2006-2007
- Board of Directors, 2001-2011
- Technology Section, Chair, 2001-2002

Austin Bar Foundation

- Chair, 2007-2008
- Board of Directors, 2004-2008
- Life Fellow, 2004-present

Robert W. Calvert American Inn of Court

- President, 2020-2021
- Executive Committee, 2013-2022

RECOGNITION AND HONORS

State Bar of Texas, Presidential Citation, 2014

Austin Bar Association, President's Award for Outstanding Service, 2002, 2003

U.S. News & World Report

- *Best Lawyers in America*, Bet-the-Company Litigation, Banking and Finance Litigation, Commercial Litigation, Construction Litigation, 2009-present
- "Austin Lawyer of the Year", Construction Litigation, 2022; Banking and Finance Litigation, 2014, 2016

Legalease, The Legal 500 United States, Securities Litigation, 2018, 2020-2021; Construction, 2013-2014, 2016-2018

Thomson Reuters, Super Lawyers, 2006-2013, 2016-present

Austin Business Journal

- "Person of Power" Award, 2006
- "Best of Business Attorneys" Award, 2004, 2005

Martindale-Hubbell® AV® Preeminent™ Rating

PERSONAL

- Born - San Antonio, Texas; Hometown - Wichita Falls, Texas
- Married 37 years to Jennifer Benesh (president-elect of American Lawyers Alliance; past president of Texas Lawyers Auxiliary and Austin Lawyers Auxiliary)
- Two sons, Will (32) and Austin (31)
- Hobbies: avocational archaeology, travel, college sports