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## Foreword

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# FOREWORD

*Betsy Whitaker\**

**T**HE other day, a friend said to me, “When I read the newspaper, I feel like I’m reading fiction.” I knew what he meant. National and international events that could not have been imagined five years ago—events such as September 11, the war overseas, and the dot.com boom and bust—fill the dailies.

Information is traveling faster than ever. We live today in a world of pagers, cell phones, palm pilots and Internet connections. If we are interested, we can watch our legislators debate issues in real time and see how they vote; we can watch journalists talking about bombs and military strategy from battles; we can watch court proceedings anywhere we can access television. A few years back, who would have ever imagined that a high court would even consider whether jury deliberations ought to be open to the media and thus the public?

These many new forces are shaping our laws, and shaping them more quickly than ever before. We have witnessed national events produce broad new laws, such as the Patriot Act, in short order. We have seen case decisions that were handed down just a few years before becoming out-of-date. We have seen how single statutes, such as the Sarbanes-Oxley Act, produce change in not just one area of the law, but in many areas at once, federalizing law.

Lawyers, as a result, cannot simply brush up on the law now and then, nor read up on just one area of the law. And yet, lawyers are busier than ever before.

That is why the *Annual Texas Survey* is such an important resource for lawyers. It is the answer for lawyers who need to know the latest developments in the law, and not just in a given area of practice, but across a wide range of practice areas. Written by top-flight experts, with each distilling the important developments in one area of Texas law over the last

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\* B.A., *magna cum laude*, Wheaton College; J.D., Southern Methodist University School of Law, *cum laude*; President of the State Bar of Texas from June 2003-June 2004. Ms. Whitaker began her practice of law with Carrington, Coleman, Sloman & Blumenthal, LLP in 1980. She served as a prosecutor under District Attorney Henry Wade from 1981 to 1982, and then returned to practice business litigation with Carrington, Coleman. In 1999, Ms. Whitaker opened her own practice, and in January of 2003, Ms. Whitaker established a partnership with former Supreme Court Justice Deborah G. Hankinson. She also serves on the Executive Board for the SMU Dedman School of Law. Ms. Whitaker is currently serving as Commissioner of the State of Texas Lottery Commission. She is a Trustee for the Center for American and International Law, serves on the Executive Committee for the Institute of Law and Technology, and is currently a member of the American Law Institute.

year, the *Survey* neatly solves the triple problem of a busy practice, of law that is evolving quickly, and of changes occurring in many areas of law at the same time.

We, as Texas lawyers, face wonderful opportunities to be leaders in our changing world. We are fortunate to have, as our guides, the lawyers whose seasoned judgment and thinking fill the pages that follow. I know you will find this *Survey* to be a valuable tool in your daily practice.