

# TEXAS LAWYER

## IN-HOUSE TEXAS

THE NEWS RESOURCE FOR EXECUTIVE LAWYERS

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## FEWER BIGTEX FIRMS EARN SPOTS ON DEALS LISTS

BY BRENDA SAPINO JEFFREYS

Only eight Texas firms are among the nation's top dealmakers in 2010, according to *The American Lawyer's* Corporate Scorecard 2011, which ranks firms on transactional work they did in 2010. That's fewer firms than last year, when 14 Texas firms were included in Corporate Scorecard 2010 for work done in 2009.

Blame bankruptcy work. According to Corporate Scorecard 2011, three Texas firms had a piece of work on the 10 largest bankruptcy

emergences in 2010, and Texas firms were not included on the chart of the firms working on the 10 largest new bankruptcy filings in 2010. That total of three firms compares to a total of 11 Texas firms doing big bankruptcy work in 2009, as reported in Corporate Scorecard 2010. [See "Bankruptcy Boom Helps Land Texas Firms on Deals Lists," *In-House Texas*, May 10, 2010, page 1.]

But, in other areas of corporate work, there's consistency. The same six Texas firms

are among the nation's leading transactional firms for work in 2010 and in 2009. Those firms are Akin Gump Strauss Hauer & Feld and McCall, Parkhurst & Horton, both of Dallas, and Houston firms Andrews Kurth, Baker Botts, Fulbright & Jaworski, and Vinson & Elkins.

The Corporate Scorecard 2011 includes firms that handled the most or highest value of deals or issues in eight areas of corporate

see **Fewer**, page 6

## Texans at Work



JONES

### In Midst of Recession, Paul Jones Became GC of Texas Workforce Commission

BY ANGELA MORRIS

In December 2008, as diverse industries struggled through the financial crisis and unemployment soared, Paul Jones became general counsel at the Texas Workforce Commission, the state agency that administers unemployment insurance, helps retrain workers, and assists them in finding new jobs.

"Getting this job during the worst economic time since the Depression, you know, you see the real need out there sometimes," Jones says.

Noting how hard those in the agency work, he says, "People really take it seriously, because people's livelihoods are at stake here."

Jones supervises a staff of 12 attorneys within the general counsel's office who handle internal employment litigation and other suits filed against the agency, procurement and contracting, workforce policy issues, unemployment insurance issues and public information requests.

There are around 200 other TWC attorneys throughout the agency who report to their respective department heads. Jones occasionally reviews their work, when it may affect the agency as a whole.

Jones himself works for four bosses: three TWC commissioners, one each representing the public at large, business and workers.

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# TEXAS WORKFORCE COMMISSION GC TOOK JOB IN MIDST OF RECESSION

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Jones' fourth boss is Larry Temple, the agency's executive director. Temple says, for the agency, soaring unemployment in the recession "increases our exposure to fraud and that sort of thing." The large workload also means more hearings and appeals from workers and businesses, Jones says. Because the agency received federal stimulus funds to administer federally mandated programs, Jones' department also drafted more contracts to roll out new services, Temple says.

Jones "has quite a few hats to wear on any given day," Temple says. "Most of all, he's just a good guy and a lot of fun to work with."

When Jones was new in the job, he says he walked into a political debate over whether the state would accept \$550 million in federal stimulus dollars to replenish the Texas Unemployment Trust Fund, which almost fell below its statutory floor.

During the debate, Jones says he researched how accepting the federal funds would affect the state's unemployment insurance program. Also, since the U.S. government attached conditions to the money, he had to research what



"SOME LAWYERS ARE PEOPLE YOU CAN TRUST THEIR WORD, TRUST THEY'RE NOT HOLDING THINGS BACK," SAYS DALLAS SOLO STEVE HEATH (PICTURED) ABOUT PAUL JONES.

for Jacobs Engineering Group Inc. in Albuquerque, N.M., as a technical writer and editor and later as a facilities manager for the company. But he always had planned to be a lawyer, and he earned his

would call into question the employee's clearance, which sometimes meant termination. Jones represented the agency in administrative hearings to defend the agency's decision to revoke the security clearance.

## OPEN GOVERNMENT

Considering his background dealing with top-secret scenarios, Jones says one of the biggest surprises as TWC general counsel is complying with open government laws. The federal government has more exceptions to open-government laws, Jones says, while Texas liberally applies its sunshine statutes. The knowledge that every record Jones produces could be public information has changed his work mindset, he says.

"Everybody e-mails and texts and BlackBerrys all the time," Jones says. "Now, all this stuff is discoverable. I'm just kind of paranoid — that litigation mindset. I always have that litigation mindset."

Jones says he is vigilant to ensure the agency doesn't violate open meetings laws. It's challenging, because if two of TWC's three commissioners pass in a hallway and stop to talk, the encounter could potentially be a quorum requiring advanced public notice, he says.

Complying with open records laws takes up more time. Two staff attorneys handle most information requests independently, but Jones becomes involved with higher-profile requests. On requests

that may be subject to exceptions to public information laws, Jones steps in to request an attorney general opinion on whether the agency must release the records.

Jones says the Texas Office of the Attorney General serves as the agency's only outside counsel.

Before joining the TWC, Jones spent a little more than one year in Dallas working for the Department of Homeland Security as a litigation attorney defending the agency on employment claims. It was there he met Steve Heath, a Dallas solo who recommended Jones for a TWC attorney position.

Heath and Jones were opposing counsel in a trial in which a Homeland Security employee sued the agency, claiming religious discrimination, says Heath. During the eight-month period that included multiple mediation attempts and a two-week trial, Heath says he became friends with Jones.

"Some lawyers are people you can trust their word, trust they're not holding things back," Heath said. "Paul was that kind of person. I was very impressed with the way he handled himself with the case."

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**PAUL JONES "HAS QUITE A FEW HATS TO WEAR ON ANY GIVEN DAY," SAYS LARRY TEMPLE, THE TWC'S EXECUTIVE DIRECTOR. "MOST OF ALL, HE'S JUST A GOOD GUY AND A LOT OF FUN TO WORK WITH."**

changes would be necessary to Texas law, he writes in an e-mail.

In the end, Gov. Rick Perry refused the federal dollars and the state instead issued bonds to raise the money to refund the Unemployment Trust Fund, Jones writes.

He writes that his office worked with TWC's finance department and the Texas Public Finance Authority to get an agreement and bonding language in place and quickly get the bonds issued.

"This job is very nebulous, in that you have to deal with what's going on in the Legislature, also in Washington," Jones says. "I was surprised at the diversity. You have to deal with legal aspects, political aspects. That part I didn't expect."

That unexpected duty turned out to be his favorite part of his job, Jones says. He works with TWC's governmental affairs department on helping draft language for bills dealing with unemployment benefits and the workforce; he also researches how other proposed laws would affect TWC programs.

## EARLY YEARS

Jones earned a Bachelor of Arts in English and history from Menlo College in Atherton, Calif., in 1992. He worked

law degree from the University of New Mexico School of Law in 1999.

He spent two years litigating as an associate with Eastham Johnson Monheimer & Jontz in his hometown of Albuquerque, and also earned a Master of Public Administration from the University of New Mexico during that time.

He decided to leave private practice, because a life of billable hours didn't suit him, he says. He moved to Washington, D.C., in 2001 and for eight years handled employment law litigation for the U.S. Department of Energy's National Nuclear Security Administration.

"They deal with nuclear aspects of — not so much energy — but weaponry and stuff like that," he says. "You had to have top-level security clearance."

During this time, he also earned his Master of Laws in litigation and alternative dispute resolution from the George Washington University Law School.

At work, Jones defended the agency against employment-law claims like wrongful termination and discrimination. Occasionally employees with top-secret clearance — physicists, engineers, even secretaries — got in trouble with the law. Being convicted for charges like driving while intoxicated or family violence

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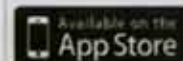


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