

TRACY WALTERS McCORMACK

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(512) 232-9327

EDUCATION:

The University of Texas School of Law, Austin, TX
J.D., May 1986

University of Notre Dame, Notre Dame, Indiana
B.A. in English, Philosophy and Theology, May 1983

EXPERIENCE:

The University of Texas School of Law

Director of Advocacy/ Lecturer, Austin, TX, 2000-present

Teach in areas of advocacy including trial, appellate, mediation, arbitration, evidence and civil procedure. Creator and director of nationally recognized integrated advocacy program which features classes, interscholastic teams and institutes. Creator of special programs such as “The Atticus Profiles”, “Texas Legends”, “Fall Litigation Institute”, “Public Speaking Workshop” and “Women Advocating For” Director of The John L. Hill Trial Advocacy Center, Harry Reasoner Center for Trial Practice and Kincaid and Horton Excellence Fund for Empirical Advocacy Research, all of which support research and special projects.

Adjunct Professor, Austin, TX, 1990-2000

Taught basic and advanced trial advocacy skills and Texas Civil Procedure.

Akin, Gump, Strauss, Hauer & Feld LLP

Austin, TX, 1991 - 2000

Practiced insurance regulatory, reinsurance, ERISA, complex litigation and appellate law. Managed litigation, regulatory and administrative matters for Fortune 100 and other clients, including jury and bench trials, arbitration, mediations and administrative law trials. Other practice areas included FDA, CID legislative and non-subscriber workers’ compensation.

CIGNA Austin Field Litigation Office (Law Offices of Curtis J. Kurhajec)

Austin, TX, June 1990 – March 1991

Practice devoted primarily to insurance defense.

Clark, Thomas, Winters and Newton

Austin, TX, June 1986 – June 1990

Practiced primarily insurance defense, medical malpractice, personal injury and insurance coverage issues. Tried approximately 15 cases to district court juries including personal injury, libel/slander, premises liability, employment discrimination, product liability, medical malpractice, workers’ compensation and deceptive trade practices act. Also handled complex litigation, construction and insurance coverage issues.

The Honorable Thomas B. Miller, Presiding Justice, West Virginia Supreme Court of Appeals

Briefing Clerk, Charleston, WV, May 1984 – August 1984

REPRESENTATIVE MATTERS:

Insurance companies in all aspects of regulation and litigation, formation, reinsurance, rate setting, coverage. Hospitals defense of litigation, formation of health insuring relationships, doctor groups, dissolution of entities, ERISA. Civil investigations of entities Mass torts, product liability. Employment and appellate matters.

TRAININGS:

Litigation Skill Training for law firms and public entities. Public Speaking, Personality, Communication and Conflict Resolution. Diversity, Gender and Inclusion, Leadership, Problem Solving.

PROFESSIONAL REGISTRATIONS, LICENSURES, CERTIFICATIONS:

Mediator Certification
Arbitration Certification ABA
ABOTA (American Board of Trial Advocates)
National Order of Barristers
Bar of the Supreme Court of the United States
State Bar of Texas
American Bar Association
American Association of Justice
Texas Bar Foundation
Litigation Counsel of America

NATIONAL BOARDS

National Board of Trial Advocacy (NBTA), President Elect
National Institute for Trial Advocacy (NITA) Board Member
National Association of Women Judges (NAWJ) Law Ed Board Member
National Institute for Trial Advocacy, Board of Trustees -Chair Public Service and International Committee

PROFESSIONAL ASSOCIATIONS

American Board of Trial Advocates -Texas and National Committees
State Bar of Texas-Pattern Jury Charge Committee-Negligence
ABA-TIPS Law Professor Committee
Formed Eviction Task Force—with judges, Austin Bar and pro bono groups
Travis County Women’s Lawyers-Power Read discussion leader

Diversity Committee-Austin Bar

Civil Jury Project NYU

Austin Inns of Court: Past President of Lochridge Inn of Court; Emeritus master member; team leader and UT faculty liaison; executive committee; Fifth Circuit Judicial Conference Planning Committee (2019), Austin Bar Association (past board member)

Past Chair, Consumer Law Section, State Bar of Texas

Prior Executive Board, Center for Battered Women

Prior Texas Appleseed Board of Directors

PUBLICATIONS:

Books:

Remote Advocacy in a Nutshell, West, 2021 Tracy Walters McCormack

The First Trial: Where Do I Sit? What Do I Say? West, Third Edition, 2016, 436 pages Tracy W. McCormack, Steven H. Goldberg

The First Trial: Where do I sit? What do I say?, (co-authored with Steven H. Goldberg), West, Second Edition, 2009, 419 pages.

Texas Courts: Trial & Appeal: Cases and Materials (co-authored with Jack Ratliff and Alexandra Albright), Imprimatur Press, 2001.

ARTICLES / PAPERS:

“Probing the Legitimacy of Mandatory Mediation: New Roles for Judges, Mediators and Lawyers” (with Susan Schultz and James `McCormack), St. Mary’s Journal of Legal Malpractice & Ethics 1:1 (May 2011), 150-199.

“Honesty is the Best Policy: It’s Time To Disclose Lack of Jury Trial Experience” (with Christopher Bodnar), Georgetown Journal of Legal Ethics XXIII:1 (Winter 2010), 155-200.

Republished in *Voir Dire Magazine*, Part I, 18:1 (Spring 2011), pp.14-21

Republished in *Voir Dire Magazine* Part II, 18:2 (Summer 2011), pp.18-26

Republished in the *Texas Bar Journal*, 78:3 (March 2015), pp. 210-215

“Privatizing the Justice System,” The Review of Litigation 25:4 (Summer 2006), pp. 735-744.

Republished in International Society of Barristers Quarterly, Volume 41 (2006), pp. 465-474.

Republished in *Voir*

Dire Magazine 15:2 (Summer 2008), 7-11.

Does Advocacy Matter? If So, Perhaps It’s Time to Prove It, *University of Louisville Law Review*, Vol 55, Tracy W. McCormack

Continuing Legal Education articles and informal publications.

PRESENTATIONS / SEMINARS

The Inner Circle of Advocates Speaking Engagement

Speaker, Virtual, March 1, 2022

Litigation Update—State Bar of Texas

Speaker, San Antonio, Texas, January 13-14, 2022

Winning at Deposition-UT LAW CLE

Speaker, Virtual, April 21, 2021

Page Keeton Civil Litigation Conference- UT LAW CLE

Speaker, Virtual, April 22, 2021

Winning at Deposition-UT LAW CLE

Speaker, Virtual, April 21, 2021

Annual Ultimate Trial Notebook Program

Panelist, Virtual, May 10, 2021

Advocacy in Children's Immigration Proceedings —NITA

Presenter, Virtual, August 4, 2021

4 Part Advocacy in Arbitration Course-Arbitrate University

Instructor, Online Course, 2021

Trial by Women Forum -SEABOTA

Keynote Speaker, Virtual, June 2, 2021

Kenya and Nigeria Training—NITA/Lawyers Without Borders

Speaker, Virtual, December 9, 2020

OAG CLE

October 23, 2018 New Tools for Your Litigation Bag – From Discovery to Trial

UT Law CLE Studio Webcast/Recording

Speaker, Austin, TX August 24, 2018 Race, Truthiness and the New Ethics

Austin Bar Association Holiday Ethics CLE

Speaker, Austin, Texas, December 1, 2017

UT CLE: 2017 Cocktail Party Law: Answering Questions in Social Situations

UT Law's Cocktail Party Law on Tuesday Speaker, Austin, Texas, November 28, 2017

Austin International Academy of Mediators (IAM)

Speaker, Austin, Texas, November 2, 2017

Winning at Deposition: Skills and Strategy

Speaker, Austin, TX August 26, 2016

Developing Your Trial Cross through the Adverse Deposition

30th Annual School Law Section Retreat (Presented by the State Bar of Texas)

Speaker, Galveston, TX July 21-23, 2016

Professional Responsibility and Ethics for the School Attorney

Alumni Reunion 2016 (Presented by The University of Texas School of Law)

Speaker, Austin, TX April 15 & 16, 2016

Disclosure is the New Ethics: are you saying what you should be?

National Organization of Lawyers for Education Associations

Speaker, Austin, TX October 9, 2015 *Advocacy 101-Persuading your Audience*

Texas Council of School Attorneys Education Law Conference

Speaker, Austin, TX October 4, 2015 *Ethics Update*

10th Annual Ultimate Trial Notebook (Presented by The Austin Bar Assoc. Civil Litigation Section)

Speaker, Austin, TX November 14, 2014 *Witness Testimony: Nailing Your Direct and Cross-Examinations*

UT Law CLE Live Webcast/Recording

Speaker, Austin, TX September 18, 2014 *Ethical Considerations and Advocacy in Non-Traditional Settings*

UT Law CLE 37th Annual Page Keeton Civil Litigation Conference

Speaker, Austin, TX, October 25, 2013 *Advocacy & Ethics*

ABOTA National Jury Summit: The Expedited Jury Trial

Speaker, Austin, TX October 10, 2013 *Disclosure of Trial Experience – A Matter of Ethics*

CLE for Travis County & District Court Judges and Staff Attorneys

Speaker, Austin, TX March 21, 2013 *Presentation based on paper, “ADR: Probing the Legitimacy of Mandatory Mediation: New Roles for Judges, Mediators and Lawyers”* (see list of publications)

OAG Trial Course Speaker, Austin, TX December 3, 2012

Department of Aging and Disability Services (DADs) Legal Services Meeting

Speaker, Austin, TX September 27, 2012 *How to Present Evidence and Handle Objections*

Texas Bar CLE Advanced Civil Trial Course

Moderator, San Antonio, TX July 27, 2012 *Judges Panel: “I Object and Beyond”*

St. Mary’s Journal on Legal Malpractice & Ethics Symposium

Speaker, San Antonio, TX Spring 2011

Office of the Attorney General In-House CLE
*Speaker/Host, Austin, TX December 9, 2010 Texas
Evidence Jeopardy: Privileges!*

Review of Litigation Inaugural Banquet
Speaker, Austin, TX, Spring 2011

UT CLE 34th Annual Page Keeton Civil Litigation Conference
*Speaker, Austin, TX October 28, 2010 Arbitration: The New
Litigation?*

Texas Center for the Judiciary Evidence Summit
Speaker, Austin, TX April 9, 2010 Privileges

UT CLE 33rd Annual Page Keeton Civil Litigation Conference
*Speaker, Austin, TX October 30, 2009
Effective Advocacy in Arbitration*

UT CLE The Car Crash Seminar: From Sign-Up to Settlement
*Speaker, Austin, TX August 7, 2009
What Happens if we are Honest About our Jury Trial Experience?*

Texas Association of Mediators 2009 Conference
*Speaker, Dallas, TX February 27, 2009
Ignorance May Not Be Bliss: Empirical Data from the Colliding Worlds of Litigation and Mediation*

The Review of Litigation Spring 2007 Symposium
*Moderator, Austin, TX, Spring 2007
Products Liability: Duties & Defense Panel*

The Office of the Attorney General's Distinguished Lecture Series
Speaker, Austin, TX, May 2007

State Bar of Texas Advanced Personal Injury Law Course (CLE)
*Speaker, August 2007
Procedure Update*

First Annual Arbitration Institute
Institute Chair & Moderator, Austin, TX Nov. 30 – Dec. 1, 2006

State Bar of Texas Advanced Personal Injury Law Course (CLE)
Speaker, Summer, 2006 Procedure Update

The Review of Litigation Spring 2006 Symposium
Moderator, Austin, TX, February 24, 2006

State Bar of Texas Causes of Action (CLE)

Moderator, Spring, 2005 Torts of Tomorrow

University of Houston Litigation and Trial Tactics Seminar

Speaker, Houston, TX Winter, 2004 Ten New Tricks for Your Old Trial Bag (seminar paper)

UT Law One Day Conference: "The Jury Trial"

Speaker, Austin, TX, Spring, 2003

State Bar of Texas 17th Annual Advanced Personal Injury Law Course

Speaker, Summer, 2001 Trial Skills

Austin Bar Seminar: Triggering Insurance Coverage in Consumer Cases

Speaker, Austin, TX, Fall, 2000