



# COMPUTER AND TECHNOLOGY SECTION

June 4, 2018



## Circuits

Newsletter of the Computer & Technology Section  
of the State Bar of Texas

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#### **Chair's Message for Circuits May 2018**

By Michael Curran

Thank you for being a member of the Computer & Technology Section! We appreciate your support, and we have exciting updates to share with you in this issue of *Circuits*. [Read More>>](#)

#### **Letter from the Editor**

By Kristen Knauf

It feels a bit unnatural to reflect on the end of the year just as the weather is starting to turn warmer. Is this what it feels like to celebrate New Year's Eve in the southern hemisphere? In any event, this last issue of *Circuits* for the 2017-2018 bar year covers several hot technology topics. [Read More>>](#)

#### **Closing the Gap in Texas, One Question at a Time**

By Hannah Allison & Briana Stone

Outside of Arlington, Judith Rojas heard the alert on her phone: "A volunteer attorney has responded to your question." She had been feeling increasingly helpless in her attempts to get her landlord to repair her heater. As the temperature dropped, she was forced to leave the stove open at night for heat, which she knew was dangerous. Worried about her safety, Judith's brother told her about a new, free online legal advice clinic called [Texas Legal Answers](#) where she would be able to communicate with an actual attorney. Sighing with relief, Judith read the attorney's encouraging, step-by-step advice and felt empowered and hopeful for the first time in months. [Read More>>](#)

#### **Inquiring into Intent: FRCP Rule 37(e) Opens the Door**

By Craig Ball

Lawyers spend a ton of time thinking about intent. Intent is what separates murder from negligent homicide. It's key to deciding whether minds have met to form a binding contract. Intentional torts are punished differently from negligence. Notions of intent pervade the law: testamentary intent, transferred intent, malice, bad faith, *mens rea*, scienter and premeditation. The intent of the framers of the U.S. Constitution was the linchpin of the late Justice Antonin Scalia's interpretation of that great document. [Read More>>](#)

#### **The Battle Over Biometrics**

By John G. Browning

In January, as Google debuted the “art selfie” feature on its Google Arts & Culture app—enabling people to find their art lookalikes from over 1,200 museums worldwide—users delighted in the chance to match themselves to a painting or sculpture. All Google users, that is, except those in Illinois and Texas. In those two states, the app was blocked for fear of violating the strict biometrics privacy laws on the books there. But just what do such statutes cover, and as biometrics measures became more commonly used by everyone from banks and credit card companies to employers, will laws like those in Texas and Illinois pave the way for similar privacy legislation? [Read More>>](#)

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**Mind the COPPA Rule protecting children online or expect to hear from the FTC**

By Pierre Grosdidier - Haynes and Boone, LLP

If Internet-connected toys catch your attention and your kids’ fancy, rest assured you are not alone. The Federal Trade Commission (“FTC”) is watching them too, but not because its counsel are itching to buy them for their progeny. Instead, the FTC is focused on enforcing the toys’ compliance with the Children’s Online Privacy Protection Act. [Read More>>](#)

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**New Texas Cybersecurity Laws - Part 1**

By Elizabeth Rogers and Aaron Gregg

The Texas Legislature considered and approved a variety of cybersecurity-related legislation during the 85<sup>th</sup> regular legislative session that went into effect on Sept. 1, 2017. Substantively speaking, Texas has taken a leadership role in addressing various cybersecurity and data privacy issues. [Read More>>](#)

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