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## [Texas Supreme Court Orders & Opinions 6/12/09](#)

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The Texas Supreme Court released two new opinions with this week's regular orders, both of which involved petitions for writ of mandamus.

In [In re Hall](#) (No. 07-0322), the Court held that an indigent adult who had been adjudicated delinquent as a minor and received a 40-year sentence had no statutory right under the Juvenile Justice Code to appointed counsel in a habeas corpus proceeding. The Court did not decide the case based on the offender's age, but instead relied on statutory language limiting the right to appointed habeas counsel to situations in which "the legality of detention" has been challenged. Because the Court determined that "detention" means "pre-adjudication confinement of the child, not the post-adjudication commitment at issue here," it denied mandamus relief.

Aside from its outcome, *Hall* is significant because the relator received assistance in the supreme court through the State Bar Appellate Section's [Pro Bono Pilot Program](#). The *Texas Bar Journal* recently published [an article covering that program](#), and I have previously discussed it [here](#).

In [In re International Profit Associates, Inc.](#) (No. 08-0531) (per curiam), the Court granted mandamus relief from a trial court's order refusing to dismiss a lawsuit in favor of arbitration. As a condition of enforcing a forum-selection clause in the parties' contract, the trial court had required the movant to prove that it pointed the clause out to the plaintiff when they made the agreement. The supreme court determined that the order improperly shifted the burden of proof, which lies with the party opposing a forum-selection clause, and thus abused its discretion.