

PAST CHAIR PROFILE: MICHAEL EDWARD “MIKE” MCELROY (1952-2020)

Kelli Tieken Kenney
McElroy, Sullivan, Miller & Weber, LLP
Austin, Texas
www.msmtx.com

We are sad to report the passing of Michael Edward “Mike” McElroy on June 22, 2020. At the time of his passing, Mike was Chair-Elect of the Oil, Gas and Energy Resources Law Section of the State Bar. He would have started service as Chair on June 26, 2020.

Born in Grand Prairie, Texas on August 18, 1952, Mike was the third of twelve children. Attending the University of Texas at Arlington and University of Texas at Austin, Mike received his Bachelor of Arts degree in 1975 and graduated magna cum laude. Mike was a longtime devoted Longhorn and fan, attending UT football, baseball and basketball games, and he had a particular affinity for the Texas Relays.

Mike graduated from the University of Texas School of Law receiving his Doctor of Jurisprudence in 1979. While in law school, Mike was a member of the famed “Legal Eagles” intramural football team, coached by the legendary law professor, Charles Alan Wright. Mike often joked that he made it through law school based on his athletics, not his academics. While in law school, Mike worked in state government and served as Director of the House Study Group for the Texas House of Representatives (predecessor to the House Research Organization) from 1976-1979 and as Counsel to the Texas Senate Natural Resources Committee in 1979. Mike later served as counsel to Railroad Commissioner John Poemer before turning to private practice and co-founding what is now McElroy, Sullivan, Miller & Weber, LLP in Austin, Texas.

While in private practice, Mike embarked on a distinguished legal career that spanned regulatory, title and litigation practices. Mike was instrumental as both trial and appellate counsel in many notable court decisions that have molded oil and gas law in Texas. His legacy of cases, to name only a few, include *BP America Production Co. v. Marshall, et al.*, *HECI Exploration Co. v. Neel* and *Browning Oil Co., Inc. v. Luecke*. The cases Mike participated in span all aspects of oil and gas law and have helped form the backbone of current industry practices. His

legal influence can also be found in the amicus briefs Mike would submit when he believed a particular Court came to the right, or wrong, decision.

All who knew Mike knew of his love for oil and gas law. Throughout his career he continued to be an avid student of both the industry and the law, always studying recent court decisions and quick to challenge anyone, willing or unwilling, to debate the ins and outs of a recent case. At the firm, no attorney was spared Mike’s habit of leaving a highlighted copy of the latest issued decision on their desk chair knowing they would be expected to deliberate it at a moment’s whim.

Mike was often hired by clients to be their lion in the courtroom, though many longtime colleagues recall that he could also get a matter resolved by simply walking down the hall until he found the right person to talk to. Mike was a master of using his natural friendliness and undeniable knowledge of oil and gas law to reach the best outcome for those he represented.

Mike was very active in the State Bar and considered it his duty as a lawyer to serve. He was a frequent presenter at continuing legal education seminars and as a member of the Pattern Jury Charge Committee and a longtime council member of the Oil, Gas & Energy Resource Law Section of the State Bar of Texas. He was to be Chair Elect of the Oil, Gas and Energy Resources Law Section of the State Bar and slated to start his service as Chair shortly after his passing.

Above all else, was the love Mike had for his family. His children, Andrew and Cate, were the pride of his life and one only had to ask about his kids to know his greatest achievement was being called “Dad.”

Mike McElroy will forever be missed.