

**ANNUAL REPORTS
OF THE
JUDICIAL SUPPORT AGENCIES,
BOARDS, AND COMMISSIONS**



FISCAL YEAR 2011

Annual Reports
of the
Judicial Support Agencies,
Boards and Commissions

for the Fiscal Year
Ended August 31, 2011



Photo courtesy of TexasCourthouses.com

Anderson County Courthouse - Palestine

Introduction to the Judicial Support Agencies, Boards and Commissions

The **Office of Court Administration** provides information and research, technology services, budgetary and legal support, and other administrative assistance to a variety of judicial branch entities and courts, under the supervision of the Chief Justice of the Supreme Court of Texas and an Administrative Director reporting to the Chief Justice.

The **Texas Judicial Council** is the primary policy-making body responsible for studying and recommending changes to improve the administration of justice.

The **Task Force on Indigent Defense** is a standing committee of the Texas Judicial Council that oversees the distribution of funds to counties to provide indigent defense services, and promulgates policies and standards for services to indigent defendants.

The **Judicial Committee on Information Technology** establishes standards and guidelines for the systematic implementation and integration of information technology into the state's trial and appellate courts.

The **Court Reporters Certification Board** performs licensing and regulatory functions for the court reporting profession.

The **Process Server Review Board** performs regulatory functions for persons authorized to serve process.

The **Guardianship Certification Board** performs regulatory functions for individuals (other than attorneys and corporate sureties) who act as private professional guardians, individuals (other than volunteers) who provide guardianship services to wards of guardianship programs, and individuals who provide guardianship services to wards of the Department of Aging and Disability Services.

The **Judicial Compensation Commission** is responsible for making a report to the Texas Legislature each even-numbered year recommending the proper salaries to be paid by the state for all justices and judges of the Supreme Court of Texas, the Court of Criminal Appeals of Texas, the courts of appeals and the district courts. The Office of Court Administration provides administrative support for the Commission.



Office of Court Administration

Activities of OCA by Division

Executive Operations - The Office of Court Administration (OCA) has been led since April 2005 by Mr. Carl Reynolds, the Administrative Director of OCA and the Executive Director of the Texas Judicial Council. He is supported part-time by an executive assistant, who has been pressed into other duties by insufficient staff resources. The Director's assistant serves as clerk to the Process Server Review Board and was assisted by two full-time employees dedicated to this entity.

The Director provides leadership and strategic direction, represents the agency to the Legislature, other agencies and interest groups, and is responsible for the agency's performance. He staffs the policy-making function of the Judicial Council, with support from the Court Services and Legal divisions. In the Summer 2010 issue (v. 51 Number 4) of the South Texas Law Review, he published an article entitled "Texas Courts 2030 - Strategic Trends & Responses." In the summer of 2009, the Director was elected to the board of directors of the Conference of State Court Administrators (COSCA), and in FY 2010 he was appointed to chair the Policy and Liaison Committee of COSCA, both of which required additional national activity during FY 2011. Also during FY 2011 the Director chaired a subcommittee of the State Bar Committee on Legal Services to the Poor in Criminal Matters, and continued to blog

about the work of state courts at <http://www.courtex.blogspot.com>, with 120 posts to date.

Research and Court Services Division - During FY 2011, the division's activities included the development or continuation of programs and projects designed to increase the collection of court costs, fees, and fines; to improve reporting accuracy and compliance; to improve the administrative operation of the courts; and to provide remote foreign language interpreter services for civil family violence cases. Highlights of these programs and projects are noted below.

Collection Improvement Program. OCA's Collection Improvement Program is a set of principles and processes for managing cases when defendants are not prepared to pay all court costs, fees, and fines at the time of assessment and when time to pay is requested. In 2005, the Texas Legislature enacted S.B. 1863 (Code of Criminal Procedure, article 103.0033), which requires cities with a population of 100,000 or more, and counties with a population of 50,000 or more, to implement collection improvement programs based on OCA's model Court Collection Improvement Program.

As of August 31, 2011, 77 of the 78 counties and cities required to implement a program had either fully or partially implemented the model. One county, Harris County, previously received a waiver.

In FY 2011, the primary focus of the program staff continued to be working with the counties and cities required to implement a program, as well as with audit staff at the state's Comptroller of Public Accounts (CPA) office, to ensure compliance with the critical components of the model program. To that end, program staff continued to provide technical assistance; assist with obtaining the case populations from which the CPA auditors select their samples to conduct compliance audits of mandatory programs; and conduct simulated compliance audits of mandatory programs to identify any deficiencies and assist counties or cities with correcting any deficiencies found before the CPA auditors conduct the official compliance audit. Program staff also conducted 11 regional training workshops on the compliance audit process, which were held in Amarillo, Angleton, Brownsville, Denton, Edinburg, Greenville, Liberty, McAllen, Round Rock, Salado, and Sinton.

Program staff identified and began working with 13 additional jurisdictions that will be required to implement collection improvement programs, on or before April 2012, based on the 2010 federal decennial census. The cities are: Denton, Frisco, Killeen, McKinney, and Midland; and the counties are: Cherokee, Hardin, Hood, Maverick, Rockwall, Rusk, Wise, and Van Zandt. To assist these counties and cities in preparing for the implementation of their mandatory programs, program staff conducted training workshops in Eagle Pass, Granbury, Killeen, Kountze, Midland, and Rockport.

As of August 31, 2011, a total of 78 voluntary programs were fully or partially implemented. During FY 2011, program staff assisted 22 cities (Baytown, Canton, Dickinson, Elsa, Forney, Friendswood, Grand Saline, Huntsville, LaMarque, LaPorte, Manvel, Missouri City, Odem, Pearland, Port Isabel, Rosenberg, San Juan, Seabrook, Sealy, South Padre Island, Sullivan, and Tomball) and two counties (Leon and Shackelford) with developing and partially implementing a voluntary program based on OCA's model Court Collection Improvement Program.

Additionally, program staff continued to assist or offer assistance to existing local voluntary collection improvement programs; conduct training workshops on collection processes and techniques for mandatory and voluntary programs, as well as cities, counties or courts interested in improving court collections; and assist programs with the use of the web-based collection reporting system to track collection activity and results.

Judicial Information Program. The Judicial Information Program collects, analyzes, provides and publishes information about the judicial branch and supports the Judicial Compensation Commission.

Judicial Data Project. Program staff continued working to implement the requirements adopted under the Judicial Council's Judicial Data Project, in which workgroups of judges, clerks and others reviewed the data elements previously reported by trial courts and recommended changes to the monthly court activity reports to more accurately reflect the workload of those courts.

Changes to the district and county-level court reports took effect September 1, 2010, and changes to the justice and municipal court reports took effect September 1, 2011. During FY 2011, division staff engaged in numerous activities to facilitate the implementation of the new reports, including making presentations on the monthly report changes at district and county clerk conferences and regional meetings; making numerous presentations to municipal and

justice court clerks and judges; and providing constant technical assistance to clerks, judges and case management software providers.

During FY 2011, OCA continued to work on updating information systems to implement the revised reporting categories in September 2010 and September 2011, respectively. OCA staff worked closely with the selected vendor to design, review, and test the new database and system functionality and provide guidance and clarification on expected functionality and business processes.

Judicial Compensation Commission. Judicial Information provided staff support for the Judicial Compensation Commission, supporting all Commission meetings, updating data for the Commission's review and producing the Commission's report in the fall of 2010.

H.B. 3352 and the NICS Improvement Act. OCA is the representative for the Texas judicial branch for the federal National Instant Criminal Background Check System (NICS) Improvement Act, which amended the Brady Handgun Violence Prevention Act of 1993 to provide information about mental health adjudications, commitments and other factors that would prohibit a person from receiving or possessing a firearm under state or federal law. Judicial Information staff completed the annual estimate of court records (due each May) related to provisions of the NICS Improvement Act.

OCA has taken a leading role in providing assistance to the district and county clerks on the implementation of H.B. 3352, which requires clerks to report information on mental health adjudications and commitments and other prohibiting factors to the Criminal Justice Information System (CJIS) maintained by the Texas Department of Public Safety. H.B. 3352 was passed by the Texas Legislature in 2009 to comply with and implement the requirements of the NICS Improvement Amendments Act of 2007, including the requirement that information on all cases in which a reportable order or judgment was entered from September 1, 1989 through August 31, 2009 be reported.

During FY 2011, OCA provided the following assistance on H.B. 3352 to the district and county clerks: 1) made presentations at conferences and regional meetings of the Texas County and District Clerks' Association; 2) made presentations at meetings of the Texas College of Probate Judges; 3) updated a Frequently Asked Questions document prepared by OCA to assist clerks in reporting these cases; 4) worked with the Texas County and District Clerks' Association and Department of State Health Services to aid clerks in getting the information they need to report relevant records to the Texas CJIS; and 5) provided frequent assistance to clerks by answering questions over the phone and by email.

In April 2011, OCA conducted a survey to determine how many district and county clerks had started or completed their historical reporting of mental health-related records, and 40 percent of the clerks reported they had not due to a lack of staff or training. (Although OCA had provided widespread training to the clerks on H.B. 3352, most was provided prior to January 2011, when 83 new clerks took office.)

In response to the survey results, OCA applied for and received preliminary notification in July 2011 that it would receive a \$545,414 grant from the U.S. Department of Justice's Office of Justice Programs. The funds will be used to hire 7.5 full-time equivalent OCA staff to provide assistance to the clerks by reviewing historical case files and docket sheets to identify eligible records to be reported and entering this information into CJIS, and to provide training on H.B. 3352 reporting requirements.

Domestic Violence Resource Attorney (DVRA). OCA obtained a \$65,565 S.T.O.P Violence Against Women Act Fund grant to continue funding for its domestic violence resource attorney (DVRA), who serves as a single point of contact to support courts who hear cases involving domestic violence, sexual assault, and stalking. OCA agreed to contribute a cash match of \$5,000, resulting in a total project cost of \$70,545. The grant period was January 1, 2011 through August 31, 2011 (the previous grant period ended on December 31, 2010). During FY 2011, the DVRA continued to work on and completed the first-ever Texas Family Violence Benchbook. The benchbook focuses on Texas and federal laws concerning domestic violence, sexual assault, and stalking cases. The benchbook was posted on OCA's website in December 2010 and distributed to selected courts on CD in June 2011.

During FY 2011, the DVRA implemented and managed OCA's Texas Remote Interpreter Project. Additionally, the DVRA provided training on the timely entry of protective orders into the Texas Crime Information Center (TCIC), which is the statewide law enforcement database, to district and county clerks at the annual District and County Clerks' Continuing Legal Education Program; met with the Texas Department of Public Safety to discuss strategies

to increase the entry of protective orders into TCIC; and worked to improve the utilization of the courts' share of S.T.O.P. Violence Against Women Act grant funds.

Texas Remote Interpreter Project (TRIP) in Domestic Violence Cases. OCA obtained a three-year, \$300,000 grant from the U.S. Department of Justice's Office on Violence Against Women to hire two half-time, licensed Spanish court interpreters to provide interpretation services at no cost, via telephone, Voice over Internet Protocol, or videoconferencing, to district and county-level courts handling civil cases involving intimate partner violence. Limited grant funds are also available for non-Spanish interpretation from a commercial telephonic service. The focus of the project is to improve access and the quality of interpretation services in rural counties. During FY 2011, division staff spent much time on activities to implement and promote the program, including providing information about TRIP services to judges, court coordinators and others, and making site visits to counties to explain and demonstrate TRIP services. Additionally, the interpreters compiled a Spanish-English glossary of legal terms relating to domestic violence, and translated and recorded required warnings for protective orders into Spanish. The grant period is September 1, 2010 through August 31, 2013.

Emergency Preparedness. OCA maintains a "court closures" web page in the event a court is closed due to an emergency (e.g., hurricane, flood, fire, ice or snow storm, or bombing). The web page is a centralized source for court closures for the entire state, which the State Bar has agreed to direct people to during an emergency. During FY 2011, division staff developed court closure and reopening reporting forms and instructions, which were distributed to local administrative judges, county judges, district clerks, and county clerks to use in notifying OCA when the district and county-level courts are closed due to an emergency.

Information Services Division - The Information Services Division works to improve information technology (IT) at all judicial levels in Texas. In addition to providing information technologies for OCA and for the various boards it supports, the division provides IT directly for the Supreme Court of Texas, the Court of Criminal Appeals, the 14 intermediate courts of appeals, the State Law Library, the State Prosecuting Attorney, the State Commission on Judicial Conduct (SCJC), Texas Indigent Defense Commission (TIDC) and the Office of Capital Writs (OCW). These bodies use computers, desktop software, line-of-business software applications, Internet access, wide area and local area networks, server databases and resources, and websites provided and maintained by OCA. The line-of-business software applications that Information Services maintains include certification management for OCA's regulatory boards, case management for the child protection and child support specialty courts, case management for SCJC, court case management for appellate courts, automated registry for trial courts, and court activity reporting for trial courts. Additionally, the Information Services Division supports the meetings and activities of the Judicial Committee on Information Technology (JCIT); the accomplishments for FY 2011 are discussed in the report for JCIT.

The Information Services Division worked on the following projects:

- The initial release of the Texas Appeals Management and e-filing System (TAMES) continued development and was scheduled to be implemented in FY 2012.
- The Child Protection Case Management System (CPCMS) continues to implement enhancements. Information Services also implemented the Child Support Case Management System (CSCMS) for use in the Title IV-D courts in April of 2011. Enhancements to CSCMS are also made as Information Services resources permit.
- The division worked to replace the Judicial Data Management System (JDMS) with the new Court Activity Reporting and Directory (CARD) system. The CARD system collects court activity data in a format that meets the new reporting requirements adopted by the Texas Judicial Council in 2008. CARD was implemented for the district and county-level courts in May 2011. Justice and municipal courts were implemented in October 2011.
- The Automated Registry (AR) system is in production, and the Information Services Division continues to market and provide interested courts with access to the system. AR allows authorized individuals to search state agency databases for information on a person appearing before the court. Due to budget cuts, maintenance funding for the AR system is not available for the FY 2012-13 biennium. As a result, any change to the system by OCA's partner agencies may cause the system to become inoperable.

- Information Services has deployed a replication repository in Austin as part of the Judicial Emergency Data Infrastructure (JEDI) project. JEDI was funded by the 81st Texas Legislature, to provide data redundancy for courts located in disaster prone areas. JEDI was implemented for the appellate courts outside of the Austin area in the summer of 2011. The 10th Court of Appeals (Waco) was selected as the redundant site for the Austin area courts. This site will be completed and operational by the end of 2011.

Indigent Defense Division - The division supports the Task Force on Indigent Defense by administering the distribution of funds to counties for indigent defense services; developing policies and standards for legal representation and other defense services for indigent defendants; promoting local compliance with the core requirements of the Fair Defense Act (FDA) through evidence-based practices; providing technical support to counties with respect to indigent defense; and establishing a statewide county reporting plan for indigent defense information. Accomplishments for FY 2011 are discussed in the report for the Task Force.

Legal Division - The Legal Division continued to provide legal support for numerous entities within the judiciary and to oversee the administration of the specialty courts programs on behalf of the presiding judges of the nine administrative judicial regions. Legal staff served as liaisons to or provided legal support to the Texas Judicial Council; the Conference of Regional Presiding Judges; the Council of Chief Justices; the Permanent Judicial Commission for Children, Youth and Families; the Judicial Districts Board; the Task Force on Indigent Defense; the Guardianship Certification Board (GCB); and the Court Reporters Certification Board (CRCB). Division attorneys drafted rules and amendments for the GCB and the CRCB. A division attorney updated the court jurisdiction documents available on OCA's website, OCA's records retention schedule and the 2010 District Clerk's Manual. Another division attorney worked with others on a statewide effort to help Texas courts deal with the increasing numbers of self-represented litigants in the state. Division attorneys also made presentations throughout the year to judges and clerks on issues including the Texas court system, reporting requirements for district clerks, responding to requests for records, recusal and disqualification of municipal court judges, the difference between legal information and legal advice, and confidentiality of Child Protective Services, juvenile and adoption cases.

Specialty Courts Program. The specialty courts program includes the child protection courts and the child support courts. Throughout the year division staff supported the efforts of the presiding judges of the administrative judicial regions in administering the specialty courts program. An attorney funded through a federal grant from the Children's Justice Act worked with the child protection courts and the Information Services Division to develop reports for the case management system and survey court practices in an effort to identify best practices. The specialty courts program director worked with the Information Services Division and a child support courts advisory committee to implement a new case management system for the child support courts. The program director also facilitated the annual Child Protection Court Conference in Austin attended by the associate judges and coordinators.

Finance and Operations Division - The Finance and Operations (FAO) Division manages the fiscal and operational support activities of OCA, including purchasing, accounting, payroll, budgeting, financial reporting, human resources, property inventory, and facilities management. Division staff members consult with OCA program managers on a variety of financial and contractual issues, and answer questions from the Legislature, the public, and other interested parties on judicial funding and state appropriations to the courts and judicial agencies. The division coordinates preparation of the agency's strategic plan, legislative appropriations request, and quarterly performance measures. Finance and Operations staff work with the clerks of the appellate courts on issues related to accounting, purchasing, financial reporting, and human resources. In addition, the division provides support to the chief justices of the appellate courts and the Presiding Judges of the administrative judicial regions regarding legislative, budgetary, and human resources issues.

During this fiscal year, OCA (along with the appellate courts and all other agencies in Texas government) was directed to reduce its appropriated budget twice, first by 5 percent and then by another 2.5 percent. With the first reduction, all of OCA's programs, except for Child Support Courts, Child Protection Courts and Indigent Defense, were reduced. The second reduction applied to all OCA programs. The FAO division worked with program managers to identify where cuts could be made with minimal impact on the agency's staffing and services. Where staffing reductions were required, OCA was able to eliminate positions through attrition. The division also assisted the courts of appeals with a coordinated response on the impact of budget cuts on the intermediate appellate courts. As a result, the courts of appeals received relief from a portion of the cuts.

In FY 2011, in response to a post-payment audit conducted by the State Comptroller's Office, OCA revised its travel

policy to more strictly interpret the statutory requirement to conserve state funds related to OCA employee travel. Over half of OCA's staff work in its specialty courts program. Historically, these employees have used their personal vehicles to travel from court to court to hear child support and child abuse and neglect cases. In accordance with state travel guidelines, the agency has reimbursed these employees using the approved, statewide mileage rate. In some cases, due to budget constraints, OCA has chosen to pay a lower mileage reimbursement rate than the maximum rate authorized. OCA's new policy now restricts the mileage reimbursement further, to the lower of the personal vehicle mileage rate or the cost of a rental vehicle, including fuel. OCA expects to see significant cost savings in FY 2012 and beyond as a result of this policy change.

During the 82nd Legislature, the Finance and Operations Division supported OCA, the courts of appeals and the presiding judges to determine the impact of budget reductions for the FY 2012-13 biennium and minimize the impact on court administration and OCA operations. Overall, the judiciary fared well, particularly when compared to the rest of state government. Although the judiciary took reductions, the Legislature recognized the importance of the judicial function, as well as the already restricted budget levels with which the courts are operating, and limited reductions to a manageable level.

The 82nd Legislature took action related to several OCA programs, which required planning in this fiscal year to prepare for new functions the FAO division will implement in FY 2012. The 82nd Legislature authorized the Process Server Review Board, with approval from the Supreme Court, to set fees for certification as a process server. In July, FAO began the planning process to collect fees from more than 6,000 process servers that are currently certified. The 82nd Legislature also transferred the audit function for the Collections Improvement Program (CIP) from the Comptroller's Office to OCA. In order to provide for adequate separation of the program implementation function that currently resides at OCA from the newly transferred audit function, the CIP audit division will fall under the purview of the Chief Financial Officer. As a result, the division began analyzing the staffing, operational support and office space requirements for this new function. The Finance and Operations Division also prepared to transfer the administrative functions of the State Prosecuting Attorney (SPA) from that office to OCA, effective September 1, 2011. The 82nd Legislature reduced SPA's administrative support budget for FY 2012-13 and directed OCA to enter into an interagency contract to provide support to SPA. FAO staff spent considerable time over the summer in planning meetings to prepare for this transition.

Regulatory Services - The Office of Court Administration currently supports three regulatory boards: Court Reporters Certification Board, Guardianship Certification Board and Process Server Review Board. Although each board's structure is unique, many regulatory practices and staff functions are common to all three. Staff for the three boards have been working together to function as a unified certification division utilizing existing resources. All staff members for the three boards meet biweekly to review and discuss regulatory practices, to share information on each program's processes, and to streamline and standardize procedures and day-to-day operations.

The *Court Reporters Certification Program* serves as staff to the Court Reporters Certification Board (CRCB), the governing body that oversees the licensing and regulation of the court reporting profession in Texas. Primary responsibilities include administration of the court reporters exam, certification of court reporters, registration of court reporting firms, and conducting of disciplinary hearings on complaints filed against court reporters and court reporting firms. Accomplishments for FY 2011 are discussed under the report for the CRCB.

The *Process Server Review Program* serves as staff to the Process Server Review Board (PSRB), the entity that governs certification to serve civil process statewide. Its primary responsibility is to provide clerical assistance to the Board and perform the necessary administrative duties to implement and enforce Rule 14 of the Texas Rules of Judicial Administration. These duties include processing applications for certification, processing complaints filed against process servers, processing requests for reconsideration of board decisions made by process servers and maintaining program and PSRB records, including the Statewide List of Authorized Process Servers. Accomplishments for FY 2011 are discussed under the report for the PSRB.

The *Guardianship Certification Program* serves as staff to the Guardianship Certification Board (GCB), the entity that certifies certain individuals who provide guardianship services in Texas. Its primary responsibility is to carry out the daily business of the GCB and perform the necessary administrative functions to implement and enforce statutory requirements. These functions include processing applications for certification, provisional certification and re-certification in accordance with GCB guidelines; developing procedures and forms; maintaining program and GCB records; and disseminating information on the GCB's rules, minimum standards and policies. Accomplishments for FY 2011 are discussed under the report for the GCB.



Texas Judicial Council

Legislation. Leading up to the 2011 (82nd) legislative session, the Judicial Council developed and adopted 59 legislative proposal resolutions, of which 31 led to filed bills (53 percent of the number of proposals). Of those filed, 23 passed into law, or 74 percent. Perhaps the most significant legislation was the court reorganization bill passed during the special session as H.B. 79; it was supported by the Judicial Council and resource staffing on the bill was provided by OCA. Highlights of H.B. 79 include:

- Setting the minimum jurisdictional amount of district courts at \$500 and raising the upper jurisdictional limit of all statutory county courts to at least \$200,000;
- Generating uniform provisions relating to all statutory county courts and repealing many provisions specific to statutory county courts in particular counties;
- Discontinuing small claims courts, but bringing the small-claims-court model of handling cases into the justice court provisions of Chapter 27, Government Code;
- Directing the Supreme Court to promulgate rules of civil procedure to ensure the fair, expeditious, and inexpensive resolution of small claims cases;
- Creating general provisions for the appointment, qualification, compensation, termination and powers of “associate judges” while repealing many individual statutes creating masters, referees and magistrates;
- Providing a structure for the receipt of gifts, grants, and donations for court system enhancements and child protection courts;
- Clarifying procedures regarding vexatious litigants; and
- Ordering a study of the feasibility, efficiency, and cost of converting statutory county courts with civil jurisdiction in excess of \$200,000 into district courts.

Committees. Often the Council appoints committees to study issues affecting the administration of justice. The active committees in FY 2011 were the Committee on Judicial Selection and the Committee on Court Resources.

Committee on Judicial Selection. Approximately a dozen bills were introduced during the 2011 legislative session addressing aspects of judicial selection. H.J.R. 61, which would have increased the terms of district court judges to six years, was voted out of the House Committee on Judiciary and Civil Jurisprudence in April and considered by the entire House in May. It failed to receive the two-thirds vote necessary to pass (85 Yeas, 59 Nays). A number of other bills died in committee: S.B. 1718/H.B. 3710 and S.J.R. 45/H.J.R. 155 (appoint/elect/retain selection proposal for district and appellate judges); S.B. 139/H.B. 638 (elimination of straight ticket voting in judicial elections); H.B. 156 (recusal of justices on the Texas Supreme Court and judges on the Court of Criminal Appeals based on political contributions); H.B. 1999 (nonpartisan election of district court judges); H.J.R. 126 (increase terms of appellate judges to eight years and district court judges to six years). The Committee, through the Chair, was deeply involved in the discussion of these issues leading up to and during the session.

Committee on Court Resources. Formed in January 2010, the Committee on Court Resources wanted to better understand local expenditures on the court system and current budgetary situations at the local level. In 2008, the Office of Court Administration (OCA) surveyed county auditors about local expenditures on court operations in 2007. Response levels were low, but the results could be roughly extrapolated to determine that aggregate local court expenditures were almost three times the amount that the state spent on the judicial branch for local court operations (i.e., district courts, county-level courts, and justice courts) – \$731,327 versus \$262,691 in 2007.

In spring 2010, OCA revised the survey, tested it on two county auditors, and sent out a request from Chief Justice Jefferson to the President of the Texas Association of County Auditors to spread the word about the survey and drive greater response levels. Usable surveys were received from 64 counties, which represented 65 percent of the

state’s population. The results of the survey, again requiring extrapolation to formulate a statewide figure, showed local and state expenditures for 2009 that were remarkably close to the 2007 figures.

**State and Local Expenditures for
District, County-level and Justice Court Operations, 2007 & 2009**

	2007	2009
Local Expenditures	\$731,327	\$783,052
State Expenditures	\$262,691	\$299,129
State Share of Total	26.4%	27.6%

In FY 2011, the Committee worked hard with OCA and other organizations to present the first Shared Solutions Summit, which was convened on January 8-10, 2012. This collaborative project was developed in partnership with: the Texas Conference of Urban Counties, with support (financial or in-kind) from the Court of Criminal Appeals; the Supreme Court Children’s Commission; the Texas Indigent Defense Commission; the Judicial Committee on Information Technology; the Texas Municipal Courts Education Center; the Texas Center for the Judiciary; the Texas Association of Counties; the Texas Access to Justice Commission; the National Center for State Courts; the National Council of Juvenile and Family Court Judges; and the State Justice Institute.

The agenda was loosely based on annual workshops put on by the Task Force on Indigent Defense (now the Texas Indigent Defense Commission). The idea was to convene local teams of judges, district attorneys, private lawyers, clerks, and other actors in five key program areas that the local courts operate: criminal courts, mental health courts, child protection courts, civil courts handling self-represented litigants, and limited jurisdiction courts handling juvenile Class C cases. Teams were asked to formulate action plans, and sketch out those ideas in the final session. The conference was conducted without paper by using a collaboration tool on the Internet, which allowed new materials and ideas to be presented to the attendees as the Summit unfolded and after the event.

The Summit received very positive evaluations, and the Shared Solutions theme has great promise in a decentralized court system. The Summit is a program that OCA anticipates offering every couple of years to new groups of attendees.

Task Force on Indigent Defense

FY 2011 marks the tenth fiscal year of a statewide indigent defense program in Texas. In January 2002, the Texas Fair Defense Act (FDA) became effective after its passage by the Texas Legislature in 2001. The legislation established the Texas Task Force on Indigent Defense (Task Force) to oversee the provision of indigent defense services in Texas. The Task Force has authority to set statewide policies and standards for the provision and improvement of indigent defense, to grant state funds to counties for that purpose, and to monitor counties’ compliance with policies and standards. Its mission is to provide financial and technical support to counties to develop and maintain quality, cost-effective indigent defense systems that meet the needs of local communities and the requirements of the Constitution and state law. To further that mission, in FY 2011 there were eight public meetings of the full board and its committees to guide further improvements in the following areas:

Improve Indigent Defense through the Development of Policies and Standards. This area involves promulgating guidelines and model forms; developing proposals for the Legislature to improve the delivery of indigent defense services; and preparing papers on proficient practices.

Promote Local Compliance and Accountability with the Requirements of the Fair Defense Act through Evidence-Based Practices. The Task Force promotes local compliance, proficiency, and accountability in meeting statutory and constitutional indigent defense requirements guided by evidence-based practices; collects, publishes and monitors county expenditure data, county indigent defense plans and state-funded Innocence Project reports; and facilitates research and evaluation to support policy and program development.

Develop Effective Funding Strategies. The Task Force has distributed funds since 2002 to help counties meet the statutory and constitutional requirements to provide access to counsel for the poor. The Task Force works to allocate and account for the effective distribution of state funds; develop specific program and communication strategies to provide information that demonstrates how to spend state resources in a more effective manner; and assist local governments in developing and promoting local programs to enhance the delivery of indigent defense services.

Formula and Discretionary Grant Program. To support its goals in FY 2011, the Task Force awarded over \$31 million in grants to counties through two funding strategies. One strategy distributes funds based upon a formula calculation (Formula Grants) and the other is a competitive program (Discretionary Grants). Counties are eligible for a formula grant if certain basic requirements are met. The Formula Grant program utilizes population and expenditure formulas to distribute funds. The Discretionary Grant program requires that a county complete an application and explain to the Task Force what type of program it wants to implement and how the program will improve local public defense practices. These applications are scored and awarded annually on a competitive basis. The Task Force also has the discretion to provide funds to a local jurisdiction to remedy a specific violation of the FDA, to provide technical support, and to assist counties that demonstrate an overwhelming economic hardship related to indigent defense.

The discretionary grant program offers multi- and single-year grants that provide funding to improve the indigent defense system. Multi-year grants are offered to fund direct client service projects, while single-year grants are available to fund programs dedicated to technology and process improvements. Types of programs identified as priorities by the Task Force are programs that: provide direct services to indigent defendants; establish public defender offices; establish regional public defender offices; provide mental health defender services; and provide juvenile defender services.

Five counties were awarded discretionary funding to establish new indigent defense offices or procedures, along with continued funding in eight counties. In FY 2011, the five new (FY 2012 discretionary funding) programs funded were: Bell County: Mental Health Improvement Campaign; Burnet County: Public Defender Office; Hidalgo County: new Juvenile Section in the existing Public Defender Office; Lubbock County: Managed Assigned Counsel program, countywide, for felony and misdemeanor cases (this is the first countywide system of its kind in Texas); and Uvalde County: video-teleconferencing and indigent defense services for Uvalde, Medina, Real counties.

Fiscal Monitoring. The Task Force is required by Texas Government Code §79.037 to monitor counties that receive grant funds and to enforce compliance by the county with the conditions of the grant. Fiscal concerns are related to the adequacy and type of financial management system, overall percentage of administrative expenses, value of grants awarded, and baseline adjustments and corrections.

Policy Monitoring. The Task Force is given a directive under Texas Government Code §79.037 to monitor local jurisdictions' compliance with the FDA. Counties are selected for monitoring through a risk assessment. The focus of the monitoring review is based on the core requirements of the FDA. A comprehensive review of the Fort Bend County indigent defense system was conducted this year.

Technical Assistance. The Task Force places a high priority on communication and educating all stakeholders in the indigent defense process. The Task Force provides technical assistance through training and site visits related to program improvements, grant funding, and expenditure reporting.

Clearinghouse of Indigent Defense Information. To promote best practices and accountability, the Task Force serves as a clearinghouse of indigent defense information via its website at www.txcourts.gov/tidc. The website provides public access to all county plans, expenditures, guides, model forms, rules, publications, e-newsletters and press releases.

Innocence Project Oversight and Coordination. In addition to its core mission of supporting county indigent defense systems, the Task Force also administers legislatively-directed grants to Texas public law schools to operate innocence projects. These projects organize law students to work with experienced attorneys to review claims of innocence from Texas inmates. In its sixth year, this program continued to achieve results both educational and legal. Dozens of students contributed thousands of hours investigating claims of wrongful convictions. With the help of grant funds, the Texas Tech-based innocence project exonerated Johnny Pinchback through DNA testing that proved he did not commit the sexual assault that put him in prison for 27 years. Task Force staff increased program oversight and coordination and put in place new requirements for program evaluation to assess the impact of state resources.

Task Force staff worked with the innocence projects this year to revise the shared database system in order to better coordinate the work of the innocence projects and provide more useful information about caseloads and backlogs. To ensure consistency through innocence project staff changes, Task Force staff developed a program guidebook detailing grant requirements, shared database protocols and other issues concerning innocence project coordination.

Significant Accomplishments of FY 2011

- During the 82nd Legislature Governor Perry signed a law (H.B. 1754) establishing the Texas Indigent Defense Commission (Commission). This organization replaced and renamed the Task Force on September 1, 2011. The Commission is a permanent standing committee of the Texas Judicial Council and remains administratively attached to the Office of Court Administration (OCA). This legislation strengthened the institutional structure of indigent defense in Texas by providing local governments more options to provide effective services, by streamlining the process to establish public defender programs, and by clarifying the types of processes that the FDA governs. Complete details are available via the Task Force website at <http://www.txcourts.gov/tidc/Legislative82.asp>. Indigent defense funding for county programs was also kept intact by the Legislature.
- Increased expansion of regional programs: One particular example is the Regional Public Defender for Capital Cases which now serves 116 of Texas' 254 counties for a total of 140 of all Texas counties now being served by a public defender or managed assigned counsel program. Prior to 2002, only seven public defender offices existed in the state serving seven counties.
- County indigent defense plan data is complete and available in improved format online to make it more accessible and easier for counties to make updates and submissions. This data is available to the public via the Task Force website at: <http://tidc.tamu.edu/Public>.
- Studies currently underway: Harris County Public Defender Office: A National Learning Site being conducted and lead by Dr. Tony Fabelo and research team with the Justice Center - Council for State Governments; and a study to compare attorney performance between assigned counsel and public defender systems in Wichita County.
- County, state and federal stakeholders attended the 8th Annual Indigent Defense Workshop in October 2010 and gained from presenters' experience, knowledge and description of other successful programs on ways in which to improve the quality of representation and measure attorney performance. Workgroup participants discussed various issues and planned solutions related to the overall criminal justice system in Texas counties. Video downloads of the presentations are available at <http://www.txcourts.gov/tidc/videos4.asp>.

FY 2011 Annual and Expenditure Report. The Task Force is statutorily required to submit an Annual and Expenditure Report. The full report for FY 2011 is available on the Task Force's website.

Judicial Committee on Information Technology

Electronic Court Filing. The 75th Texas Legislature created the Judicial Committee on Information Technology (JCIT) and gave it a 12-point mission, including establishing an electronic court filing system (e-filing) pursuant to Government Code §77.031(5). To fulfill this mandate, JCIT continues to encourage adoption of electronic filing for trial courts. As of August 2011, 78 district and county clerks in 51 counties had implemented electronic filing. These jurisdictions cover approximately 75 percent of the state's population. In 2011, seven courts of appeals also permitted electronic filing, and the Supreme Court mandated electronic filing for itself in September.

E-filing enables filers and courts to connect electronically through the state's e-government portal, Texas.gov (www.texas.gov). The e-filing architecture is designed to allow parties to file electronically to any participating court from any one of the several certified front-end service providers.

Upon notification from Texas.gov that the existing electronic filing agreement would not be renewed on its expiration at the end of FY 2012, JCIT put out a request for information from the different electronic filing vendors. The responses are being used to craft a request for proposals in order to secure a new electronic filing agreement.

Work continued in FY 2011 on the design and development of an appellate court case management system that will include e-filing into Texas appellate courts. The Legislature funded \$2.3M to the Office of Court Administration (OCA) to begin the Texas Appeals Management and e-filing System (TAMES) project in the FY 2008-2009 biennium. An additional \$1,488,023 was appropriated in FY 2010 for completion of the project. TAMES was scheduled to be implemented in the 14th Court of Appeals in FY 2012. Support and maintenance of the system continues and the system will be implemented in other courts in FY 2012.

Judicial Information Technology Standards. OCA devotes part of its information technology appropriation to court technology standards development, and JCIT provides guidance in the selection of efforts supported. In the past, JCIT has supported the Texas Path to NIEM (National Information Exchange Model) project within the judiciary. The Path to NIEM project provided 28 model data exchanges for use by courts and their business partners throughout Texas.

JCIT is working on technology standards for electronic artifacts (documents, audio files, video files, and other multimedia files) used in the judicial process. These standards will be reviewed at least annually to ensure their appropriateness.

Court Reporters Certification Board

The Court Reporters Certification Board (CRCB) was created in 1977 to certify and regulate court reporters in the state of Texas. CRCB functions include certification of individual court reporters, registration of court reporting firms, assessment and collection of fees, approval of court reporting program curricula submitted by public and private institutions, approval of continuing education courses, and enforcement of the rules and regulations governing the court reporting profession. The Board operates under the provisions of Chapter 52 of the Texas Government Code, and the Supreme Court of Texas serves as the Board's rulemaking authority. In 2003, the 78th Legislature administratively attached the CRCB to the Office of Court Administration (OCA). The program is funded from certification fees collected by the CRCB and deposited to the General Revenue Fund.

Mission Statement. The mission of the CRCB is to certify, to the Supreme Court of Texas, qualified court reporters to meet the growing needs and expectations of the public through statewide certification and accountability.

Organization. The Board consists of 13 members appointed by the Supreme Court of Texas: one active district judge who serves as chair, two attorneys, two official court reporters, two freelance court reporters, two representatives from court reporting firms (one court-reporter owned and one non-court-reporter owned), and four public members. Appointments reflect a diverse geographical representation throughout the state. Board members are reimbursed for travel expenses in accordance with state rules and regulations and serve six-year terms.

The Board has five standing committees with members appointed by the Chair: 1) Rules, Standards, and Policies Committee; 2) Certification/Uniform Format Manual Committee; 3) Continuing Education Committee; 4) Legislative Committee; and 5) Review Committee. The Review Committee is comprised of three Board members who serve on a rotating basis to consider applicants who have criminal convictions.

Board and Committee Meetings. A total of 21 meetings were held in Austin during FY 2011: three Board meetings, three Review Committee meetings, one Continuing Education Committee meeting, eight Certification/Uniform Format Manual Committee meetings, and six Rules Committee meetings, including three meetings of the subcommittee on contracting issues.

Complaints. The Board received a total of 48 complaints filed in FY 2011 – 40 complaints filed against court reporters and eight complaints filed against court reporting firms. The Board held six formal hearings resulting in disciplinary actions taken against two court reporters, two matters dismissed and two complaints withdrawn.

Certification of Individuals. The Texas Court Reporters Association (TCRA), selected as the contracted vendor to administer the court reporters exam effective September 1, 2008, continues to provide that service in FY 2011 with the contract term extended until August 2013. TCRA administered four exams to 277 applicants in Austin, Corpus Christi, and Dallas, resulting in 48 new certifications issued in machine shorthand. The exam consists of an oral

skills test and a written test. Applicants must pass both parts of the exam to be eligible for certification. This exam is offered throughout the state for the convenience of examinees.

The Board renewed 1,375 individual certifications out of a licensee base of 2,571 licensees with approximately 67 percent renewing online through the Texas.gov portal. Renewals are based on a two-year cycle. In order to renew their certifications, individuals must complete 1.0 continuing education units (10 hours) within the two-year period immediately preceding the certification expiration date of January 1st.

Continuing Education (CE) Course Approvals. The Board processed 82 course approvals during the fiscal year to ensure that CE courses completed as a requirement for renewal are relevant to the court reporting profession. The Board approves CE courses submitted by sponsors and individual court reporters.

Registration of Firms. The Board processed 38 new registrations for court reporting firms and renewed 176 firm registrations. Renewals are based on a two-year cycle with a January 1st expiration date.

Curriculum Approval for Court Reporting Firms. The Board approves court reporting curriculums for public community colleges, technical institutes and proprietary schools. There are currently 12 court reporting schools in Texas. In FY 2011, the Board approved one curriculum.

Public Information Requests – Rule 12. Staff processed 20 public information requests.

Licensing System. A new application to allow court reporting firms to renew registrations online was completed in August 2011 with an implementation date of September 1, 2011.

Rules Governing the Court Reporting Profession. The Board and staff continue to work on a comprehensive review of the Board's rules. Revisions to the Standards and Rules were approved by the Supreme Court on April 26, 2011. Changes include creation of a Review Panel Committee comprised of five Board members to consider new complaints filed and make a recommendation for dismissal or disciplinary action to the full Board. This function was previously performed by the Board. Another change is the method by which an applicant's criminal history is obtained, via fingerprints submitted to the Department of Public Safety and the FBI. Criminal history was previously self-reported by the applicant.

The Figures Section of the Uniform Format Manual (UFM) is currently under review by the Certification/UFM Committee.

The Board continues to study, through its Rules, Standards, and Policies Committee, the issues related to contracting by firms and how they may impact rules and laws governing the profession.

Policies. A comprehensive review of the Board's policies was completed in FY 2011. Policies that were incorporated into the proposed Standards and Rules approved in April 2011, defaulted student loans and the Ex Parte Policy, were eliminated. Two new policies were approved by the Board in January 2011, Administrative Dismissal of Complaints and Access to Board Records.

Website. The Board maintains a website at <http://www.crcb.state.tx.us> to provide information to the public on CRCB functions, including certification, complaints, forms, disciplinary actions, lists of licensees, new legislation, and related links.

Process Server Review Board

In June 2005, the Supreme Court of Texas approved amendments to Rules 103 and 536(a) of the Texas Rules of Civil Procedure governing statewide certification of process servers. The Court also issued a companion order (Misc. Docket No. 05-9122) to establish the framework for certification of those approved to serve process under the revised rules, to approve of certain existing civil process server courses, and to establish the framework for the Process Server Review Board (PSRB) to approve additional courses. This order also required the Office of Court Administration to provide clerical support to the PSRB. The Supreme Court also approved a companion order (Misc. Docket No. 05-9123) that establishes the membership of the PSRB, and an order (Misc. Docket No. 05-9137) appointing a Chair. In FY 2007, the Supreme Court promulgated Rule 14 of the Rules of Judicial Administration (RJA), which governs Statewide Certification to Serve Civil Process; it may be found on the Court's website at <http://www.supreme.courts.state.tx.us/MiscDocket/07/07903600.pdf>.

Mission Statement. The mission of the PSRB is to improve the standards for persons authorized to serve process and to reduce the disparity among Texas civil courts for approving persons to serve process by making recommendations to the Supreme Court of Texas on the certification of individuals and the approval of courses.

Organization. The Board consists of nine members and is a geographical representation of judges, attorneys, law enforcement, and process servers throughout the state. Board members are not compensated for their services and do not receive reimbursement for actual travel and other expenses incurred while in the performance of their official duties.

Board Meetings Held. The PRSB held five meetings in Austin during the fiscal year.

Complaints. There were 39 complaints against process servers on the Supreme Court of Texas Statewide List of Certified Process Servers that were reviewed by the Board. Three process servers' authorizations to serve were suspended. Four had their certification revoked. As of August 31, 2011, 18 complaints were pending investigation.

Approval of Applications. The Board approved 1,702 new applicants and 582 renewal applicants. A total of 946 process servers had their certification expire and, of those, 168 persons reapplied and were reinstated.

When the orders were adopted by the Supreme Court, effective July 1, 2005, 1,265 process servers were "grandfathered" by virtue of meeting pre-existing requirements in Harris, Dallas or Denton counties. As of August 31, 2011, the total number of certified process servers had reached 6,351.

Curriculum Approval for Process Server Training Schools. No new courses were approved during the fiscal year.

Website. The Board maintains a website at <http://www.txcourts.gov/psrb/psrbhome.asp> to provide information such as the Supreme Court orders establishing the membership of the Process Server Review Board and the appointment of its Chair; various forms, processes and procedures; and the Supreme Court of Texas Statewide List of Certified Process Servers.



Photo courtesy of TexasCourthouses.com

Medina County Courthouse - Hondo

Guardianship Certification Board

The Guardianship Certification Board (GCB) was created by the 79th Texas Legislature with the passage of Senate Bill 6, effective September 1, 2005. The bill established a certification requirement, effective September 1, 2007, for certain individuals who provide guardianship services. The GCB certifies and regulates individuals (other than attorneys and corporate sureties) who act as private professional guardians, individuals (other than volunteers) who provide guardianship services to wards of guardianship programs, and individuals who provide guardianship services to wards of the Department of Aging and Disability Services.

Organization. The GCB is administratively attached to the Office of Court Administration (OCA). The GCB's primary staff, the guardianship certification program director, is an OCA employee; administrative support is also provided by the OCA.

The GCB is comprised of 11 members appointed by the Texas Supreme Court and four public members appointed by the Supreme Court from a list of nominees submitted by the Governor's Office. The original GCB members were appointed in early 2006. Three members and one public member, whose terms were expiring on February 1, 2011, were re-appointed to six-year terms. One new member was appointed during FY 2011 to replace a member who did not seek re-appointment. (Two members left the Board during the fiscal year, but their replacements were not appointed until FY 2012.)

The GCB has two permanent committees, the Rules Committee and the Minimum Standards Committee, each comprised of a committee chair and three other GCB members. The GCB also has three review committees: the Application Review Committee, the Denial of Certification Review Committee, and the Disciplinary Review Committee. The review committees are each comprised of a chair and two other GCB members, who serve on the committees for six-month terms. All committee members are appointed by the GCB's chair.

Certification of Individuals. During FY 2011, 44 guardians were granted certification, 30 were granted provisional certification, and 22 individuals moved from provisional to "full" certification. (The 22 individuals who moved from provisional to "full" certification are included in the total number of guardians.) A total of 357 guardians were certified and provisionally certified at the close of the fiscal year.

Certifications are valid for two years, and are renewable if the requirements for re-certification, including completion of continuing education hours, are met. 146 certified guardians successfully re-certified during FY 2011. The Rules Governing Guardianship Certification allow certified guardians to apply for re-certification up to 90 days past their certification expiration date. Eleven certified guardians passed the 90-day mark during the fiscal year, rendering them ineligible for re-certification; their certifications are expired. Four certified guardians voluntarily surrendered their certifications during the fiscal year, including one detailed under Complaints.

Provisional certifications are valid for only one two-year period, unless a waiver is sought from and granted by the GCB. Two provisionally certified guardians made requests for waivers; both requests considered by the GCB were granted, with the provisional certification periods extended until the end of February 2012. A total of seven provisional certifications expired during the fiscal year, and four provisionally certified guardians voluntarily surrendered their provisional certifications.

Complaints. Three complaints were filed in FY 2011. The Board adopted the recommendation of the Disciplinary Review Committee and revoked the provisional certification of the subject of one complaint. The second complaint was withdrawn by the petitioner before action was taken by the Board. On the third complaint, the Board adopted the recommendation of the Disciplinary Review Committee and accepted the voluntary surrender of the certified guardian. Board staff were unable to locate the subject of a complaint filed in the previous fiscal year. The complaint was resolved by the expiration of the subject's provisional certification in FY 2011.

Board and Committee Meetings Held. The full GCB met four times in FY 2011 for its regular quarterly meetings. No special called meetings of the full Board were held. The Denial of Certification Review Committee did not meet during FY 2011. The Rules Committee met once, the Minimum Standards Committee met twice, the Disciplinary Review Committee met twice, and the Application Review Committee met four times. The Application Review Committee considered a total of seven applications at its four meetings; one application for provisional certification and

three for “full” certification were denied. Of those three, two applicants applied for and were granted provisional certification and one was already provisionally certified.

Rules Governing Guardianship Certification. Proposed amendments to the Rules Governing Guardianship Certification were submitted for public comment during the preceding fiscal year. The Board approved the proposed amendments to Rules VI, VII, IX, X, XII and XIV and submitted them to the Supreme Court. The Rule changes were pending at the Supreme Court at the close of the fiscal year. At its one meeting during the fiscal year, the Rules Committee considered additional amendments to the Rules for presentation to the Board, including proposed revisions to reflect statutory changes detailed below.

Minimum Standards for Guardianship Services. The Minimum Standards Committee presented recommended changes to several standards, including the addition of language regarding conflicts of interest, to the GCB at its final meeting of FY 2010. The GCB referred the issues back to the Committee for further study. As noted above, the Minimum Standards Committee met twice during the fiscal year and refined its proposed changes. The Committee re-presented its recommendations to the GCB at the first full board meeting in the fiscal year. The Board approved the submitted changes for posting for public comment. At its second meeting in the fiscal year, the Board adopted the proposed changes, with some of the public comments incorporated. Highlights of the changes include the addition of language regarding conflicts of interest that may arise as a result of dual or multiple relationships a guardian has with his or her wards and the addition of factors for a guardian to consider when determining his or her caseload.

Policies. The GCB amended its Access to Board Records policy to reflect a decision in an appeal of denial of access to judicial records issued during the prior fiscal year. The Rule 12 decision stated that records related to the investigation and resolution of a complaint by a judicial agency pertain to the agency’s adjudicative function and thus are not judicial records as defined by Rule 12.

Statutory Changes. Three bills were passed during the 82nd Legislature that directly affect guardianship certification. Senate Bill 1733 was effective immediately (June 2011), and provides that a licensing entity must adopt rules to issue a license to spouses of active duty military persons, who are currently licensed in another state, to include alternative demonstrations of competency. Senate Bill 220, effective September 1, 2011, exempts volunteers who provide services to wards of the Department of Aging and Disability Services from the guardianship certification requirement. Senate Bill 867, also effective September 1, 2011, requires a state agency that administers a licensing exam to provide for reasonable accommodations for persons with dyslexia.



Photo courtesy of TexasCourthouses.com

Stephens County Courthouse - Breckenridge

Judicial Compensation Commission

The Judicial Compensation Commission (JCC) was created by the 80th Legislature with the passage of H.B. 3199, effective September 1, 2007. It is responsible for making a report to the Texas Legislature no later than December 1st of each even-numbered year recommending the proper salaries to be paid by the state for all justices and judges of the Supreme Court, the Court of Criminal Appeals, the courts of appeals, and the district courts. The Office of Court Administration (OCA) provides administrative support for the JCC.

Organization. The Commission is composed of nine members who are appointed by the Governor with the advice and consent of the Senate to serve six-year terms. No more than three members serving on the Commission may be licensed to practice law. Board members are reimbursed for travel expenses in accordance with state rules and regulations. One new member was appointed in June 2011.

Commission and Committee Meetings. On October 8, 2010, the Commission held its last meeting to finalize and approve its report for the 2009-2010 biennium. The Commission recommended increases of between 5 and 10 percent for the various levels of elected state judges. It also recommended that the state assume full responsibility for these judges' salaries, including amounts currently paid by counties as supplements, and recommended removing the linkage between judges' salaries and the pension benefits for other state officials and employees.

Judicial Compensation and the 82nd Legislature. Facing significant budget shortfalls in the current and next biennium, the Legislature did not address judicial compensation during the 2011 session.

Website. Additional information regarding the Commission and its report to the Legislature is available on the Commission's website at <http://www.txcourts.gov/oca/jcc/jcc.asp>.



Photo courtesy of TexasCourthouses.com

Fayette County Courthouse - La Grange

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