

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 15-9156

ORDER ACCELERATING JUVENILE CERTIFICATION APPEALS AND REQUIRING JUVENILE COURTS TO GIVE NOTICE OF THE RIGHT TO AN IMMEDIATE APPEAL

ORDERED that:

During the 2015 legislative session, the Legislature passed S.B. 888, which amends Family Code section 56.01 to permit an immediate appeal from the decision of a juvenile court under section 54.02 waiving its exclusive jurisdiction and certifying the juvenile to stand trial as an adult. *See* Acts 2015, 84th Leg., R.S., ch. 74 (S.B. 888). The Act also requires this Court to “adopt rules accelerating the disposition by the appellate court and the supreme court of an appeal of an order waiving jurisdiction under Section 54.02 and transferring the child to criminal court for prosecution.” *Id.* § 3, sec. 56.01(h-1) (codified at TEX. FAM. CODE § 56.01(h-1)). The Act takes effect on September 1, 2015.

Pending the adoption of rules, the following procedures govern in actions under the Juvenile Justice Code, Title 3 of the Family Code, effective September 1, 2015:

1. The appeal of an order under Family Code section 54.02 certifying a juvenile to stand trial as an adult is governed by the Texas Rules of Appellate Procedure applicable to accelerated appeals.
2. When a juvenile court certifies a juvenile to stand trial as an adult, the court must inform the juvenile and the juvenile’s attorney, orally on the record in open court and in writing in the certification order:
 - a. that the juvenile may immediately appeal the certification decision under Family Code section 56.01; and
 - b. that, by order of this Court, the appeal is accelerated under the Texas Rules of Appellate Procedure applicable to accelerated appeals.

3. Appellate courts should, so far as reasonably possible, ensure that certification appeals are brought to final disposition in conformity with the following time standards:
 - a. *Courts of Appeals.* Within 180 days of the date the notice of appeal is filed.
 - b. *Supreme Court.* Within 180 days of the date the petition for review is filed.

The Clerk is directed to:

1. file a copy of this order with the Secretary of State;
2. cause a copy of this order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
3. send a copy of this order to each elected member of the Legislature; and
4. submit a copy of the order for publication in the *Texas Register*.

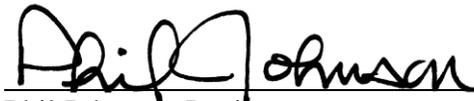
Dated: August 28, 2015.



Nathan L. Hecht, Chief Justice



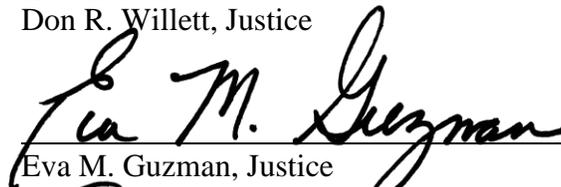
Paul W. Green, Justice



Phil Johnson, Justice



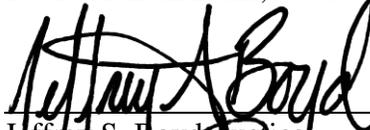
Don R. Willett, Justice



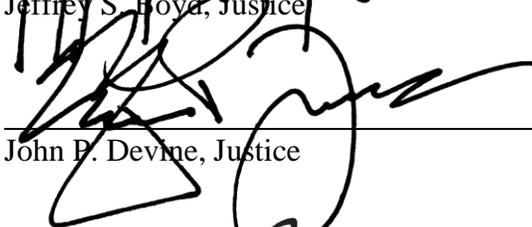
Eva M. Guzman, Justice



Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John P. Devine, Justice



Jeffrey V. Brown, Justice