

Agenda for May 18, 2018 CCA Rules Advisory Committee Meeting

1. Welcome & Introductions
 2. Review of minutes from March 2018 Rules Advisory Committee meeting (See Exhibit A)
 3. Update on the CCA orders related to matters discussed at the last meeting (See Exhibits A.1, A.2, A.3—Misc. Docket Nos. 18-006, 18-007, 18-010)
 4. Proposed amendments to TRAP 31 limiting the scope of the rule mandating accelerated appeals in habeas corpus proceedings (revisions following discussion at last two meetings) (See Exhibits B, B.1)
 5. Proposed amendments to TRAP 73.1, 73.4, and Rule 73 comment to update technology reference, comply with an applicable statute regarding unsworn declarations, and add clerk’s certification of compliance with TRAP 73.4 (See Exhibit C, Exhibit E.2, and Exhibit A.1—Misc. Docket No. 18-006)
 6. Proposed amendments to the Clerk’s Summary Sheet to clarify language and add a certification of compliance with TRAP Rule 73.4 (See Exhibit F—proposed amendments to TRAP Appendix F)
 7. Proposed amendments to certification of right to appeal form to incorporate recent changes to TRAP 25.2 and cite to current rule text (See Exhibits D, D.1—Proposed amendments to TRAP Appendix D, with and without mark-ups, and Exhibit A.2—Misc. Docket No. 18-007)
 8. Proposed amendments to the Article 11.07 Application for Writ of Habeas Corpus Form to clarify & simplify language, correct errors, comply with relevant statutes, and add new items, such as email address & petitioner’s statement (See Exhibits E, E.1, & E.2—Proposed amendments to TRAP Appendix E, with and without mark-ups, and related legal research)
 9. Proposed amendments to TRAP 73.7 and addition of TRAP 73.8 (governing the submission of an amended or supplemental Article 11.07 writ application) and a comment, in light of *Ex parte Saenz* (CCA 2016) and *Ex parte Speckman* (CCA 2017) (See Exhibits G, G.1, G.2)
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LIST OF EXHIBITS

- A** Minutes from Mar. 2018 Rules Advisory Committee Meeting
- A.1** Order Proposing Amendments to Texas Rule of Appellate Procedure 73.4 (No. 18-006)
- A.2** Order Proposing Amendments to Texas Rule of Appellate Procedure 25.2 (No. 18-007)
- A.3** Order Proposing Texas Rule of Appellate Procedure 4.6 (No. 18-010)
- B** Second Amended (March 2018) Proposed Changes to TRAP 31.1, 31.2
- B.1** Third Amended (May 2018) Proposed Changes to TRAP 31.1, 31.2
- C** Proposed Changes to TRAP 73.1, 73.4, and Rule 73 comment
- D** Proposed Amendments to Certification of Right to Appeal Form (TRAP Appendix D) *with mark-ups*
- D.1** Proposed Amendments to Certification of Right to Appeal Form *without mark-ups*
- E** Proposed Amendments to the Application for Writ of Habeas Corpus Form *without mark-ups* (TRAP Appendix E)
- E.1** Proposed Amendments to the Application for Writ of Habeas Corpus Form *with mark-ups*
- E.2** Excerpts from statutes and cases related to proposed amendments to TRAP Appendix E, etc.
- F** Proposed Amendments to the Clerk’s Summary Sheet (TRAP Appendix F)
- G** Proposed TRAP 73.8 (*Saenz* Rule) & Amendments to TRAP 73.7 (*Pena* Rule)
- G.1** *Ex parte Saenz*, 491 S.W.3d 819 (Tex. Crim. App. 2016)
- G.2** *Ex parte Speckman*, 537 S.W.3d 49 (Tex. Crim. App. 2017)