



TEXAS JUDICIAL COUNCIL  
COMMITTEE REPORT

and

RECOMMENDATIONS

June 2018



# PUBLIC TRUST & CONFIDENCE

In June 2017, the Texas Judicial Council charged the Public Trust and Confidence Committee with reviewing the 1998 Public Trust and Confidence in the Texas Courts Study and the NCSC State of State Courts reports, considering updating or replicating the studies, and recommending any necessary reforms to improve public trust and confidence in the Texas judiciary.

Members of the Committee are:

Honorable Edward Spillane, Chair  
Honorable Gary Bellair  
Honorable Bill Boyce  
Honorable Bill Gravell

Representative John Smithee  
Senator Judith Zaffirini  
Ms. Sonia Clayton  
Ms. Allyson Ho

The Texas Judicial Council's Public Trust and Confidence Committee met on September 8, 2017, December 15, 2017, and June 11, 2018.

In May 2018, the Office of Court Administration contracted with SSRS-AUS., Inc. to conduct a statewide Public Trust and Confidence Survey in the Texas Courts. The survey results and additional recommendations will be published in a separate report.

## Recommendations in Brief

### Improving the Judiciary's Response to Disaster Emergencies

Recommendation 1: The Legislature should amend Government Code Sec. 22.0035(b) to permit the Supreme Court the discretion to issue orders modifying or suspending court procedures up to 60 or 90 days for an initial emergency order and/or renewals rather than the 30 day time limit that is currently in statute. The statute should also be amended to allow the Chief Justice to authorize renewals of emergency orders without seeking a full vote of the court for each renewal.

Recommendation 2: The Legislature should amend Local Government Code Sec. 292.001 to assist justice courts in times of disaster and provide them a regional source to turn to, such as the regional presiding judge, when they need the authority to operate in another precinct or county during a time of disaster. See Texas Government Code Sec. 24.033 as a potential model.

Recommendation 3: The Legislature should amend Government Code Secs. 24.003, 25.0019, and 26.009 to allow the presiding judge of the region to designate an alternate location for proceedings that is outside of the district or county during times of an emergency.

Recommendation 4: The Legislature should explicitly authorize the district courts to hold court outside of the county seat at a facility designated for that purpose by Local Government Code Sec. 292.001 even when there is not an emergency.

### Sexual Harassment Training

Recommendation 1: All judges and their staffs should receive training about sexual harassment and other rules and procedures concerning human resources. The training should be provided as part of a judge's initial training requirements and at least every two years thereafter.

Recommendation 2: The Texas Judicial Council should create a task force to study and address the issue of sexual harassment in the Judiciary.

### State Commission on Judicial Conduct

Recommendation 1: The Legislature should require the State Commission on Judicial Conduct's annual report to include the number of complaints that have been deferred pending criminal investigation and the number of complaints referred to law enforcement.

Recommendation 2: The Legislature should require the State Commission on Judicial Conduct to include on its website an index of pending cases by case number that includes the current status of each case and the age of each pending case.

Recommendation 3: The Legislature should require the State Commission on Judicial Conduct to post simple directions on its website with instructions about how to file a complaint, map out in clear and concise detail how a complaint makes its way through the process from filing to resolution, and clarify that confidentiality regarding a complaint applies to the Commission and not to the complainant.

## Court Security

Recommendation 1: The Legislature should amend relevant statutes to keep a judge's home address confidential in campaign and ethics filing records.

Recommendation 2: The Legislature should require the Department of Motor Vehicles to maintain the confidentiality of license plate and vehicle information for each judge and judge's spouse.

Recommendation 3: The Legislature should continue to provide resources to the Court Security Division of the Office of Court Administration to maintain and comply with requirements of the Judge Julie Kocurek Judicial and Courthouse Security Act of 2017.

## Recusal

Recommendation 1: The Supreme Court should amend the Texas Rules of Civil Procedure to create a presumption against recusal for contribution reasons as long as a judge has complied with the Judicial Campaign and Fairness Act's contribution levels.

## Community Engagement

Recommendation 1: The Judicial Council and other judicial entities should continue to seek opportunities to improve the judiciary's engagement with the community, which should include hosting summits, developing materials for judges about model judicial outreach in communities, and producing materials about civic education.

## Recommendations in Detail

French novelist and playwright Honoré de Balzac once wrote, “To distrust the judiciary marks the beginning of the end of society.”<sup>1</sup> The Public Trust and Confidence Committee agrees and recognizes that the judiciary derives much of its authority from public support and respect. Therefore, the Committee makes the following recommendations to improve transparency, confidence, and trust in the Texas Judiciary.

### **Improving the Judiciary’s Response to Disaster Emergencies**

#### **Background**

At the end of August 2017, Texans nervously watched as Hurricane Harvey approached the Texas coast, making landfall on Friday, August 25. By Sunday, flooding and disaster were rampant, and the situation only worsened over the next several days. Due to the dedicated actions of judges, clerks, and court staff, the justice system never shut down despite the devastation that was occurring. eFileTexas, the electronic portal that accepts and processes court filings, allowed litigants to file cases in the midst of the storm; the eFiling system never failed. Clerks processed filings remotely with water in their own homes, judges reviewed documents and issued orders remotely, and many in the court community traversed through their destroyed neighborhoods to reach the court to ensure that justice continued. The Texas Supreme Court and Court of Criminal Appeals were called upon multiple times in the wake of Hurricane Harvey to issue emergency orders affecting the courts and their operations. The Texas Supreme Court issued 10 emergency orders, including 4 joint orders with the Court of Criminal Appeals.<sup>2</sup>

#### **Recommendations**

**Recommendation 1: The Legislature should amend Government Code Sec. 22.0035(b) to permit the Supreme Court the discretion to issue orders modifying or suspending court procedures up to 60 or 90 days for an initial emergency order and/or renewals rather than the 30 day time limit that is currently in statute. The statute should also be amended to allow the Chief Justice to authorize renewals of emergency orders without seeking a full vote of the court for each renewal.**

Texas Government Code sec. 22.0035 authorizes the Texas Supreme Court to issue emergency orders during a time of disaster.<sup>3</sup> This provision was enacted in 2009 following Hurricanes Rita and Ike upon the recommendations of the Texas Judicial

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<sup>1</sup> Honoré de Balzac, qtd. in O. KIRCHHEIMER, POLITICAL JUSTICE 175 (1961).

<sup>2</sup> TEX. JUD. BRANCH, EMERGENCY ORDERS AND EXTENSIONS ISSUED APRIL 2018, <http://txcourts.gov/media/1441852/emergency-orders-and-extensions-issued-chart.pdf>.

<sup>3</sup> TEX. GOV’T CODE §418.004(1) (“‘Disaster’ means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause[.]”).

Council. The statute allows the Supreme Court to modify or suspend procedures for the conduct of any court proceeding affected by a disaster during the pendency of a disaster declared by the Governor. The orders are effective for up to 30 days from the date of signature unless they are renewed. The statute also provides for alternatives if the Supreme Court or Chief Justice is prevented from acting, giving the authority to the Court of Criminal Appeals and the Presiding Judge of the Court of Criminal Appeals. No amendments have been made to the statute since 2009.<sup>4</sup>

The Courts issued three types of emergency orders during and after Hurricane Harvey: 1) orders authorizing alternate locations for holding court in a neighboring county or precinct; 2) orders extending deadlines or statutes of limitations; and 3) orders governing the practice of law or licensure of court professionals. Several of the emergency orders have been renewed multiple times.<sup>5</sup>

The order that has been renewed the most authorizes Justice Court Precinct Four, Place 1 of Harris County to conduct proceedings temporarily in any precinct in Harris County.<sup>6</sup> This is one of two orders that are still in effect nearly one year after Hurricane Harvey.<sup>7</sup> It is also an example of why a 30-day maximum for emergency orders should be reconsidered. The Committee recommends increasing the Supreme Court's discretion by extending the 30-day time frame to 60 or 90 days and increasing the Chief Justice's discretion by allowing the Chief to renew an emergency order without seeking a full vote of the court. These changes will decrease administrative time and allow for more consistency and reassurance in the process.

**Recommendation 2: The Legislature should amend Local Government Code Sec. 292.001 to assist justice courts in times of disaster and provide them a regional source to turn to, such as the regional presiding judge, when they need the authority to operate in another precinct or county during a time of disaster. See Texas Government Code Sec. 24.033 as a potential model.**

The Committee recommends statutory changes to assist justice courts during times of emergency. Under current law, justice courts are required to get approval from the county judge and commissioners court to operate in another precinct or county, or to hold proceedings outside of a courthouse. The county judge and commissioners court are in charge of emergency operations in their communities, and deciding where to hold court is not the top priority during times of emergency. Allowing a regional source, like the Regional Presiding Judge, to make decisions on operating a court in another precinct or county would ensure that court functions continue to operate as smoothly as

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<sup>4</sup> TEX. GOV'T CODE §22.0035.

<sup>5</sup> TEX. JUD. BRANCH, *supra* note 2.

<sup>6</sup> *Id.*

possible during emergencies. Texas Government Code Sec. 24.003 could be used as a model.

**Recommendation 3: The Legislature should amend Government Code Secs. 24.003, 25.0019, and 26.009 to allow the presiding judge of the region to designate an alternate location for proceedings that is outside of the district or county during times of an emergency.**

Texas Government Code Secs. 24.033, 25.0019, and 26.009 allow the Regional Presiding Judge, during an emergency, to designate an alternate location for a district court, statutory county court, or county court to hold court outside of the county seat but within the judicial district. The Committee recommends expanding that authority to authorize a Regional Presiding Judge to designate an alternate location for proceedings that is outside of the district or county, when a location outside of the district or county is the most proximate place that the term of court can safely and practicably preside.

**Recommendation 4: The Legislature should explicitly authorize the district courts to hold court outside of the county seat at a facility designated for that purpose by Local Government Code Sec. 292.001 even when there is not an emergency.**

Article V, Sec. 7 of the Texas Constitution provides that the district court shall conduct its proceedings at the county seat of the county in which the case is pending, except as otherwise provided by law. The Legislature has provided an exception to the requirement in times of emergency. However, many judges indicate that this provision inhibits the ability of the county and/or court to place the court in the most appropriate place within the county. By explicitly authorizing the district courts to hold court outside of the county seat at a designated facility would increase the efficiency of the district courts and ensure that the most appropriate facilities are available for the courts.

### **Sexual Harassment Training**

#### **Background**

Both the Texas Labor Code and the Civil Rights Act of 1964 protect employees — including all state and local government employees — from sexual harassment, which can include unwelcome sexual advances, requests for sexual favors, or certain verbal or physical conduct of a sexual nature.<sup>8</sup> Sexual harassment can occur in a variety of employment situations, including in the judicial branch and by judges. In the past decade in Texas alone, two federal court judges have left the bench in connection with sexual harassment charges. (In one of these cases, a federal grand jury indicted the judge for sexual assault.) And nationally, a prominent federal appeals court judge retired in December 2017 after fifteen women stepped forward to detail instances of sexual harassment by the judge.

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<sup>8</sup> See *Employee Rights & Laws: Sexual Discrimination*, TEX. WORKFORCE COMM'N, <http://www.twc.state.tx.us/jobseekers/sex-discrimination>.

In light of sexual misconduct and sexual harassment claims that have publicly emerged across the country, the Texas House of Representatives and the Texas Senate recently developed new anti-sexual harassment policies that require sexual harassment training and clarify how to pursue a sexual harassment complaint in each chamber. Texas House Speaker Joe Straus also announced in May 2018, that he was forming a workgroup to further study best policies and practices “to prevent and eradicate sexual harassment in the Legislature.”<sup>9</sup> At the federal level, a workgroup formed at the request of Chief Justice of the United States Supreme Court John Roberts analyzed the federal judiciary’s policies and practices regarding sexual harassment. Among other things, the report identified barriers to reporting instances of workplace misconduct and observed that “Judges have a special responsibility to promote appropriate behavior and report instances of misconduct by others, including other judges.”<sup>10</sup>

### Recommendations

**Recommendation 1: All judges and their staffs should receive training about sexual harassment and other rules and procedures concerning human resources. The training should be provided as part of a judge’s initial training requirements and at least every year thereafter.**

The Court of Criminal Appeals administers the funds for judicial education and training and promulgates the governing rules under the Rules of Judicial Education.<sup>11</sup> The rules require judges from every level of court to complete a minimum number of education and training hours within their first year of taking the bench, and require continuing education hours every year they serve. Education and training must include instruction on duties of office, and substantive, procedural, and evidentiary laws. There is also training mandated by statute, which is outlined in Rule 12 of the Rules of Judicial Education.<sup>12</sup> Judges receive training primarily from one of four entities: the Texas Center for the Judiciary, the Texas Association of Counties, the Texas Justice Court Training Center, and the Texas Municipal Courts Education Center. There are more than 3,000 judges in the state. Some judges may receive training about sexual harassment prevention from a county or city, but a great number do not receive any training because they are elected officials and do not fall under a state agency that can mandate sexual harassment prevention training requirements for its employees.

The Committee recommends that sexual harassment training and training about human resources procedures and best practices be added to the required curriculum for all new

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<sup>9</sup> See Press Release, Rep. Joe Straus, Texas House of Representatives, Texas House Workgroup Will Continue Efforts to Combat Sexual Harassment (May 16, 2018), <http://www.house.state.tx.us/news/press-releases/?id=6481>.

<sup>10</sup> FED. JUD. WORKPLACE CONDUCT WORKING GROUP, EXECUTIVE SUMMARY OF THE REPORT OF THE FEDERAL JUDICIARY WORKPLACE CONDUCT WORKING GROUP TO THE JUDICIAL CONFERENCE OF THE UNITED STATES iii (2018), [http://www.uscourts.gov/sites/default/files/executive\\_summary\\_of\\_federal\\_judiciary\\_workplace\\_conduct\\_working\\_group\\_0.pdf](http://www.uscourts.gov/sites/default/files/executive_summary_of_federal_judiciary_workplace_conduct_working_group_0.pdf).

<sup>11</sup> TEX. RULES OF JUD. ED. R.1 & R.7.

<sup>12</sup> TEX. RULES OF JUD. ED. R. 12.

judges and be a part of the training and education curriculum every year a judge serves on the bench.

**Recommendation 2: The Texas Judicial Council should create a task force to study and address the issue of sexual harassment in the Judiciary.**

In addition to training requirements, the Committee recommends the Texas Judicial Council create a task force to study and address the issue of sexual harassment in the Judiciary. The Texas Judiciary is fragmented because the state does not have a unified system. Therefore, it is easy for gaps in best practices and policies to exist. The task force should study current sexual harassment policies and procedures within the judiciary and make any needed recommendations. The task force's review should include a study of any barriers to reporting sexual harassment or misconduct. The task force should also examine whether changes should be made to the Code of Judicial Conduct or the Rules of Judicial Education to address sexual harassment.

**State Commission on Judicial Conduct**

**Background**

The State Commission on Judicial Conduct reviews allegations of misconduct made against Texas Judges. The Commission is governed by Article V, Section 1-a of the Texas Constitution, Chapter 33 of the Government Code, the Texas Code of Judicial Conduct, and the Texas Procedural Rules for the Removal or Retirement of Judges. In FY 2017, the Commission reported the following statistics in the Annual Report of the Judicial Branch Support Agencies, Boards and Commissions:

- Opened 1,535 cases;
- Issued disciplinary actions against 53 Texas judges through public sanction, private sanction, orders of additional education, or a combination of a sanction with an order of additional education;
- Disposed of 8 cases through voluntary agreements to resign in lieu of disciplinary action;
- Dismissed 1,262 cases as follows:
  - 706 cases disposed after initial review as not containing an allegation that, if true, would violate the Texas Code of Judicial Conduct;
  - 137 dismissals;
  - 139 dismissals with letters of caution;
  - 11 dismissals based on the judge's corrective action;
  - 12 dismissals as moot; and
- Resolved 406 cases after a preliminary investigation and 190 cases after a full

investigation (requiring a response from the judge).<sup>13</sup>

The Commission also publishes its own annual report every Fiscal Year and posts the report on its website.<sup>14</sup>

### Recommendations

**Recommendation 1: The Legislature should require the State Commission on Judicial Conduct's annual report to include the number of complaints that have been deferred pending criminal investigation and the number of complaints referred to law enforcement.**

Examples have been reported to the Committee regarding complaints made to the State Commission on Judicial Conduct about specific judges, but the Commission deferred action and further investigation due to pending criminal investigations. While the Committee recognizes the importance of not interfering with a criminal investigation, it believes there is a balance that needs to be struck between transparency and confidentiality. Accordingly, the Committee recommends that the Legislature require the Commission to include in its annual report the number of complaints that have been deferred pending criminal investigation and the number of complaints referred to law enforcement.<sup>15</sup>

**Recommendation 2: The Legislature should require the State Commission on Judicial Conduct to include on its website an index of pending cases by case number that includes the current status of each case and the age of each pending case.**

Maintaining an index of pending cases by case number, current cases status, and the age of the case would improve transparency for judges and the public while upholding confidentiality during the investigation process.<sup>16</sup>

**Recommendation 3: The Legislature should require the State Commission on Judicial Conduct to post simple directions on its website with instructions about how to file a complaint, map out in detail how a complaint makes its ways through the process from filing to resolution, and clarify that confidentiality regarding a complaint applies to the Commission and not to the complainant.**

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<sup>13</sup> TEX. JUD. BRANCH, ANNUAL REPORT OF THE JUDICIAL BRANCH SUPPORT AGENCIES, BOARDS AND COMMISSIONS FY 2017, AT 29, <http://txcourts.gov/media/1439342/2017-annual-reports-of-the-judicial-support-agencies-boards-commissions.pdf>.

<sup>14</sup> STATE COMM'N ON JUD. CONDUCT, ANNUAL REPORT FOR FY 2017, <http://www.scjc.texas.gov/media/46650/fy-17-scjc-annual-report.pdf>.

<sup>15</sup> This recommendation was included in S.B. 1763 by Senator Judith Zaffirini during the 85th Texas Legislative Session. See, S.B. 1763, 85th Leg., R.S. (2017), <https://capitol.texas.gov/tlodocs/85R/billtext/pdf/SB01763I.pdf#navpanes=0>.

<sup>16</sup> *Id.*

It is essential that interested parties to a potential investigation by the State Commission on Judicial conduct understand and believe that the entire process is transparent, consistent, and efficient. The Committee recommends the Legislature require the Commission to post on its website a step-by-step guide about how to file a complaint, how the complaint makes its way through the investigation process from filing to resolution, and clarify that confidentiality regarding a complaint applies to the Commission and not to the complainant. This transparency is necessary to maintain and increase confidence in the process.

## **Court Security**

### **Background**

On the night of November 6, 2015, a would-be assassin opened fire on Travis County District Judge Julie Kocurek in her driveway as she returned home from a football game with her family. The ambush left Judge Kocurek with serious injuries and a months-long hospital stay. She returned to the bench on February 29, 2016. Investigators later uncovered that one of the three individuals connected with the shooting had a probation revocation proceeding pending before Judge Kocurek and believed he would be sentenced to prison. On April 26, 2018, a federal jury convicted the man on charges related to his role in the attempted murder.

In response to the attack, the 85th Legislature enacted several court security changes recommended by the Judicial Council in SB 42 — The Judge Julie Kocurek Judicial and Courthouse Security Act of 2017 by Senator Judith Zaffirini and sponsored by Representative John Smithee, both members of the Texas Judicial Council. The changes include:

- Establishing a Director of Security and Emergency Preparedness at the Office of Court Administration;
- Requiring municipal judges and local administrative judges to establish court security committees;
- Certification of court security personnel;
- Changes to statutes impacting judges' personal security and privacy;
- Clarifying that law enforcement has authority to protect threatened judges when necessary; and
- Requiring local law enforcement (rather than a local administration judge) to report court security incidents to the Office of Court Administration.

Through June 10, 2018, OCA has received 237 court security incident reports for FY 2018. From September 2017 to May 2018, reports were up 161% from the same period the year prior (September 2016 to May 2017). Since joining OCA in December 2017, Court Security Director Hector Gomez has completed six courthouse security assessments and has six more scheduled for the second half of 2018.

**Recommendation 1: The Legislature should amend relevant statutes to keep a judge’s home address confidential in campaign and ethics filing records.**

Included in SB 42 was a section requiring the Texas Ethics Commission to redact the residential address of a federal or state judge or the spouse of federal or state judge from any financial statement or information derived from a financial statement.<sup>17</sup> Judges have informed the Office of Court Administration that this provision does not include redaction from other campaign and ethics filing records. The Committee recommends clarifying this provision to include redaction of residential information from all campaign and ethics filing records to ensure protection and security for a Judge and his/her spouse.

**Recommendation 2: The Legislature should require the Department of Motor Vehicles to maintain the confidentiality of license plate and vehicle information for each judge and judge’s spouse.**

During the trial of Judge Julie Kocurek’s attempted assassin, it was revealed that, in researching Judge Kocurek while plotting to commit her assassination, the defendant was able to discover the make and model of her vehicle and download photos of the vehicle from the Internet. During the trial, it was revealed that this information originated from the Texas Department of Motor Vehicles. The Committee recommends that the Legislature should require the Department of Motor Vehicles to maintain the confidentiality of license plate and vehicle information for each Judge and Judge’s spouse.

**Recommendation 3: The Legislature should continue to provide resources to the Court Security Division of the Office of Court Administration to maintain and comply with requirements of the Judge Julie Kocurek Judicial and Courthouse Security Act of 2017.**

One of the Act’s key features is the protection it affords to judges and their spouses relating to public access to their personal information. The law places restrictions on public access to the residential address of a judge or judge’s spouse that may be maintained in records of the Texas Ethics Commission, a county registrar, and a county appraisal district. The law also allows a judge and judge’s spouse to replace their home address on their driver’s license with the address of the courthouse in which the judge serves. The protections apply to all municipal, county, district, appellate, and federal judges in the state. The Office of Court Administration is required to update the appropriate entities to help facilitate and secure these privacy benefits. In addition, the Act requires the establishment of Court Security Committees and the reporting of court security incidents to OCA. The Court Security Director with the Office of Court Administration currently handles all of these tasks. The Committee recommends the

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<sup>17</sup> TEX. GOV’T CODE §572.035.

Legislature monitor and support the establishment of further resources, including staff and funding, to maintain court security in our state.

## **Recusal**

### **Background**

The Judicial Campaign and Fairness Act (JCFA) was signed into law on June 17, 1995. The Act was passed following a period of dramatic contribution increases to appellate judicial candidates, which prompted calls for reform. The JCFA limits the timeframe during which a judicial candidate can accept a political contribution, sets contribution limits for judicial races, and establishes voluntary expenditure limits.<sup>18</sup>

All candidates for judicial office covered by the JCFA must file a declaration that they intend to comply or not comply with the voluntary expenditure limits. If they chose not to comply with the voluntary expenditure limits, then their opponent is also no longer bound by the contribution or expenditure limits. However, the candidate intending to exceed the voluntary expenditure limits would still be bound by the contribution limits. This provision was enacted to encourage candidates to comply with the voluntary expenditure limits that are: \$2 million for a statewide judicial office; \$350,000-\$500,000 for courts of appeals, depending on district population; and \$100,000-\$350,000 for district courts, statutory county courts, and statutory probate courts, depending on district population.

### **Recommendations**

**Recommendation 1: The Supreme Court should amend the Texas Rules of Civil Procedure to create a presumption against recusal for contribution reasons as long as a judge has complied with the Judicial Campaign and Fairness Act's contribution levels.**

Judicial recusal rules are governed by Rule 18a and Rule 18b of the Texas Rules of Civil Procedure.<sup>19</sup> Judges can be recused from hearing a case due to financial, familial, or other personal connections. Either a judge or a party can request that the judge be recused from a case.

In 2010 the Texas Judicial Council's Committee on Judicial Selection recommended that there be a presumption against recusal for campaign contribution purposes as long as a judge has complied with the JCFA's contribution levels. The Committee reaffirms this recommendation and encourages the Supreme Court to amend Rule 18b of the Texas Rules of Civil Procedure to enact this change.

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<sup>18</sup> TEX. ELEC. CODE §253.

<sup>19</sup> TEX. R. CIV. P. 18.

## **Community Engagement**

### **Background**

The Judicial Branch derives much of its authority from the respect and support of the public it serves. These sentiments are the foundation for building trust and confidence in our judiciary. Respect comes not only from the actions that a judge makes from the bench, but also from how a judge, a court coordinator, or officer of the court engages with his or her community. Building support for the judiciary both inside and outside of the courtroom is essential. According to the National Center for State Courts (NCSC), contact with the courts, whether for a traffic ticket or a personal injury case, makes little difference in how an individual perceives the courts. Research has shown that most public opinion of courts comes from media sources, such as news reports and TV shows.<sup>20</sup>

### **Recommendations**

**Recommendation 1: The Judicial Council and other judicial entities should continue to seek opportunities to improve the judiciary’s engagement with the community, which should include hosting summits, developing materials for judges about model judicial outreach in communities, and producing materials about civic education.**

Placing Gold E. Locks and East R. Bunny on trial in Laredo, Texas, has transformed the way children perceive the court and legal system as part of the *Access to Justice: Class in the Courtroom* program led by Webb County Court-at-Law Judge Victor Villarreal.<sup>21</sup> Children visit the courthouse, and the mock trials are performed in the courtroom with the children acting as assistant court officers, the jury, and the court of public opinion. Laredo Young Lawyers Association President Alvaro Aguirre told the *Laredo Morning Times* that the purpose of the program is “To demystify the legal profession and judicial process for young children in our community and to provide insight to the role of attorneys and judges in the administration of justice.”<sup>22</sup> *Access to Justice: Class in the Courtroom* has developed handbooks, mock trial scripts, and certificates of achievement for all participants of the program.<sup>23</sup>

In December 2016, the Supreme Court of Texas and the Texas Court of Criminal Appeals hosted the *Beyond the Bench: Law, Justice, and Communities Summit* in Dallas, Texas. The Summit brought together a diverse group of individuals, including Texas judges, law

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<sup>20</sup> *Public Trust and Confidence Guide*, NAT’L CTR. FOR ST. CTS., <http://www.ncsc.org/Topics/Court-Community/Public-Trust-and-Confidence/Resource-Guide.aspx>.

<sup>21</sup> Joana Santillana, *Class in the Courtroom Initiative Gold E. Locks Mock Trial*, LAREDO MORNING TIMES, Jan. 30, 2018, at A1.

<sup>22</sup> *Id.*, at A10.

<sup>23</sup> *Access to Justice: Class in the Courtroom* mock trial scripts and handbooks are written by Sen. Judith Zaffirini, Ph.D.

enforcement officers, and national, state, and community leaders. The objective of the day-long summit was to strengthen trust and confidence in our justice system.<sup>24</sup>

At the Summit, participants explored diverse viewpoints and engaged in candid conversations to listen and learn from one another. Following the Summit, the high courts developed resources including *The Beyond the Bench Toolkit* to offer assistance in planning similar convenings and to inspire continued conversation about diversity and justice for all.<sup>25</sup>

The Committee recommends that programs like *Access to Justice: Class in the Courtroom* and the *Beyond the Bench Summit* be replicated and expanded. The Committee further recommends that the Texas Judicial Council and other judicial entities look for more opportunities to engage with the public to increase public trust and confidence in our judicial system.

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<sup>24</sup> *Beyond the Bench: Law, Justice, and Communities Summit*, TEXAS JUD. BRANCH, <http://www.txcourts.gov/publications-training/training-materials/beyond-the-bench-law-justice-and-communities-summit/>.

<sup>25</sup> *Id.*