



TEXAS JUDICIAL COUNCIL

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CHAIR:

HON. NATHAN L. HECHT
Chief Justice, Supreme Court

EXECUTIVE DIRECTOR:

David Slayton

VICE CHAIR:

HON. SHARON KELLER
Presiding Judge, Court of Criminal Appeals

TEXAS JUDICIAL COUNCIL

MINUTES OF MEETING

February 21, 2014

10:00 a.m.

SUPREME COURT OF TEXAS
Supreme Court Building
201 W. 14th Street, Room 104
Austin, Texas

COMMENCEMENT OF MEETING

On February 21, 2014, Chief Justice Nathan L. Hecht called the meeting¹ of the [Texas Judicial Council](#) (“Council”) to order at approximately 10:04 a.m. in the courtroom of the [Supreme Court of Texas](#) (“SCOT”) in Austin, Texas.

The following members of the Council were present:

Hon. Nathan L. Hecht, Chief Justice, Supreme Court of Texas
Hon. Sharon Keller, Presiding Judge, Court of Criminal Appeals
Mr. Richard Battle, Key Trak, College Station
Hon. Gary Bellair, Presiding Judge, Ransom Canyon Municipal Court
Hon. Robert Duncan, Senator, Lubbock
Mr. Richard Figueroa, UBS Advisory & Brokerage Services, Houston
Ms. Allyson Ho, Morgan, Lewis & Bockius LLP, Dallas
Hon. Scott Jenkins, Judge, 53rd District Court, Travis County
Ms. Ashley Johnson, Gibson Dunn & Crutcher LLP, Dallas
Mr. Virgil Justice, First Insurance Agency, Kerrville
Hon. Tryon Lewis, Representative, Odessa
Hon. Kelly Moore, Judge, 121st Judicial District, Terry & Yoakum
Hon. Valencia Nash, Justice of the Peace Pct. 1, Place 2, Dallas County
Mr. “Hank” Nuss, Welder Leshin, Corpus Christi
Hon. Glenn D. Phillips, Presiding Judge, City of Kilgore
Hon. Sherry Radack, Chief Justice, 1st Court of Appeals, Houston

¹ The meeting may be viewed on the State Bar of Texas website <http://www.texasbarcle.com/CLE/TSCSearch2.asp>

Hon. Linda A. Rodriguez, Judge, County Court at Law No. 2, Hays County
Hon. Polly Jackson Spencer, Judge, Probate Court #1, Bexar County
Hon. Royce West, Senator, Dallas

Members attending via phone were Allyson Ho and Ashley Johnson.

Members not in attendance were Rep. Roberto Alonzo, Justice Bill Boyce, and Judge Russell Casey.

Chief Justice Hecht recognized Judge Orlinda Naranjo's resignation from the Council and introduced a new member, Judge Scott Jenkins. He welcomed legislative members Senators Robert Duncan and Royce West and Representative Tryon Lewis.

MINUTES

With a quorum present, Chief Justice Hecht called for a motion to approve the previous meeting minutes. With proper motion and vote, the [September 20, 2013](#) meeting minutes were adopted.

REPORTS AND ACTION ITEMS

Texas Indigent Defense Commission

Judge Keller highlighted three issues from the 2013 Texas Indigent Defense Commission (TIDC) [Annual Report](#). She noted a 6% indigent defense cost increase to counties since 2012, from \$91M in 2001, to \$217.1M in 2013, in which the state reimbursed counties \$27.4M in FY13. She announced a partnership with Texas A&M's Public Policy Research Institute (PPRI) to develop an [online portal](#) for attorneys to report required information as part of a weighted caseload study that was mandated in the 83rd Legislative Session and is due in December 2014. Judge Keller reported that the next TIDC strategic planning meeting is scheduled for March in Fort Worth.

Jim Bethke, TIDC Executive Director, reported on funding for the [Innocence Projects](#) in Texas and its statutory exoneration reports. He then updated the Council on progress of the Client Choice Program taking place in Comal County. This program, the first of its kind in the nation, allows the defendant to select qualified counsel of choice and has garnered national attention. There will be a kickoff meeting next week. Comal County has contracted with the Justice Management Institute to perform an impact assessment.

Executive Director's Report

Mr. Slayton referred members to the [Director's Report](#) as he highlighted a few topics. He first reported that the Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) had met in November and developed eight [recommendations](#). Three working groups have been established and are currently working on the recommendations. There are also plans for a meeting with the Social Security Administration to discuss the differences between federal and state level recognition of guardian appointments.

He then updated the Council on the status of eFiling. Mandatory eFiling by attorneys in civil cases, family cases, and probate cases at the trial courts, as well as in criminal cases at the appellate courts, went into effect January 1 for the largest ten counties in the state and all appellate courts and is going better than expected. Mr. Slayton reported that a [press event](#) had been held on January 31 to highlight the progress of the program. He also reviewed the status of both Electronic Filing Service Providers (EFSPs) and Case Management System (CMS) Vendors.

Next, Mr. Slayton updated the Council on the Language Access Program. OCA provides remote interpreter services through its Texas Court Remote Interpreter Service. Interpretation services have been provided for 34 hearings in 11 counties and requests for services are growing.

Annual Statistical Report

Mr. Slayton advised the Council that OCA had published its [2013 Annual Statistical Report](#) and that it is available on the agency website. He discussed some of the report's highlights. A discussion ensued related to limited funding for drug courts, which are under jurisdiction of the Governor's office, and how to expand those services. The Council is responsible for adopting best practices for specialty courts, but they have not yet been presented to the Council for consideration.

Chief Justice Hecht commented on the decline of jury trials in civil and criminal cases and announced the Expedited Actions Rule Study that will be conducted in Texas by the National Center for State Courts (NCSC).

The Chief also stated NCSC is going to begin collecting statistics on the growing number of self-represented litigants.

Senator West initiated a brief discussion on arbitration/mediation and stated it would be a priority for next session.

Shared Solutions 2.0 Update

Mr. Rick Figueroa reviewed the background of Shared Solutions. He presented for review the Characteristics of an Effective Court System proposed by the Shared Solutions 2.0 Advisory Committee. He requested that Council formalize the training process to ensure continuation. The 2014 Shared Solutions Summit is scheduled for May 12-13.

Elders Committee Report

Judge Spencer reported that the Elders Committee met on January 20 and accepted testimony from several groups. Some of the recommendations developed by WINGS were considered appropriate for Council consideration. The Elders Committee is working with WINGS workgroups on those recommendations.

NEW BUSINESS

Interim Charges

Mr. Slayton reviewed interim committee charges from the 83rd Legislature and focused on those directly related to the judiciary.

Senator West asked the Council to consider the intent of non-disclosure laws.

Judge Spencer requested the Council ask the Legislature, if possible, to increase funding for treatment of the mentally ill because of its impact on the judiciary.

Representative Lewis announced the House Committee on Judiciary and Civil Jurisprudence will hold its first hearing on March 17. He advised that Mr. Slayton would notify all Council members of future Committee hearings.

Mr. Slayton noted he will collect recommendations from Council and other groups for legislative requests to consider during the fall.

Next Meeting

Council will meet in the fall.

ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at approximately 12:12 p.m.

Nathan L. Hecht
Chair