

# IN THE SUPREME COURT OF TEXAS

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Misc. Docket No. 06- **9006**  
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## APPOINTMENTS TO THE COURT REPORTERS CERTIFICATION BOARD

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### ORDERED:

The Supreme Court of Texas hereby makes the following appointments to the Court Reporters Certification Board:

Tammy Adams, Spring, Official Court Reporter, term to expire December 31, 2011

John Foster, Henderson, Freelance Court Reporter, term to expire December 31, 2011

Thomas C. Melton, Cross Plains, Public Member, term to expire December 31, 2011

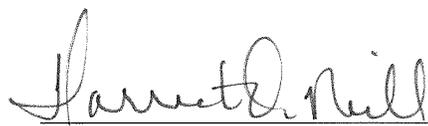
Gilbert M. Martinez, Austin, Public Member, term to expire December 31, 2008

These appointments are effective January 26, 2006.

In Chambers, this 26<sup>th</sup> day of January, 2006.

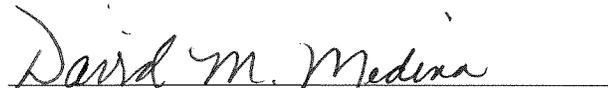
  
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Wallace B. Jefferson, Chief Justice

  
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Nathan L. Hecht, Justice

  
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Harriet O'Neill, Justice

  
J. Dale Wainwright, Justice

  
Scott A. Brister, Justice

  
David M. Medina, Justice

  
Paul W. Green, Justice

  
Phil Johnson, Justice

  
Don R. Willett, Justice

Miscellaneous Docket No. 06-9006

# ATTACHMENT 1

## § 52.011. ORGANIZATION.

(a) The Court Reporters Certification Board is appointed by the supreme court and is composed of:

- (1) one active district judge who serves as chairman;
- (2) two active attorneys licensed in this state who have been practicing members of the State Bar for more than the five years immediately preceding their appointment to the board;
- (3) two active official court reporters who have practiced shorthand reporting in this state for more than the five years immediately preceding their appointment to the board;
- (4) two active certified shorthand reporters who work on a freelance basis and who have practiced shorthand reporting for more than the five years immediately preceding their appointment to the board;
- (5) one representative of a shorthand reporting firm that is not owned by a certified shorthand reporter and that has operated as a shorthand reporting firm in this state for more than the three years immediately preceding the representative's appointment to the board;
- (6) one representative of a shorthand reporting firm that is owned by a certified shorthand reporter and that has operated as a shorthand reporting firm in this state for more than the three years immediately preceding the representative's appointment to the board; and
- (7) four members who are representatives of the general public.

(b) Appointments to the board shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointees.

(c) A person may not be a member of the board or act as the general counsel to the board if the person is:

- (1) required to register as a lobbyist under Chapter 305 because of the person's activities for compensation on behalf of a profession related to the operation of the board; or
- (2) an owner, officer, or employee of a school or institution engaged in instructing persons in shorthand reporting skills.

(d) In this subsection, "Texas trade association" means a cooperative and voluntarily joined statewide association of business or professional competitors in this state designed to assist its members and its industry or profession in dealing with mutual business or professional problems and in promoting their common interest. A person may not be a member of the board and may not be a board employee employed in a "bona fide executive, administrative, or professional capacity," as that phrase is used for purposes of establishing an exemption to the overtime provisions of the federal Fair Labor Standards Act of 1938 (29 U.S.C. Section 201 et seq.), and its subsequent amendments, if:

- (1) the person is an officer, employee, or paid consultant of a Texas trade association in the field of shorthand reporting; or
- (2) the person's spouse is an officer, manager, or paid consultant of a Texas trade association in the field of shorthand reporting.

(e) A person may not be a public member of the board if the person or the person's spouse:

- (1) is a judge;
- (2) is licensed to practice law in this state;
- (3) is registered or certified by the board;
- (4) is an elected public official;
- (5) is a full-time governmental employee;
- (6) is employed by or participates in the management of a business entity or other organization regulated by or receiving money from the board;
- (7) owns or controls, directly or indirectly, more than a 10 percent interest in a business entity or other organization regulated by or receiving money from the board; or
- (8) uses or receives a substantial amount of tangible goods, services, or money from the board other than compensation or reimbursement authorized by law for board membership, attendance, or expenses.

(f) Board members serve six-year terms of office.

(g) A member holds office until that member's successor is appointed and has qualified for office. A board member may not be appointed to an immediately succeeding term unless the member has served less than three consecutive years.

(h) If a vacancy occurs on the board, the supreme court shall appoint a similarly qualified person to serve the remainder of the term.

(i) Board members serve without compensation but are entitled to reimbursement for actual and necessary expenses incurred in traveling and performing official board duties.