

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 95 - 9261

**AMENDED ORDER CREATING THE
TEXAS COMMISSION ON JUDICIAL EFFICIENCY**

1. The Seventy-Fourth Legislature of Texas has directed the Supreme Court of Texas, by order of its Chief Justice, to establish the Commission on Judicial Efficiency. The Commission is directed to compile and submit to the Seventy-Fifth Legislature findings and recommendations regarding information technology, funding parity, staff diversity within the court system, and judicial selection.
2. The Legislature has appropriated \$100,000 to the Supreme Court for the sole purpose of establishing and operating the Commission.
3. Pursuant to legislative directive, the Chief Justice has consulted with the National Center for State Courts and the National Consortium of Task Forces and Commissions on Racial and Ethnic Bias in the Courts to secure guidance in the formulation, composition, and mandate of the Commission.

4. The Lieutenant Governor has designated two members of the Senate and the Speaker of the House of Representatives has designated two members of the House of Representatives to serve as Commissioners.

5. Additionally, the Chief Justice has sought advice from the Governor, the Presiding Judge of the Court of Criminal Appeals, the Chief Justices of the Courts of Appeals, various judges of other courts of Texas, the President and various members of the State Bar of Texas, and others regarding appropriate persons to serve on and assist the Commission.

6. **IT IS THEREFORE ORDERED BY THE SUPREME COURT** that the COMMISSION ON JUDICIAL EFFICIENCY IS ESTABLISHED, to consist of the following members:

Dr. Herbert H. Reynolds, Chair, Waco

Ms. Diana Clark, Dallas

The Honorable Rodney Ellis, Houston

The Honorable Pat Ferchill, Fort Worth

The Honorable Pete Gallego, Alpine

The Honorable Joseph H. Hart, Austin

The Honorable John C. Hawkins, Jr., Texarkana

The Honorable Cyndi Taylor Krier, San Antonio

The Honorable Myra A. McDaniel, Austin

Mr. Drayton McLane, Jr., Temple

The Honorable John T. Montford, Lubbock

The Honorable Horacio Pena, Jr., Mission

The Honorable William S. Sessions, San Antonio

Mr. R. Dary Stone, Dallas

The Honorable Linda Thomas, Dallas

The Honorable Senfronia Thompson, Houston

7. Because the matters encompassed in the Commission's charge are of such breadth and importance that the Commission will require the assistance and expertise of a broad range of Texans, it is ORDERED that four Task Forces are established to investigate and report to the Commission as to each particular area of inquiry. The Chief Justice and the Chair of the Commission shall, after consultation with the members of the Supreme Court and the Commission, respectively, have authority to appoint Task Force members.

8. The Information Technology Task Force is directed to investigate and report to the Commission on the use of information technology to enhance court efficiency, including but not limited to:

- a. case management;
- b. legal research;
- c. preparation and preservation of the appellate record;
- d. communications between the court and the public;
- e. communications between the court and litigants;
- f. communications among litigants themselves;
- g. collection and dissemination of relevant court statistics;
- h. elimination of unnecessary personal court appearances by lawyers, litigants, and witnesses;
- i. direct electronic filing;
- j. law enforcement and judicial access to criminal records;
- k. criminal statistics;
- l. collection of fines and fees;
- m. permanent records storage;
- n. availability of word processing in trial courts;
- o. information sharing among the courts; and
- p. security, confidentiality, and privacy protections.

9. The Funding Parity Task Force is directed to investigate and report to the Commission on issues relating to court funding, including but not limited to:

- a. appropriate levels of funding to staff, equip, and serve the courts of Texas;
- b. methods to ensure the distribution of state and local funds based on the needs and responsibilities of each court; and
- c. appropriate sources of funding for each type of court.

10. The Staff Diversity Task Force is directed to investigate and report to the Commission on programs to enhance the administration of justice by encouraging greater diversity among law clerks, including but not limited to:

- a. assisting and encouraging justices and judges in securing more applications from qualified minority applicants,
- b. assisting law schools in providing information and encouragement to prospective minority judicial clerks,
- c. encouraging those entities that make student loans to develop programs that would encourage minority student borrowers to seek judicial clerkships,
- d. recommending mentoring programs between former minority law clerks and current minority law students to disseminate knowledge about and interest in judicial clerkship opportunities, and
- e. encouraging law firms and other legal employers to hire and appropriately credit judicial clerks.

11. The Judicial Selection Task Force is directed to investigate and report to the Commission on what method for selecting and retaining judicial officers would best serve the people of Texas, with possible emphasis on reducing the influence of partisan politics, decreasing the importance of campaign contributions, shortening the judicial campaign season, and enhancing diversity and quality among those who serve on the bench.

12. A justice of the Supreme Court of Texas, a judge of the Court of Criminal Appeals, a member of the Texas Judicial Council, and a representative from the Office of Court Administration shall serve *ex officio* on each Task Force.

13. All meetings of the Commission shall be open to the public. Any Commissioner may attend and participate in any Task Force meeting. Each Task Force shall hold at least one public hearing.

14. The Commission and the Task Forces are encouraged to consult with, among others, the National Center for State Courts, the National Consortium of Task Forces and Commissions on Racial and Ethnic Bias in the Courts, the American Judicature Society, the Elmo B. Hunter Citizens Center for Judicial Selection, the National Judicial College, the judges and personnel of the courts of Texas and other jurisdictions, the members of the Legislative and Executive departments, and the public.

15. Anthony Haley, Esq. is designated as Executive Director and General Counsel of the Commission, to serve under the direction of the Chair of the Commission.

16. The Commission shall make its final report to the Legislature in writing no later than January 15, 1997. The Commission shall expire on January 31, 1997.

17. This ORDER supercedes Misc. Docket No. 95-9220 of October 6, 1995.

IN CHAMBERS this 8th day of November, 1995.


Thomas R. Phillips, Chief Justice