



**TEXAS JUDICIAL COUNCIL**

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CHAIR:

HON. NATHAN L.  
Chief Justice, Supreme Court of Texas

EXECUTIVE DIRECTOR:

David Slayton

VICE CHAIR:

HON. SHARON KELLER  
Presiding Judge, Court of Criminal Appeals

**TEXAS JUDICIAL COUNCIL**

**MINUTES OF MEETING**

**February 23, 2018  
10:00 AM**

**Tom C. Clark - 1st Floor Conference Room  
205 W. 14th Street  
Austin, Texas**

**COMMENCEMENT OF MEETING**

On February 23, 2018, Chief Justice Nathan L. Hecht called the meeting<sup>1</sup> of the [Texas Judicial Council](#) ("Council") to order at approximately 10:00 a.m. in the conference room of the Tom C. Clark Building in Austin, Texas.

The following members of the Council were present:

*Hon. Nathan L. Hecht, Chief Justice, Supreme Court of Texas*  
*Hon. Gary Bellair, Presiding Judge, Ransom Canyon Municipal Court*  
*Hon. Bill Boyce, Justice, 14th Court of Appeals, Houston*  
*Ms. Sonia Clayton, Virtual Intelligence Providers LLC, Houston*  
*Hon. Scott Jenkins, Judge, 53rd District Court, Travis County*  
*Hon. Kelly Moore, Judge, 121st Judicial District, Terry & Yoakum*  
*Hon. Andrew Murr, Representative, Junction*  
*Hon. Valencia Nash, Justice of the Peace Pct. 1, Place 2, Dallas County*  
*Hon. Sherry Radack, Chief Justice, 1st Court of Appeals, Houston*  
*Mr. Kenneth S. Saks, Oliva Saks Garcia & Curiel, LLP, San Antonio*  
*Hon. John T. Smithee, Representative, Amarillo*  
*Hon. Polly Spencer, Judge (Ret.), Probate Court #1, Bexar County*  
*Hon. Edward J. Spillane, III, Presiding Judge, City of College Station*  
*Hon. Vivian Torres, Medina County Court at Law, Hondo*  
*Mr. Evan Young, Baker Botts, Austin*  
*Hon. Judith Zaffirini, Senator, Laredo*

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<sup>1</sup> The meeting may be viewed on the Office of Court Administration YouTube site at <https://www.youtube.com/user/TexasCourtAdmin/>.

Members attending by phone were Mr. Carlos Z. Amaral and Ms. Ashley Johnson.

Members not in attendance were Senator Brandon Creighton, Presiding Judge Sharon Keller, Judge Bill Gravel, and Ms. Allyson Ho.

## MINUTES

The [September 29, 2017](#), meeting minutes were approved by acclamation.

## REPORTS AND ACTION ITEMS

### [Texas Indigent Defense Commission](#)

Mr. Geoff Burkhardt, Executive Director for the Texas Indigent Defense Commission (“TIDC”), introduced himself to the Council and presented the TIDC report, highlighting work on formula and discretionary grants, scheduling for both policy and fiscal monitoring, and recent publications and events. The TIDC strategic planning is scheduled for June. He also noted Judge Torres’ appointment to the Commission.

### [Highlights of the Annual Statistical Report for the Texas Judiciary \(Fiscal Year 2017\)](#)

Ms. Angela Garcia, Judicial Information Manager at the Office of Court Administration (“OCA”), reported on the release of the FY 17 Annual Statistical Report for the Texas Judiciary. Afterwards, there was discussion on data collection relating to drug offenses and debt collection cases.

### [Update on Court Security](#)

Mr. Hector Gomez, Court Security Director at OCA, was introduced by Chief Justice Hecht. Mr. Gomez reported on implementation of [SB 42](#) and results from the Court Security Incident Reports received during the current fiscal year. Discussion ensued.

### [Review of Legislative Interim Charges](#)

Mr. David Slayton reviewed the legislative process for the Council and discussed interim charges of the following committees and a joint study that the Council would be responding to with recommendations:

- Senate State Affairs
- Senate Criminal Justice
- Senate Health and Human Services
- House Judiciary and Civil Jurisprudence
- House County Affairs
- House Criminal Jurisprudence
- House Select Opioids and Substance Abuse
- SCR 57 Joint Study Judicial Salaries

*Committee Updates:*

[Civil Justice Committee](#)

Chief Justice Radack reported on work of the Civil Justice Committee. The Committee met in January with guest Brittany Kaufman representing the Institute for the Advancement of the American Legal System (IAALS). Mr. Slayton followed with a report on the Advisory Committee meeting which met for a sixteen-hour workshop earlier in February. The workshop was facilitated by Ms. Kaufman. The Committee will meet again to finalize recommendations before the next Council meeting.

[Criminal Justice Committee](#)

Judge Kelly Moore reported on the work of the Criminal Justice Committee. The Committee met in January with most discussion on pre-trial release and the opioid crisis. Mr. Slayton also provided a presentation on the National Instant Criminal Background Check System (NICS) at that meeting. The Committee will meet again to finalize recommendations before the next Council meeting.

[Data Committee](#)

Mr. Scott Griffith, Director of Research & Court Services at OCA reported on the work of the Data Committee. The Committee met in January with guests from the Texas County & District Clerk's Association. The Committee received presentations on an overview of judicial technology and OCA statistical data. The Committee will meet again to finalize recommendations before the next Council meeting.

[Guardianship Mental Health, and Intellectual/Developmental Disabilities Committee](#)

Justice Bill Boyce reported on the work of the Guardianship, Mental Health, and IDD Committee. Of note was the historic Joint Supreme Court of Texas/Court of Criminal Appeals Hearing which resulted in a [joint order](#) creating the Judicial Commission on Mental Health ("JCMH"). The Committee will continue its focus on identifying areas of potential legislative focus while the JCMH gets fully operational. The Committee met earlier in the month and will meet again to finalize recommendations before the next Council meeting.

[Juvenile Justice Committee](#)

Judge Valencia Nash reported on the work of the Juvenile Justice Committee. The Committee met in December with guests from the Juvenile Justice Department and the Department of Family and Protective Services to discuss crossover youth and is planning to create and convene an advisory committee. The Committee met earlier in the month and will meet again to finalize recommendations before the next Council meeting.

Chief Justice Hecht asked that each of the last four committees look at their charges in relation to school shooting that had recently occurred in Florida.

[Public Trust and Confidence Committee](#)

Judge Ed Spillane reported on the work of the Public Trust & Confidence Committee. The Committee met in December with guest Eric Vinson, Executive Director of the State

Commission on Judicial Conduct. The Committee is continuing work on a public opinion poll and will meet again to finalize recommendations before the next Council meeting.

#### **NEW BUSINESS**

##### [Consider approval of the Judicial Council's Centers of Excellence Program](#)

Mr. Griffith presented the revised proposal to the Council. Senator Zaffirini made a motion to approve which was seconded by Chief Justice Radack. The proposal was approved.

##### [Consider amendments to Texas Judicial Council Collections Improvement Program Rules and authorize notice in the Texas Register](#)

Ms. Mena Ramón, General Counsel for OCA, presented the proposed changes to repeal Sec. 175.4(c)(1) for consideration. After a motion made by Judge Spencer and a second from Judge Spillane, the amendments were approved for notice in the Texas Register.

#### **NEXT MEETING**

June 29, 2018

#### **ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at approximately 11:59 a.m.

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Nathan L. Hecht  
Chair