

**JUDICIAL BRANCH CERTIFICATION COMMISSION
MINUTES OF THE MEETING**

Third Court of Appeals
Price Daniel Sr. Building
209 W. 14th Street, Room 101
Austin, Texas 78701
Friday, February 1, 2019
(10:00 a.m. Until Adjournment)

The meeting of the Judicial Branch Certification Commission (JBCC or Commission) was called to order by Judge Lee Hamilton, Chair, at 10:00 a.m., Friday, February 1, 2019. Members present were Judge Lee Hamilton; Judge Sid Harle; Judge Polly Spencer; Judge William Sowder; Judge Victor Villarreal; Velma Arellano; Don Ford; Anne Murray Moore; and Mark Blenden.

Staff members present were Jeff Rinard, Certification Division Director; Scott Gibson, JBCC General Counsel; Michele Henricks, Compliance Manager; Melinda Saucedo, Investigator; Tyees Holcombe, Judicial Regulatory Assistant; Jillian Stengle, Licensing Manager; and Veena Mohan, Assistant Attorney General. Ms. Mohan introduced visitor Austin Taylor, a law clerk intern at the Office of the Attorney General.

Complaint review committee members attending by phone were Eric Johnson, Process Servers Complaint Review Committee, and Judge Gladys Burwell, Guardians Complaint Review Committee. Robin Cooksey, member of the Court Reporters Complaint Review Committee, attended in person.

Agenda Item III, Opening Remarks

Judge Hamilton welcomed everyone to the meeting and introduced Judge Victor Villarreal as a new member to the Commission, recognizing Judge Villarreal for his knowledge of guardianships and probate matters.

Jeff Rinard, Certification Division Director, welcomed Judge Villarreal to the Commission and thanked members for their feedback on BoardBookIt, the new secure site for meeting materials.

Agenda Item IV, Approval of Prior Meeting Minutes

The November 2, 2018 minutes were approved.

Assistant Attorney General Veena Mohan presented agenda items V, VI, VII, and VIII.

Agenda Item V. Approval of JBCC Disciplinary Action, by Default, and Issuance of Final Order from Complaints

Guardianship Certification – August 29, 2018

B. In the Matter of James Taylor, Cause No. 0046

Don Ford recused. No action taken due to death of Respondent on January 20, 2019.

Agenda Item VI. Approval of Agreed Orders – Acceptance by Respondent of Sanction/Administrative Penalty

Upon proper motion and second, the Commission voted to approve proposed Agreed Orders for the following complaints:

Process Servers Certification – September 27, 2018

A. In the Matter of Eloy Bravo, Cause No. 0055

Sanction: Reprimand and complete 7-hour precertification civil process service education course within 6 months after the date of the Agreed Order. Administrative penalty of \$500 (\$250 per violation) payable within 6 months after the date of the Agreed Order.

B. In the Matter of Kevin Benson, Cause No. 0056

Sanction: Reprimand and complete 7-hour precertification civil process service education course within 6 months after the date of the Agreed Order.

C. In the Matter of Cynthia Rodriguez-Balderas, Cause No. 0057

Sanction: Reprimand.

Agenda Item VII. Advisory Board Complaint Review Committee & Staff Recommendations to Dismiss Complaints

Upon proper motion and second, the Commission voted to dismiss the following complaints:

Court Reporters Complaint Review Committee – November 16, 2018

A. In the Matter of Shana Wise, Cause No. 0067

B. In the Matter of Luis Duran, Cause No. 0068

Judge Polly Spencer recused.

C. In the Matter of Angela Chambers, Cause No. 0074

Process Servers Complaint Review Committee – November 30, 2018

D. In the Matter of Ray Whatley, Cause No. 0050

E. In the Matter of Faviola Martinez, Cause No. 0059

Guardianship Complaint Review Committee – December 12, 2018

F. In the Matter of Letitia McPherson, Cause No. 0076

Agenda Item VIII. Administrative Dismissals of Complaints

Upon proper motion and second, the Commission ratified administrative dismissal of the following complaints:

Court Reporters Certification

- A. In the Matter of Cause No. 0049
- B. In the Matter of Cause No. 0078
- C. In the Matter of Cause No. 0094
- D. In the Matter of Cause No. 0117

Process Servers Certification

- E. In the Matter of Cause No. 0114

Agenda Item IX. Request for Reconsideration on Denial of Process Server Renewal Application from Applicant Wayne Echelmeyer

Wayne Echelmeyer attended by phone.

The Commission convened in closed session at 11:01 a.m. and reconvened in public session at 11:16 a.m.

Upon proper motion and second, the Commission voted to affirm staff's denial of renewal application.

Agenda Item X. Administrative Matters Relating to the JBCC

Jeff Rinard, Certification Division Director, gave an update on agenda items as follows:

- A. Court Reporters Advisory Board Efforts to Address Court Reporter Shortage
Upon proper motion and second, the Commission voted to delegate authority to JBCC staff to approve California court reporter applications for endorsement as recommended by the Court Reporters Advisory Board from the January 11, 2019 meeting. Criteria required for endorsement; applicants must pass the California test, provide a certificate of good standing on their California license, and provide proof that the applicant has 3 of 5 years work experience in California. The Board voted that the skills portion of the California test was substantially equivalent to the Texas test on January 8, 2016. Approved applicants are required to take the Texas written knowledge test.
- B. Court Reporters Advisory Board Approval of Online Curriculum
Upon proper motion and second, the Commission voted to accept the Advisory Board's recommendations to approve the following court reporter curriculums:
 - 1. StenoTrain.com
 - 2. Court Reporting Institute of St. Louis

- C. Guardianship Registration
Provided an update on the registration, training and criminal history.
- D. Guardianship Training
Spanish translation in process of review by OCA interpreters with a tentative release date of March or April 2019.
- E. Guardianship Compliance Project (GCP)
Provided an update on the GCP. Judge Polly Spencer was recognized for her work on 12,000 cases in Bexar County.
- F. Reappointments of Commission Members & Advisory Board Members – Terms Expiring February 1, 2019
Judge Hamilton expressed his thanks to the Supreme Court for reappointing him to the Commission and congratulated Commissioners, Judge Polly Spencer and Don Ford, and the Advisory Board members on their reappointments.
- G. JBCC Meeting Dates
 - 1. Next JBCC Meeting – Friday, May 3, 2019

Agenda Item XI. Public Comment

The following individuals spoke on the court reporter shortage in Texas:

- Judge Craig Enoch
- Art Richardson
- Shari Krieger, President, Texas Court Reporters Association
- Steve Bresnen, Texas Court Reporters Association

Other public comment:

- Eric Johnson, Process Server Advisory Board (by phone)

Agenda Item XII. Closing Remarks from Chair

Judge Hamilton thanked everyone present for their participation, interest and hard work.

Agenda Item XIII. Adjournment

The meeting was adjourned at 11:45 a.m.



Judge Lee Hamilton, Chair

5-3-19.

Date