



## TEXAS JUDICIAL COUNCIL

205 WEST 14<sup>TH</sup> STREET, SUITE 600 • TOM C. CLARK BUILDING • (512) 463-1625 • FAX (512) 936-2423  
P. O. BOX 12066 • AUSTIN, TEXAS 78711-2066

CHAIR:

HON. NATHAN L. HECHT  
Chief Justice, Supreme Court

EXECUTIVE DIRECTOR:

David Slayton

VICE CHAIR:

HON. SHARON KELLER  
Presiding Judge, Court of Criminal Appeals

### MINUTES OF MEETING

September 24, 2020

10:00 AM

Via Zoom Due to COVID-19 Pandemic

Public Livestream at

<https://www.youtube.com/channel/UCXL2s3c1yw1I6Z4SLLuhAhg>

#### COMMENCEMENT OF MEETING

On September 24, 2020, 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.

The following members of the Council were present:

*Hon. Nathan L. Hecht, Chief Justice, Supreme Court of Texas*  
*Hon. Sharon Keller, Presiding Judge, Texas Court of Criminal Appeals*  
*Hon. Bill Boyce (Fmr.), Justice, 14<sup>th</sup> Court of Appeals, Houston*  
*Ms. Sonia Clayton, Virtual Intelligence Providers LLC, Houston*  
*Hon. Bill Gravell Jr., Constitutional County Judge, Williamson County*  
*Hon. Jeff Leach, State Representative, Allen*  
*Hon. Emily Miskel, Judge, 470<sup>th</sup> District Court, McKinney*  
*Hon. Kelly Moore (Ret.), Presiding Judge, 9<sup>th</sup> Administrative Judicial Region*  
*Hon. Valencia Nash, Justice of the Peace Pct. 1, Place 2, Dallas County*  
*Hon. Kathleen Person, Judge, City of Temple Municipal Court, Temple*  
*Ms. Rachel Racz, Vista Proppants & Logistics, Fort Worth*  
*Hon. Sherry Radack, Chief Justice, 1st Court of Appeals, Houston*  
*Mr. Kenneth S. Saks, Oliva Saks Garcia & Curiel, LLP, San Antonio*  
*Hon. Maggie Sawyer, Justice of the Peace, McCulloch County, Brady*  
*Hon. Reggie Smith, State Representative, Sherman*  
*Hon. Edward J. Spillane, III, Presiding Judge, City of College Station*  
*Hon. Vivian Torres (Ret.), County Court at Law, Hondo*  
*Mr. Evan Young, Baker Botts, Austin*  
*Hon. Judith Zaffirini, State Senator, Laredo*

Members not in attendance were Senator Brandon Creighton.

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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/>.

## **MINUTES OF PREVIOUS MEETING**

The [February 14, 2020](#), meeting minutes were approved as presented.

## **REPORTS AND ACTION ITEMS**

### *Texas Indigent Defense Commission Report*

Geoff Burkhardt, Executive Director, Texas Indigent Defense Commission, presented on the [TIDC Report](#).

Mr. David Slayton, Executive Director, Texas Judicial Council, discussed the [Directors' Report](#) and the specific response to the pandemic.

### *Civil Justice Committee*

Chief Justice Sherry Radack opened acknowledging the work of all members of the committee. Mr. David Slayton, presented the details of the [Civil Justice Committee Report](#) which focuses on enhancing access to justice in consumer debt claims, online dispute resolution, and civil filing fees reform.

Chief Justice Hecht called for discussion. Chief Justice Sherry Radack moved to adopt the Civil Justice Committee Report. The report was approved as presented.

Chief Justice Hecht called for discussion. A committee motion on the Civil Justice Committee Recommendation Resolution was made. The resolution was adopted.

### *Criminal Justice Committee Report*

Judge Kelly Moore presented on the [Criminal Justice Committee Report](#) discussing bail reform and pretrial processes, addressing the needs of youth in Class C matters, improving mental health in Texas, and revising the grand jury process.

Chief Justice Hecht called for discussion. A committee motion was made to adopt the Criminal Justice Committee Report. The report was approved as presented.

A committee motion on adopting the Criminal Justice Committee Recommendations on Bail resolution was made. The resolution was adopted.

A committee motion was made on adopting the Diverting Youth in Class C Misdemeanors Matters resolution. The resolution was adopted.

### *Public Trust and Confidence Committee*

Judge Ed Spillane presented on the [Public Trust and Confidence Committee Report](#) discussing the three resolutions on remote proceedings, civics education, and judicial training.

Chief Justice Hecht called for discussion. A committee motion was made to adopt the Public Trust and Confidence Committee Report. The report was approved as presented.

A committee motion on adopting the resolution for Removing Barriers to Holding Online Court Proceedings was made. The resolution was adopted.

A committee motion on adopting the Improving Civics Education resolution was made. The resolution was adopted.

A committee motion on adopting the Improving Training and Community Engagement resolution was made. The resolution was adopted. Rep. Reggie Smith opposed.

#### *Data Committee*

Judge Bill Gravell provided an update on the work of the committee to develop new guidelines from the Council on how to collect case-level data, and they are not currently presenting any recommendations.

#### *Strategic Vision Committee*

Justice Bill Boyce discussed the committee's work to develop a five-year strategic plan/vision addressing the needs of the Texas Judiciary and Court System and hosting a future summit.

#### *Mental Health Recommendations*

The recommendations of the Criminal Justice Committee on mental health issues was presented. Chief Justice Hecht opened for discussion on the recommendations, and on a committee motion, the report and recommendations were approved as presented.

Chief Justice Hecht called for discussion on the resolution on the mental health recommendations. A committee motion was made to adopt the resolution. The resolution was adopted as presented.

#### *Resolutions*

Mr. David Slayton discussed the presented resolutions for Ensuring Adequate Court Funding, Supporting Adequate Funding for Civil Legal Aid, and In Support of Appropriating All Funds Collected for Improving Indigent Defense.

Chief Justice Hecht called for discussion on the Resolution Ensuring Adequate Court Funding. Senator Zaffirini moved to adopt the resolution as discussed. Second from Judge Kelly Moore. The resolution was adopted.

Chief Justice Hecht called for discussion on the Resolution Supporting Adequate Funding for Civil Legal Aid in Texas. Senator Zaffirini moved to adopt the resolution as discussed. Second from Rep. Smith. The resolution was adopted.

Chief Justice Hecht called for discussion on the Resolution in Support of Appropriating All Funds Collected for Improving Indigent Defense. Senator Zaffirini moved to adopt the resolution as discussed. Second from Judge Valencia Nash. The resolution was adopted.

**NEW BUSINESS**

*Consider Approval of model admonishment language and written model admonishment for developed by OCA pursuant to firearm admonishment rule.*

Mr. Brandon Bellows, Assistant General Counsel, Office of Court Administration, presented the model oral and written admonishment language to the Council.

Chief Justice Hecht called for discussion. Senator Zaffirini moved to adopt the oral and written language as presented. Second from Mr. Kenneth Saks. The motion prevailed.

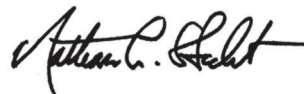
*Confirm electronic vote by adopting resolution delaying establishment of protective order registry from June 1, 2020, to September 1, 2020*

Chief Justice Hecht discussed the statute from the last legislative session regarding a protective order registry be established. The Delay of Establishment of Protective Order Registry resolution that was previously approved by the Council electronically, and this vote confirms the electronic vote of the Council.

Chief Justice Hecht called for discussion. Judge Kelly Moore moved to adopt. Second from Judge Bill Gravell. The motion prevailed.

**Next Meeting – TBD**

**Adjourn – 11:38 am**



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Nathan L. Hecht  
Chair