

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

(Virtual Meeting Conducted by Zoom)  
205 W. 14th Street  
Austin, Texas 78701  
Friday, November 5, 2021  
(10:00 a.m. Until Adjournment)

The meeting of the Judicial Branch Certification Commission (JBCC or Commission) was called to order by Judge William Sowder, Vice Chair, at 10:02 a.m., Friday, November 5, 2021. Members in attendance were Judge William Sowder; Judge Polly Spencer; Judge Victor Villarreal; Judge Glen Harrison; Velma Arellano; Don Ford; Ann Murray Moore; and Mark Blenden. Judge Sid Harle was not in attendance.

Staff members in attendance were Jeff Rinard, EPRS Director; Scott Gibson, JBCC General Counsel; Michele Henricks, Deputy Director of Regulatory Services; Sheryl Jones, Licensing Manager; Melinda Saucedo, Investigator; Tyees Holcombe, Judicial Regulatory Assistant; Rachel Davis, Legal Assistant; and Veena Mohan, Assistant Attorney General.

Complaint review committee members in attendance were Patrick Dyer, Process Servers Complaint Review Committee.

Agenda Item III. Opening Remarks

Judge Sowder welcomed everyone to the meeting, noting he was presiding over this meeting on Judge Harle's behalf.

Jeff Rinard, EPRS director, gave an update on performance measures for Fiscal Year 2022. This year, staff processed 1017 new certifications, 1865 renewal applications, 5954 guardianship registrations, 6567 criminal history checks. 6283 guardianship online trainings were taken this year. Staff also administered 299 written exams for guardians and court interpreters, investigated 118 complaints, and staffed commission meetings and advisory board meetings. Mr. Rinard thanked JBCC staff for their hard work during the fiscal year.

Agenda Item IV. Approval of Prior Meeting Minutes

The August 6, 2021 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

Process Servers Certification

- A. In the Matter of Isaac Espinoza, Cause No. 0182  
Sanction: Administrative penalty of \$250 per each of 7 rule violations for a total of \$1750 and ordered to complete the 7-hour precertification civil process service education course approved by the Commission. Both are due within one year after the date of the Final Order. The continuing education requirement is separate and in addition to continuing education required for renewal of certification.
- B. In the Matter of Janie Kessler, Cause No. 0190  
Sanction: Reprimand
- C. In the Matter of LaShundra Autrey, Cause No. 0207  
Sanction: Reprimand

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

Process Servers Certification

- A. In the Matter of Maria Rodriguez, Cause No. 0169  
Sanction: Reprimand and a \$250 administrative penalty due within 6 months after the date of the Final Order. Respondent is ordered to complete the 7-hour precertification civil process service education course approved by the Commission, due within one year after the date of the Final Order. The continuing education requirement is separate and in addition to continuing education required for renewal of certification. 7 in favor, 1 opposed.
- B. In the Matter of Billy McNutt, Cause No. 0183  
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:

Process Servers Certification

- A. In the Matter of Maria Becerra, Cause No. 0213
- B. In the Matter of Heather McKenzie, Cause No. 0214
- C. In the Matter of Joe Flores, Cause No. 0222
- D. In the Matter of Gerald Bynum, Cause No. 0337

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. 0379
- B. In the Matter of Cause No. 0380
- C. In the Matter of Cause No. 0389
- D. In the Matter of Cause No. 0393

Guardianship Certification

- E. In the Matter of Cause No. 0364
- F. In the Matter of Cause No. 0371
- G. In the Matter of Cause No. 0392

Agenda Item IX. Administrative Matters Relating to the JBCC

Jeff Rinard, EPRS Director, gave an update on the following agenda items:

A. Proposed JBCC Rules Update

During the August 6, 2021 Commission meeting, the Commission adopted the following proposed rules:

- Code of Ethics and Minimum Standards Section 21(c) - This changes the reporting requirement to JBCC director on maximum number of wards assigned to them from 50 to 40.
- JBCC Rule 7.2(b) – Requirement for Obtaining Guardian Certification – This change adds a new option for fulfilling educational prerequisites.
- Add “Guardianship Program” to Code of Ethics and Minimum Standards.
- Expanding the court reporter definition to include apprentice and provisional court reporters.
- Adding FBI background check as a requirement for out of state guardians registering with the JBCC.
- Rules for 24-hour guardianship mediation training course.

All proposed rules were adopted by Supreme Court on August 27, 2021 and are effective September 1, 2021.

B. Update on Court Reporter Reciprocity Outreach

The JBCC has been working with the court reporter associations and other stakeholders over the past few years to address the court reporter shortage. During the legislative session 2 years ago, the JBCC was told to reach out to other states and attempt to establish reciprocity agreements. The JBCC has been working with the state of California to reach an agreement. However, California recently stated they were not going to participate in reciprocity with Texas. California has an endorsement process that court reporters can use if they move to Texas. One of the reasons they gave is that California was not able to properly review Texas examination. California is open for future

reciprocity, but they are not interested at this time. The JBCC has reached out to 31 states, and currently 5 states are interested: Iowa, New Mexico, New Jersey, Mississippi, and Oklahoma.

C. Update on JBCC Examinations

1. LCI and Guardian Online Written Exams

Licensing Manager Sheryl Jones is working with BlackBoard to have these exams online, and the online format is expected to be implemented after the new year. Benefits of having the exams online include examinees not having to travel to Austin, JBCC does not have to staff the exam, and examinees get an automatic score.

2. LCI Oral Exam Administered in El Paso, Texas

This matter was not addressed at this meeting and will be discussed at the February 4, 2022 meeting.

D. Update on Guardianship Program and Guardianship Registrations

The program works with the courts to ensure guardianships are monitored throughout the state. Staff has reviewed almost 60,000 guardianship files around the state. When staff goes out, they always review more files than anticipated once they are out at the county, as courts and clerks don't always have everything completely tracked. 153 counties and 200 courts have been reviewed. Once reviewed, staff sends a report back with the judge, and Mr. Rinard feels that has been very effective with compliance and helping the courts clean up their dockets. Staff has also done financial audits for the counties.

Mr. Rinard also noted that the National Center for State Courts has reached out to the JBCC. Several states are participating in a grant with the NCSC, and they would like to model the JBCC's guardian program.

E. JBCC Meeting Dates

1. Next JBCC Meeting – February 4, 2022

Agenda Item X. Public Comment

The following individuals provided public comment:

- Art Richardson
- Karen Usher (TEXDRA President)
- Sonia Trevino (TCRA President)

Agenda Item XI. Closing Remarks

Judge Sowder thanked the staff for their hard work and shared he is looking forward to seeing everyone in person at the February Commission meeting.

Agenda Item XII. Adjournment

The meeting was adjourned at 11:07am.

  
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Judge Sid Harle, Chair

*February 4 2022*  
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Date *1*