



# TEXAS JUDICIAL COUNCIL

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CHAIR:

HON. WALLACE B. JEFFERSON  
Chief Justice, Supreme Court

EXECUTIVE DIRECTOR:  
DAVID SLAYTON

VICE CHAIR:

HON. SHARON KELLER  
Presiding Judge, Court of Criminal Appeals

## TEXAS JUDICIAL COUNCIL

### MINUTES OF MEETING

November 9, 2012  
10:00 a.m.

SUPREME COURT OF TEXAS  
Supreme Court Building  
201 W. 14th Street, Room 104  
Austin, Texas

#### COMMENCEMENT OF MEETING

On November 9, 2012, Chief Justice Wallace B. Jefferson called the meeting<sup>1</sup> of the [Texas Judicial Council](#) (“Council”) to order at approximately 10:05 a.m. in the courtroom of the [Supreme Court of Texas](#) (“SCOT”) in Austin, Texas.

The following members of the Council were present:

*Hon. Wallace B. Jefferson, Chief Justice, Supreme Court of Texas*  
*Hon. Sharon Keller, Presiding Judge, Court of Criminal Appeals*  
*Mr. Richard Battle, Key Trak, College Station*  
*Hon. Gary Bellair, Presiding Judge, Ransom Canyon Municipal Court*  
*Hon. Bill Boyce, Justice, 14<sup>th</sup> Court of Appeals, Houston*  
*Hon. Russell B. Casey, Justice of the Peace Pct. 3, Place 1, Tarrant County*  
*Mr. Richard Figueroa, UBS Advisory & Brokerage Services, Houston*  
*Mr. Virgil Justice, First Insurance Agency, Kerrville*  
*Hon. Kelly Moore, Judge, 121<sup>st</sup> Judicial District, Terry & Yoakum*  
*Hon. Valencia Nash, Justice of the Peace Pct. 1, Place 2, Dallas County*  
*Hon. Glenn D. Phillips, Presiding Judge, City of Kilgore*  
*Hon. Sherry Radack, Chief Justice, 1<sup>st</sup> Court of Appeals, Houston*  
*Hon. Polly Jackson Spencer, Judge, Probate Court #1, Bexar County*  
*Hon. Laura A. Weiser, Judge, County Court at Law No. 1, Victoria County*

Members attending via phone were Judge Casey, Judge Moore and Mr. Justice.

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<sup>1</sup> The meeting may be viewed on the State Bar of Texas website <http://www.texasbarcle.com/CLE/TSCSearch2.asp>

Members not in attendance were Senator Robert Duncan, Senator Royce West, Representative Roberto Alonzo, Representative Jim Jackson, Ms. Allyson Ho, Ms. Ashley Johnson, Judge Orlanda Naranjo and Mr. Hank Nuss.

Chief Justice Jefferson recognized the work of outgoing members Senator Harris and Representative Jackson and welcomed Senator West who was appointed in October to chair the Senate Jurisprudence Committee.

## MINUTES

With a quorum present, Chief Justice Jefferson called for a motion to approve the previous meeting minutes. With proper motion and vote, the [September 9, 2012](#) meeting minutes were approved.

## REPORTS AND ACTION ITEMS

### Shared Solutions 2.0

Mr. Figueroa provided an update on Summit planning and reported that OCA has applied for a grant from the [State Justice Institute](#). He recommended having a centralized process or committee to act as a clearinghouse to the numerous stakeholders.

Chief Justice Jefferson suggested surveying court users to determine court performance and asked Mr. Slayton to share his experience at Lubbock County utilizing [CourTools](#), a project of the [National Center for State Courts](#). Mr. Slayton described the first measure for trial court performance measures, [Access and Fairness](#). Lubbock used the results to dialogue with judges and to address areas of needed improvement in the courts.

### Legislative Proposals

Mr. Slayton presented each resolution for approval.

- Ensuring Adequate Court Funding

A motion was made to support the resolution. After vote and with no objection, the resolution was adopted.

- Adequate Funding of the Court eFiling System

A motion was made to support the resolution. After vote and with no objection, the resolution was adopted.

- Additional State Funding for Indigent Defense

Wesley Shackelford, Special Counsel for the Texas Indigent Defense Commission laid out the resolution. A motion was made to support the resolution. After vote and with no objection, the resolution was adopted.

Mr. Slayton noted the resolutions supporting the Children's Commission and its proposals may be discussed at a later date.

- Supporting the Clarification of the State's Vexatious Litigant Statute

Mr. Slayton presented the resolution. A motion was made to support the resolution. Discussion found more clarification needed. The motion was tabled for discussion at the next meeting.

- Collection of Fines and Court Costs after End of Community Supervision Period

A motion was made to support the resolution. After vote and with no objection, the resolution was adopted.

The next four resolutions came out of the proposal for Simplification of the Criminal Court Cost Structure in Texas.

- Assessment of Criminal Court Costs in Effect on the Date of Conviction

A motion was made to support the resolution. After vote and with no objection, the resolution was adopted.

- Single Effective Date for New Criminal Court Cost and Civil Filing Fees

A motion was made to support the resolution. After vote and with no objection, the resolution was adopted.

- Consistent Fee Amount in Compliance Dismissals

A motion was made to support the resolution. Discussion amended the resolution to "set a uniform mandatory fee of not less than \$20 for all compliance dismissals." After vote and with no objection, the resolution was adopted as amended.

- Interim Study on Criminal Court Cost Consolidation

A motion was made to support the resolution. After vote and with no objection, the resolution was adopted.

- Judicial Compensation Commission Recommendations

A motion was made to support the resolution. After vote and with no objection, the resolution was adopted.

- Juvenile Justice Committee Recommendations

A motion was made to support the resolution. After vote and with no objection, the resolution was adopted.

- Informing the Attorney General of Constitutional Challenges to Texas Statutes

A motion was made to support the resolution. After vote and with no objection, the resolution was adopted.

**NEW BUSINESS**

Justice Boyce requested consideration of a resolution to address judicial selection. A motion was made to draft a resolution. After vote and with no objection, the motion carried.

Mr. Slayton announced the selection of Tyler Technologies Odyssey system as the new eFiling vendor. Chief Justice Jefferson recognized Justice Rebecca Simmons for her service to the [Judicial Committee on Information Technology](#).

**NEXT MEETING**

To be determined

**ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at approximately 11:50 a.m.

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Wallace B. Jefferson  
Chair