

**SCAC MEETING AGENDA (Second Amended)**  
**Friday, December 11, 2015**  
**9:00 a.m.**

**Location:** Texas Associations of Broadcasters  
502 E. 11<sup>th</sup> Street, #200  
Austin, Texas 78701  
(512) 322-9944

1. **WELCOME (Babcock)**

2. **STATUS REPORT FROM JUSTICE JEFFREY BOYD**

Justice Boyd will report on Supreme Court actions and those of other courts related to the Supreme Court Advisory Committee since the October 2015 meeting.

3. **EX PARTE COMMUNICATIONS**

**Judicial Administration Sub-Committee Members:**

*Ms. Nina Cortell - Chair*

*Hon. David Peebles*

*Hon. Tom Gray*

*Professor Lonny Hoffman*

*Hon. Bill Boyce*

*Mr. Michael A. Hatchell*

- (a) Proposed Rule on Certain Non-Party Communications To A Judge
- (b) SCAC Memo on Ex Parte Communications
- (c) Example Emails to Justices
- (d) Ex Parte Communications from Litigants
- (e) Survey of Court Clerks on Ex Parte Communications

4. **TEXAS RULE OF EVIDENCE 203 AND 503; PROPOSED CHANGE TO 801(e)(1)(B)**

**Evidence Sub-Committee Members:**

*Mr. Gilbert "Buddy" Low - Chair*

*Hon. Harvey Brown - Vice*

*Hon. Levi Benton*

*Prof. Elaine Carlson*

*Prof. Lonny Hoffman*

*Mr. Roger Hughes*

*Mr. Peter Kelly*

*Hon. Elsa Alcalá*

- (f) TRE 503(b)(1)(c)
- (g) TRE 203
- (h) TRE 801-Original
- (i) FRE 801
- (j) TRE 801-Restyled 2015
- (k) Rule 801(e)(1)
- (l) Notes of Advisory Committee on FRE 801
- (m) Low Email To Committee Members 11-3-15 re: 801

5. **TIME STANDARDS FOR THE DISPOSITION OF CRIMINAL CASES IN DISTRICT AND STATUTORY COUNTY COURTS**

*166-166a Sub-Committee Members:*

*Hon. David Peebles - Chair*

*Richard Munzinger – Vice*

*Hon. Jeff Boyd*

*Prof. Elaine Carlson*

*Ms. Nina Cortell*

*Mr. Rusty Hardin*

*Ms. Christina Rodriguez*

*Mr. Carlos Soltero*

*Hon. Elsa Alcala*

- (n) Memorandum from Sub-Committee

6. **THREE-JUDGE DISTRICT COURT; and ADR AND CONSTITUTIONAL COUNTY COURT JUDGES**

*Legislative Mandates Sub-Committee Members:*

*Mr. Jim M. Perdue, Jr., - Chair*

*Hon. Jane Bland*

*Hon. Robert H. Pemberton*

*Mr. Pete Schenkan*

*Hon. David L. Evans*

*Mr. Robert L. Levy*

*Hon. Brett Busby*

*Prof. Elaine A. G. Carlson*

*Mr. Wade Shelton*

- (o) Proposed TRJA 14 - Special 3 Judge Panel (Rev'd 12-1-15)  
(p) Bill Analysis for SB 455  
(q) SB 455  
(q-1) December 8, 2015 Rep. Schofield and Senator Creighton letter re: SB 455  
(r) Rule 13. Multidistrict Litigation  
(s) Redistricting Litigation  
(t) Subcommittee Report

7. **PROPOSED APPELLATE RULE 57**

*Appellate Sub-Committee Members:*

*Prof. Bill Dorsaneo – Chair*

*Ms. Pamela Baron – Vice*

*Hon. Bill Boyce*

*Hon. Brett Busby*

*Prof. Elaine Carlson*

*Mr. Frank Gilstrap*

*Mr. Charles Watson*

*Mr. Evan Young*

*Mr. Scott Stolley*

- (u) Proposed Appellate Rule 57
- (v) SCAC Memorandum-December 2, 2015
- (v-1) SCAC Memorandum-December 10, 2015

**8. RULES FOR JUVENILE CERTIFICATION APPEALS; and RULES FOR THE ADMINISTRATION OF A DECEASED LAWYER'S TRUST ACCOUNT**

**Legislative Mandates Sub-Committee Members:**

*Mr. Jim M. Perdue, Jr., - Chair*  
*Hon. Jane Bland*  
*Hon. Robert H. Pemberton*  
*Mr. Pete Schenkan*  
*Hon. David L. Evans*  
*Mr. Robert L. Levy*  
*Hon. Brett Busby*  
*Prof. Elaine A. G. Carlson*  
*Mr. Wade Shelton*

- (w) Proposed Rule Changes-Juvenile Certification
- (x) SB 888 (Enrolled Bill)
- (y) 2015-6-2 Bill Analysis
- (z) Misc. Docket No. 15-9156
- (aa) TRAP 28.4 (Accelerated Appeals in Termination Cases)
- (bb) Report on SB 995-Estate Code Chapter 456 (Administration of Deceased Lawyer's Trust Accounts)

**9. CONSTITUTIONAL ADEQUACY OF TEXAS GARNISHMENT PROCEDURE**

***523-734 Sub-Committee Members:***

*Mr. Carl Hamilton – Chair*  
*Mr. L. Hayes Fuller – Vice*  
*Mr. E. Rodriguez*

- (cc) Report on Constitutional Adequacy of Texas Garnishment Procedure w/attachment *Strickland vs. Alexander*; In the United States District Court of the Northern District of Georgia

***SCAC Reception begins @ 5:30-7:30 pm***  
***Committee Photograph to be taken @ 6:00 pm***  
***Jackson Walker LLP***  
***100 Congress Avenue, Suite 1100***  
***Austin, Texas 78701***