



TEXAS JUDICIAL COUNCIL

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CHAIR:

HON. NATHAN L. HECHT
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

September 18, 2015

10:00 a.m.

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

COMMENCEMENT OF MEETING

On September 18, 2015, Chief Justice Nathan L. Hecht called the meeting¹ of the [Texas Judicial Council](#) (“Council”) to order at approximately 10:00 a.m. in the courtroom of the [Supreme Court of Texas](#) (“SCOT”) in Austin, Texas.

The following members of the Council were present:

Hon. Nathan L. Hecht, Chief Justice, Supreme Court of Texas
Mr. Richard Battle, Key Trak, College Station
Hon. Gary Bellair, Presiding Judge, Ransom Canyon Municipal Court
Hon. Bill Boyce, Justice, 14th Court of Appeals, Houston
Mr. Rick Figueroa, UBS Advisory & Brokerage Services, Houston
Hon. Bill Gravell, Jr., Justice of the Peace Pct. 3, Williamson County
Hon. Scott Jenkins, Judge, 53rd District Court, Travis County
Ms. Allyson Ho, Morgan, Lewis & Bockius LLP, Dallas
Hon. Kelly Moore, Judge, 121st Judicial District, Terry & Yoakum
Hon. Andrew Murr, State Representative, Junction
Mr. Henry “Hank” Nuss, Welder Leshin, Corpus Christi
Hon. Sherry Radack, Chief Justice, 1st Court of Appeals, Houston
Hon. Linda Rodriguez, Judge, County Court at Law No. 2, Hays County, Retired
Hon. John T. Smithee, State Representative, Amarillo
Hon. Polly Jackson Spencer, Senior Probate Judge, Bexar County
Hon. Judith Zaffirini, State Senator, Laredo

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

Members attending by phone were Judge Glenn Phillips and Carlos Amaral. Members not in attendance were Presiding Judge Sharon Keller, Senator Brandon Creighton, Judge Valencia Nash and Ashley Johnson.

Chief Justice Hecht recognized new members in attendance and announced Senator Brandon Creighton's appointment to the Council.

MINUTES

The [June 12, 2015](#) meeting minutes were approved.

REPORTS AND ACTION ITEMS

Texas Indigent Defense Commission Report

Jim Bethke, Executive Director of the Texas Indigent Defense Commission (“TIDC”) reviewed the most recent [TIDC Report](#), highlighting that TIDC had completed its 2015 biennial submission of indigent defense plans.

Mr. Bethke commented on a report issued by the Federal Bureau of Investigation (“FBI”) in the spring which identified discrepancies in its 1999 and 2001 STR Population Database dealing with mixed DNA results. The Texas Department of Public Safety reported that there are less than 25,000 Texas cases impacted. He noted that no other state is taking an active approach to this issue except Texas at Court of Criminal Appeals Judge Barbara Hervey's behest. Lynn Garcia is taking the lead and working with the courts.

Legislative Update

David Slayton reported that the Office of Court Administration (“OCA”) is working with stakeholders to implement the following new legislation: HB 2398 (truancy reforms); HB 3994 (judicial bypass changes and reporting requirements); SB 1369 (ad litem reporting) which will require the Council to adopt new rules, likely in 2016, and requires OCA to study statewide uniform billing system for attorneys ad litem. Other new legislation OCA is working to implement are SB 1139, an omnibus courts bill that creates seven new district courts across the state and five new county courts at law; and HB 48 creating the Timothy Cole Exoneration Review Commission (“TCERC”). TCERC exists under the Council much like TIDC.

Mr. Slayton also reviewed highlights from the OCA [Director's Report](#).

Update on Shared Solutions

Rick Figueroa provide background on the past two Shared Solutions summits and requested support for a third. He also suggested a formal commitment from Council for the process, perhaps in the form of a committee. His final suggestion was to bring the court system into the 21st century. Chief Justice Hecht asked Mr. Slayton to provide a more formal structure for Mr. Figueroa's proposals before the next meeting.

Criminal Justice Committee Update

Judge Moore reported that the Criminal Justice Committee (“Committee”) met yesterday to review its charge. There were 22 stakeholders in attendance. The Committee received a video presentation and a presentation from Tim Murray of the Pretrial Justice Institute. The Committee discussed an agreement to work with the Public Policy Research Institute of Texas A&M University to gather information on the impact of bond on cases. Other topics discussed were

Travis County risk assessment procedures and the proposed composition of advisory panel members.

Timothy Cole Exoneration Review Commission Update

Wesley Shackelford, Deputy Director of TIDC, reported on the Commission charge and the composition and status of Commission member appointments. He stated the Commission is required to meet before the end of October. OCA is currently interviewing for two staff for the Commission. The Commission will disband upon submission of its report, due December 1, 2016.

Guardianship Compliance Review Pilot Program Update

Jeff Rinard, Certification Division Director, provided an update on the Guardianship Compliance Review Program and noted OCA is required to report to the Legislature by January 1, 2017.

Specialty Court Best Practices Update

Anissa Johnson, Specialty Courts Coordinator, provided an update on specialty court best practices. She clarified problem solving courts and specialty courts as designated by OCA and described them as dockets rather than courts.

NEW BUSINESS

Texas Judicial Council Monthly Statistical Reporting Review

Scott Griffith, Director of Research and Court Services, and Angela Garcia, Judicial Information Manager, presented on OCA data collection. OCA staff suggested migrating from collection of summary data under the current reporting structure to case-level data. Mr. Slayton led discussion on buy-in and opposition from stakeholders related to its purpose and privacy issues. The Council indicated support for the migration and asked OCA to return with specific suggestions in the future.

NEXT MEETING

The next meeting of the Judicial Council was announced for February 2016, to be confirmed with members after this meeting.

ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at approximately 12:15 p.m.

Nathan L. Hecht
Chair