



## 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

February 26, 2016

10:00 a.m.

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

#### COMMENCEMENT OF MEETING

On February 26, 2016, 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. 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*  
*Hon. Sharon Keller, Presiding Judge, Court of Criminal Appeals*  
*Mr. Carlos Z. Amaral, Information Services Group, Inc., Plano*  
*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*  
*Hon. Brandon Creighton, Senator, Conroe*  
*Mr. Richard S. 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. Ashley Johnson, Gibson Dunn & Crutcher LLP, Dallas*  
*Hon. Kelly Moore, Judge, 121st Judicial District, Terry & Yoakum*  
*Hon. Andrew Murr, Representative, Junction*  
*Hon. Valencia Nash, Justice of the Peace Pct. 1, Place 2, Dallas County*  
*Mr. Henry Nuss, Welder Leshin, Corpus Christi*  
*Hon. Glenn D. Phillips, Presiding Judge, City of Kilgore*  
*Hon. Sherry Radack, Chief Justice, 1st Court of Appeals, Houston*

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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>

Hon. Linda A. Rodriguez, Judge (Ret.), County Court at Law No. 2, Hays County  
Hon. John T. Smithee, Representative, Amarillo  
Hon. Polly Spencer, Judge (Ret.), Probate Court #1, Bexar County  
Hon. Judith Zaffirini, Senator, Laredo

Member Allyson Ho was not in attendance.

## MINUTES

The [September 18, 2015](#) meeting minutes were approved as amended.

## REPORTS AND ACTION ITEMS

### **Report of Specialty Courts Advisory Council on Specialty Court Best Practices**

Ms. Camille Cain, Executive Director, Criminal Justice Division, Office of the Governor, reported that Texas Government Code [Section 121.002](#) requires Specialty Court Best Practices recommended by the Specialty Courts Advisory Council (“SCAC”) under [Section 772.0061\(b\)\(2\)](#) to be approved by the Council. After review of the *Adult Drug Court Best Practice Standards* (Volumes [I](#) & [II](#) and the specified Key Components) (“Standards”) developed by the National Association of Drug Court Programs (“NADCP”), the SCAC recommended that the Council adopt NADCP’s Standards as best practice standards for Texas Specialty Court Programs and requests the consideration and approval of the Council.

The Office of Court Administration will work with the Criminal Justice Division to provide the Council with the Standards for consideration at a future meeting.

### **Texas Indigent Defense Commission Report**

Presiding Judge Sharon Keller reported on Hidalgo County compliance issues and the [Texas Indigent Defense Commission](#)’s (“Commission”) decision to withhold funding while they work towards an agreement. She also reported that the Commission awarded a Technical Support Grant to Harris County to coordinate a statewide effort to provide case review and assistance to defendants anywhere in Texas in response to recent changes in the protocol for analysis and reporting of mixed DNA evidence. Also, the Commission issued three publications; an updated publication on [Fair Defense Laws](#), a publication on [Indigent Defense Mentoring in Texas: A Guide to Establishing a Mentorship Program](#), and the Commission’s [Annual and Expenditure Report Fiscal Year 2015](#).

Mr. Edwin Colfax, Commission Grant Program Manager, presented highlights from the Annual and Expenditure Report.

### **Highlights of the Annual Statistical Report for the Texas Judiciary (Fiscal Year 2015)**

Ms. Angela Garcia, Judicial Information Program Manager, presented [highlights](#) from the [Annual Statistical Report for the Texas Judiciary](#) for Fiscal Year 2015.

### **Shared Solutions Update**

Mr. Rick Figueroa provided an [overview](#) of the Shared Solutions proposal, *The Pathway to Becoming a Judicial Center of Excellence*, after which he requested a motion for approval. The proposal was approved by acclamation.

### **Report on Timothy Cole Exoneration Review Commission**

Exoneration Commission staff members, Ms. Terri Peirce and Ms. Alejandra Pena, provided a [presentation](#) on the progress of the [Timothy Cole Exoneration Review Commission](#). The next meeting of the Exoneration Commission is scheduled for March 22, 2016.

#### **Elders Committee**

Mr. Jeff Rinard, OCA Certification Division Director, provided an [overview](#) of the Guardianship Compliance Project. He informed the Council of the implementation award to receive technical assistance to implement the Conservatorship Accountability Project. The grant was received through the National Center for State Courts.

#### **Criminal Justice Committee Update**

Judge Kelly Moore, Chairman of the Criminal Justice Committee, advised that the Committee met on February 25 and heard presentations on pretrial models from Kentucky and Harris County. The Committee also received an update from Texas A&M University's Public Policy Research Institute on the progress of their research as well as an update from the Pretrial Advisory Committee. Judge Moore said the Committee plans to bring recommendations to the Council at its meeting in August.

#### **Courthouse and Judicial Security Survey**

Mr. Slayton reported on the courthouse and judicial security survey [results](#).

### **NEW BUSINESS**

#### **Consider appointment of Judicial and Courthouse Security Committee**

Chief Justice Hecht assigned members to a newly-formed Judicial and Courthouse Security Committee: Justice Bill Boyce, Judge Valencia Nash, Judge Glenn Phillips, Senator Judith Zaffirini, and Mr. Carlos Amaral. Judge Scott Jenkins will chair the Committee.

Additionally, Representative Murr offered HB 2241 last year relating to the carrying of concealed handguns by certain county officers and employees in a courthouse and requested that the committee study that issue if appropriate.

With motion by Chief Justice Radack and second by Mr. Amaral, creation of the Committee was approved by acclamation.

#### **Consider setting salary of the regional presiding judges for the 2016-2017 biennium pursuant to Texas Government Code Sec. 74.051**

OCA General Counsel, Ms. Mena Ramon, requested approval for setting the [salary of the regional presiding judges](#) for the 2016-2017 biennium. After proper motion and second, the request was approved by acclamation.

#### **Consider amendments to the Texas Judicial Council Reporting Requirements and authorize notice in the Texas Register**

Ms. Angela Garcia requested approval for notice to adopt and publish amendments to the Texas Judicial Council [reporting requirements](#) in the Texas Register. With a motion by Judge Spencer and a second from Mr. Figueroa, the request was approved by acclamation.

**Consider amendments to Texas Judicial Council Collections Improvement Program Rules and authorize notice in the Texas Register**

Mr. Scott Griffith, Director of Research and Court Services, requested approval for notice to adopt and publish amendments to the Texas Judicial Council [Collections Improvement Program Rules](#) in the Texas Register. . With a motion by Judge Bellair and a second from Senator Zaffirini, the request was approved by acclamation.

**NEXT MEETING**

The next meetings of the Judicial Council were announced for June 3, August 19, and October 28, 2016.

**ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at approximately 12:30 p.m.

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Nathan L. Hecht  
Chair