

## **Agenda for March 1, 2018 CCA Rules Advisory Committee Meeting**

1. Welcome & Introductions
2. Review of minutes from November 2017 Rules Advisory Committee meeting (See Exhibit A)
3. Electronic Filing Update
4. Proposed amendments to TRAP 31 limiting the scope of the rule mandating accelerated appeals in habeas corpus proceedings (revisions following discussion at last meeting) (See Exhibits B, B.1)
5. Proposed amendments adding TRAP 4.6—a procedure to allow additional time when defendant receives late notice in Ch. 64 case—and a change to TRAP 25.2 (revisions following discussion at last meeting) (See Exhibits C.1, C.2, C.3, C.4, C.4.1, & C.5)
6. Proposed changes to TRAP Appendix E (the Article 11.07 Application for Writ of Habeas Corpus Form) to clarify language, correct clerical errors, eliminate redundancy, and add a few new items, such as email address (See Exhibit D)
7. Proposed amendment to TRAP 73.4 to implement a requirement in habeas cases to forward filings to applicants' attorneys (See Exhibits E & E.1)
8. Proposed amendment to TRAP 73.7 and addition of TRAP 73.8 (governing the submission of an amended or supplemental Article 11.07 writ application) and a comment, in light of *Ex parte Saenz* (CCA 2016) and *Ex parte Speckman* (CCA 2017) (See Exhibits F, F.1, F.2)

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### **LIST OF EXHIBITS**

- A.** Minutes from Nov. 2017 Rules Advisory Committee Meeting
- B.** Second Amended (March 2018) Proposed Changes to TRAP 31.1, 31.2
- B.1** November 2017 Amended Proposed Changes to TRAP 31.1, 31.2
- C.1** Letter from Chief Justice Tom Gray containing comments re TRAP 4.6 passed by CCA for public comment with June 2017 CCA order
- C.2** August 2017 Proposed Changes to TRAP 4.6
- C.3** November 2017 Proposed Changes to TRAP 4.6
- C.4** March 2018 Proposed Changes to TRAP 4.6
- C.4.1** Alternative March 2018 Proposed Changes to TRAP 4.6 (this version of TRAP 4.6 intended to accompany Exhibit C.5 changes)
- C.5** Proposed Amendments to TRAP 25.2(a) & (d)
- D.** Proposed Amended Writ Application Form (TRAP Appendix E)
- E.** Udashen/Ordiway Proposed Changes to TRAP 73.4 (June 2017)
- E.1** March 2018 Alternative Proposed Changes to TRAP 73.4
- F.** Proposed (new) TRAP 73.8 (*Saenz* Rule) & Amendments to TRAP 73.7
- F.1** *Ex parte Saenz*, 491 S.W.3d 819 (Tex. Crim. App. 2016)
- F.2** *Ex parte Speckman*, No. WR-81,947-02 (Tex. Crim. App. 2017)