

**JUDICIAL BRANCH CERTIFICATION COMMISSION
MINUTES OF THE MEETING**

Third Court of Appeals
Price Daniel Sr. Building
209 W. 14th Street, Room 101
Austin, Texas 78701
Friday, November 1, 2019
(10:00 a.m. Until Adjournment)

The meeting of the Judicial Branch Certification Commission (JBCC or Commission) was called to order by Judge Lee Hamilton, Chair, at 10:00 a.m., Friday, November 1, 2019. Members present were Judge Lee Hamilton; Judge William Sowder; Judge Polly Spencer; Judge Victor Villarreal; Velma Arellano; Don Ford; and Anne Murray Moore. Judge Sid Harle attended by phone. Mark Blenden was not in attendance.

Staff members present were Jeff Rinard, EPRS Director; Scott Gibson, JBCC General Counsel; Michele Henricks, Deputy Director of Regulatory Services; Sheryl Jones, Licensing Manager; Melinda Saucedo, Investigator; Tyees Holcombe, Judicial Regulatory Assistant; and Veena Mohan, Assistant Attorney General.

Complaint review committee members attending by phone were Melissa Perez, Process Servers Complaint Review Committee; Jamie MacLean, Guardian Complaint Review Committee; and Luis Garcia, Licensed Court Interpreter Complaint Review Committee.

Agenda Item III, Opening Remarks

Judge Hamilton expressed it is a privilege to serve as Chair of the Commission and on behalf the Commission, welcomed everyone to the meeting. He thanked the Commission members for their service and commitment to the professions the Commission regulates. The Chair then recognized Art Richardson, a court reporter for 60 years, in celebration of his 82nd birthday and for his years devoted to the court reporting profession.

Director Jeff Rinard recognized new JBCC Licensing Specialists, Mary Rivera and Marcelina Tapia and thanked Scott Gibson for his guidance and work with the Commission as JBCC's general counsel. Speaking to other staffing changes within the JBCC, Mr. Rinard announced his new position as Director of Enterprise Planning and Regulatory Services (EPRS) for the Office of Court Administration (OCA). In this role, Mr. Rinard oversees projects assigned to OCA from the last Legislative session while continuing to serve as Director of the

JBCC. Michele Henricks was promoted to Deputy Director of Regulatory Services overseeing the day to day operations of the JBCC under the direction of Mr. Rinard. Over the last 19 years, Ms. Henricks served as the Director of the Court Reporters Certification Board and JBCC Compliance Manager. Sheryl Jones, who served as Licensing Specialist for court reporters for 19 years, was promoted to Licensing Manager.

Judge Hamilton congratulated JBCC staff on their promotions and acknowledged the talent, skills, experience, and hard work which led them to their new positions.

Agenda Item IV, Approval of Prior Meeting Minutes

The August 2, 2019 minutes were approved.

Assistant Attorney General Veena Mohan presented agenda items V, VI, VII, VIII, and IX.

Agenda Item V. Approval of JBCC Disciplinary Action, by Default, and Issuance of Final Order from Complaints

Upon proper motion and second, the Commission voted to approve disciplinary actions and issuance of Final Orders in the following matters:

Process Servers Certification – March 14, 2019

A. In the Matter of Shanita Fobbs, Cause No. 0080

Sanction: Reprimand and complete the 7-hr precertification civil process service education course within 6 months after the date of the Final Order.

Agenda Item VI. Approval of Agreed Orders – Acceptance by Respondent of Sanction/Administrative Penalty

Upon proper motion and second, the Commission voted to approve Agreed Final Orders for the following complaints:

Process Servers Certification – March 14, 2019

A. In the Matter of Steele Shepherd, Cause No. 0084

Sanction: Reprimand and complete the 7-hr precertification civil process service education course within 6 months after the date of the Final Order

B. In the Matter of Dustin Tierney, Cause No. 0090

Sanction: Reprimand

Licensed Court Interpreters – March 29, 2019

C. In the Matter of Mary Rigney, Cause No. 0101

Sanction: Respondent not licensed at the time of the Commission

meeting. Application for licensure as a court interpreter is denied for one year after the date of the Agreed Final Order.

- D. In the Matter of Isabelle Rios, Cause Nos. 0038 and 0129
Sanction: Reprimand and assessed an administrative penalty in the amount of \$250 due within 6 months after the date of the Final Order.

Agenda Item VII. Advisory Board Complaint Review Committee & Staff
Recommendations to Dismiss Complaints

Upon proper motion and second, the Commission voted to dismiss the following complaints:

Process Servers Complaint Review Committee – September 19, 2019

- A. In the Matter of Daryl Parker, Cause No. 0071
- B. In the Matter of John Patrick Seymore, Cause No. 0119
- C. In the Matter of Kenneth Barrett, Cause No. 0123

Guardianship Certification – August 27, 2019

- D. In the Matter of Regenia Newburn, Cause No. 0124
- E. In the Matter of Mary Werner, Cause No. 0163

Agenda Item VIII. Administrative Dismissal of Complaints

Upon proper motion and second, the Commission ratified administrative dismissal of the following complaints with the exception of Cause No. 0161 as noted below:

Court Reporters Certification

- A. In the Matter of Cause No. 0128
- B. In the Matter of Cause No. 0160
- C. In the Matter of Cause No. 0161
Referred back to staff for further investigation.
- D. In the Matter of Cause No. 0209

Process Servers Certification

- E. In the Matter of Cause No. 0130
- F. In the Matter of Cause No. 0197

Guardianship Certification

- G. In the Matter of Cause No. 0060
- H. In the Matter of Cause No. 0087
- I. In the Matter of Cause No. 0198
- J. In the Matter of Cause No. 0210

Licensed Court Interpreters
K. In the Matter of Cause No. 0166

Agenda Item IX. Request for Reconsideration on Administrative Dismissal of Complaints

Upon proper motion and second, the Commission affirmed its previous decision to ratify administrative dismissal of the following complaints with the exception of Cause No. 0161 as noted below:

- A. In the Matter of Cause No. 0110
- B. In the Matter of Cause No. 0161
Referred back to staff for further investigation.

Agenda Item X. Request for Reconsideration on Denial of Guardian Application for Certification from Applicant Stacy Marlin

Stacy Marlin attended in person.

The Commission convened in closed session at 11:06 a.m. and reconvened in public session at 11:38 a.m.

Upon proper motion and second, the Commission voted to grant the request for reconsideration and approve applicant's application for guardian certification with 5 in favor and 2 opposed.

Agenda Item XI. Administrative Matters Relating to the JBCC

Jeff Rinard, EPRS Director, gave an update on the following agenda items:

- A. Court Reporters Advisory Board Efforts to Address Court Reporter Shortage
 - 1. SB 891 Court Reporter Statutory Revision
A rule package will be presented to the Commission for review and approval at the February 7, 2020 meeting.
 - a. Reciprocity and Endorsement
 - b. Provisional and Apprentice Certifications
 - c. States Substantially Equivalent to Texas
The Advisory Board approved 8 states as substantially equivalent to Texas with another 10 states to be reviewed in near future.
 - 2. National Certifications
- B. SB 31 – Relating to Establishing a Guardianship Abuse, Fraud, and Exploitation Deterrence Program (GAFEDP)
- C. Guardianship Registration, Training and Criminal History
- D. JBCC Meeting Dates
 - 1. Next JBCC Meeting – Friday, February 7, 2020

Agenda Item XII. Public Comment

The following individuals gave public comment:

- Rebecca Callow, TEXDRA
- Art Richardson, TEXDRA
- Lorrie Schnoor, TCRA
- Stephen Myers

Agenda Item XIII. Closing Remarks from Chair

Judge Hamilton explained that the Commission can only take action on items listed on the published agenda. However, the Commission and staff are listening to public comments and addressing various matters at stakeholder meetings and advisory board meetings to include the serious shortage of court reporters. In some instances, a special called Commission meeting may be scheduled. Judge Hamilton adjourned the meeting thanking everyone for their participation.

Agenda Item XIV. Adjournment

The meeting was adjourned at 12:05 p.m.



Judge Lee Hamilton, Chair

2-7-20
Date