

**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, August 5, 2022
(10:00 a.m. Until Adjournment)

The meeting of the Judicial Branch Certification Commission (JBCC or Commission) was called to order by Judge Sid Harle, Chair, at 10:01 a.m., Friday, August 5, 2022. Members in attendance were Judge Sid Harle; Judge William Sowder; Judge Victor Villarreal; Judge Glen Harrison; Velma Arellano; Don Ford; Ann Murray Moore; and Mark Blenden. Judge Polly Spencer was not present.

Staff members in attendance 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; Rachel Davis, Legal Assistant; and Veena Mohan, Assistant Attorney General.

Complaint review committee member in attendance by phone was Patrick Dyer, Process Servers Complaint Review Committee.

Agenda Item III. Opening Remarks

Judge Harle welcomed everyone to the meeting and thanked the staff for setting up the meeting.

Jeff Rinard, EPRS director, thanked the staff for the excellent job setting up the meeting. Mr. Rinard recognized Michele Henricks for her hard work, as she is retiring effective August 31, 2022. Mr. Rinard further stated Sheryl Jones has been promoted to Deputy Director of Regulatory Services, and Melinda Saucedo has been promoted to Compliance Manager effective September 1, 2022. Judge Harle congratulated Ms. Jones and Ms. Saucedo on their promotions.

Agenda Item IV. Approval of Prior Meeting Minutes

The May 6, 2022 minutes were approved.

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

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

Process Servers Certification

- A. In the Matter of Rayquel Branch, Cause No. 0240
Sanction: Reprimand and assess an administrative penalty in the amount of \$100, due within 6 months after the date of the Final Order.
- B. In the Matter of Rayquel Branch, Cause No. 0262
Sanction: Reprimand and deny an application for certification if filed by Respondent in the future. An administrative penalty of \$100 is assessed for each violation for a total of \$400, due within six months after the date of the Final Order.
- C. In the Matter of Ronald Harris, Cause No. 0249
Sanction: two-prong sanction, as follows:
 - 1. If Respondent's certification is expired when the matter is considered by the Commission for issuance of Final Order, future applications for certification as a process server filed by Respondent is denied for a two-year period after the date of the Final Order.
 - 2. In the alternative, if Respondent files an application for certification that is active when the matter is considered by the Commission for issuance of Final Order, certification is revoked, and Respondent is prohibited from serving process for a two-year period after the date of the Final Order.
- D. In the Matter of Denise La Fleur, Cause No. 0250
Sanction: Reprimand and assess an administrative penalty of \$100.00 due within six months after the date of the Final Order.
- E. In the Matter of Denise La Fleur, Cause No. 0266
Sanction: Reprimand and assess an administrative penalty of \$100.00 due within six months after the date of the Final Order.
- F. In the Matter of Shawn Morgan, Cause No. 0283
Sanction: Reprimand and assess an administrative penalty of \$100.00 due within six months after the date of the Final Order.

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

Process Servers Certification

- A. In the Matter of Leopold Sanchez, Cause No. 0244
Sanction: Reprimand
- B. In the Matter of Rebecca Schuster, Cause No. 0251
Sanction: Reprimand and ordered to complete the seven-hour precertification civil process service education course approved by the Commission, within six months after the date of the Final Order. The

continuing education requirement is in addition to continuing education required for renewal of process server certification.
7 in favor, 1 opposed

Agenda Item VII. Administrative Dismissals of Complaints

Process Servers Certification

A. In the Matter of Cause No. 0193

This matter has been struck from the agenda so that staff may further investigate this complaint.

Upon proper motion and second, the Commission ratified administrative dismissal of the following complaints:

Court Reporters Certification

B. In the Matter of Cause No. 0445

C. In the Matter of Cause No. 0458

Non-Jurisdictional

D. In the Matter of Cause No. 0351

E. In the Matter of Cause No. 0416

Agenda Item IX. Request for Reconsideration on Denial of Process Server Application for Certification from Applicant Henry Willms
Henry Willms attended in person.

The Commission convened in closed session at 10:25am and reconvened in public session at 11:23am.

The Commission considered the applicant's request for reconsideration of staff's denial of process server application for certification. Following discussion, a motion was proposed to reverse the decision and grant a conditional license. The motion failed with 3 voting in favor and 4 opposed, the denial stands.

Agenda Item X. Administrative Matters Relating to the JBCC

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

- A. Pending Litigation – *Holmgren and Preferred Legal Services, Inc. v. JBCC, Storycloud et. al.* – Closed Session to confer with legal counsel
- B. Update on JBCC Examinations
JBCC is working with Sam Houston State University and Blackboard to develop an online testing system. The work was paused, but we recently received word that work will continue. The JBCC is looking to increase the population of Guardians; the Guardianship exam is now

online, which will help with increasing the population as examinees will not have to travel and can do it from any secure location.

- C. Update on Guardianship Program and Guardianship Registrations Handouts were provided.
- D. Advisory Board Meetings
 - 1. Process Server Advisory Board Update
 - a. Mr. Blendon provided information on *Mesa SW Management vs BBVA USA*. The JBCC is working to provide an informational notice to be posted on the JBCC website.
 - 2. Licensed Court Interpreter Advisory Board Update
 - a. The Board is looking at ways to increase remote interpreter trainings and are having remote hearings to discuss the matter.
- E. JBCC Meeting Dates
 - 1. Next JBCC Meeting – Friday, November 4, 2022

Agenda Item XI. Public Comment

There were no public comments.

Agenda Item XII. Closing Remarks

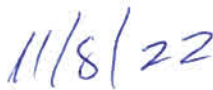
Judge Harle noted it was Ms. Henricks' last meeting and stated Ms. Henricks will be greatly missed. Judge Harle is confident in Ms. Jones in stepping into the Deputy Director role.

Agenda Item XIII. Adjournment

The meeting was adjourned at 11:42am.



Judge Sid Harle, Chair



Date