

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

Virtual Meeting Conducted by Zoom
205 W. 14th Street
Austin, Texas 78701
Friday, August 4, 2023
(10:00 a.m. Until Adjournment)

The meeting of the Judicial Branch Certification Commission (Commission) was called to order by Judge Sid Harle, Chair, at 10:01 a.m. Members in attendance by Zoom were Judge Sid Harle; Judge William Sowder; Judge Polly Spencer; Judge Victor Villarreal; Judge Glen Harrison; Velma Arellano; Ann Murray Moore; Don Ford; and Mark Blenden.

Staff members in attendance were Jeff Rinard, EPRS Director; Scott Gibson, Commission General Counsel; Sheryl Jones, Deputy Director of Regulatory Services; Melinda Saucedo, Compliance Manager; Amy Smith, Investigator; Tyees Holcombe, Judicial Regulatory Assistant; Rachel Davis, Legal Assistant; Brian Keenan, Criminal History Specialist; and Veena Mohan, Assistant General Counsel.

Advisory board members in attendance via Zoom were Dan Brouillette, Process Servers Advisory Board; Molly Pela, Court Reporters Advisory Board; and Jamie MacLean, Guardianship Advisory Board.

Agenda Item III. Opening Remarks

Judge Harle welcomed everyone to the meeting and noted the meeting is being held via Zoom.

Jeff Rinard, Commission director, noted the staff is working with the Advisory Boards to make changes to the rules. On September 1, 2023, the Commission will be celebrating their ten year anniversary.

Agenda Item IV. Approval of Prior Meeting Minutes

The May 5, 2023 minutes were approved.

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

Agenda Item V. Approval of Commission Settlement Actions and Issuance of Final Order

Process Servers Certification

- A. In the Matter of John Philley, Cause No. 0350
Sanction: \$500 administrative penalty and 2 hours of continuing education in ethics, due one year after the date of the Final Order.
- B. In the Matter of Gordon Hanna, Cause No. 0360
Sanction: \$500 administrative penalty and 2 hours of continuing education in ethics, due one year after the date of the Final Order.

Guardianship Certification

- C. In the Matter of Christian Clausen, Cause No. 0405
Sanction: \$2,000 administrative penalty due within six months after the date of the Final Order. to prosecute this matter. The Respondent further agrees to refrain from offering or rendering guardianship services and to refrain from advertising any of his businesses in Texas as offering or providing guardianship services unless the business is registered with the Commission as a guardianship program.

Agenda Item VI. Approval of Commission Disciplinary Action, by Default, and Issuance of Final Order

Process Servers Certification

- A. In the Matter of Twana Becker, Cause No. 0332
Sanction: Reprimand and \$1,000 administrative penalty due within six months after the date of the Final Order.
- B. In the Matter of Melvin Espinoza Jr., Cause No. 0333
Sanction: Reprimand
- C. In the Matter of Ajaz Khan, Cause No. 0372
Respondent Ajaz Khan was present by Zoom.
Sanction as amended by the Commission: Revocation of certification.
5 members in favor, 3 opposed.
- D. In the Matter of John Buford, Cause No. 0376
Sanction: Complete the 7-hour precertification civil process service education course and assess an administrative penalty of \$2500, due within one year after the date of the Final Order.
- E. In the Matter of Michael Nasr, Cause No. 0377
Sanction: Refuse to renew certification for one year, and assess an administrative penalty of \$2500, due within six months after the date of the Final Order
- F. In the Matter of Steve Conant, Cause No. 0383
The Commission voted to dismiss this case.
- G. In the Matter of Erica Manley, Cause No. 0388
Sanction: Reprimand and \$750 administrative penalty due within one year after the date of the Final Order.
- H. In the Matter of Guadalupe Aldape, Cause No. 0396

Sanction: Reprimand

Guardianship Certification

- I. In the Matter of Sandra Eavenson, Cause No. 0453
Sanction: Revocation of certification for a period of three years after the date of the Final Order. \$3,500 administrative penalty due within one year after the date of the Final Order.

Agenda Item VII. Agreed Final Orders – Acceptance by Respondent of Penalty and Sanction

Court Reporters Certification

- A. In the Matter of Leah Hayes, Cause No. 0406
Complainant Taran Champagne was present by Zoom.
Sanction: Reprimand and complete 2.5 hours of continuing education in rules and ethics within one year after the date of the Final Order.

Process Servers Certification

- B. In the Matter of Lorena Compean, Cause No. 0358
Sanction: Complete the 7-hour precertification civil process service education course and assess an administrative penalty of \$1500, due within one year after the date of the Final Order.
- C. In the Matter of Marquisha Graves-Lewis, Cause No. 0382
Sanction: Reprimand and \$750 administrative penalty due within one year after the date of the Final Order.

Agenda Item VIII. Advisory Board Complaint Review Committee Recommendations to Dismiss Complaints

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

Court Reporters Certification

- A. In the In the Matter of Julie Booth, Cause No. 0363
6 in favor, 2 opposed.
- B. In the Matter of Kimberly Xavier, Cause No. 0366
- C. In the Matter of Yolanda Atkins, Cause No. 0385
- D. In the Matter of Leah Hayes, Cause No. 0435
7 in favor, 1 opposed.

Process Servers Certification

- E. In the Matter of Raymond Holt-Shirley, Cause No. 0355
- F. In the Matter of Shannon Ward, Cause No. 0373
Respondent Shannon Ward was present by Zoom.
- G. In the Matter of Carnell Sanders, Cause No. 0378

- H. In the Matter of Jacob Vara, Cause No. 0387
- I. In the Matter of Angelica Vasquez, Cause No. 0391
Respondent Angelica Vasquez was present by Zoom.
- J. In the Matter of Larry Rogers, Cause No. 0397
Respondent Larry Rogers was present by Zoom.
- K. In the Matter of Ray A. Ayala, Cause No. 041
- L. In the Matter of Geraldine Castaneda, Cause No. 0442

Agenda Item IX. Administrative Dismissal of Complaints

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

Court Reporters Certification
A. In the Matter of Cause No. 0571

Process Servers Certification
B. In the Matter of Cause No. 0431
C. In the Matter of Cause No. 0495

Professions Not Regulated by the Commission
D. In the Matter of Cause No. 0554
E. In the Matter of Cause No. 0556
F. In the Matter of Cause No. 0563
G. In the Matter of Cause No. 0580

Agenda Item X. Request for Reconsideration of Denial of Process Server Application for Certification from Applicant Douglas Matthys

The Commission convened in closed session at 11:06 a.m. and reconvened in public session at 11:14 a.m.

The Commission considered the applicant's request for reconsideration of staff's denial of process server application for certification. Following discussion, upon proper motion and second, the Commission voted to table the matter until the next Commission meeting.

Agenda Item XI. Administrative Matters Relating to the Commission

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

- A. Updated Commission Rules – Review and Approval. The Commission Rules (Rules) have been updated from the 88th Legislative Session and staff recommendations. Upon proper motion and second, the

Commission approved the rules to be posted for public comment for a period of 30 days.

- B. Update on Court Reporters Uniform Format Manual. The Supreme Court will be having an administrative conference within the next two months, and the Commission expects the Uniform Format Manual to be approved at this conference.
- C. Update on New Court Reporters Advisory Board Members. House Bill 3474 added two new court reporter members to the Advisory Board. Staff will post an application that will be up for 60 days. After 60 days, interviews will be conducted.
- D. Update on Guardianship Exam. Staff has been working with the Guardianship Advisory Board to update and refine the guardianship exam. This process is currently ongoing.
- E. Update on Guardianship Program. Since 2019, the Program has been in 285 courts and 228 counties, with 50,000 cases reviewed. 22% of cases are missing annual reports, 40% of cases are missing annual accountings, 39% are missing inventories, 29% are out of compliance, and 12% have waived bonds.
- F. Commission Meeting Dates
 1. Next Commission Meeting – Friday, November 3, 2023
 2. Upon proper motion and second, the Commission adopted the proposed meeting dates for FY 2024:
 - a. Friday, November 3, 2023
 - b. Friday, February 2, 2024
 - c. Friday, May 3, 2024
 - d. Friday, August 2, 2024

Agenda Item XII. Public Comment

The following individuals provided public comment:

- Jodee Sussman
- Cara Stalzer
- Alexandria Madison
- Alee Carrino
- Greg Adkins

Agenda Item XIII. Closing Remarks

Judge Harle thanked the staff for their work and thanked the Advisory Boards for their work. Judge Harle thanked everyone for their attendance.

Agenda Item XIV. Adjournment

The meeting was adjourned at 11:37 a.m.



Judge Sid Harle, Chair

2/8/24

Date