



TEXAS JUDICIAL COUNCIL

**PUBLIC TRUST & CONFIDENCE
Committee**

REPORT
AND
RECOMMENDATIONS

2024



Background

In November 2023, the Texas Judicial Council charged the Public Trust and Confidence Committee with:

- Studying ways to improve access to courts and recommending any necessary reforms.
- Monitoring the legislatively mandated study being conducted by the Office of Court Administration of the court personnel workload of the district and statutory county courts and making recommendations regarding any increased need for additional court staff. (Joint Charge with Civil Justice and Criminal Justice Committees)
- Reviewing comprehensive all-hazard emergency management plans for the judiciary and recommending any necessary reforms.
- Studying judicial profession shortages and recommending methods to increase recruitment and any necessary reforms.
- Studying whether extending judicial terms from 4 to 6 years for trial courts and from 6 to 8 years for appellate courts would materially improve the courts' ability to discharge their judicial function, would provide greater stability in the judiciary, and would allow greater participation by voters because of the decrease in the number of judicial positions up for election at any given time. (Joint Charge with the Civil Justice and Criminal Justice Committees)
- Continuing to monitor public trust and confidence in the Texas Judiciary and recommending any necessary reforms to increase public support and respect.
- Studying ways to expand, improve, and strengthen the Centers of Excellence.
- Studying ways to improve transparency, due process, and efficiency of the State Commission on Judicial Conduct.

Members of the Committee are:

Honorable Ed Spillane, Chair

Ms. Zina Bash

Honorable Jenn Caughey

Honorable Missy Medary

Honorable Valencia Nash

Honorable Kathleen Person

Honorable Maggie Sawyer

Representative Reggie Smith

Honorable Ken Wise

Senator Judith Zaffirini

The Texas Judicial Council's Public Trust and Confidence Committee met on April 17, July 11, and September 10, 2024.



Comal County Courthouse, New Braunfels, Texas.

Recommendations in Brief

Addressing Judicial Profession Shortages

Recommendation 1: The Judicial Branch Certification Commission should accept the National Court Reporters Association Registered Professional Reporter certification and Registered Merit Reporter certification in lieu of taking the Texas examination.

Recommendation 2: The Judicial Branch Certification Commission should regulate digital court reporters and recorders.

Recommendation 3: The Legislature should fund an expansion of the Remote Court Interpreter Program to help meet demand for the program's services.

Recommendation 4: The Office of Court Administration should increase interpreter training, continuing education, and pre-testing orientation skills.

Texas Centers of Excellence

Recommendation 1: The Centers of Excellence Initiative should identify and develop separate review and evaluation standards for each level of court that reflects the unique requirements of their specific jurisdiction. The Initiative should also incorporate new court performance standards mandated under House Bill 2384, 88th Legislature, Regular Session.

Recommendation 2: The Centers of Excellence Initiative should establish recognized courts and judges as mentors and ensure that their technical knowledge and best practices are shared throughout Texas. To bolster participation, the Initiative should provide template materials for public press releases, proclamations, and relevant languages for plaques and recognition at the local and state level.

Recommendation 3: The Legislature should fund merit payments for jurists whose courts are recognized as a Center of Excellence.

Judicial Emergency Management Readiness

Recommendation 1: The Texas Judicial Council should encourage the Supreme Court to continue to implement the Recommendations found in the Task Force's 2017 Report and leverage the Office of Court Administration's Court Security Division to further this implementation.

Recommendation 2: The Legislature should amend various statutes to require Local Court Security Committees to implement an all-hazards plan for local courts.

Recommendation 3: The Office of Court Administration’s Court Security Division should develop a model all-hazards plan that can be adopted by Local Court Security Committees.

Improving Access to Courts

Recommendation 1: The Office of Court Administration should develop an ADA benchbook for use by courts and clerks and should develop model ADA standards for adoption by courts and clerks.

Recommendation 2: The Legislature should establish a loan repayment program(s) for public defenders and private attorneys serving indigent clients facing criminal, juvenile delinquency charges, or representing children or parents in child welfare cases, similar to the Physicians Educational Loan Repayment Program.

Recommendation 3: The Texas Judicial Council should create a “best practices” guide for magistrates on open courts.

Recommendation 4: The Legislature should pass legislation to encourage counties to provide transportation for indigent litigants to attend courts and establish grant programs to assist fiscally challenged counties with the cost of a court transportation assistance program.

Recommendation 5: The Texas Judicial Council should encourage the Supreme Court to explore expedited licensure options for attorneys licensed in other states performing public service work including public defenders, attorneys taking appointments in indigent criminal or juvenile cases, and attorneys taking appointments in family protection representation.

Civics Education

Recommendation 1: The Legislature should amend state law to require comprehensive civics education that includes an emphasis on the judiciary, its design, and how the state and local court systems operate.

Recommendation 2: The Texas Judicial Council should work with the Judiciary to establish a Judicial Civics Education Center.

Judicial Officers

Recommendation 1: The Legislature should pass legislation to add minimum qualifications regarding years of experience as a licensed attorney for magistrate positions under Government Code Chapter 54 that do not currently have a minimum requirement.

Recommendation 2: The Legislature should pass legislation to increase and standardize the minimum requirements for years of experience as a licensed attorney for associate judge positions created under Government Code Chapter 54A.

Supporting Court Personnel

Recommendation: The Legislature should establish a grant fund to enhance court efficiency similar to the grant program established by the 88th Legislature in Senate Bill 22 to provide financial assistance to rural law enforcement and prosecutors.



Comal County Courthouse, New Braunfels, Texas.

Recommendations in Detail

Addressing Judicial Profession Shortages

Background

The Texas Judicial Branch Certification Commission (JBCC) oversees the certification, registration, and licensing of various judicial professions.¹ In Fiscal Year 2024, JBCC tallied 6737 active licenses under its purview. But underneath this figure lurks a challenge faced by courts around the country: a shortage of certified professionals.² In Fiscal Year 2005, Texas identified 2755 total court reporters. Today, there are 2161 court reporters certified by JBCC, a 22% decrease from 2005. A similar problem exists with the pool of available licensed court interpreters. As of Fiscal Year 2024, there are 464 licensed court interpreters in Texas. Both certified court reporters and licensed court interpreters must pass extensive and rigorous examinations to ensure professional competency.

Recommendations

Recommendation 1: The Judicial Branch Certification Commission should accept the National Court Reporters Association Registered Professional Reporter certification and Registered Merit Reporter certification in lieu of taking the Texas examination.

Recommendation 2: The Judicial Branch Certification Commission should regulate digital court reporters and recorders.

Recommendation 3: The Legislature should fund an expansion of the Remote Court Interpreter Program to help meet demand for the program's services.

Recommendation 4: The Office of Court Administration should increase interpreter training, continuing education, and pre-testing orientation skills.

¹ Gov'T CODE § 152.051.

² See, e.g., Elaine Chan, *Pilot Program to Address Court Interpreters Shortage* (Aug. 27, 2024), <https://newsroom.courts.ca.gov/news/pilot-program-address-court-interpreters-shortage>; Rebecca Klopff, *Slowing Down Justice: Wisconsin Facing Court Interpreters Shortage* (June 21, 2024), <https://www.tmj4.com/news/waukesha-county/slowing-down-justice-wisconsin-facing-court-interpreters-shortage>.

Texas Centers of Excellence

Background

The Centers of Excellence Performance Initiative launched in 2016 to identify, support, and highlight excellent work done by courts across Texas. The Initiative is aligned with recognized standards of court performance measurement and management, is supportive of local innovation and priorities, and is open to any Texas court. Courts recognized as Centers of Excellence serve as model institutions for the judiciary and act as best-practices resources to peer courts for high-quality court administration. The path to designation as a Center of Excellence is both voluntary and rigorous; courts must first show a readiness to implement significant changes in court administration processes and then demonstrate excellence in key performance areas and compliance areas. To ensure continuous improvement in administrative practices courts should periodically recertify their designation. At present the Texas Judicial Council has designated 8 courts as Centers of Excellence in Texas, 4 of which are set for redesignation in 2025, and there are 20 courts currently working toward designation. The Centers of Excellence Initiative continues to grow by working with its recognized courts to broadcast the benefits of designation and by formalizing the process courts go through to achieve recognition.

Recommendations

Recommendation 1: The Centers of Excellence Initiative should identify and develop separate review and evaluation standards for each level of court that reflects the unique requirements of their specific jurisdiction. The Initiative should also incorporate new court performance standards mandated under House Bill 2384, 88th Legislature, Regular Session.

The Centers of Excellence Initiative is designed to support all levels of courts, including Justices of the Peace, Municipal Courts, County Courts at Law, and District Courts. Each of these courts have unique, and often overlapping, jurisdiction. District court jurisdiction can stretch across multiple counties and rely on multiple county agencies and clerks to support their work. In order to effectively evaluate courts for judicial excellence, the Initiative will develop standards for each court level and identify specific and unique jurisdictions to better support each court in their pursuit of judicial excellence.

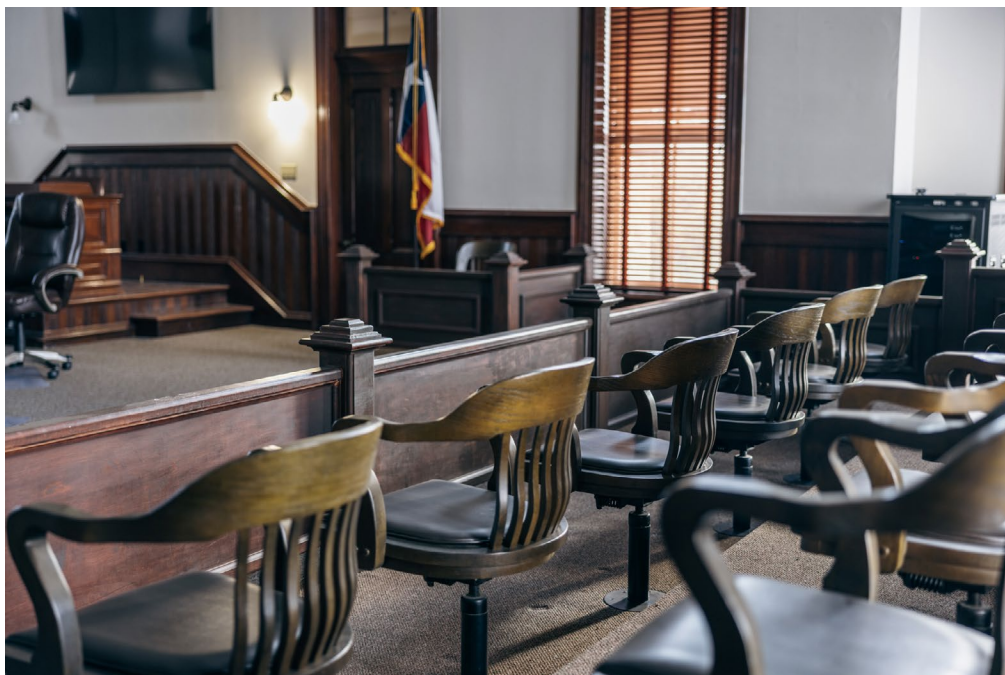
Recommendation 2: The Centers of Excellence Initiative should establish recognized courts and judges as mentors and ensure that their technical knowledge and best practices are shared throughout Texas.

To bolster participation, the Initiative should provide template materials for public press releases, proclamations, and relevant languages for plaques and recognition at the local and state level.

There are currently eight recognized Centers of Excellence who have significant resources and experience, and an ongoing commitment to judicial excellence. The Initiative should leverage that expertise and experience to provide mentorship and best practices to participating courts and other members of the bench across the state.

Recommendation 3: The Legislature should fund merit payments for jurists whose courts are recognized as a Center of Excellence.

The Centers of Excellence Initiative evaluates courts on four performance areas and five compliance areas, and the path to designation is rigorous. Courts that achieve designation serve as model institutions and, to encourage other courts to aim toward designation, the Legislature should fund merit payments for jurists whose courts are recognized as a Center of Excellence. The Initiative will work to strengthen the evaluative framework to support the provision of merit raises for participating courts, including developing recertification standards, and normalizing best practices and minimum requirements for court recognition for all jurisdictions.



Caldwell County Courthouse, Lockhart, Texas.

Judicial Emergency Management Readiness

Background

In March 2016, the Supreme Court of Texas issued an order creating the Task Force for Judicial Emergency Preparedness (replacing the Task Force to Ensure Judicial Readiness in Times of Emergency).³ The Task Force was charged with reviewing and assessing the 2008 Interim Plan to Ensure Judicial Readiness in Times of Emergency (Interim Plan) to determine the extent to which the judiciary should continue to use the Interim Plan as a means to ensure judicial emergency readiness. In its 2017 Report, the Task Force concluded that the 2008 Interim Plan was a good starting point to perform its functions despite disruptive events, but that the Interim Plan framework should be built upon with specific statewide measures and locally developed planning measures. The Task Force is not the only entity in the state concerned with emergency preparedness. Chapter 418 of the Government Code empowers the Texas Division of Emergency Management (TDEM) with preparing and keeping a comprehensive state emergency management plan,⁴ and TDEM is the overarching authority in Texas relative to emergency preparedness activities.

Recommendations

Recommendation 1: The Texas Judicial Council should encourage the Supreme Court to continue to implement the Recommendations found in the Task Force’s 2017 Report and leverage the Office of Court Administration’s Court Security Division to further this implementation.

The 2017 Report’s Recommendations fall into two categories: measures to address judicial continuity planning at the statewide level, and measures to address judicial continuity planning at the local or regional level. Collectively, these measures will ensure the judiciary’s continuity capability.

Recommendation 2: The Legislature should amend various statutes to require Local Court Security Committees to implement an all-hazards plan for local courts.

To boost continuity capability, these all-hazard plans should be filed with the local county emergency management liaison and the plan should be reviewed as a living document to address updates, strategies, and best practices. This plan should include coverage terrorism, criminal activities, natural disasters,

³ Order Creating Task Force For Judicial Emergency Preparedness, MISC. DOCKET NO. 16-9038 (MAR. 22, 2016), <https://www.txcourts.gov/media/1332592/169038.pdf>.

⁴ GOV’T CODE § 418.042.

force majeure events (e.g., pandemic, cyber, biological, etc.), infrastructure (e.g., catastrophic electrical/plumbing, facility renovation, mold infestation), and any areas of unique concern.

Recommendation 3: The Office of Court Administration’s Court Security Division should develop a model all-hazards plan that can be adopted by Local Court Security Committees.



Blanco County Courthouse, Blanco, Texas.

Improving Access to Courts

Background

Americans with Disabilities Act Benchbook

Title II of the American with Disabilities Act (ADA) requires state and local governments to provide people with disabilities an equal opportunity to benefit from their programs, services, and activities, including access to courts. Per federal law, courts must provide free, appropriate auxiliary aids and services to parties, their companions, witnesses, jurors, and spectators. In determining what accommodations are reasonable, courts can consider whether the accommodation is unduly burdensome and whether the accommodation would fundamentally alter the essential nature of the goods, services, facilities, privileges, advantages, or accommodations offered. Although Texas counties have ADA plans, there is not a statewide, Texas-based benchbook offering support to courts in ADA matters.

Loan Repayment Program for Public Defenders and Private Attorneys

The right to counsel attaches in criminal,⁵ juvenile delinquency,⁶ and child-welfare cases (Family Protection Representation).⁷ Though indigent individuals are afforded this right, there are significantly fewer lawyers providing representation to indigent defendants and juveniles than in recent years. The remaining attorneys are older, nearing retirement and carrying an excessive number of cases. Counties also report severe shortages of attorneys in child-welfare cases. Without focusing on recruiting and creating pipeline programs for newer indigent defense attorneys, counties will be faced with growing counsel shortages and constitutional challenges.

In recent years, the average percentage of indigent criminal cases in Texas have increased.⁸ Yet from 2014 to 2022, the number of rural Texas attorneys accepting appointments in criminal cases fell by 27%, from 1,926 to 1,406 attorneys. As criminal cases increase over time and attorneys taking cases decreases, counties are increasingly unable to provide constitutionally and statutorily required appointed counsel. The problem is most acute in rural counties. One in four attorneys in rural counties are

⁵ CODE CRIM. PROC. ART. 1.051.

⁶ FAM. CODE § 51.10.

⁷ FAM. CODE §§ 107.012, 107.013, 107.0131, 107.0132, 107.014, 107.0141.

⁸ Texas A&M Pub. Pol'y Research Inst., Justice Beyond the Cities: The State of Rural Public Defense in Texas 7 (2024), https://ppri.tamu.edu/wp-content/uploads/2024/07/20240626_Rural-Indigent-Defense-in-Texas_Final.pdf.

overburdened, leading to more attorneys carrying a caseload that exceed TIDC’s Caseload Guidelines. This issue is also prevalent with child-welfare cases (family protection representation cases). A majority of Texas counties (52%) recently reported to TIDC that the number of attorneys accepting child protection case appointments fell in 2023.⁹ Child protection cases require multiple attorneys on each case. Most cases will require at least three: one attorney for the child or children and one attorney for each parent. Often that number increases with multiple fathers and conflicts of interest between the children.

Due to the decreasing number of attorneys taking indigent defense cases across Texas, the Legislature should establish a loan repayment program(s) for public defenders and private attorneys serving indigent clients in criminal, juvenile delinquency, or child-welfare cases. This program will help recruit more attorneys, as the average law school graduate owes \$160,000.¹⁰ It will take roughly 26 years for the average lawyer working in the public sector to pay off their loans if they use 20% of their income.¹¹ The loan repayment program will establish a pipeline program encouraging more attorneys to take indigent defense cases across Texas, especially in our rural counties, and ensure Texans’ constitutional rights, including the right to counsel, are protected.

Public Access to Magistration Proceedings

Article 1.24, Texas Code of Criminal Procedure, states: “The proceedings and trials in *all courts* shall be public” (emphasis added). Magistration proceedings under Article 15.17, Texas Code of Criminal Procedure – where an arrestee’s rights are read, requests for counsel are taken, probable cause is determined, and bail is set – are not always publicly available.

Magistration proceedings usually occur in jail facilities, which can be logistically challenging, but not impossible, to provide public access. Also, many magistration proceedings in Texas occur remotely, where the magistrate appears via Zoom or other means of videoconferencing, while the arrestee appears in person at the jail. Some counties, like Harris County, broadcast the magistration proceeding to a local physical location. In the case of Harris County, magistration proceedings are broadcast at the Joint Processing Center. Some courts broadcast their proceedings over Zoom, some of which can be found on OCA’s live

⁹ Texas Indigent Defense Commission, Family Protection Representation 2023 Data Report 9 (2024), https://www.tidc.texas.gov/media/hx0jv2zl/2023-fpr-data-report_final.pdf.

¹⁰ Melanie Hanson, Average Law School Debt (June 15, 2023), <https://educationdata.org/average-law-school-debt>.

¹¹ *Id.*

court streams website (<http://streams.txcourts.gov>).

Transportation Assistance to Increase Access to Courts

Texas courts are charged with serving the State's vast area, populated by almost 31 million Texans, ranging from densely populated mega-urban areas to rural counties with far more cows than residents. Transportation to the courthouse can be a significant challenge for indigent litigants. For financially challenged litigants with a vehicle, or access to one, gas money may be an obstacle, while others lack the ability to pay for a bus (if one exists) or a rideshare trip.

The impacts of these transportation barriers are not limited to individual litigants. When a party does not appear for a hearing, or is delayed arriving, it requires the other parties, their attorneys, and the court to wait or reschedule matters, not only affecting that day's docket, but keeping matters pending longer than necessary for the administration of justice. Much like delayed passenger flights, these delays can ripple through the courts, causing attorneys to be late to other hearings, exacerbating delays. Providing bus tokens, ride share vouchers, such as Uber Help, and other transportation assistance to indigent litigants can solve many of these challenges, and benefit all users of Texas' justice system.

Expedited Bar Licensure

Appointed counsel in Texas is in the midst of a perfect storm: increased need for appointed counsel; less attorneys accepting appointed cases; and excessive caseloads. From 2014 to 2022, the number of indigent felony and misdemeanor cases grew, led by a 17% increase in indigent felony cases in rural counties. Family protection cases typically require three, one for the child or children, and one for each parent. The number of attorneys accepting appointed cases is shrinking. Over eight years (2014-2022), 10% fewer attorneys took misdemeanor and felony case appointments in mid-sized and urban counties, while the attorney pool shrank by 27% in rural Texas counties.¹² Child protection case appointment lists are also shrinking, with 51% of counties reporting fewer attorneys working on appointed cases in 2023, and 52% of counties having nine or fewer attorneys willing to take appointments.¹³

¹² Texas A&M Pub. Pol'y Research Inst., Justice Beyond the Cities: The State of Rural Public Defense in Texas 15 (2024), https://ppri.tamu.edu/wp-content/uploads/2024/07/20240626_Rural-Indigent-Defense-in-Texas_Final.pdf.

¹³ Texas Indigent Defense Commission, Family Protection Representation 2023 Data Report 8-9 (2024), https://www.tidc.texas.gov/media/hx0jy2zl/2023-fpr-data-report_final.pdf.

Recruiting experienced out-of-state attorneys to Texas can help reverse these trends, however, delays in Texas Bar licensure are a significant challenge. Shortly after the start of COVID, out-of-state attorneys seeking to join the Texas Bar began encountering a nine-month processing time or longer, which continues today. One solution from the medical profession and other states is expedited attorney licensure. Faced with similar challenges for doctors, in 2021 the Texas Legislature authorized the Texas Medical Board to join the Interstate Medical Licensure Compact which provides an expedited pathway to licensure in physicians to practice in multiple states.

Recommendations

Recommendation 1: The Office of Court Administration should develop an ADA benchbook for use by courts and clerks and should develop model ADA standards for adoption by courts and clerks.

Benchbooks are quick reference guides that provide at-a-glance information on a given topic. The creation of an ADA benchbook for court and clerks would provide much-needed guidance in navigating ADA standards and accommodation requests in courts. This benchbook should provide a general overview of Title II of the ADA as it concerns courts, considerations for granting or denying an accommodation, and examples of accommodations courts can provide.

Recommendation 2: The Legislature should establish a loan repayment program(s) for public defenders and private attorneys serving indigent clients facing criminal, juvenile delinquency charges, or representing children or parents in child welfare cases, similar to the Physicians Educational Loan Repayment Program.

Recommendation 3: The Texas Judicial Council should create a “best practices” guide for magistrates on open courts.

Recommendation 4: The Legislature should pass legislation to encourage counties to provide transportation for indigent litigants to attend courts and establish grant programs to assist fiscally challenged counties with the cost of a court transportation assistance program.

Recommendation 5: The Texas Judicial Council should encourage the Supreme Court to explore expedited licensure options for attorneys licensed in other states performing public service work including public defenders, attorneys taking appointments in indigent criminal or juvenile cases, and attorneys taking appointments in family protection representation.

Civics Education

Background

“The practice of democracy is not transferred through the gene pool. It must be taught and learned anew by each generation of citizens.” – Sandra Day O’Connor, Justice (ret.), Supreme Court of the United States

For many years, the Judicial Council has supported public trust and confidence initiatives that promote civics engagement and education. In December 2016, the Supreme Court of Texas and the Texas Court of Criminal Appeals hosted *Beyond the Bench: Law, Justice, and Communities Summit* at Paul Quinn College in Dallas. The Summit brought together Texas judges, law-enforcement officers, and national, state, and community leaders with the objective of strengthening trust and confidence in the justice system. In 2018, the Council recommended expanding the wildly successful program *Access to Justice: Class in the Courtroom*. The program, developed by Senator Judith Zaffirini, Ph.D., performed monthly mock trials in Laredo based off beloved fairytale characters. Placing “Gold E. Locks” and “East R. Bunny” on trial continues to transform the way children perceive the court and legal system. And in May 2021, the Office of Court Administration, with the Judicial Council’s support, hosted the first *Texas Judiciary “Together We Dine”* event facilitated by Project Unity. The event brought together Texas judges and members of the community to encourage courageous and safe conversations about race and diversity to build relationships and trust between the Judiciary and the communities it serves.

Still, more work remains to be done in civics education. According to the Annenberg Public Policy Center’s 2023 Annenberg Constitution Day Civics Survey, approximately 2/3rd of US adults can name all three branches of government and just over 1/6th cannot name a single branch. Moreover, Annenberg Public Policy Center research suggests that civics education exposure in school translates into greater civics knowledge.¹⁴ To address judicial civics illiteracy, the Judiciary considered establishing a Judicial Civics and Education Center in the Tom C. Clark Building in 2015. The Center would have served as an educational destination on the typical Capitol complex tour, teaching visitors about the Texas Judicial Branch, Texas legal history, and the importance of an independent judiciary, helping to deepen visitors’ understanding of

¹⁴ Annenberg Public Policy Center, *Many Don’t Know Key Facts About U.S. Constitution, Annenberg Civics Study Finds* (Sept. 14, 2023), <https://www.annenbergpublicpolicycenter.org/many-dont-know-key-facts-about-u-s-constitution-annenberg-civics-study-finds/>.

the Judicial Branch and the role it plays in a free government. Despite making it through the design phase, though, the project did not receive the necessary funding to move forward to the construction phase. Even though the Third Branch outpaces its sister branches in public confidence surveys, confidence in the state and federal court systems remains mixed.¹⁵ The Committee believes that the public must be further educated on the differences between the Judiciary and its sister branches, on how the judicial system was designed, and on how courts operate differently from the political branches.

Recommendations

Recommendation 1: The Legislature should amend state law to require comprehensive civics education that includes an emphasis on the judiciary, its design, and how the state and local court systems operate.

Recommendation 2: The Texas Judicial Council should work with the Judiciary to establish a Judicial Civics Education Center.



Mock trial submitted by Senator Judith Zaffirini's office, Webb County, the Honorable Victor Villarreal, presiding.

¹⁵ Nat'l Cnt. for St. Cts, State of the State Courts 2023 Poll, https://www.ncsc.org/___data/assets/pdf_file/0038/96878/SSC_2023_Presentation.pdf.

Judicial Officers

Background

For decades, Texas district and county courts have utilized judicial support officers to assist jurists with their duties and deal with caseloads. Over time, the label attached to these officers has varied, as have their scope of service, qualifications, and power. The statutory basis for most of these judicial officers can be found in Title 2, Subtitle D of the Government Code and these judicial officers separate into several Government Code chapters: Chapter 54 (Masters; Magistrates; Referees; Associate Judges), Chapter 54A (Associate Judges), and Chapter 54B (Associate Judges in Certain Counties). While the basic qualifications for many Texas judges is established by the Constitution of the State of Texas, qualifications for these judicial officers is neither uniform nor necessarily congruent with the judge of the court served.

Recommendations

Recommendation 1: The Legislature should pass legislation to add minimum qualifications regarding years of experience as a licensed attorney for magistrate positions under Government Code Ch. 54 that do not currently have a minimum requirement.

In some cases, statute is silent on the years of licensure requirement for Chapter 54 judicial officers. In these cases, the committee recommends that the years of attorney licensure be set at 2 years for Subchapters R, Y, DD, HH, KK, NN, SS of Chapter 54. For all other Chapter 54 subchapters, the committee recommends licensure be set at 5 years. It is not the Public Trust and Confidence Committee's intent to modify the qualifications of all magistrates, only those Chapter 54 judicial officers listed in this paragraph.

Recommendation 2: The Legislature should pass legislation to increase and standardize the minimum requirements for years of experience as a licensed attorney for associate judge positions created under Government Code Chapter 54A.

For Chapter 54A, Government Code judicial officers, the committee recommends that the required minimum number of years of attorney licensure be raised from 4 to 5 years to match the current requirement for statutory court probate judges created under Subchapter C.

Supporting Court Personnel

Background

House Bill 1 of the 88th Legislature Regular Session included in the Office of Court Administration's appropriation a Rider mandating a study of court personnel across the state. The study aims to determine appropriate staffing needs for the state's courts and court clerk's offices, and to develop a formula that can be used by courts and court clerk's offices to determine the staff resources needed to provide effective and efficient support for court operations in a given jurisdiction. The primary beneficiaries of the study include district courts, statutory county courts, statutory probate courts, specialty children's courts, and court clerk's offices. Although the study's final report is not due until late 2024, preliminary study findings suggest that court personnel resources are not consistent throughout state.

Recommendations

Recommendation: The Legislature should establish a grant fund to enhance court efficiency similar to the grant program established by the 88th Legislature in Senate Bill 22 to provide financial assistance to rural law enforcement and prosecutors.

Senate Bill 22 created grant assistance programs for rural sheriff's offices, constable's offices, and prosecutor's offices to ensure professional law enforcement and prosecutorial services throughout the state.¹⁶ A similar grant program for court personnel would both complement these programs and ensure that courts across Texas are operating effectively and efficiently.

¹⁶ ACTS 2023, 88TH R.S., CH. 370, SEC. 1 (S.B. 22, 88 R.S.).



Texas Judicial Council 512-463-1625
P.O. Box 12066 Megan.LaVoie@txcourts.gov
Austin, TX 78711-2066

<https://www.txcourts.gov/tjc/committees/public-trust-and-confidence-committee/>