

STATE OF TEXAS

RESOLUTION

of the

TEXAS JUDICIAL COUNCIL

In Support of Appropriations Request for Improving Indigent Defense

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Texas Indigent Defense Commission (TIDC) is a permanent standing committee of the Texas Judicial Council, created under Chapter 79, Texas Government Code; and

WHEREAS, TIDC is charged with promoting compliance by counties with the requirements of state law related to indigent defense pursuant to the *Fair Defense Act of 2001*; and

WHEREAS, the right to counsel is guaranteed in the U.S. and Texas Constitutions; and

WHEREAS, the right to counsel attaches in criminal, juvenile delinquency, and child-welfare cases (Family Protection Representation); and

WHEREAS, numerous challenges remain in the Texas indigent defense system despite significant progress; and

WHEREAS, there are significantly fewer lawyers providing representation to indigent defendants and juveniles than in recent years and the remaining attorneys are older, nearing retirement, and carrying an excessive number of cases; and

WHEREAS, without focusing on recruiting and creating pipeline programs for newer indigent defense attorneys, counties will be faced with growing counsel shortages and constitutional challenges; and


WHEREAS, this issue is most acute in rural counties; and

WHEREAS, TIDC has fewer than 20 staff to oversee, fund, and improve indigent defense;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends the

Legislature:

1. Appropriate \$12 million in General Revenue (GR) to address the revenue shortfall in the Fair Defense Account;
2. Appropriate \$8,941,793 in GR to reduce attorney shortages through a “pipeline program” consisting of internships, fellowships and loan repayment or scholarships for attorneys working in high need areas, which includes 1 FTE to implement and operate the program;
3. Appropriate \$47,548,803 in GR to operate TIDC’s Family Protection Representation program, which includes funds for grants to counties and 5 FTEs to implement and operate the program; and
4. Appropriate \$35 million in GR to increase TIDC’s capacity to fund new and expanded public defense offices.



Honorable Nathan L. Hecht
Chair, Texas Judicial Council

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Civil Justice Committee Civil Jurisdiction Recommendations

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Civil Justice Committee was charged with studying ways to improve court efficiency and recommending any necessary reforms; and

WHEREAS, the Civil Justice Committee was charged with studying ways to simplify the jurisdiction of the courts of Texas and to make jurisdiction uniform by court level and across the State; and

WHEREAS, the Civil Justice Committee was charged with studying the landscape of the Texas Civil Justice System and recommending any other necessary or desirable reforms to improve access to justice in Texas Courts; and

WHEREAS, Article 5 of the Texas Constitution vests the judicial power of the state in many courts, authorizes the Legislature to establish other courts as it deems necessary, and allows the Legislature to “conform the jurisdiction of the district and other inferior courts thereto” and

WHEREAS, to improve access to justice by addressing the increasing costs of civil litigation across court levels, the 86th Legislature raised the amount in controversy for jurisdiction in certain statutory county courts, in constitutional county courts, and in justice courts.; and

WHEREAS, the Civil Justice Committee believes access to justice concerns will again arise if these limits are not periodically revise; and

WHEREAS, in coming years, the Texas Judicial Council and the Office of Court Administration will be able to tap into case level data for a granular view of the number of cases pressing against amount in controversy requirements; and

WHEREAS, this more dynamic view of data warrants a more flexible approach to setting amount in controversy levels, and the Committee believes the Legislature should statutorily tend to these levels on a regular basis, informed by real data;

WHEREAS, this will require the removal of specific amounts-in-controversy requirements from Article 5 of the Constitution; and

WHEREAS, at present, the minimum amount-in-controversy for civil cases in district courts sits at or very near that for constitutional county courts and statutory county courts; and

WHEREAS, an analysis of amount in controversy limits against Consumer Price Index adjustments suggests the upper dollar amount for statutory county court amount in controversy would be \$323,204 by Fiscal Year 2027;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that the Legislature:

1. To streamline the overlapping jurisdictions of courts, remove specific amounts-in-controversy from Article 5 of the Constitution and instead define the jurisdictional amount by statute; and
2. To streamline the overlapping jurisdictions of courts, raise the minimum amount-in-controversy for civil cases originally filed in district courts; and
3. Raise the amount-in-controversy ceiling for all statutory county courts from \$250,000 to \$325,000.


Honorable Nathan L. Hecht
Chair, Texas Judicial Council

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Civil Justice Committee Local Administrative Judge Recommendations

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Civil Justice Committee is charged with studying ways to improve court efficiency and recommending any necessary reforms; and

WHEREAS, in 1985 the 69th Legislature enacted the Court Administration Act, which in part aimed to improve local court administration “to provide all citizens of [Texas] a prompt, efficient, and just hearing and disposition of all disputes before the various courts”; and

WHEREAS, this included the adoption of local rules of administration by district and statutory county courts, overseen by a local administrative judge; and

WHEREAS, the Civil Justice Committee believes the intent of the Court Administration Act would be furthered through greater judicial administration continuity and local administrative judge leadership development; and

WHEREAS, under current law, local administrative judge term lengths are capped; and

WHEREAS, because Government Code Section 74.092 imposes a wide variety of responsibilities on local administrative judges, these judges frequently find that their term runs just as they begin to master these responsibilities, making administrative continuity difficult; and

WHEREAS, the duties and responsibilities placed upon local administrative judges is akin to a part-time job on top of a full-time job;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that:

1. The Legislature amend Government Code Section 74.091 and Section 74.0911 to require that a Local Administrative Judge serve in their role for a minimum term of two years to improve the continuity of local judicial administration; and
2. The Local Administrative Judge supplement be increased to match Local Administrative Judge responsibilities.

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Honorable Nathan L. Hecht
Chair, Texas Judicial Council

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**Civil Justice Committee Supreme Court of Texas Children's Commission
Recommendations**

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Supreme Court of Texas Children's Commission is a statewide, multi-disciplinary, collaborative body that includes high-level membership from the executive, judicial, and legislative branches of Texas government, along with child welfare stakeholders in the public and private sectors; and


WHEREAS, the Supreme Court established the Children's Commission in 2007 with the overall goal of strengthening the child welfare system by increasing public awareness about the challenges facing children, youth, and families through encouraging judicial leadership, supporting best judicial and legal practices through training and education, and informing policy and practice affecting child welfare in Texas; and

WHEREAS, the Children's Commission is a leading collaborative partner in most every aspect of child welfare system improvement in Texas and is recognized nationally as a leader in establishing long-standing and meaningful relationships with child welfare stakeholders to create a child welfare system that better supports and serves children, youth, and families; and

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council urges the Legislature to enact the recommendations from the Texas Supreme Court Children's Commission Legislation and Policy Resource Committee concerning the following:

1. Clarify that the required finding for termination of parental rights that requires a description in writing of the reasonable efforts to return the child to the parent is to be made by a judge, not a jury; and

2. Add authorization to conduct hearings remotely to Child Protection Court judges;
and
3. Clarify that the triggering date to terminate parental rights under ground (M) is the date DFPS was granted Permanent Managing Conservatorship (PMC) not Temporary Managing Conservatorship (TMC); and
4. In a court ordered services case, require the calculation for the dismissal date to begin the date the order is rendered rather than the date the order is signed; and
5. Reconciling the conflicting directives at permanency hearings before a final order;
and
6. Clarify that reinstatement of parental rights is not limited to cases where termination of parental rights is involuntary; and
7. Allow all parties to request extensions in Court Ordered Services cases.



Honorable Nathan L. Hecht
Chair, Texas Judicial Council

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Joint Criminal Justice Committee, Civil Justice Committee, and Public Trust and Confidence Committee Supporting Court Personnel Recommendation

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Criminal Justice Committee, the Civil Justice Committee, and the Public Trust and Confidence Committee were jointly charged with 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; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, the primary beneficiaries of the study include district courts, statutory county courts, statutory probate courts, specialty children's courts, and court clerk's offices; and

WHEREAS, preliminary study findings suggest that court personnel resources are not consistent throughout state; and

WHEREAS, Senate Bill 22 of the 88th Legislative Session 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; and

WHEREAS, a similar grant program for court personnel would both complement these programs and ensure that courts across Texas are operating effectively and efficiently;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that the Legislature 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.

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Honorable Nathan L. Hecht
Chair, Texas Judicial Council

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Data Committee Regional Data Coordinators Recommendation

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Data Committee was charged with continuing to work on guiding the revisions of the court activity reporting requirements to collect case-level statistical data; and

WHEREAS, historically, the Data & Research Division of the Office of Court Administration (OCA) has lacked the resources to provide individual judicial data guidance to each of Texas' 254 counties, resulting in various data entry practices across the state; and

WHEREAS, although routine data checks are performed, the checks do not extend to a comprehensive review of data entry processes at the county level; and

WHEREAS, as individual review of reports are made for certain counties, a common trend identified is the misinterpretation of data fields, and timely reporting is an issue being regularly addressed; and

WHEREAS, with limited resources OCA is unable to assist clerks and courts with their reports so that they can submit reports, past and future, timely; and

WHEREAS, missing reports lead to incomplete data sets and information requests required to be analyzed for older timeframes where the data is more complete; and

WHEREAS, the demand for more detailed judicial data has significantly increased, driven by a growing number of data requests and the necessity for precise information to inform policy decisions and recommendations; and

WHEREAS, as data collection expands, data entry accuracy and uniformity will be crucial to maintain the integrity of the new case level data reporting system; and

WHEREAS, regional data coordinators can bridge the gap between routine data checks and the detailed assessment needed to enhance data quality;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that the Office of Court Administration seek funding from the Legislature to create Regional Data Coordinator positions that will coincide with the Administrative Judicial Regions.

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Honorable Nathan L. Hecht
Chair, Texas Judicial Council

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Criminal Justice Committee Enhancing Court Security Recommendations

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Criminal Justice Committee is charged with studying ways to improve court and personal security for judges and court staff and recommending any necessary reforms; and

WHEREAS, according to the Office of Court Administration's Court Security Division, there were 448 reported court security incidents in Texas in 2023, and of these incidents, almost 20 were bomb threats and nearly 90 were threats leveled against judges, court staff, or court participants; and

WHEREAS, the Court Security Division has focused a great deal of its messaging toward informing the judiciary and court support staff about the contemporary threat environment facing the judiciary and courthouses; and

WHEREAS, although the Court Security Division maintains a robust relationship with the Texas Department of Public Safety, the Texas Department of Criminal Justice, the United States Marshals Service, and relevant federal agencies and local entities to report and monitor judicial threats, more work remains to keep judicial public servants safe; and

WHEREAS, in our age of free-flowing data on the Internet, the non-consensual sharing of personally identifiable information (PII) can pose a very challenging security risk for judicial branch officers and court support staff, including the collection and distribution of judicial PII by "data brokers" that sell PII to interested parties; and

WHEREAS, in late 2022 the 117th Congress passed, and President Biden signed into law, the Daniel Aderl Judicial Security and Privacy Act, which in part regulates the distribution of federal judge PII by data brokers; and

WHEREAS, there is no state law equivalent in Texas to assist judicial branch officers and court support personnel in limiting the flow of judicial PII or assisting judicial officers in seeking the removal of this information; and

WHEREAS, in the past decade there have been several high-profile acts of violence aimed at judges across the country, including in Texas, in connection to the carrying out of judicial responsibilities; and

WHEREAS, at present there is limited legislation concerning threats against judicial officers and court staff, what constitutes a threat, who is responsible for investigating and tracking threats against judicial officers, and penalties related to judicial threats; and

WHEREAS, various entities play a role in court security without final authority over that security which, combined, makes threat deterrence, policy standardization, and threat training challenging for law enforcement; and

WHEREAS, the passage of legislation specific to courthouse security and judicial threats would address this challenge; and

WHEREAS, the 88th Legislature passed legislation protecting the PII of court support personnel maintained by governmental record holders from disclosure but that legislation was vetoed; and

WHEREAS, Governor Abbott indicated in his veto message that the bill was important and could be reconsidered in the future after property taxes were addressed by the 88th Legislature;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that the Legislature:

1. Pass legislation prohibiting online data brokers, upon the request of a judicial branch officer, County or District Clerk, and court support personnel, from posting and distributing online the personally identifiable information (PII) of the person affected, and authorizing the Office of Court Administration to act on behalf of

affected persons in coordinating the removal of judicial PII with online data brokers;

2. Amend various statutes to enhance penalties for crimes occurring at court facilities or crimes committed against judges and judicial personnel; and
3. Pass legislation protecting the PII of court support personnel and County or District Clerk maintained by governmental record holders from disclosure.

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Criminal Justice Committee Enhancing Bail Recommendations

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Criminal Justice Committee is charged with studying ways to improve court efficiency and recommending any necessary reforms; and

WHEREAS, the Criminal Justice Committee is charged with continuing to evaluate and monitor Texas' pretrial bail system for improvement and recommending any needed statutory and non-statutory changes; and

WHEREAS, the Council has long recommended reforms to modernize Texas' pretrial and bail systems; and

WHEREAS, recommendations for change were included in the Criminal Justice Committee's 2016, 2018, 2020, and 2022 Reports; and

WHEREAS, efforts to change pretrial practices during the 87th Legislative Session produced Senate Bill 6, enacted during the 87th Legislature's Second Called Session; and

WHEREAS, at Senate Bill 6's direction, the Office of Court Administration developed for statewide use a Public Safety Report System (PSRS), which produces a public safety report required for use in the setting of bail for defendants charged with a Class B misdemeanor or higher category offense; and

WHEREAS, as of July 2024, the PSRS has 7,169 active users, and an average of 46,000 Bail Forms are completed every month; and

WHEREAS, the PSRS produces a Public Safety Report that summarizes the defendant's criminal history if available and alerts magistrates if the individual is ineligible for a personal bond;

and

WHEREAS, PSRS alerts should be sent to other justice system participants to ensure all pertinent information is circulated to relevant court case stakeholders; and

WHEREAS, enhanced notification to clerks would improve bail bond violation and revocation reporting; and

WHEREAS, information regarding protective orders and community supervision status (pretrial release, probation, parole) is often contained in separate databases and not necessarily readily available in summary form to a magistrate; and

WHEREAS, Bail Forms are an important source of information and allow for transparency but, in certain jurisdictions the PSRS may not be considered when the defendant is diverted from traditional magistration on a general order bond and as a result the defendant does not have a completed Bail Form; and

WHEREAS, Article 17.151(1), Code of Criminal Procedure, requires defendants detained in jail pending trial to be released on either personal bond or reduced bail if the state is not ready for trial within a certain number of days based on charge level (and potential sentence length for misdemeanors), and release under Article 17.151(1) is required without regard to public safety and PSRS indicators; and

WHEREAS, jurisdictions have raised concerns that data entry into the PSRS is burdensome, and integration between the PSRS and local case management and jail systems would eliminate duplication of data entry; and

WHEREAS, the Office of Court Administration has made a tool available for integration to occur, but local systems will charge jurisdictions to configure the tool; and

WHEREAS, at least 27 states and the District of Columbia, as well as the federal system, have statutes or constitutional provisions that authorize detention without bail in non-capital cases; and

WHEREAS, these preventive detention provisions are in recognition that there are some defendants for which there are no conditions of release which would reasonably assure the defendant's appearance at court and the safety of the community; and

WHEREAS, except for very limited circumstances, the current Texas Constitution and statutory framework does not provide magistrates with this preventive detention authority, even when the defendant before the magistrate poses the highest risk of flight or to public safety; and

WHEREAS, the Criminal Justice Committee believes that pretrial detention decisions should be made based upon risk of flight and to public safety; and

WHEREAS, Article 17.071, Code of Criminal Procedure, places certain registration and reporting requirements on “charitable bail organizations” (CBOs) that accept and use public donations to pay for defendant bail bonds; and

WHEREAS, CBOs must file an affidavit with the county clerk where the organization intends to pay bail bonds and must submit a monthly report to the sheriff of the county where the CBO is registered detailing certain information for each defendant for whom the CBO paid a bail bond; and

WHEREAS, Article 17.071(k) requires the Office of Court Administration to provide an annual report to the Legislature, the Governor, and the Lieutenant Governor on the monthly report information sent by CBOs to local sheriff’s offices;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that the Legislature:

1. Amend Article 17.021(b), Code of Criminal Procedure, to make enhancements to the Public Safety Report System (PSRS) to expand report notifications to include prosecutors, clerks, and, if possible, defense counsel;
2. Amend Article 17.021(b), Code of Criminal Procedure, to allow for an enhancement to the PSRS to flag defendants with protective orders, probation, parole, and warrants;
3. Amend statutes to require a Bail Form be completed within the PSRS if a defendant is released in conjunction with a general order bond;
4. Amend Article 17.151(1), Code of Criminal Procedure, to create a tiered released timeline based on the severity of the offense;

5. Provide funding to counties to allow local case management and jail systems to integrate with the PSRS;
6. Amend the Texas Constitution and enact related statutes to provide that certain defendants charged with a violent crime and posing a high flight risk and/or high risk to community safety may be held in jail without bail pending trial after certain findings are made by a magistrate and a detention hearing is held; and
7. Amend Article 17.071, Code of Criminal Procedure, to require Charitable Bail Organizations to submit to the Office of Court Administration the annual affidavit and the monthly report required to be submitted to local government officials by Article 17.071; and
8. Amend Article 17.071, Code of Criminal Procedure, to require Charitable Bail Organizations to provide more detailed information about defendants in the monthly report submitted to local sheriffs regarding the defendants who have their bail paid by the Charitable Bail Organization.



Honorable Nathan L. Hecht
Chair, Texas Judicial Council

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Civil Justice Committee JCMH Recommendations

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, one of the Council's recommendations in 2016 was the creation of a Judicial Commission on Mental Health (JCMH); and

WHEREAS, JCMH was created jointly in a historic hearing and joint order by the Texas Supreme Court and Texas Court of Criminal Appeals in January 2018; and

WHEREAS, the Committee believes additional reforms to the ways that courts and the justice system interact with individuals with a mental health condition or an intellectual or developmental disability would benefit those individuals;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council urges the Legislature to enact the recommendations from the Texas Judicial Commission on Mental Health concerning the following areas:

1. Emergency Detention; and
2. Civil Commitment; and
3. Early Identification and Referral to Treatment; and
4. Specialty Courts; and
5. Competency Restoration; and

6. Court-Ordered Medication.

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Honorable Nathan L. Hecht
Chair, Texas Judicial Council

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Joint Criminal Justice Committee and Public Trust and Confidence Committee Judicial Officers Recommendations

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Criminal Justice Committee is charged with studying the effective use of Associate Judges in Texas Courts; and

WHEREAS, the Public Trust and Confidence Committee is charged with monitoring public trust and confidence in the Texas Judiciary and recommending any necessary reforms to increase public support and respect; and

WHEREAS, for decades, Texas district and county courts have utilized judicial support officers to assist jurists with their duties and deal with caseloads; and

WHEREAS, over time, the label attached to these officers has varied, as have their scope of service, qualifications, and power; and

WHEREAS, 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;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that the Legislature:

1. 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; and

2. 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.

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TEXAS JUDICIAL COUNCIL

**Public Trust and Confidence Committee Addressing Judicial Profession Shortages
Recommendation**

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Public Trust and Confidence Committee is charged with studying judicial profession shortages and recommending methods to increase recruitment and any necessary reforms; and

WHEREAS, the Texas Judicial Branch Certification Commission oversees the certification, registration, and licensing of various judicial professions; and

WHEREAS, as of Fiscal Year 2024, there are 2,332 certified court reporters in Texas which constituted a 15% decrease from the number of court reporters in Fiscal Year 2005 when there were 2,755; and

WHEREAS, as of Fiscal Year 2024, there are 454 licensed court interpreters in Texas; and

WHEREAS, both nationally and in Texas there is a shortage of certified court professionals, including licensed court interpreters and certified court reporters;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that:

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

2. The Legislature should require the Judicial Branch Certification Commission to create a registration to regulate digital court reporters and recorders.

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Public Trust and Confidence Committee Centers of Excellence Recommendation

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Public Trust and Confidence Committee is charged with studying ways to expand, improve, and strengthen the Centers of Excellence; and

WHEREAS, the Centers of Excellence Performance Initiative launched in 2016 to identify, support, and highlight excellent work done by courts across Texas; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, the Centers of Excellence Initiative evaluates courts on four performance areas and five compliance areas, and the path to designation is rigorous; and

WHEREAS, there are currently eight recognized Centers of Excellence; and

WHEREAS, merit payments for jurists whose courts are recognized as a Center of Excellence will encourage other courts to aim toward designation;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that the Legislature fund merit payments for jurists whose courts are recognized as a Center of Excellence.

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**Public Trust and Confidence Committee Judicial Emergency Management Readiness
Recommendation**

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Public Trust and Confidence Committee is charged with reviewing comprehensive all-hazard emergency management plans for the judiciary and recommending any necessary reforms; and

WHEREAS, 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); and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, to boost continuity capability, locally developed planning measures should include an all-hazard emergency management plan filed with the local county emergency management liaison, which should be reviewed as a living document to address updates, strategies, and best practices;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that the Legislature amend various statutes to require Local Court Security Committees to implement an all-hazards plan for local courts.

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Public Trust and Confidence Committee Improving Access to Courts Recommendation

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Public Trust and Confidence Committee is charged with studying ways to improve access to courts and recommending any necessary reforms; and

WHEREAS, the right to counsel attaches in criminal, juvenile delinquency, and child-welfare cases (Family Protection Representation); and

WHEREAS, though indigent individuals are afforded this right, there are significantly fewer lawyers providing representation to indigent defendants and juveniles than in recent years and the remaining attorneys are older, nearing retirement, and carrying an excessive number of cases; and

WHEREAS, in recent years, the average percentage of indigent criminal cases in Texas have increased, 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; and

WHEREAS, without focusing on recruiting and creating pipeline programs for newer indigent defense attorneys, counties will be faced with growing counsel shortages and constitutional challenges; and

WHEREAS, this issue is most acute in rural counties; and

WHEREAS, a loan repayment program for public defenders and private attorneys serving indigent clients facing criminal, juvenile delinquency charges, or representing children or parents in child welfare cases will help recruit more attorneys, as the average law school graduate owes \$160,000; and

WHEREAS, 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; and

WHEREAS, transportation to the courthouse can be a significant challenge for indigent litigants; and

WHEREAS, the impacts of these transportation barriers are not limited to individual litigants, because 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;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that the Legislature:

1. 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; and
2. 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.



Honorable Nathan L. Hecht
Chair, Texas Judicial Council

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Public Trust and Confidence Committee Civics Education Recommendation

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Public Trust and Confidence Committee was charged with continuing to monitor public trust and confidence in the Texas Judiciary and recommend any necessary reforms to increase public support and respect; and

WHEREAS, for many years, the Judicial Council has supported public trust and confidence initiatives that promote civics engagement and education; and

WHEREAS, according to the Annenberg Public Policy Center's 2023 Annenberg Constitution Day Civic Survey, approximately one-third of U.S. adults are unable to name all three branches of government and one in six cannot name a single branch; and

WHEREAS, even though the Third Branch outpaces its sister branches in public confidence surveys, confidence in the state and federal court systems remains mixed; and

WHEREAS, research suggests that civics education exposure in school translates into greater civics knowledge; and

WHEREAS, the public should 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;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council recommends that the Legislature 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.

A handwritten signature in black ink, appearing to read "Nathan L. Hecht", written over a horizontal line.

Honorable Nathan L. Hecht
Chair, Texas Judicial Council

STATE OF TEXAS

RESOLUTION

of the

TEXAS JUDICIAL COUNCIL

Judicial Compensation Commission Recommendations

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Judicial Compensation Commission was created by the 80th Legislature to recommend the proper salaries to be paid by the state for all justices and judges of the Supreme Court, the Court of Criminal Appeals, and the District Courts; and

WHEREAS, the salary of Texas' Supreme Court justices and Court of Criminal Appeals judges ranks 42nd in the nation when compared with the salary of other high court judges; and

WHEREAS, the salary of Texas' Court of Appeals justices ranks 32nd in the nation when compared with the salary of other appellate judges; and

WHEREAS, the salary of Texas' District Court judges ranks 49th in the nation when compared with the salary of other general-jurisdiction court judges; and

WHEREAS, the state base salary for justices and judges of the Supreme Court, the Court of Criminal Appeals, and the District Courts has not been increased since 2013; and

WHEREAS, the Judiciary, having neither the "sword nor the purse,"¹ relies upon the legislative and executive branches to provide sufficient funding to carry out its constitutional and statutory purposes; and

WHEREAS, to maintain the high quality of our judicial system, it is important that judicial compensation be sufficient to attract the most able attorneys to the bench and to retain experienced judges;

¹ Alexander Hamilton, *Federalist #78*, THE FEDERALIST (New York: Fine Creative Media).

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council supports the recommendations of the Judicial Compensation Commission and urges the Legislature to:

1. Increase by 30%, in fiscal year 2026, the state base salary for justices and judges of the Supreme Court, the Court of Criminal Appeals, and the District Courts;
2. Include the increase as an exceptional item request submitted in the Comptroller Judiciary Section's legislative appropriations request;
3. Provide a mechanism for cost-of-living adjustment increases; and
4. Provide an appropriation for judicial officers who are awarded the Judicial Administration Specialization under Government Code Section 82.101.



Honorable Nathan L. Hecht
Chair, Texas Judicial Council

STATE OF TEXAS

RESOLUTION

of the

TEXAS JUDICIAL COUNCIL

Supporting Adequate Funding for Civil Legal Aid in Texas

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Texas Judicial Council embraces the principles that our nation promises justice for all, not just for those who can afford to pay for it; and

WHEREAS, the most recent U.S. Census survey suggests over 4.1 million Texans live in poverty, and a University of Texas at San Antonio study from 2015 found that only 10% of the civil legal needs of low-income Texans were being met; and

WHEREAS, low-income Texans are often the most vulnerable in our communities, including veterans, the elderly, persons with disabilities and mental health needs, and survivors of domestic abuse, sexual assault and human trafficking; and for many disadvantaged Texans access to legal help might be all that stands between them and homelessness, health, safety, and income to provide food on their table and shelter for their children; and

WHEREAS, civil legal aid can help with newly confronted issues, such as eviction/foreclosure, domestic violence (including child and elder abuse), health and public benefits, utility shut-offs, repossessions, and other consumer-related issues; and

WHEREAS, Texas ranks 46th for overall access to justice; and

WHEREAS, a lack of adequate funding to meet the legal need results in thousands of Texans being denied critical, life-changing legal representation, which for some Texans may be a matter of life, death, health, and safety;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council supports the maintenance of funding and resources for basic civil legal services from the Texas Legislature and

supports the Texas Access to Justice Commission and Foundation.

A handwritten signature in black ink, appearing to read "Nathan L. Hecht", written over a horizontal line.

Honorable Nathan L. Hecht
Chair, Texas Judicial Council

STATE OF TEXAS

RESOLUTION

of the

TEXAS JUDICIAL COUNCIL

State Commission on Judicial Conduct Recommendation

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the mission of the State Commission on Judicial Conduct is to protect the public, promote public confidence in the integrity, independence, competence, and impartiality of the judiciary, and encourage judges to maintain high standards of conduct both on and off the bench.; and

WHEREAS, the Commission accomplishes this mission through its investigation of allegations of judicial misconduct or incapacity; and

WHEREAS, in cases where a judge is found to have engaged in misconduct or to be permanently incapacitated, the Texas Constitution authorizes the Commission to take appropriate disciplinary action, including issuing sanctions, censures, suspensions, or recommendations for removal from office;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council urges the Legislature to provide adequate funding and resources to the State Commission on Judicial Conduct.



Honorable Nathan L. Hecht
Chair, Texas Judicial Council

STATE OF TEXAS
RESOLUTION
of the
TEXAS JUDICIAL COUNCIL
Ensuring Adequate Court Funding

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Texas Constitution divides the powers of the government of the State of Texas into three distinct departments — the Legislative, Executive and Judicial Departments; and

WHEREAS, the Judiciary, having neither the “sword nor the purse,”¹ relies upon the legislative and executive branches to provide sufficient funding to carry out its constitutional and statutory purposes; and

WHEREAS, a strong judiciary able to uphold the rule of law is critical to attracting business growth and maintaining a prosperous state; and

WHEREAS, delayed justice costs Texas businesses and citizens money, while effective and efficient courts save taxpayers money; and

WHEREAS, the total state appropriations to the Judiciary represented 0.38% of the total state budget in the 2024-25 biennium; and

WHEREAS, the Judiciary has used technology and other administrative measures to increase efficiency and make significant technological improvements; and

WHEREAS, ensuring that an adequate level of funding is provided to the Judiciary is essential to promoting access to the courts for Texans to resolve their disputes and protect the citizenry from abuse of their individual rights; and

WHEREAS, the Judiciary must continue to utilize funding to improve the way it

¹ Alexander Hamilton, *Federalist #78*, THE FEDERALIST (New York: Fine Creative Media).

administers justice to better meet the needs of citizens and employers in Texas through innovation, education and technological advances;

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council urges the Legislature and County Commissioners Courts to provide adequate funding to:

1. Support and restore core services to the judicial branch, as outlined in the legislative appropriations requests for the state-funded courts and judicial branch agencies;
2. Increase the state base pay of the state's justices and judges as recommended by the Judicial Compensation Commission;
3. Provide sufficient judicial education to the over 3,300 judges of this state;
4. Ensure access to justice is available to individuals seeking justice through continued funding for basic civil legal services and increased funding for basic civil legal services for veterans and their families; and
5. Ensure appropriate constitutional protection through criminal indigent defense services.



Honorable Nathan L. Hecht
Chair, Texas Judicial Council