

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

First Floor Conference Room
Tom C. Clark Building
205 W. 14th Street
Austin, Texas 78701
Friday, August 2, 2024
(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 10:00 a.m. Members in attendance were Judge Sid Harle; Judge Polly Spencer; Judge Victor Villarreal; Velma Arellano; Mark Blenden and Don Ford. Judge William Sowder appeared via Zoom. Judge Glen Harrison and Ann Murray Moore were absent (excused).

Staff members in attendance were Jeff Rinard, Commission Director; Scott Gibson, Commission General Counsel; Melinda Saucedo, Compliance Manager; Veena Mohan, Assistant General Counsel; Amy Smith, Investigator; Tyees Holcombe, Judicial Regulatory Assistant; Kanasha Daniels, Legal Assistant

Agenda Item III. Opening Remarks

Judge Harle welcomed everyone to the meeting.

Jeff Rinard, Commission director, thanked the Commission for their service and the staff for their hard work. Mr. Rinard recognized the 10-year anniversary of JBCC. He recognized JBCC's newest staff member Victoria Skiff, License and Permit Specialist. Mr. Rinard provided the following statistics for Fiscal Year 2024: 6970 total number of active licenses; 2281 court reporters, 258 court reporting firms, 3464 process servers, 460 guardians, 35 guardianship programs, and 472 court interpreters; the licensing team processed 1,166 new certifications and 2,422 renewals; 341 exams were administered, 188 were licensed court interpreter exams administered written exams and 101 were oral exams, 52 certified guardian examinations administered; 448 Court reporter exams were administered.

Agenda Item IV. Approval of Prior Meeting Minutes

The May 3, 2024, minutes were approved.

Assistant General Counsel Veena Mohan presented agenda items V, VI, VII, VIII, IX, X, XI and XII

Agenda Item V. Compliance Hearings before the Commission

Court Reporters Certification

- A. In the Matter of Norma Rico, Cause No. 0654
The Respondent was present by Zoom
Sanction: Permanent revocation of court reporter certification and any application for court reporter certification to the Commission will not be renewed or approved.
6- in favor, 1- opposed (Judge Spencer)
- B. In the Matter of Cheryl Dixon, Cause No. 0513 (Items V.B -E were considered in a single hearing. The sanction imposed resolves each of those Items.)
The Respondent appeared in person
Sanction: Upon renewal of court reporter certification, the Respondent will be placed on a one year probated suspension and assess an administrative penalty of \$9,500 due no

later than 12 months after date of Final Order. If the administrative penalty is not paid timely, the Respondent's court reporter certification will automatically be revoked.

C. In the Matter of Cheryl Dixon, Cause No. 0584

The Respondent appeared in person

Sanction: Upon renewal of court reporter certification, the Respondent will be placed on a one year probated suspension and assess an administrative penalty of \$9,500 due no later than 12 months after date of Final Order. If the administrative penalty is not paid timely, the Respondent's court reporter certification will automatically be revoked.

D. In the Matter of Cheryl Dixon, Cause No. 0607

The Respondent appeared in person

Sanction: Upon renewal of court reporter certification, the Respondent will be placed on a one year probated suspension and assess an administrative penalty of \$9,500 due no later than 12 months after date of Final Order. If the administrative penalty is not paid timely, the Respondent's court reporter certification will automatically be revoked.

E. In the Matter of Cheryl Dixon, Cause No. 0652

The Respondent appeared in person

Sanction: Upon renewal of court reporter certification, the Respondent will be placed on a one year probated suspension and assess an administrative penalty of \$9,500 due no later than 12 months after date of Final Order. If the administrative penalty is not paid timely, the Respondent's court reporter certification will automatically be revoked.

The Commission convened in closed session at 11:14 a.m. to confer with legal counsel regarding pending litigation under item XIII (A) and reconvened in public session at 11:23 a.m.

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

Process Servers Certification

A. In the Matter of Naomi Jones, Cause No. 0479

Sanction: Permanently refuse to renew the Respondent's certification and assess an administrative penalty of \$2,000 due within 12 months after the date of the Final Order

Agenda Item VII. Approval of Agreed Final Order - Acceptance by Respondent of Penalty and Sanction

Process Server Certification

B. In the Matter of Kellen Ige, Cause No. 0476

The commission rejected the Agreed Final Order and directed staff to pursue the sanction of refusing the renewal of Respondent's certification

C. In the Matter of Abraham Rojas, Cause No. 0523

Sanction: Assess an administrative penalty of \$500 due within 6 months after the date of the final order

Guardianship Certification

D. In the Matter of Verne Lavinier-Kidd, Cause No. 0659

Sanction: Probated suspension for 6 months and assess an administrative penalty of \$1,000 due within 12 months after the date of the Final Order

Judge Spencer recused

E. In the Matter of Laura Holguin, Cause No. 0658

Sanction: Probated suspension for 1 year and assess an administrative penalty of \$1,000 due within 12 months after the date of the Final Order

Agenda Item VIII. Approval of Settlement Agreement

Process Server Certification

- A. In the Matter of Peyton Hutchinson, Cause No. 0500
The Respondent was present by Zoom
Sanction: Suspension of the certification for 6 months beginning on the date of the Final Order. Assess an administrative penalty of \$500 due within 6 months after the date of the Final Order
- B. In the Matter of Peyton Hutchinson, Cause No. 0522
The Respondent was present by Zoom
Sanction: Assess an administrative penalty of \$500 due within 6 months after the date of the Final Order

Agenda Item IX. Administrative Dismissal of Complaints

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

Court Reporter Certification:

Outside the jurisdiction of the Commission

- A. In the Matter of Cause No. 0552

No misconduct & outside the jurisdiction of the Commission

- B. In the Matter of Cause No. 0481

No misconduct:

- C. In the Matter of Cause No. 0560
- D. In the Matter of Cause No. 0561
- E. In the Matter of Cause No. 0562
- F. In the Matter of Cause No. 0565
- G. In the Matter of Cause No. 0570
Mr. Ford Recused
- H. In the Matter of Cause No. 0608
- I. In the Matter of Cause No. 0655
- J. In the Matter of Cause No. 0669

Process Server Certification:

No misconduct:

- A. In the Matter of Cause No. 0496
- B. In the Matter of Cause No. 0515
- C. In the Matter of Cause No. 0516
- D. In the Matter of Cause No. 0519
- E. In the Matter of Cause No. 0526
- F. In the Matter of Cause No. 0528
- G. In the Matter of Cause No. 0531
- H. In the Matter of Cause No. 0532
- I. In the Matter of Cause No. 0533
- J. In the Matter of Cause No. 0535
- K. In the Matter of Cause No. 0536

- L. In the Matter of Cause No. 0539
- M. In the Matter of Cause No. 0542
- N. In the Matter of Cause No. 0567
- O. In the Matter of Cause No. 0576
- P. In the Matter of Cause No. 0578
- Q. In the Matter of Cause No. 0588
- R. In the Matter of Cause No. 0602
- S. In the Matter of Cause No. 0611
- T. In the Matter of Cause No. 0613
- U. In the Matter of Cause No. 0614
- V. In the Matter of Cause No. 0615
- W. In the Matter of Cause No. 0623
- X. In the Matter of Cause No. 0634
- Y. In the Matter of Cause No. 0636
- Z. In the Matter of Cause No. 0641
- AA. In the Matter of Cause No. 0640
- BB. In the Matter of Cause No. 0643
- CC. In the Matter of Cause No. 0644
- DD. In the Matter of Cause No. 0666
- EE. In the Matter of Cause No. 0677
- FF. In the Matter of Cause No. 0679
- GG. In the Matter of Cause No. 0683
- HH. In the Matter of Cause No. 0684

Agenda Item X. Requests for Reconsideration of Administrative Dismissal of Complaints

Court Reporters Certification

- A. In the Matter of Cause No. 0661
Upon proper motion and second, the Commission voted to affirm its previous decision to ratify administrative dismissal and deny reconsideration
- B. In the Matter of Cause No. 0678
Upon proper motion and second, the Commission voted to affirm its previous decision to ratify administrative dismissal and deny the reconsideration
- C. In the Matter of Cause No. 0698
Upon proper motion and second, the Commission voted to affirm its previous decision to ratify administrative dismissal and deny the reconsideration

Guardianship Certification

- D. In the Matter of Cause No. 0610
Upon proper motion and second, the Commission voted to affirm its previous decision to ratify administrative dismissal and deny reconsideration

Agenda Item XI. Request for Reconsideration of Denial of Application for Renewal of Process Server Certification from Applicant Tony Koiner

The Commission convened in closed session at 11:50 p.m. and reconvened in public session at 12:25 p.m.

The Respondent and his attorney were present by Zoom.

The Commission considered the applicant's request for reconsideration of staff's denial of application for renewal of process server certification. Following discussion, there was no motion to reverse or otherwise alter staff's denial of the application for renewal of process server certification.

Agenda Item XII. Voluntary Surrender of Guardian Certification – Jamie Perrin

Upon proper motion and second, the Commission approved the surrender of provisional guardian certification for Jamie Perrin.

Agenda Item XIII. Administrative Matters Relating to the Commission

- A. Pending litigation –*Judicial Branch Certification Commission v. Holmgren*, 2024 WL 1867159 (Tex. App.—Austin 2024, orig. proceeding)—CLOSED SESSION to confer with legal counsel
The Commission convened in closed session at 11:14 am to confer with legal counsel and reconvened in public session at 11:23 a.m.
- B. Review and approval of the *Process Servers Certification Sanction Matrix*
Upon proper motion and second, the Commission voted to adopt the penalty matrix.
- C. Review and approval of the *License Court Interpreters Sanction Matrix*
Upon proper motion and second, the Commission voted to adopt the penalty matrix.
- D. Update on the *Guardianship Certification Sanction Matrix*
The staff is currently working on the Guardianship Certification Sanction Matrix. The Staff met with the board and will meet again for further discussion.
- E. New board member for the Process Servers Advisory Board - Carol Watson
- F. Update on the *Uniform Format Manual*
The Supreme Court is working to adopt the Uniform Format Manual.
- G. Next Commission Meeting – Friday, November 1, 2024

Agenda Item XIV. Public Comment


No public comment.

Agenda Item XV. Closing Remarks

Judge Harle, thanked everyone for their attendance and their hard work.

Agenda Item XVI. Adjournment

The meeting was adjourned at 12:29 p.m.



Judge William Sowder, Vice Chair

11/15/24
Date