



# TEXAS JUDICIAL COUNCIL

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CHAIR:

HON. WALLACE B. JEFFERSON  
Chief Justice, Supreme Court

EXECUTIVE DIRECTOR:  
DAVID SLAYTON

VICE CHAIR:

HON. SHARON KELLER  
Presiding Judge, Court of Criminal Appeals

## TEXAS JUDICIAL COUNCIL

### MINUTES OF MEETING

February 22, 2013  
10:00 a.m.

SUPREME COURT OF TEXAS  
Supreme Court Building  
201 W. 14th Street, Room 104  
Austin, Texas

#### COMMENCEMENT OF MEETING

On February 22, 2013, Chief Justice Wallace B. Jefferson called the meeting<sup>1</sup> of the [Texas Judicial Council](#) (“Council”) to order at approximately 10:05 a.m. in the courtroom of the [Supreme Court of Texas](#) (“SCOT”) in Austin, Texas.

The following members of the Council were present:

*Hon. Wallace B. Jefferson, Chief Justice, Supreme Court of Texas*  
*Hon. Gary Bellair, Presiding Judge, Ransom Canyon Municipal Court*  
*Hon. Bill Boyce, Justice, 14<sup>th</sup> Court of Appeals, Houston*  
*Mr. Richard Figueroa, UBS Advisory & Brokerage Services, Houston*  
*Ms. Allyson Ho, Morgan Lewis, Dallas*  
*Ms. Ashley Johnson, Gibson Dunn & Crutcher LLP, Dallas*  
*Mr. Virgil Justice, First Insurance Agency, Kerrville*  
*Hon. Tryon Lewis, Representative, Odessa*  
*Hon. Kelly Moore, Judge, 121<sup>st</sup> Judicial District, Terry & Yoakum*  
*Hon. Valencia Nash, Justice of the Peace Pct. 1, Place 2, Dallas County*  
*Mr. “Hank” Nuss, Welder Leshin, Corpus Christi*  
*Hon. Glenn D. Phillips, Presiding Judge, City of Kilgore*  
*Hon. Sherry Radack, Chief Justice, 1<sup>st</sup> Court of Appeals, Houston*  
*Hon. Polly Jackson Spencer, Judge, Probate Court #1, Bexar County*  
*Hon. Laura A. Weiser, Judge, County Court at Law No. 1, Victoria County*  
*Hon. Royce West, Senator, Dallas*

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<sup>1</sup> The meeting may be viewed on the State Bar of Texas website <http://www.texasbarcle.com/CLE/TSCSearch2.asp>

Members attending via phone were Mrs. Johnson and Judge Moore.

Members not in attendance were Representative Roberto Alonzo, Mr. Richard Battle, Judge Russell Casey, Senator Robert Duncan, Presiding Judge Sharon Keller and Judge Orlanda Naranjo.

Senator [West](#) introduced himself and his staff. Chief Justice Jefferson introduced Representative [Lewis](#) who in turn recognized his attending staff. Chief Justice Jefferson noted that Justice Boyce, Judge Moore, Judge Weiser, Judge Phillips and Judge Nash had all been [reappointed](#) to serve on Council however; Judge Weiser is departing from the bench to work at the [Texas Center for the Judiciary](#).

## MINUTES

With a quorum present, Chief Justice Jefferson called for a motion to approve the previous meeting minutes. With proper motion and vote, the [November 9, 2012](#) meeting minutes were approved.

## REPORTS AND ACTION ITEMS

### [Shared Solutions 2.0](#)

Mr. Figueroa reported that the [State Justice Institute](#) had approved the Office of Court Administration's grant request for the development of core competencies for courts. Work will begin in the spring for the Summit to take place in the fall.

### [Legislative Update](#)

David Slayton, Administrative Director for OCA, discussed the status of legislative proposals and bills filed relating to [Judicial Council resolutions approved in November](#). He also reported that the appropriation bills, [SB1 and HB1](#), did not cut judiciary funding and that their exceptional items have been fairly well received.

### [Civil Cover Sheets](#)

On February 6, Mr. Slayton emailed a request to Council members to approve revisions to the civil cover sheet. Changes were minor but necessary to conform to the Court's expedited action rules. Fourteen members responded, all in support of the change. Chief Justice Jefferson requested a formal motion to approve the revised cover sheets. A motion was made to approve the revised cover sheets. After vote and with no objection, the changes were approved.

### [Legislative Proposals](#)

Chief Justice Jefferson stated the Council should adopt a resolution regarding judicial selection and improvements in the near future. Justice Boyce recounted previous discussion that led to consideration of a resolution.

Mena Ramón, General Counsel for OCA, presented a resolution regarding vexations litigants. A motion was made to support the resolution. After vote and with no objection, the resolution was adopted.

Mr. Slayton presented a resolution in support of funding for civil legal aid in Texas. A motion was made to support the resolution. After vote and with no objection, the resolution was adopted.

## **NEW BUSINESS**

Ms. Ramón requested the Council consider setting the salary of the regional presiding judges for the 2014-2015 biennium pursuant to Texas Government Code Sec. 74.051. OCA recommended the current salary of \$33,000 for the presiding judges who are also active district judges be approved by the Council for the next biennium. A motion was made for approval. After vote and with no objection, the recommendation was approved.

Mary Cowherd, Director for Research and Court Services at OCA, requested the Council consider [modifications](#) to the Texas Judicial Council Justice Court Monthly Case Activity Reports and authorize notice in the Texas Register. The motions are all contingent upon the Court's adoption of the proposed rules for Justice Court Cases which are to take effect on May 1.

A motion was made to approve changes in Rule 171.7(b)(2) of Title 1 of the Texas Administrative code, effective September 1, 2013, to conform the civil case type categories in the monthly justice court activity report to the civil case type categories adopted by the Supreme Court of Texas. After vote and with no objection, the motion was approved.

A motion was made to give notice of the Council's intention to adopt amendments to its reporting rules that will take effect September 1, 2013, by filing notice with the secretary of state for publication in the Texas Register and to provide a 30-day period for comments. After vote and with no objection, the motion was approved.

A motion was made to adopt the proposed changes to the monthly court activity report and instructions for justice courts which revise the civil case type categories to conform to those in the Supreme Court's proposed rules. The revised report and instructions will take effect on September 1, 2013. After vote and with no objection, the motion was approved.

A motion was made, if the Supreme Court's rules take effect May 1, 2013 (rather than August 31, 2013 or other date provided by legislation): to adopt the proposed changes to the instructions for the current monthly court activity report for justice courts, to allow reporting of both the old civil case type categories and the new civil case type categories, which conform to those in the Supreme Court's proposed rules, on the current reporting form during the period May 1, 2013 and August 31, 2013. After vote and with no objection, the motion was approved.

If the Supreme Court should revise the civil case type categories in its proposed rules, then the Council will be asked to approve, via email, the substitution of the revised case type categories for those in the reporting form and instructions adopted by the Council today.

Mr. Slayton discussed the revised [Model Time Standards for State Trial Courts](#) adopted by the Conference of State Court Administrators, the Council for Chief Justices, the American Bar Association and the National Association for Court Management. He also presented the [National Probate Court Standards](#) and requested Council use both documents as roadmaps to make improvements to Texas courts.

Then Mr. Slayton updated Council on Working Interdisciplinary Network of Guardianship Stakeholders ([WINGS](#)).

**NEXT MEETING**

10:00 a.m., June 7, 2013

**ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at approximately 11:37 a.m.

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Wallace B. Jefferson  
Chair