

# Texas Judicial Council Legislative Update (as of June 9, 2015)

At its November 2014 meeting, the Texas Judicial Council approved fourteen resolutions urging the Legislature to take action on certain issues. Those resolutions and the legislative outcome are listed below (pending gubernatorial review unless otherwise noted):

Council Resolution	Bill Filed	Author/Sponsor	Status	Action on Resolution
Ensuring Adequate Court Funding	HB 1	Otto / Nelson	Passed	<b>See Update in Director's Report</b>
Adequate Funding of the Court eFiling System	SB 1139	Huffman/Smithee	Passed	OCA's legislative appropriations requests sought \$6.5 million in funding for current biennium contract costs, \$2 million for contract costs for FY16 and \$2 million in grant funding for counties. <b>SB 1139 provided an increase in the civil eFiling fee at the appellate, district and county-level courts which is anticipated to provide adequate funding for the eFiling system.</b>
Additional State Funding for Indigent Defense	HB 1	Otto / Nelson	Passed	TIDC requested \$6.2 million to support the Regional Public Defender for Capital Cases, \$3 million to support a multi-county indigent defense technology grant program, and \$196.8 million for increased funding to counties for indigent defense. <b>HB 1 included \$7,500,000 in increased funding for TIDC.</b>
Judicial Compensation Commission Recommendations	HB 1 / Not filed	Otto / Nelson	Partially Passed	Recommendations included a 5% increase in compensation for state-funded judicial salaries, that the legislature make regular adjustments to judicial salaries, that the Commission's salary recommendations be listed in the introduced version of the General Appropriations Act and that the salary of the state-funded associate judges be increased to 90% of a district judge's state salary. <b>While the district and appellate court judges did not receive an increase in compensation, OCA was provided funding to increase the state-funded associate judges' up to 80% of the salary of a district judge, as set by the regional presiding judges. The bill for statutory change was not filed.</b>
Assessment of Court Costs in Multiple-Count Criminal Actions	SB 740	West / Canales	Passed	This bill establishes that court costs be assessed only once in multi-count criminal actions.
Decriminalizing Failure to Attend School	HB 2398	White / Whitmire	Passed	The Council's resolution encouraged the Legislature to decriminalize failure to attend school while leaving intact the offense of truancy, relax statutory provisions that require schools to refer children to the courts, ensure schools have adequate resources and incentives, and equip justice and municipal courts have adequate resources to provide prevention and intervention services to referred children.
Elders Committee Recommendations	HB 39	Smithee / Zaffirini	Passed; Signed by the Governor	The Council's resolution encouraged adoption of the Elders Committee recommendations. <b>All recommendations were enacted.</b>

Eligibility for Specialty Courts	SB 417	West	Did Not Pass	The Council's recommendation removed the prohibition for admitting violent offenders to drug courts and DWI courts, subject to certain provisions to protect the public and serve the public interest.
Revisions of Statutes to Contemplate Court Technology	SB 1116 / SB 1139	West / Smithee Huffman / Smithee	Passed; Signed by Governor/ Passed	The Council's recommendations included revising the statutes to provide courts and clerks with the option of utilizing technology to deliver notices and other information to court users. The recommendations also included clarifying that courts may use telephonic interpreting in all criminal cases.
Supporting Funding for Civil Legal Aid in Texas	HB 1079	S. Thompson / Perry	Passed	The Council's recommendation supported the Supreme Court's request for additional funding for basic civil legal services (BCLS). <b>HB 1079 provides a mechanism for increased funding for BCLS through recovery of civil penalties.</b>
Supporting Grant Funding for Legal Services for Veterans	HB 1	Otto / Nelson	Passed	The Council's recommendation supported the Supreme Court's request for additional funding for basic civil legal services for veterans. <b>HB 1 provides \$3,000,000 in increase funding for this purpose.</b>
Supporting Texas Family Code Amendments related to case transfers in CPS cases	SB 1929	Garcia / S. Thompson	Passed; Signed by the Governor	The Council's recommendation supported the Children's Commission recommendation that CPS cases be transferred by the clerk within ten days of the order transferring the case.
Supporting Texas Family Code Amendments related to indigent parents involved in child protection services cases	SB 1931	Garcia / S. Thompson	Passed; Signed by the Governor	The Council's recommendation supported the Children's Commission recommendations regarding early appointment of counsel in CPS cases.
Supporting Texas Family Code Amendments related to indigent parents involved in child protection services cases (Managed Assigned Counsel and Regional Public Defender Programs)	HB 3003	S. Thompson / Garcia	Passed	The Council's recommendation supported the Children's Commission recommendations regarding the establishment of regional public defender and managed assigned counsel programs for CPS attorney appointments.

### Statistics from the 84<sup>th</sup> Legislative Session

	Bills Filed	Sent to Governor
<b>Total Bills</b>	6,276	1,322 (21%)
<b>Judicial Council "Bills"</b>	14	13 (93%)