



## TEXAS JUDICIAL COUNCIL

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CHAIR:

HON. NATHAN L. HECHT  
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

October 28, 2016

10:00 AM

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

#### COMMENCEMENT OF MEETING

On October 28, 2016, Chief Justice Nathan L. Hecht called the meeting<sup>1</sup> of the [Texas Judicial Council](#) ("Council") to order at approximately 10:00 AM in the courtroom of the [Supreme Court of Texas](#) ("SCOT") in Austin, Texas.

The following members of the Council were present:

*Hon. Nathan L. Hecht, Chief Justice, Supreme Court of Texas*  
*Hon. Sharon Keller, Presiding Judge, Court of Criminal Appeals*  
*Hon. Gary Bellair, Presiding Judge, Ransom Canyon Municipal Court*  
*Hon. Bill Boyce, Justice, 14th Court of Appeals, Houston*  
*Hon. Bill Gravell Jr., Justice of the Peace Pct. 3, Williamson County*  
*Hon. Scott Jenkins, Judge, 53rd District Court, Travis County*  
*Hon. Kelly Moore, Judge, 121st Judicial District, Terry & Yoakum*  
*Hon. Andrew Murr, State Representative, Junction*  
*Hon. Glenn D. Phillips, Presiding Judge, City of Kilgore*  
*Hon. Sherry Radack, Chief Justice, 1st Court of Appeals, Houston*  
*Hon. Linda A. Rodriguez, Judge (Ret.), County Court at Law No. 2, Hays County*  
*Hon. Polly Spencer, Judge (Ret.), Probate Court #1, Bexar County*  
*Hon. Judith Zaffirini, State Senator, Laredo*

Members Carlos Amaral, Allyson Ho, Judge Valencia Nash, and Representative John Smithee attended via phone.

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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 not in attendance were Richard Battle, Senator Brandon Creighton, Rick Figueroa, Ashley Johnson, and Hank Nuss.

## MINUTES

The [August 19, 2016](#) meeting minutes were approved.

## REPORTS AND ACTION ITEMS

### *Texas Indigent Defense Commission*

Judge Keller provided a brief [summary](#) of the Commission's activities since the last Council meeting.

### *Potential Legislative Proposals*

Chief Justice Hecht reviewed the following [potential legislative proposals](#):

- A resolution advocating for adequate funding of the courts, with a special focus on funding for judicial education.
- A resolution encouraging additional funding by the state for the increased cost of indigent defense since the passage of the Fair Defense Act.
- A resolution in support of adequate funding for civil legal aid in Texas.
- A resolution supporting an increase in judicial compensation and the recommendations of the Judicial Compensation Commission.
- A resolution encouraging modification of the procedural statutes governing the assessment and satisfaction of criminal court costs.
- A resolution supporting the recommendations of the Criminal Justice Committee regarding pretrial release.
- A resolution supporting the recommendations of the Mental Health Committee.
- A resolution supporting the recommendations of the Court Security Committee.
- A resolution supporting the Elders Committee recommendations.
- A resolution encouraging consolidation of civil filing fees and standardization of certain service fees, along with the standardization of costs for electronic copies of certain court documents.
- A resolution encouraging repeal or modification of statutes requiring sensitive data in court filings.
- A resolution supporting the recommendations of the Timothy Cole Exoneration Review Commission.
- A resolution supporting recommended revisions to the reconstitution of the jury wheel.

Ms. Jennifer Henry, Office of Court Administration (OCA) Chief Financial Officer, presented the resolution advocating for adequate court funding. Judge Spencer submitted a motion followed by a second from Chief Justice Radack. The resolution was approved by acclamation.

Both Mr. Jim Bethke, Texas Indigent Defense Commission (TIDC) Director, and Representative Murr presented the resolution encouraging funding of criminal indigent defense. Judge Rodriguez submitted a motion followed by a second from Judge Spencer. The resolution was approved by acclamation.

Ms. Nina Hess Hsu, SCOT General Counsel, presented the resolution in support of adequate funding for civil legal aid in Texas. Judge Bellair submitted a motion followed by a second from Judge Phillips. The resolution was approved by acclamation.

Ms. Megan LaVoie, OCA Public Affairs Director/Special Counsel, presented the resolution in support of the Judicial Compensation Commission recommendations. Senator Zaffirini submitted a motion followed by a second from Judge Bellair. Representative Murr abstained from voting. The resolution carried.

Mr. David Slayton, OCA Administrative Director, presented the resolution encouraging modification of statutes governing assessment and satisfaction of criminal court costs. Judge Phillips submitted a motion followed by a second from Judge Chief Justice Radack. After discussion of the 16 recommendations, the resolution carried.

Mr. Slayton presented the resolution supporting the [Criminal Justice Committee recommendations](#). Judge Bellair submitted a motion followed by a second from Chief Justice Radack. Judge Phillips opposed. The resolution carried.

Mr. Slayton presented the resolution supporting the [Mental Health Committee recommendations](#). Judge Gravell submitted a motion followed by a second from Chief Justice Radack. The resolution was approved by acclamation.

Mr. Scott Griffith, OCA Director for Research and Court Services, presented the resolution supporting the [Court Security Committee recommendations](#). Senator Zaffirini submitted a motion followed by a second from Representative Murr. The resolution was approved by acclamation.

Mr. Slayton presented the resolution supporting the [Elders Committee recommendations](#). Chief Justice Radack submitted a motion followed by a second from Judge Jenkins. Representative Murr abstained from voting. The resolution carried.

Mr. Slayton presented the resolution encouraging consolidation of civil filing fees and standardization of service fees. Chief Justice Radack submitted a motion followed by a second from Judge Bellair. The resolution was approved by acclamation.

Mr. Slayton presented the resolution encouraging the repeal of statutes requiring sensitive data. Judge Bellair submitted a motion followed by a second from Judge Spencer. The resolution was approved by acclamation.

Mr. Wesley Shackelford, TIDC Deputy Director/Special Counsel, presented the resolution supporting the recommendations of the Timothy Cole Exoneration Review Commission. Senator Zaffirini submitted a motion followed by a second from Judge Phillips. Representative Murr abstained from voting. The resolution carried.

Ms. Mena Ramón, OCA General Counsel, presented the resolution supporting recommended revisions to the reconstitution of the jury wheel. Senator Zaffirini submitted a motion followed by a second from Judge Bellair. The resolution was approved by acclamation.

Ms. Ramón presented the resolution requesting clarification of filing of oaths of office and statements of officer for judicial appointees. Senator Zaffirini submitted a motion followed by a second from Judge Bellair. The resolution was approved by acclamation.

**NEW BUSINESS**

Mr. Slayton updated the Council on the status of OCA's new activity reporting database.

**Appointment of Data Committee**

Chief Justice Hecht established a Data Committee and appointed the following members: Judge Gravell - chair, Chief Justice Radack, Judge Moore, Judge Bellair, Mr. Amaral, and Representative Smithee.

**NEXT MEETING**

February 17, 2017, 10:00 AM

**ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at approximately 12:25 PM.

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Nathan L. Hecht  
Chair