

**Judicial Branch Certification Commission
Policy for Administrative Dismissal of Complaints
(Effective June 18, 2019)**

- 1) The purpose of this policy is to establish requirements for dismissal of complaints by the Director pursuant to Government Code §152.111.
- 2) Definitions
 - a) “Commission” means the Judicial Branch Certification Commission established in Government Code §152.051.
 - b) “Director” or “Administrative Director” means the Administrative Director of the Office of Court Administration of the Texas Judicial System, or the Director’s designee.
- 3) Complaint Dismissal
 - a) The Director may dismiss complaints that
 - i) clearly do not allege misconduct,
 - ii) are not within the Commission’s jurisdiction, or
 - iii) allege misconduct which took place more than five years before the complaint was filed.
 - b) The Director must inform the Commission of all dismissals made under this policy at the next regularly scheduled Commission meeting.
 - c) A person who files a complaint that is dismissed by the Director may request in writing that the Commission reconsider the complaint no later than 30 days after the date of notice of the dismissal.
- 4) Specific Grounds for Dismissal
 - a) For the Court Reporters Certification Program:
 - i) Complaints that clearly do not allege misconduct include, but are not limited to:
 - (1) Collection matters, and
 - (2) Court reporters or court reporting firms who are mistakenly identified as the court reporter or court reporting firm of record who took down the proceedings.
 - ii) Complaints that are not within the Commission’s jurisdiction include, but are not limited to
 - (1) Complaints that allege inaccuracies in the record where the remedy is through;
 - A) agreement of the parties, B) the trial court, or C) the appellate court pursuant to Section 34.6(e), Texas Rules of Appellate Procedure, or, for depositions, where the remedy is through signature and change procedures set out in Rule 203.1, Texas Rules of Civil Procedure. Inaccuracies include but are not limited to errors, omissions and added language.
 - b) For the Process Servers Certification Program:
 - i) Complaints that clearly do not allege misconduct include, but are not limited to:

- (1) Collection matters, excluding matters in which a process server accepted payment and did not perform.
- ii) Complaints that are not within the Commission's jurisdiction include, but are not limited to:
 - (1) Complaints filed against a firm, and
 - (2) Complaints filed against a process server who is serving under court order and not certified by the JBCC.
- c) For the Guardianship Certification Program:
 - i) Complaints that are not within the Commission's jurisdiction include, but are not limited to
 - (1) Complaints filed against a guardian not required to be certified as a private professional guardian,
 - (2) Complaints against individuals not licensed or certified by the JBCC, or otherwise not under JBCC's jurisdiction,
 - (3) Complaints that allege criminal conduct outside the jurisdiction of the JBCC,
 - (4) Complaints concerning matters approved or addressed by the court, and
 - (5) Complaints concerning decisions made by medical personnel not acting in the capacity of a certified guardian.
- d) For the Licensed Court Interpreters Program:
 - i) Complaints that are not within the Commission's jurisdiction include, but are not limited to:
 - (1) Complaints filed against a firm, company, or organization,
 - (2) Complaints that allege inaccuracies in translation and interpretation, and
 - (3) Complaints filed against persons not licensed and not holding themselves out as licensed court interpreters.