

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

Third Court of Appeals
Price Daniel Sr. Building
209 W. 14th Street, Room 101
Austin, Texas 78701
Friday, January 23, 2015
(10:00 a.m. Until Adjournment)

The meeting of the Judicial Branch Certification Commission (JBCC) was called to order by Judge Lee Hamilton, Chair, at 10:00 a.m., Friday, January 23, 2015. Members present were Judge Lee Hamilton, Chair; Judge Ben Woodward; Judge Sid Harle; Judge Polly Spencer; Velma Arellano; Mark Blenden; Don Ford; and Ann Murray Moore (attended by phone). Judge Migdalia Lopez was not present.

Staff members present were Jeff Rinard, Certification Division Director; Katie Bond, JBCC General Counsel; Michele Henricks, Compliance Manager; Lesley Ondrechen, Licensing Manager; Pedro Villarreal, Investigator; Tyees Holcombe, Judicial Regulatory Assistant; Veena Mohan, Assistant Attorney General; and David Slayton, OCA Administrative Director.

Agenda Item III, Opening Remarks. Judge Lee Hamilton, Chair, gave opening remarks. Jeff Rinard, Certification Division Director gave a status update on the JBCC.

Agenda Item IV, Approval of Prior Meeting Minutes. September 5, 2014 minutes were approved.

CLOSED MEETING

Agenda Item V, Correspondence Regarding Issues Raised by Transition of Regulation of Process Servers to the Judicial Branch Certification Commission. Commission members consulted with JBCC General Counsel on issues before the Commission and rules and statutes governing regulation of Process Servers.

OPEN MEETING

Upon proper motion and second, the JBCC confirmed by its vote on this motion, that the Texas Legislature lawfully created this Commission, transferred the Process Server regulatory programs to this Commission and authorized this Commission to certify and regulate Process Servers.

Upon proper motion and second, the JBCC voted to decline to request that the

Supreme Court amend Rules 103 and 501 of the Texas Rules of Civil Procedure.

CLOSED MEETING

Agenda Item VI. Complaint Regarding Release of Letter from Process Server Review Board to Stephen Hartman. Commission members consulted with JBCC General Counsel on complaint before the Commission and rules and regulations governing release of letter.

OPEN MEETING

Upon proper motion and second, the Commission found that there was no violation of the Access to Commission Records Policy and denied the complaint regarding release of the letter dated July 3, 2014 in the Stephen Hartman matter.

Agenda Item VII, Request for Reconsideration – In the Matter of Stephen Hartman, Cause No. PS2013-0026. Upon proper motion and second, the Commission voted to deny Stephen Hartman's Request for Reconsideration of the Process Server Review Board's June 6, 2014 decision to reprimand Mr. Hartman.

Agenda Item VIII, Reporting Requirements & Noncompliance with Final Order

A. In the Matter of Helen Wooten, Cause No. 12-5447-43. Upon proper motion and second, the Commission voted to suspend Ms. Wooten's certification until May 15, 2015, with the suspension fully probated. During the period of probated suspension, Ms. Wooten is required to timely file all records and requests for extensions before records are due, file monthly reports with the Appellate Courts, file monthly reports with the Commission regarding reports for Appellate Courts, and appear before the Commission at the meeting on May 1, 2015, in person or by phone.

Agenda Item IX, Approval of Determination for Disciplinary Action by JBCC & Issuance of Final Order – complaints considered by JBCC on November 21, 2014. Process Servers – Respondent(s) Failed to Respond to Notice of Disciplinary Action by JBCC:

A. In the Matter of Jason Lightner, Cause No. PS2014-0004. Continued at request of Respondent until May 1, 2015 meeting.

B. In the Matter of Rene Flores, Cause No. PS2014-0010. Upon proper motion and second, the Commission voted to suspend certification for one year, fully probated.

C. In the Matter of Keith Smith, Cause No. PS2014-0021. Upon proper motion and second, the Commission voted to suspend certification for one year, fully probated, and require Respondent to complete approved process server course within 90 days.

Process Servers – Respondent Accepts Disciplinary Action by JBCC:

A. In the Matter of James Waldrup, Cause No. PS2014-0023. Upon proper motion and second, the Commission voted to suspend certification for one year, fully probated, and require Respondent to complete approved process server course within 90 days.

Agenda X, Complaints – Review Committee Recommendations to Dismiss.

Process Servers Complaint Review Committee – considered on January 8, 2015. Upon proper motion and second, the following matters were dismissed:

- A. In the Matter of Jerry Caldwell, Cause No. PS2014-0019
- B. In the Matter of Danny Haney, Cause No. PS2014-0020
- C. In the Matter of Corina Woods, Cause No. PS2014-0024

Upon proper motion and second, the following matters were postponed until May 1, 2015, for further investigation:

- D. In the Matter of Brandon Gipson, Cause No. PS2014-0025
- E. In the Matter of Brandon Gipson, Cause No. CPS-15-09714-006

Upon proper motion and second, the following matters were dismissed:

- F. In the Matter of John Thornton, Cause No. CPS-15-01229-003
- G. In the Matter of Michelle Gillespie, Cause No. CPS-15-00518-007 (Withdrawn)
- H. In the Matter of Vikki Accord, Cause No. CPS-15-06812-008
- I. In the Matter of Karl Waters, Cause No. CPS-15-06466-010
- J. In the Matter of James Bryant, Cause No. CPS-15-02199-013
- K. In the Matter of Teresa Roberts, Cause No. CPS-15-10825-017
- L. In the Matter of Robert Crow, Cause No. CPS-15-10334-018

Certified Guardians Certification Complaint Review Committee – considered on January 7, 2015. Upon proper motion and second, the following matters were dismissed:

- A. In the Matter of Patricia Graham-Casey, Cause No. CG-15-00433-004
- B. In the Matter of James Taylor, Cause No. CG-15-00415-005
- C. In the Matter of Greg Shannon, Cause No. CG-15-00096-011

Agenda Item XI, Complaints – Review Committee Recommendations for Disciplinary Action. Upon proper motion and second, the Commission accepted the committee recommendations for disciplinary action in the following matters:

Process Servers Complaint Review Committee – considered on January 8, 2015

- A. In the Matter of Wanda Dowlearn, Cause No. CPS-15-04802-002. Letter of Reprimand.
- B. In the Matter of William Richardson, Cause No. CPS-15-02055-012. Revocation of certification.

Court Reporters Certification Board (CRCB) Complaint Review Committee – considered on July 17, 2014

A. In the Matter of Gay Richey, Cause No. 14-7260-20. Private reprimand.

B. In the Matter of Breann Hays, Cause No. 14-4211-29. Private reprimand.

Agenda Item XII, Requests for Reconsideration – Administrative Dismissal of Complaints. Upon proper motion and second, the Commission denied Requests for Reconsideration of administrative dismissals for the following complaints:

Court Reporters Certification

A. In the Matter of Karolyn Gittinger, Cause No. 14-5723-31

B. In the Matter of Tina Gregg, Cause No. CSR-15-00841-001

Agenda XIII, Advisory Board Recommendations for Matters Relating to the JBCC. Upon proper motion and second, the Commission voted as follows:

A. Proposed Process Server Certification Code of Conduct. Approved to publish for 30 days for public comment.

B. Proposed Criminal Conviction Guidelines. Approved.

C. Proposed Complaint Administrative Dismissal Policy. Approved.

Agenda XIV, Request for Reconsideration of a Denial of a Request for Endorsement to be a Certified Court Reporter in Texas. Upon proper motion and second, the Commission referred the matter of Lisa Blanks – Arizona Certification, and the request for endorsement to the Court Reporters Certification Advisory Board.

Agenda XV, Request for Endorsement to be a Licensed Court Interpreter in Texas. Upon proper motion and second, the Commission approved the request for endorsement filed by Melissa Wallace-Wisconsin Certification.

Agenda Item XVI, Public Comment: Public comment was received from Tod Pendergrass.

Agenda Item XVII, Report from Chair. Judge Lee Hamilton recognized Katie Bond, JBCC General Counsel, for her significant accomplishments and contributions upon her retirement, and proclaimed January 23, 2015 as Katie Bond Day in Texas.

Agenda Item XVIII, meeting adjourned at 3:30 p.m.



Judge Lee Hamilton, Chair

5-1-15
Date