

**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, August 3, 2018
(10:00 a.m. Until Adjournment)

The meeting of the Judicial Branch Certification Commission (JBCC or Commission) was called to order by Judge Lee Hamilton, Chair, at 10:05 a.m., Friday, August 3, 2018. Members present were Judge Lee Hamilton; Judge Polly Spencer; Judge William Sowder; Velma Arellano; Anne Murray Moore; and Mark Blenden. Judge Migdalia Lopez attended by phone. Judge Sid Harle and Don Ford were not in attendance.

Staff members present were Jeff Rinard, Certification Division Director; Scott Gibson, JBCC General Counsel; Michele Henricks, Compliance Manager; Melinda Saucedo, Investigator; Tyees Holcombe, Judicial Regulatory Assistant; Jilian Stengle, Licensing Manager; Chris Nelson, Licensing Specialist; Socorro Herrera, Administrative Assistant; and Veena Mohan, Assistant Attorney General.

Pat Dyer, Chair of the Process Servers Complaint Review Committee, attended by phone.

Agenda Item III, Opening Remarks

Judge Hamilton welcomed everyone to the meeting.

Jeff Rinard, Certification Division Director, gave a status update on new hires, staff promotions, and appointments by the Supreme Court. Judge Lori Valenzuela, 437th District Court, was appointed Presiding Officer of the Court Reporters Advisory Board. Judge Valenzuela replaces Judge William Sowder who was appointed to the Commission to replace Judge Ben Woodward.

Agenda Item IV, Approval of Prior Meeting Minutes

The May 4, 2018 minutes were approved.

Assistant Attorney General Veena Mohan presented agenda items V, VI, VII, VIII, IX, X, and XI.

Agenda Item V. Disciplinary Hearing

Process Servers Certification:

A. In the Matter of Vincent Zubras, Jr., Cause No. 79-PS-2016

Vincent Zubras, Jr.; KC Ashmore, counsel for respondent; and witness Lance Levan appeared by phone.

Following the disciplinary hearing, upon proper motion and second, the Commission voted to approve the recommendation from the complaint review committee and staff for disciplinary action as amended by the Commission.
Sanction: Reprimand.

Agenda Item VI. Compliance Hearing

Process Servers Certification:

A. In the Matter of Pablo Ortega, Cause No. 46-PS-2016

Pablo Ortega did not appear.

Following the compliance hearing, upon proper motion and second, the Commission voted to approve staff's recommendation for disciplinary action for noncompliance with the Final Order issued December 21, 2016.
Sanction: Suspend certification that expires July 31, 2019 until such time that Respondent re-takes the 7-hour precertification civil process service education course approved by the Commission and pays an administrative penalty of \$500 due within 6 months after the date of the Compliance Order. Continuing education requirement is in addition to continuing education required for renewal of certification.

Agenda Item VII. Approval of JBCC Disciplinary Action, by Default, and Issuance of Final Order from Complaints Previously Considered by the JBCC

Upon proper motion and second, the Commission voted to approve disciplinary actions and issuance of Final Orders in the following matters:

Court Reporters Certification: May 4, 2018

A. In the Matter of Jonette Jackson, Cause No. 89-CSR-2017

Sanction as amended by the Commission: Suspend certification for a period of 12 months with first 6 months suspended and the remaining 6 months fully probated. Administrative penalty of \$500 payable within 6 months after the date of the Final Order.

Process Servers Certification: February 2, 2018, May 4, 2018

B. In the Matter of Melissa Woodward King, Cause No. 57-PS-2017

Melissa Woodward King appeared by phone.

Sanction: Reprimand and complete 7-hour precertification civil process service education course within 6 months after the date of the Final Order.

- C. In the Matter of Richard Rodriguez, Cause No. 76-PS-2017
Sanction: Reprimand and complete 7-hour precertification civil process service education course within 6 months after the date of the Final Order.
- D. In the Matter of Charlie Davis, Cause No. 85-PS-2017
Sanction: Reprimand and complete 7-hour precertification civil process service education course within 6 months after the date of the Final Order.

Licensed Court Interpreters: February 2, 2018

- E. In the Matter of Isabelle Rios, Cause No. 49-LCI-2017(expired 6/30/2018)
Sanction: Reprimand.
- F. In the Matter of Toni Jo Rideout, Cause No. 72-LCI-2017(expired 1/31/2018)
Sanction: Reprimand and administrative penalty of \$500 payable within 1 year after the date of the Final Order

Agenda Item VIII, Approval of Determinations Made by Advisory Board Complaint Review Committee on Disciplinary Action, by Default, and Request for Issuance of Final Order for Complaints Not Previously Considered by the JBCC
Upon proper motion and second, the Commission voted to approve disciplinary actions and issuance of Final Orders in the following matters:

Process Servers Complaint Review Committee: March 15, 2018, June 7, 2018

- A. In the Matter of Melissa Woodward King, Cause No. 0015
Melissa Woodward King appeared by phone.
Sanction: 12-month probated suspension and administrative penalty of \$100 payable within 6 months after the date of the Final Order; no violations during probated suspension period.
- B. In the Matter of Kyle Villaraza, Cause No. 0016
Sanction: Reprimand and complete 7-hour precertification civil process service education course within 6 months after the date of the Final Order.
- C. In the Matter of Darron Davis, Cause No. 0009
Sanction as amended by the Commission: Suspend certification for a period of 12 months with first 6 months suspended and the remaining 6 months fully probated. Complete 7-hour precertification civil process service education course within 12 months after the date of the Final Order.

- D. In the Matter of Kenneth Heath, Cause No. 0021
Sanction: Reprimand and administrative penalty of \$250 payable within 6 months after the date of the Final Order.

- E. In the Matter of Stephen Hartman, Cause No. 0028 (Expired 7/31/2018)
Complainant Tom Retzlaff appeared by phone.
Sanction: Refuse to renew certification. Administrative penalty of \$500 payable within 12 months after the date of the Final Order.

- F. In the Matter of David Stanfield, Cause No. 0042
Sanction: Administrative penalty of \$500 payable within 1 year after the date of the Final Order.

Agenda Item IX, Approval of Agreed Order – Acceptance by Respondent of Sanction/Administrative Penalty

Upon proper motion and second, the Commission voted to approve Agreed Order submitted by respondent in acceptance of sanction imposed.

Process Servers Complaint Review Committee: March 15, 2018

- A. In the Matter of Ronnie Lee Holmes, Cause No. 0005
Sanction: Reprimand.

Agenda Item X, Advisory Board Complaint Review Committee and Staff Recommendations to Dismiss Complaints

Upon proper motion and second, the Commission voted to dismiss the following complaints:

Process Servers Complaint Review Committee – June 7, 2018

- A. In the Matter of Marquisha Graves-Lewis, Cause No. 0020
- B. In the Matter of Patrick Roach, Cause No. 0023
- C. In the Matter of Stephen Fuchs, Cause No. 0025
- D. In the Matter of Santos Ronje, Cause No. 0030

Agenda Item XI, Administrative Dismissal of Complaints

Upon proper motion and second, the Commission ratified administrative dismissals in the following matters:

Court Reporters Certification

- A. In the Matter of Cause No. 80-CSR-2017
- B. In the Matter of Cause No. 0024

Process Servers Certification

- C. In the Matter of Cause No. 0035

Guardianship Certification

- D. In the Matter of Cause No. 92-000-2017
- E. In the Matter of Cause No. 0017

Agenda Item XII, Administrative Matters Relating to the JBCC

Jeff Rinard, Certification Division Director, gave an update on the following matters.

- A. Guardianship Registration
- B. Guardianship Training
- C. Guardianship Compliance Project
- D. Guardianship Programs Registration
- E. JBCC Meeting Dates
 - 1. Next JBCC Meeting – Friday, November 2, 2018

Agenda Item XIII, Public Comment

- Kathy Burrow, President, Texas Association of Professional Process Servers

Agenda Item XIV, Closing Remarks from Chair

Judge Hamilton thanked the Commission members for their hard work and everyone in attendance.

- A. Resolution – Judge Ben Woodward
Judge Ben Woodward was recognized in a resolution read and signed by Judge Hamilton on behalf of the Commission, thanking Judge Woodward for his distinguished service while serving on the Commission. Judge Woodward resigned from the Commission after he was elected as Chair-elect of the Texas Center for the Judiciary.

Agenda Item XV, Adjournment

The meeting was adjourned at 12:26 p.m.



Judge Lee Hamilton, Chair

11-2-18

Date