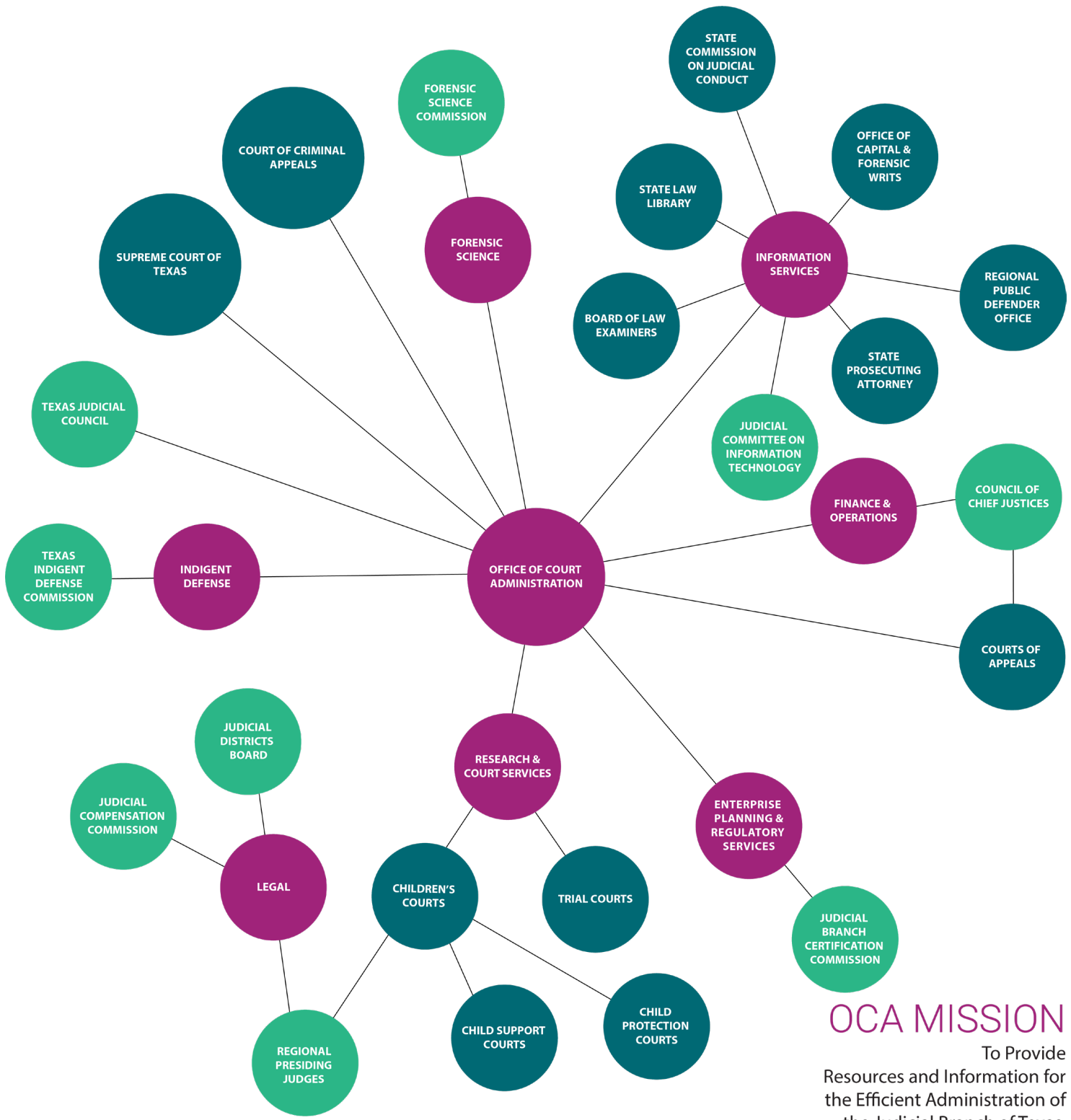


Annual Reports of Judicial Support Agencies, Boards and Commissions



FY 2023



OCA MISSION
 To Provide
 Resources and Information for
 the Efficient Administration of
 the Judicial Branch of Texas.

table of contents

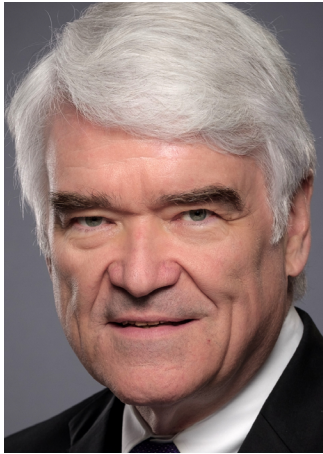
EXECUTIVE OPERATIONS.	9
RESEARCH AND COURT SERVICES	10
INFORMATION SERVICES.	23
LEGAL DIVISION	26
FINANCE & OPERATIONS	27
ENTERPRISE PLANNING AND REGULATORY SERVICES	32
TEXAS INDIGENT DEFENSE COMMISSION	38
TEXAS FORENSIC SCIENCE COMMISSION	43
THE STATE LAW LIBRARY	45
OFFICE OF STATE PROSECUTING ATTORNEY	49
STATE COMMISSION ON JUDICIAL CONDUCT.	50
OFFICE OF CAPITAL AND FORENSIC WRITS	52



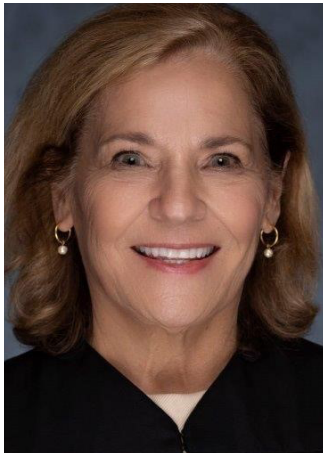
Texas Judicial Council, February 2023

TEXAS JUDICIAL COUNCIL

The [Texas Judicial Council](#) (TJC) was created by the 41st Texas Legislature in 1929 as the policy-making body for the state judiciary. The TJC is responsible for continuously studying and reporting on the “organization, rules, procedures and practice, work accomplished, results, and uniformity of the discretionary powers of the state courts and methods for their improvement.” To accomplish the purpose, the TJC designs “methods for simplifying judicial procedure, expediting the transaction of judicial business, and correcting faults in or improving the administration of justice.”



NATHAN L. HECHT
Chairman
Texas Judicial Council



SHARON KELLER
Vice-Chair
Texas Judicial Council

COUNCIL MEMBERS

Hon. Nathan L. Hecht, Chair, Chief Justice, Supreme Court of Texas
Hon. Sharon Keller, Vice-Chair, Presiding Judge, Court of Criminal Appeals

Legislative Members

Hon. Brandon Creighton, Senator, Conroe
Hon. Jeff Leach, Representative, Allen
Hon. Reggie Smith, Representative, Sherman
Hon. Judith Zaffirini, Senator, Laredo

Judicial Members

Hon. Bill Gravell Jr., Constitutional County Judge, Williamson County
Hon. Claudia Laird, Judge, County Court at Law No. 2, Montgomery County
Hon. Emily Miskel, Justice, 5th Court of Appeals, Dallas
Hon. Missy Medary, Judge, 347th District Court, Corpus Christi; Presiding Judge - 5th Region
Hon. Valencia Nash, Justice of the Peace Pct. 1, Place 2, Dallas County
Hon. Kathleen Person, Judge, City of Temple Municipal Court, Temple
Hon. Sherry Radack, Chief Justice, 1st Court of Appeals, Houston
Hon. Maggie Sawyer, Justice of the Peace, McCulloch County, Brady
Hon. Edward J. Spillane, III, Presiding Judge, City of College Station
Hon. Ken Wise, Justice, 14th Court of Appeals, Houston

Citizen Members

Zina Bash, Keller Lenkner LLC, Austin
Kevin Bryant, Attorney, Crow Holdings, Dallas
Jennifer Caughey, Attorney, Jackson Walker LLP, Houston
Sonia Clayton, Virtual Intelligence Providers LLC, Houston
Hon. Jon Gimble, District Clerk, McLennan County, Waco
Rachel Racz, Vista Proppants & Logistics, Fort Worth

Executive Director

Megan LaVoie, Administrative Director, Office of Court Administration

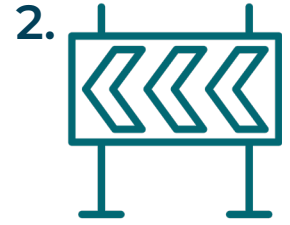


Legislative Priorities

As the policy making body of the Judicial Branch, the TJC regularly recommends to the legislature ways to improve the administration of justice in Texas. At its September 2022 meeting, the TJC endorsed the following proposals:



1. Bail & Preventative Detention



2. Class C Diversion for Youth



3. Judicial Work Product Security



4. Family Representation in Child Protection Cases



5. Juvenile NICS Reporting



6. Remote Proceedings



7. Expanding Judicial Civics Education



8. Record Sealing for Non-Serious Misdemeanors



9. Funding for Case Level Data



10. Ensuring Adequate Court Funding



11. Appropriating Funds for Improving Public Defense



12. Ensuring Adequate Judicial Compensation



13. Addressing the Needs for those with Mental Health Concerns



14. Supporting Funding for Civil Legal Aid



The following is a brief description of some of the Texas Judicial Council proposals that found success in the 88th Session. A full legislative report published by the TJC is available at <https://www.txcourts.gov/media/1456757/88th-legislative-update.pdf>.

HB 3186 – Texas Youth Diversion & Early Intervention Act

HB 3186 (Leach/Zaffirini) The Youth Diversion and Early Intervention Act creates diversion strategies and procedures for children accused of certain fine-only offenses in municipal and justice courts. The law requires those courts to have a plan which includes strategies to divert youth from criminal proceedings to programs.

SB 372 – Judicial Work Product Security

SB 372 (Huffman/Leach) The law requires the Supreme Court to adopt rules regarding non-public judicial work product confidentiality and requires staff to maintain confidentiality. It makes it a Class A misdemeanor offense for a person to knowingly disclose the contents of any non-public judicial work product.

SB 2120 - Family Representation in Child Protection Cases

SB 2120 (Zaffirini/Cook) –The law allows the Texas Indigent Defense Commission to provide services for the funding, oversight, and improvement of court-appointed legal counsel for children and indigent parents in child protection cases filed by the Department of Family and Protective Services.

SB 728 – Juvenile NICS Reporting

SB 728 (Huffman/Leach) – The law requires clerks to report information to the Department of Public Safety, which maintains the responsibility of reporting to the National Instant Criminal Background Check System (NICS): juveniles aged 16 or older found unfit to proceed, found not responsible, receiving court-ordered mental health services, or admitted to a residential care facility due to intellectual disability or mental illness in a delinquency proceeding.

HB 1- General Appropriations Act

HB1 (Bonnen/Huffman) – The General Appropriations Act provided funding in the amount of \$6 million dollars to acquire a system capable of capturing case level data.

SB 2479 – Mental Health Updates

SB 2479 (Zaffirini/Moody) – The law amends the Health and Safety Code and Code of Criminal Procedure related to mental health. It amends the Code of Criminal Procedure to reconcile the conflict created to offenses that are eligible for personal bonds and offenses that allow for a mental health personal bond. It further allows for, but does not require, a magistrate who receives credible information that a Class C misdemeanor defendant has a mental illness to order a mental health service provider to conduct an interview. Adds a licensed mental health professional to the list of who may request an electronic warrant for an emergency mental health detention.



COMMITTEES

The Texas Judicial Council currently has four committees. The Committees met multiple times in FY 23 and their reports and recommendations were released in September 2022 prior to the convening of the 88th Legislature. They are published on the Texas Judicial Branch website at <https://www.txcourts.gov/tjc/judicial-council-reports/>.



Civil Justice Committee

Charge 1: Monitor remote proceedings within the state judiciary and recommend any necessary reforms. (Joint charge with Criminal Justice Committee)

Charge 2: Monitor the Texas Eviction Diversion Program and recommend any necessary reforms.

Charge 3: Consider Best Practices for the Judiciary and compile lessons learned from the COVID-19 Pandemic.

Charge 4: Continue to study the landscape of the Texas Civil Justice System and recommend any necessary reforms to improve access to justice in Texas Courts.

Criminal Justice Committee

Charge 1: Monitor remote proceedings within the state judiciary and recommend any necessary reforms. (Joint Charge with Civil Justice Committee)

Charge 2: Continue to evaluate and monitor Texas' pretrial bail system for improvement and recommend any further statutory and non-statutory changes. Work with individual jurisdictions and the Office of Court Administration to facilitate implementation of legislative reforms.

Charge 3: Monitor the Judiciary's role and work with Operation Lone Star.

Data Committee

Charge 1: Monitor the implementation of the Statewide Uniform Case Management System.

Charge 2: Continue to work on guiding the revisions of the court activity reporting database to collect case-level statistical data.

Public Trust & Confidence Committee

Charge 1: Study ways to improve racial justice, equity, and inclusion in the justice system.

Charge 2: Monitor the court case backlog due to the COVID-19 Pandemic, develop best practices and recommend any necessary reforms.

Charge 3: Continue to monitor public trust and confidence in the Texas Judiciary and recommend any necessary reforms to increase public support and respect.



EXECUTIVE OPERATIONS

DIRECTOR RESPONSIBILITIES

- Leadership and strategic direction
- Represents the agency to the legislature, other agencies and interest groups
- Agency's performance
- Staffs the policy-making function of the Judicial Council

The Office of Court Administration (OCA) provides resources and information for the efficient administration of the Judicial Branch of Texas.

The OCA has been led Megan LaVoie since December 2021, the Administrative Director of OCA and the Executive Director of the Texas Judicial Council. The Administrative Director is supported by a Special Projects Manager/Executive assistant, a Director of Government Relations, Communications Staff and a team of Division Directors.

Executive staff presents at Board, Commission and Council meetings. In addition, Executive staff prepare and present testimony to numerous legislative committees.

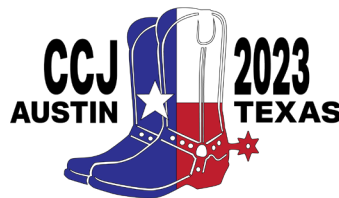
In FY 23 the Executive Division served as staff to the Texas Judicial Compensation Commission. The Commission's Report to the Legislature was released prior to the convening of the 88th Legislature and the Chair testified during the Legislative session on matters regarding the Commission's report.

Operation Lone Star

In July 2021, OCA began supporting local court systems impacted by Operation Lone Star (OLS). This ongoing support includes facilitation of central magistration at two processing facilities in Val Verde and Jim Hogg Counties. Sixteen visiting judges appointed by the Supreme Court conduct magistrations at the temporary processing facilities. These Judges have conducted 11,959 magistrations since July 2021. OCA provides administrative support for the proceedings, including court interpretation services. Support staff consists of seven administrative assistants (four full-time, three part-time) and seven court interpreters, as well as a court services manager, special projects manager, and a court consultant who liaise between various court system participants to ensure daily dockets are processed. OCA has focused on problem solving with over 121 onsite visits in OLS counties.



OCA hosted the Texas Judicial Branch Effective Case Management in a Post-Pandemic World training in September 2022.



In February, the OCA assisted the National Center for State Courts (NCSC) in planning and hosting the 2023 Annual Conference of Chief Justices.



The Senate celebrated Women Judges' Day in April. Over 120 judges from across the state joined this event hosted by Senator Zaffirini and Senator West.



RESEARCH AND COURT SERVICES

DUTIES AND RESPONSIBILITIES

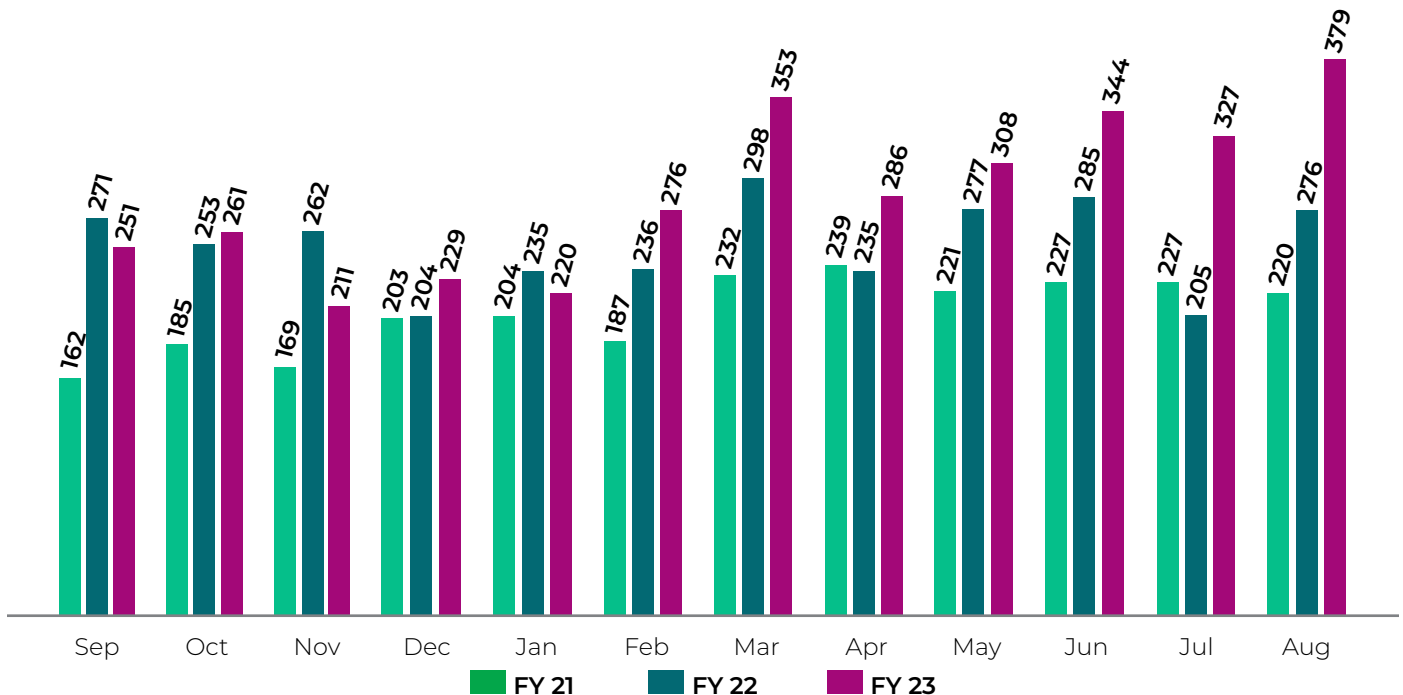
- Provide resources, services, and information to support the efficient operation of courts in Texas
- Promote judicial data reporting accuracy and compliance
- Provide remote language interpreter services
- Increase compliance with the satisfaction of assessed court costs, fines, and fees

Language Access Program

OCA's Language Access Program provides assistance to courts in communicating with individuals with limited English proficiency, giving these individuals meaningful access to their legal proceedings using the court's existing audio or video technology. Remote interpreting services are provided by the Texas Court Remote Interpreter Service staff same day on-demand or with advanced scheduling.

During FY 2023, the demand for OCA's remote interpreting services continued to be evident. As a result, OCA made use of American Rescue Plan Act funding to fill the two temporary FTE positions to assist with court case backlogs. The five remote interpreters provided free Spanish, French and Portuguese interpretation services in 3,445 hearings serving 117 counties across Texas.

NUMBER OF INTERPRETED SESSIONS BY MONTH



In addition, this department provides interpreting services in magistrations generated by the Governor's Border Initiative under Operation Lone Star. This duty began at the end of July of 2021. During FY 2023, this department also coordinated contract interpreters to interpret in 3,899 remote magistration hearings via videoconference. While providing interpreting services to Texas Courts, the Language Access Program also provided document translation services to the Supreme Court of Texas, The Court of Criminal Appeals – 5th District, the Judicial Branch Certification Commission, and the Comal County Courts at Law.



Court Security Division

New and enhanced laws in court security are designed to improve the security of judges at all levels, both in their courthouses and at their homes. These laws do the following:

- Provide for the suppression of the residence address of a judge and judge's spouse in records maintained by the Texas Ethics Commission, a county registrar, and a county appraisal district. The law also allows a judge and judge's spouse to replace their home address on their driver's license with the address of the courthouse in which the judge serves.
- Requires county clerks, upon the written request of a judge, to omit or redact personal information from an online database that is made public.
- Requires that a courthouse security committee be established by the presiding judge of a municipality or the local administrative district judge in each county, respectively.
- Transfers responsibility for reporting security incidents to OCA from the local administrative judge to the law enforcement official responsible for providing court security.
- Requires any person providing security to hold a court security certification issued by a training program approved by the Texas Commission on Law Enforcement; and
- Authorizes any commissioned peace officer in the state to provide personal security to a judge, regardless of the location of the law enforcement agency that employs or commissions the peace officer.



Hector Gomez and Nick Barsetti met with 255th District Judge Vonda Bailey, Dallas County, and the Dallas County Marshals Office to discuss judicial security improvements and scheduling of future courthouse assessments in Dallas County.

The purpose of the Court Security Division is to:

- Support the establishment of court security committees through training and technical assistance.
- Assist courts with conducting and reviewing security and emergency preparedness assessments and developing improvement plans.
- Support the implementation of privacy protections for judges by facilitating the restriction of public access to the residence address of a judge or judge's spouse.
- Oversee the collection of court security incident reporting; and
- Serve as a clearinghouse of information regarding the new law and judicial and court security best practices.

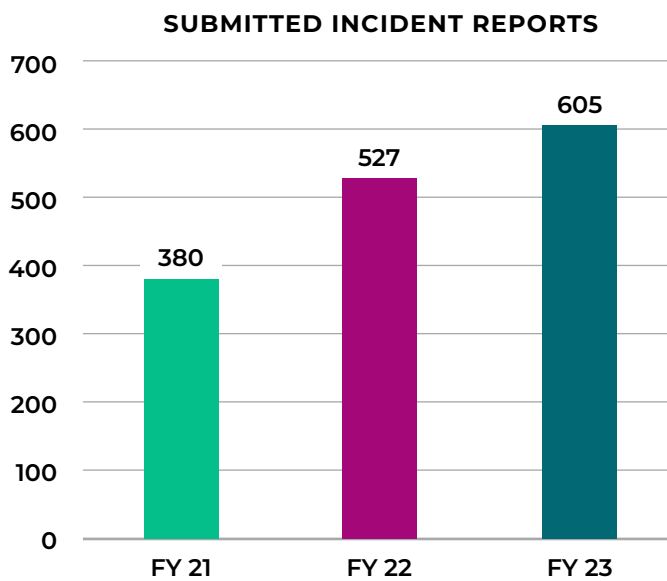
In FY 2023, the Court Security Divisions' efforts to assess court facilities and provide court security training increased as courts opened resumed operations and in-person hearings, the Division has been able to proceed with assessments, trainings, and facilitating assistance and guidance as court security committees are reconstituted. There was a marked increase in judicial threats and reported courthouse related incidents this fiscal year. The resumption of normal court related business will task the Divisions' effort to address the backlog of courthouse assessments coupled with meeting future court security related demands in training and assessments. To maximize OCA's outreach promoting awareness of the privacy protections afforded pursuant to SB 42, OCA staff provided numerous in-person Judicial, Court Professional and Court Partnership Conferences. OCA has provided the judiciary and court staff with on-site courthouse violence mitigation training and continued to provide personal security related information with the ability for judges to submit on-site, their privacy questionnaire and address court security related concerns or questions with staff. The





88th Legislative regular session provided the Division with an increase of two additional Court Security Specialists to meet the increasing needs of court security services to the Texas judiciary.

Incident reporting to OCA reflected a total of 605 incident reports, reported by 70 counties submitted in FY 23, a 14.8% increase over FY 22. To date, 1,661 judicial officers have taken advantage of having their personal and residential information suppressed from public view.



Additionally, during this period, the Court Security Director will facilitate the Supreme Court’s Advisory Committee on Judicial Emergency Preparedness and Court Security as well as the Annual Report to the Legislature on Court Security.

Courthouse vulnerability assessments continued to encompass the workload of the Court Security Division. In addition, judicial home assessments continue to be part of the landscape in addressing judicial threat environments. Courthouses have continued to express a need for evaluation and consultation, and the Division expects FY 23 to be busy addressing the backlog of courthouse assessment requests as restrictions ease and a gradual resumption of normal activities occurs.

The Court Security Division recently launched their first statewide survey of Courthouse Security Committees. OCA is preparing the finished report which will support the Court Security Division by identifying counties having reported established Courthouse Security Committees and provide a solid foundation for evaluating the ongoing challenges and security needs faced by Texas Courts.



Children's Court Program

The Children's Courts program is comprised of 73 operational courts - 30 child protection and 43 child support courts (CPC and CSC respectively). The CPCs cover 148 predominantly rural counties. The CSCs cover 233 predominantly rural counties. Each court has an associate judge appointed by the Presiding Judges of the Administrative Judicial Regions and a court coordinator. The judge and court coordinator are employed by the OCA. One CPC also has a court reporter. The Children's Courts Program Manager staffs the program serving as point-of-contact for the courts coordinating with OCA divisions in servicing court needs, i.e., equipment, supplies, travel, and HR-related issues.

During this last fiscal year, there were some changes in Children's Courts personnel. In the CSC program replacements were hired for two associate judges – one retired and the other won election to a District Court seat – and for three court coordinators who retired. Sadly, one CSC judge passed away in July 2023. His replacement has not yet been hired. In the CPC program a replacement was hired for one associate judge who retired, and two court coordinators were hired to replace two coordinators who departed service. A replacement has not been selected for a third court coordinator who departed service. The retired CPC judge will continue to share his years of child welfare expertise by sitting as a visiting associate judge.

OCA received funding from the 88th Legislature to begin providing equipment to the CSC judges and staff effective 9/1/2023, taking over the responsibility from the Office of Attorney General. The OCA and OAG IT divisions have met several times to ensure a smooth transition.

Since the last report, the Early Intervention Court Liaisons (EICLs) continued working to bridge gaps within the child welfare community and enhance communication amongst child welfare stakeholders. The EICLs were invited to present at various local and statewide events and assisted in the planning of local events, i.e., community resource fairs, events for youth in foster care, and conferences and trainings. From the program's inception in the Spring of 2022 through August 2023 the liaisons have received the following number of referrals: Galveston (554); Bell (351) and Lubbock (61).

The Children's Courts Program Manager continued to serve on the Children's Commission's Data Committee, Mediation Workgroup, Equity Workgroup, and the CPCMS Advisory Workgroup.

In FY 2020, OCA received a grant from the Children's Commission to fund the use of former CPC associate judges to sit as visiting associate judges to ensure judges experienced in child protective services (CPS) matters are available to hear cases in an associate judge's absence from the bench. In its FY 2024 renewal grant application (completed in FY 2023) OCA again requested to include the use of former/retired district and county court at-law judges experienced in hearing CPS cases to expand the pool of eligibility.



Anissa Johnson with Early Intervention Court Liasons.

Specialty Courts

The Research and Court Services Division (RCSD) continues to have direct responsibility to provide technical assistance to and monitor Specialty Courts' compliance with programmatic best practices and coordinate and provide information to the Governor's Criminal Justice Division (CJD). Effective September 1, 2019, OCA has statutory oversight of Specialty Courts. This includes registering new Specialty Courts and maintenance of the statewide Specialty Court registry. At



the conclusion of FY23, there were 211 registered Specialty Courts. The Statewide Problem-Solving Court Coordinator (SPSCC), RCSD Director, and RCSD staff stand ready to assist Specialty Court teams across the State. The OCA received funding from the 88th Legislature for two positions dedicated solely for Specialty Courts. Efforts are underway to secure the positions in FY24.

In FY 2023, the SPSCC continued representing OCA and the State of Texas by attending and participating in specialty court-related meetings and conferences sponsored by a diverse body of stakeholders, including but not limited to, the National Association of Drug Court Professionals (NADCP, now All Rise), the Texas Association of Specialty Courts (TASC), the Conference of Chief Justices and Conference of State Court Administrators (CCJ-COSCA), the CJD and CJD’s Specialty Courts Advisory Council (SCAC), the Center for Court Innovation (CCI), and the Texas Specialty Court Resource Center (SCRC). The SPSCC continued to serve as the Specialty Court Ombudsman, the single point-of-contact for specialty court participants and team members to report complaints/concerns about program operations, processes, and individual team members, including the specialty court judge.



Megan LaVoie, Jeffrey Tsunekawa, and Anissa Johnson attended the 3rd Annual Treatment Court Summit in Denver, Colorado October 18-20, 2022. The Summit focus was on emerging issues in and measuring success of treatment courts.



CENTER

FOR

COURT

INNOVATION



Centers of Excellence

After a hiatus due to the COVID-19 Pandemic, the Centers of Excellence Program was successfully reinitiated in 2023. In 2022, the program staff took the opportunity to review and refine the program to reflect the work of Texas courts more accurately and further define excellence in Judicial Administration.

The program continues to evaluate courts across ten areas in two key categories—performance and compliance:

PERFORMANCE AREAS	COMPLIANCE AREAS
Governance	Judicial Reporting
Court Operations	Court Security
Data Driven Caseflow Management	Fines and Fees
Access and Fairness	Indigent Defense
	Guardianship Abuse, Fraud and Exploitation Prevention Program

In March of 2023, the Centers of Excellence team began working with two Justices of the Peace—Judge Mark Russo and Judge J.R. Woolley—of Rockwall County Justice of the Peace Precinct 3 and Waller County Justice of the Peace Precinct 2 respectively. These two judges had high marks in Access and Fairness and Court Operations and are the first two justices of the peace to successfully complete the program. Both courts were recognized as Centers of Excellence by the Texas Judicial Council (TJC) on June 30th, 2023.

The program continues to attract the interest of other courts. There are currently seven courts, mostly new Justices of the Peace inspired by the work of Judges Russo and Woolley, moving through the program at the end of 2023 along with now six other recognized courts.

The program continues to iterate and make improvements, with support of the TJC and courts that have completed the process. The Centers of Excellence Program team will continue to refine the program to include relevant legislative changes and better evaluate excellence in judicial administration across all court levels into 2024.



Waller County Justice of the Peace, JR Woolley, Chief Justice Nathan L. Hecht, and Rockwall County Justice of the Peace, Mark Russo at the June 2023 Judicial Council meeting.



Expedited Actions Evaluation

On March 28th, 2023, the OCA, the Institute for the Advancement of the American Legal System (IAALS), and the National Center for State Courts (NCSC) completed a study and report on the impact of expedited action rules in the State of Texas entitled— [A Renewed Analysis of the Expedited Actions Rules in Texas Courts](#).

The study, funded by a grant from the State Justice Institute (SJI), is a continuation of work began in 2014 by OCA and the NCSC to evaluate the impact of rule changes made by the [State Supreme Court in 2012](#), under their rulemaking authority, to the relevant sections of Texas Rules for Civil Procedure in an effort to improve access to civil justice by decreasing the time it takes to resolve simple civil matters in district and county courts.

These rule changes included:

- A requirement that all non-family civil cases involving exclusive monetary damages of \$100,000 or below be subject to the EARs;
- A cap on damages sought in civil cases for less than \$100,000;
- Commencement of discovery immediately upon filing of a case falling under expedited rules;
- Restrictions on the scope of discovery for EARs limited to no more than 6 hours of oral deposition for all witnesses, 15 written interrogatories, 15 requests for production, and 15 requests for admission;
- Trial dates for EARs cases set by the court within 90 days of the completion of discovery; and
- Court-ordered Alternative Dispute Resolution (ADR) in expedited actions restricted to one half-day, fees restricted to not more than twice the applicable civil filing fee, and all ADR procedures completed at least 60 days before the initial trial date, or within 30 days of the completion of discovery.¹

The research team conducted a docket study of all cases subject to expedited action rules in five Texas counties—Fort Bend, Dallas, Harris, Lubbock, and Travis—from July 1st, 2018 to June 30th 2019 and evaluated key indicators including civil case type, time to disposition, number of motions filed, amount in controversy, and other key variables; and compared those variables with the findings from the 2014 to assess the impact of the rule changes from 2012.

Included in the analysis was a survey of the attorneys, court coordinators, court administrators, and judges from the courts where the cases were heard conducted by the IAALS team. Those surveyed were asked about their awareness of the rules, what the impact of the rules had on their practices—if any, and any changes that could be made to the rules.

Based upon the analysis conducted by the OCA, IAALS, and NCSC team, the report produced several findings and recommendations regarding expedited actions in Texas:

1. **Offer training both on basic case management principles and on the EARs, especially to new judges and court staff.**
2. **Empower and train court coordinators to assist in civil case processing.**
3. **Leverage technology to assist in civil case management.**
4. **Operationalize application of the rules from filing through case disposition.**

These recommendations align with the ongoing mission of the Office of Court Administration to support the effective administration of justice Texas Courts.

¹ The Expedited Action Rules have since been expanded. Those changes were not included in the scope of this study. [The most recent changes can be found online.](#)



Judicial Weighted Caseload Study

In November of 2019, the OCA and the National Center for State Courts (NCSC) convened the first Judicial Needs Assessment Committee (JNAC)—a committee made up of District and County Court at Law Judges and court administrators designated to oversee, implement, and guide the work study itself—to launch the Texas Weighted Caseload Study as directed by the legislature in [SB 891](#) from the 86th Legislative Session. First implemented in 2007 to assist the legislature in assessing overall judicial need for district courts in the state, the aim of this study was to update the case weights and expand the study to include judges not included in 2007.² The study was put on hold due to the ongoing COVID-19 Pandemic in March of 2020.

On October 3rd, 2022, OCA and the NCSC reconvened a new JNAC and relaunched the study.³ The latest weighted caseload study made significant changes and improvements to the prior study, primarily by including County Courts at Law, Magistrates, Associate Judges, and any other ancillary judicial officers in the workload study itself. The aim being to accurately capture the workload before judges across the state and evaluate overall judicial need. The October 3rd meeting set the initial case types to be captured by the work study and identified key dates for the deployment of study itself.

The 2023 Judicial Workload Study was made up of three distinct methodologies:

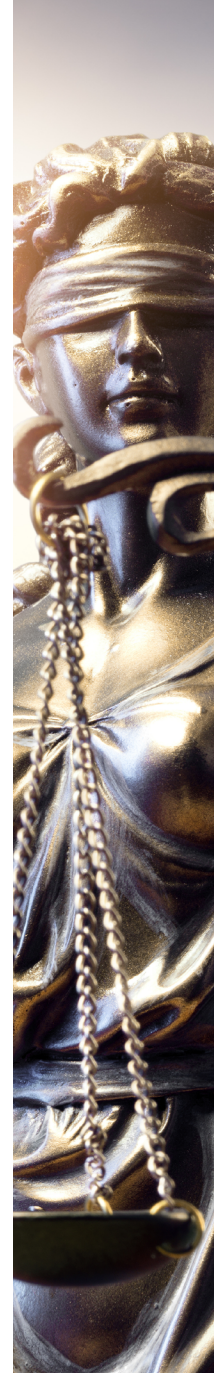
1. Time Study and Data Collection: Conducted over five weeks from January 22nd, 2023, through February 25th, 2023, the time study was the most vital portion of the workload study. The study asked over 900 judicial officers in Texas to track their time on and off the bench for 31 different case types. The data collected from this portion of the study would then set the initial case weights and provided an average workload for each case type.
2. Sufficiency Study: Conducted over two weeks from April 19th, 2023, through May 3rd, 2023, the Sufficiency study surveyed judges across the state about the time study itself—identifying additional variables and indicators that impact judicial workload that fell outside the strict counting of time from the study and would guide the National Center team in the ensuing focus group discussions. The results of this study were shared the JNAC, which then identified key case types and associated times that needed further refinement to accurately reflect judicial need.
3. Delphi Focus Groups: Conducted over four days from July 17th, 2023, through July 20th, 2023, the Delphi Groups were focus groups made up of participating judges who were tasked to come to consensus on times and case weights based upon the guidance of the JNAC. These groups were asked to evaluate case times and make changes upward or downward in the overall time each case type would take.

Once the three phases were conducted, an in person meeting with the JNAC to finalize the case weights themselves and direct the NCSC to construct a model of judicial need. This model identifies the total number of judicial officers needed to effectively administer cases in the state. The results of that study were published on October 12th, 2023 and posted on the OCA [website](#).

Pretrial and Bail

² The findings of the initial 2007 study can be found here: [Measuring Current Judicial Workload in Texas, 2007](#).

³ Some judges having retired or stepped down from the committee in the interim period.



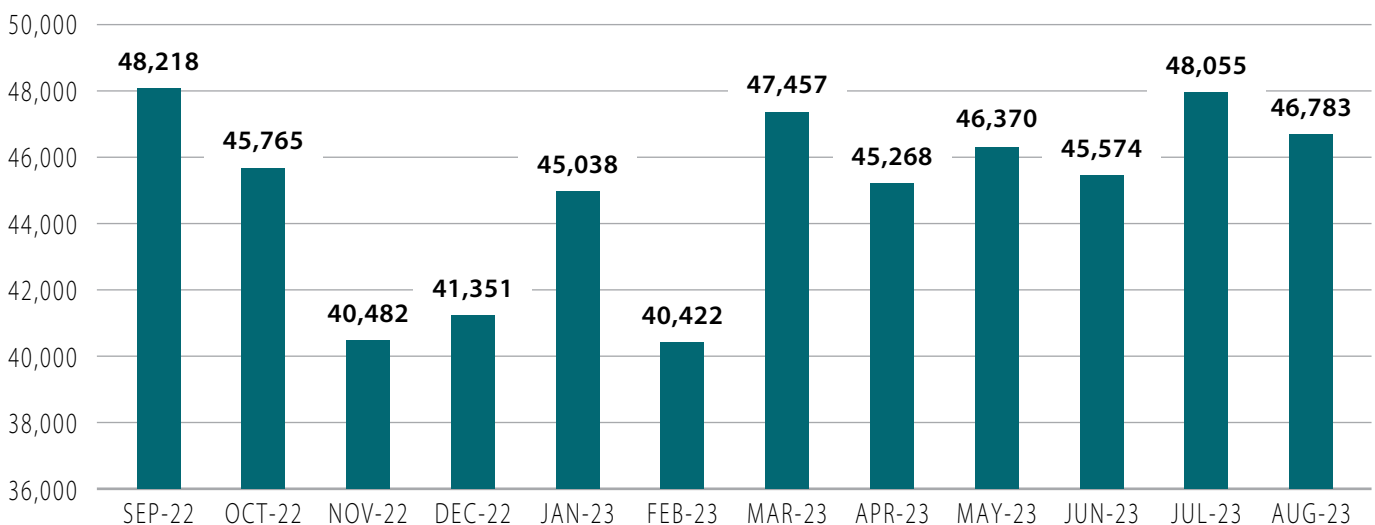
[Senate Bill 6](#) (the Damon Allen Act) was enacted in September 2021 during the Second Called Session of the 87th Legislature. The Damon Allen Act established procedures for setting bail and the reporting of bail information, set certification and reporting requirements for charitable bail organizations, amended procedures regarding cash bail bonds, and specified additional training requirements for judges and other positions setting bail (law enforcement officials when applicable per SB 6). The bill required OCA to implement a standardized public safety report system (PSRS) for statewide use by April 1, 2022, and to provide access, at no cost, to the appropriate officials in each county and each municipality that perform magistrations. Magistrates who set bail are required to consider the public safety report generated in the PSRS for defendants charged with Class B misdemeanor or higher categories of offenses.

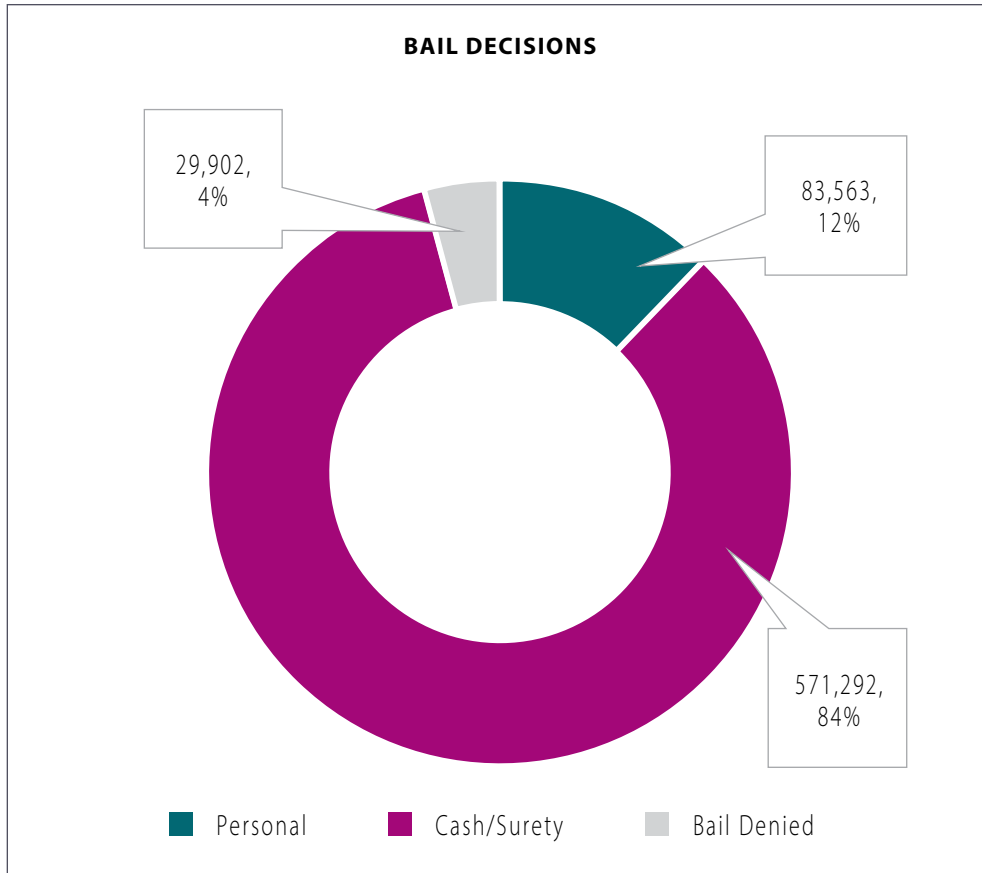
The project consisted of developing the statewide PSRS which met the requirements of Senate Bill 6, implementing the PSRS in all local magistrate offices throughout the State, and providing training for all statewide users in the use of the system. OCA contracted with AutoMon (vendor) to develop the PSRS and hired two full time employees to support the project.

The PSRS began operations on April 1, 2022, as required by legislation. As of the end of FY23, there were 6,986 active users and 235 counties that have completed magistrations in the system. A total of 538,256 bail forms were completed from September 1, 2022, through August 31, 2023. These bail decisions are detailed in the chart below. Note that multiple offenses may be included on one bail form.

The Public Safety Report System reports three different bail decision types: Cash/Surety Bail, Personal Bail, and Bail Denied. The following chart details the breakdown of the different bail decisions.

COMPLETED BAIL FORMS





Several updates to the original system have been released and additional enhancements are in the planning stage in response to user requests.

The Pretrial and Bail Section continues to provide technical assistance to users through our [website](#), the pretrial inbox at bail@txcourts.gov, Q&A sessions, attendance at various statewide conferences, the PSRS help center, and the vendor's technical support at support@automon.com. AutoMon has responded to 964 support tickets during fiscal year 2023.

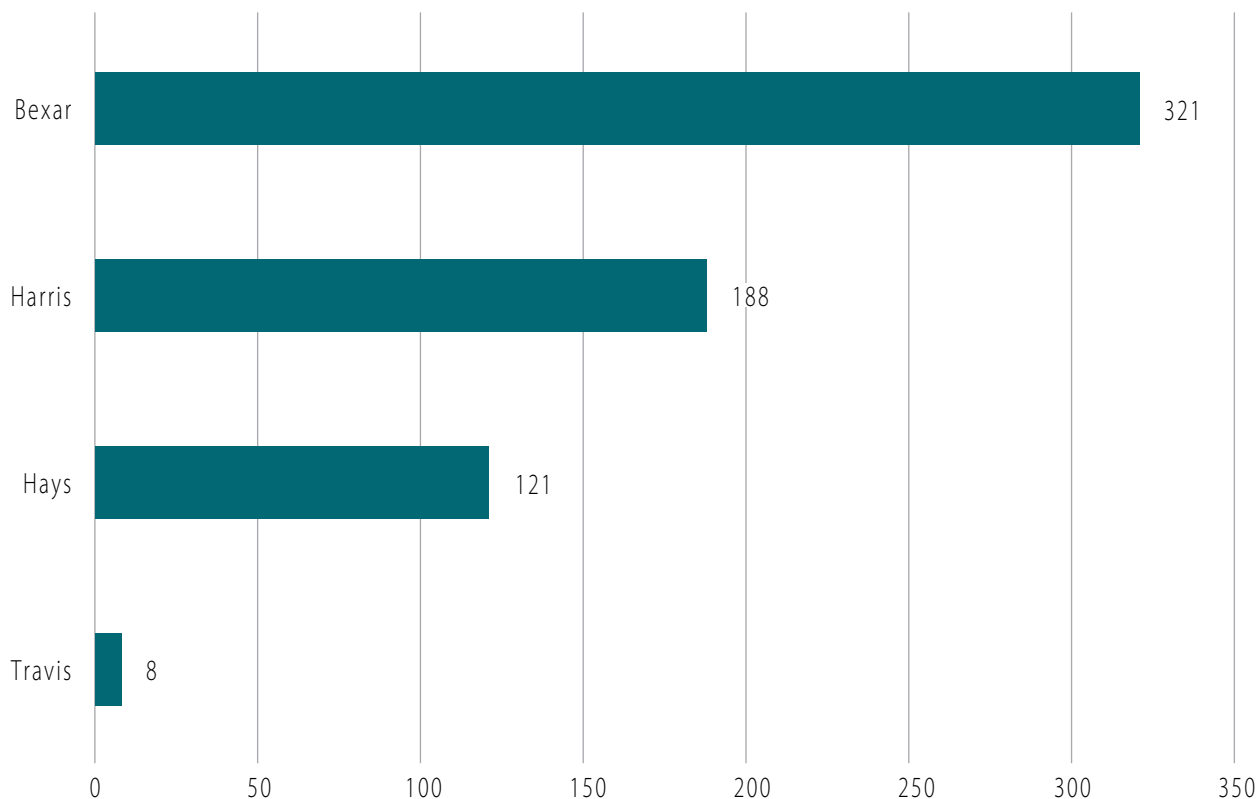
SB 6 mandated the reporting of additional new data elements, bail, and pretrial release information. Section 71.0351(b) requires that the Office of Court Administration post the information in a publicly accessible place. The reporting requirements became effective April 1, 2022. The information was found on OCA's Topics website. Recently OCA developed a set of dashboards [TJB | PSRS | Statistics & Dashboards \(txcourts.gov\)](#) to display the required reporting elements and other data which were being gathered in the PSRS. This data is updated daily to reflect the most recent information.

SB 6 requires charitable bail organizations to submit a report to the sheriff of a county in which the organization paid a bail bond for a defendant. This report must be submitted by the 10th of each month. The sheriff then should provide a copy of the report to the OCA.



Four counties have provided charitable bail reports to OCA this year - Bexar, Harris, Hays, and Travis. One organization, The Bail Project, was responsible for all the bails posted in Harris, Hays, and Travis counties. The Bail Project ceased posting bail in these counties after July. Texas Organizing Project is responsible for the bails reported in Bexar County. The four counties reported a total of 358 bailouts as indicated below.

FY 2023 BAIL OUTS



SB 6 required OCA to develop statewide procedures and forms to be used by courts to facilitate the refund of funds paid toward monetary bonds and/ or application of the cash funds towards the defendant’s outstanding court costs and other fees. These forms are available on the OCA website for courts and clerks to access.

Judges who set bail for defendants charged with Class B misdemeanors or higher offenses are required to complete 8 hours of judicial education on the duties of magistrates and setting bail, per SB 6. The legislatively required judicial education is provided through the Texas Center for the Judiciary, Texas Municipal Court Education Center, Texas Justice Court Training Center, and Texas Association of Counties.



Court Consultant

Work continues by courts to address backlog, implement new procedures, and leverage technology to manage court dockets, case filings and required reporting. Assistance in reviewing, establishing, and recommending processes for counties continue to be made available upon request.

Additional Consultant Activity:

- Provided reports with overview for Court Review to requesting counties, including assisting with case management configurations, reviewing case level data to inventory and assist meeting monthly reporting requirements, and assisting with implementing record retentions schedules for counties working towards a paperless solution.
- Reviewed and assisted in analysis of civil cases related to criminal matters, determining the best approach to address backlog.
- Mental Health Reporting maintenance of guide and assistance with questions related to NICS reporting and the legislative changes.
- Attendance at meetings and presentation of requested topics related to courts, court administration, and clerks including registry funds, escheating funds, SB 6, Evaluating Court Work, OCA updates, Legislative updates, E-file, UCMS, and Juvenile records.
- Continued work on development of eFileTexas updates, assisting with testing, meetings and evaluating the product with Tyler Technologies and OCA project manager.
- Case Level Data Reporting evaluation team, assisting with reviewing the data elements captured at the court level and data wanted for reporting purposes with focus on Criminal data for implementation in 2025.
- Continued updates to general recommendations and “Best Practices” to address court backlog due to the pandemic.
- Development of resources for moving to a paperless court, collection and disbursement requirements for clerks, and development of additional resources for various court functions.
- Assisted National Center for State Courts in gathering data for Expedited Action Cases related to filing, discovery, and disposition of civil cases in designated counties, and finalizing the project in 2023.
- Assist in attending and tabling for OCA at assigned conferences.
- Upon request issue a Voluntary Remote Marriage Licenses for County Clerk’s including maintaining applications and managing issuance of licenses by OCA.
- Court Reminder Project subject matter expert and continue to work toward implementation once a vendor has been selected for the project.
- Assisting with awarded grant for NICS/CJIS reporting and a no-consequence auditing process for counties who need assistance in reviewing records.
- Assistance with the Judicial Assessment Study and its continued efforts to update ability for case load studies and efforts of courts.



Judicial Information

OCA's Judicial Information program is the repository for a variety of information regarding courts in Texas. It collects and maintains information from courts at all levels, analyzes court data, and produces or assists in the production of reports regarding the state's courts and the officials who work in them. A significant portion of Judicial Information staff time is also devoted to providing support to the trial courts and clerks and addressing reporting issues to promote data quality and completeness.

In FY 2023 program staff were involved in the following activities:

Report Production and Updates:

- 2022 [Annual Statistical Report for the Texas Judiciary](#), which includes statistics for appellate and trial courts and analyses of case activity and trends in filings and other measures of court workload
- 2023 [Texas Judicial System Directory](#)
- 2022 [Annual Report on Disposition of Judicial Bypass Cases by Trial Courts](#)
- 2022 [Presiding Judges Annual Report](#)
- 2022 [Writs of Attachment Annual Report](#)
- [Profile of Judges Report as of September 1, 2023](#)
- Routine updates to the lists of [Appointments and Fees](#), [Hate Crimes](#), [Jury Charges and Sentences in Capital Cases](#), and [Vexatious Litigants](#)
- Updates to the [Court Structure Chart](#), [Complexities in the Geographical Jurisdictions of District Courts](#), and [maps due to the implementation of new district courts and county courts at law](#)
- Submission of information about the Texas Judiciary's organization, administration, and caseload for the [National Center for State Court's Court Statistics Project](#)
- Data collection and analyses for the Judicial Salaries and Turnover Report for FYs 22 & 23
- Monthly reports on bail data from the Public Safety Report System and from Judicial Council Court Activity Reports
- FY 2022 [Annual Bail Data Report](#)
- Production and maintenance of [bail data dashboards](#)
- Reporting and analyses related to pandemic backlogs
- Quarterly and monthly data posted to the Department of Information Resources' [Open Database Portal](#)

Data collection, analyses, requests, and support to:

- The Texas Judicial Council and the Office of Court Administration
- The Supreme Court for its courts of appeals [docket equalization program](#)
- The Council of Presiding Judges
- Judicial Districts Board
- The Council of Chief Justices
- Judicial Compensation Commission
- External customers related to legislative sessions, including requests for analyses for new district courts or county courts at law, or other major issues in the judicial system
- Trial courts and clerks and their information technology staff or case management vendors



INFORMATION SERVICES

RECIPIENTS OF DIRECT TECHNOLOGY SERVICES

- Supreme Court of Texas
- Court of Criminal Appeals
- 14 Intermediate Courts of Appeals
- State Law Library
- State Prosecuting Attorney
- State Commission on Judicial Conduct
- Texas Indigent Defense Commission
- Office of Capital and Forensic Writs
- Board of Law Examiners
- Regional Public Defender Office

The Information Services Division works to foster technological innovation with its Judicial branch partners in a secure environment. The division supports Internet services, networks, cloud services, servers, workstations, and mobile devices for more than 1100 users spread across Texas.

Additionally, the division manages the statewide eFiling contract which is comprised of eFiling, document access (re:SearchTX), forms assembly (Guide and File) and document redaction. It also staffs and coordinates the activities for the Judicial Committee on Information Technology and its subcommittees.

eFile

Tyler Technologies operates and maintains the statewide electronic filing system. OCA works closely with Tyler Technologies to ensure that production issues are addressed in a timely manner. OCA is also working with Tyler to continually improve the eFiling system for the attorneys and the clerks. Tyler has phased OCA requests into four phases and completed most of phase two in FY2023.

Re:SearchTX

Re:SearchTX aims to provide a single statewide view of electronic court documents. The system currently includes almost 120 million documents filed in civil cases across the state. Any of the more than 120,000 users can purchase the document (\$0.10/page with a minimum of \$1 per document) and the money collected goes to the county of origin. This year more than \$300,000 was collected and distributed to more than half of the counties in the state.

Continuing Efficiencies Through Technology

Although the pandemic continues to wind down, OCA continued with technologies that greatly improved the courts. OCA renewed Zoom for all judges in Texas in March 2023. In addition to Zoom, OCA with also renewed zConnect.io to provide an additional layer to Zoom that allows judges to manage their mass docket calls. It allows judges to upload a copy of their docket and groups participants based on the case that they are involved with. zConnect is available to any judge with an OCA provided Zoom account.

This year, OCA contracted with Thompson-Reuters to provide Case Center to 100 judges in Texas. This tool allows litigants and attorneys to upload exhibits ahead of a hearing or trial and then allows the judge to share them in a hybrid hearing environment.



Casey Kennedy updates the Texas Judicial Council on OCA's case-level data project at its February 2023 meeting.



Self-Help

In working with the eFiling vendor and legal services, the included self-help features of eFiling continued to expand. On average, the system is seeing approximately 5,500 sessions per month. Approximately two-thirds sessions result in the document prepared being electronically filed, with the other portion being printed and filed on paper.

Additionally, OCA participated with the Access to Justice Commission and the Texas Legal Service Center as the “Texas Team” in a project by the Stanford Law School. This project aims to make electronic filing more standardized and accessible to self-represented litigants. The team assisted the Stanford group in formulating self-represented litigant eFiling standards and maturity model.

The mission of the Judicial Committee on Information Technology (JCIT) is to promulgate standards and guidelines for information technology in the Texas Judiciary.

Judicial Committee on Information Technology

In FY23, JCIT met four times and discussed a variety of topics including:

- Expanding re:SearchTX to include criminal case documents as appropriate
- Increasing the availability of Orders/Judgements on re:SearchTX
- Technology Standards
- All statewide Judicial Branch technology projects

Committee Members

Voting Members

Hon. Rebecca Simmons, Former Justice, Fourth Court of Appeals, San Antonio

Bob Wessels, Former Criminal Court Administrator, Harris County

Hon. Lawrence Doss, Justice, Seventh Court of Appeals, Amarillo

Hon. David Escamilla, Former County Attorney, Travis County

Hon. Roy Ferguson, Judge, 394th District Court, Brewster, Culberson, Jeff Davis, Hudspeth, and Presidio Counties

Hon. Dan Hinde, Attorney, Dan Hinde PLLC, Houston

Hon. Laura Hinojosa, District Clerk, Hidalgo County

D. Todd (Todd) Smith, Attorney, Butler Snow LLP, Austin

Carlos Soltero, Attorney, Maynard Nexsen, Austin

Dean Stanzione, Director of Court Administration, Lubbock County

Dennis Van Metre, Chief Technology Officer, Vinson & Elkins, Houston

Mark Unger, The Unger Law Firm, San Antonio

Hon. John Warren, County Clerk, Dallas County

Edward E. Wells, Jr., Court Administrator, Harris County



Non-Voting Members

- Hon. Jeffrey S. Boyd**, Justice, Supreme Court of Texas, Austin
- Hon. Kevin Yeary**, Judge, Court of Criminal Appeals, Austin
- Amy Befeld**, Texas Association of Counties, Austin
- Miles Brissette**, Gill & Brissette, Fort Worth
- Hon. David Canales**, Judge, 73rd District Court, Bexar County
- Hon. Ann-Marie Carruth**, Judge, 72nd District Court, Lubbock County
- Hon. Michael Cruz**, Clerk, Fourth Court of Appeals, San Antonio
- Michael Cuccaro**, Executive Director, El Paso County Council of Judges, El Paso County
- Annie Elliott**, Court Coordinator, 434th District Court, Richmond
- Doug Gowin**, Operations Manager, Tarrant County
- Jessica Griffith**, JP Functional Analyst, Collin County
- Hon. Blake Hawthorne**, Clerk, Supreme Court of Texas, Austin
- Hon. Laura Hinojosa**, District Clerk, Hidalgo County
- Tracy Hopper**, IT Administrator, Harris County District Clerk's Office, Houston
- Roland Johnson**, Attorney, Fort Worth
- Megan LaVoie**, Administrative Director, Office of Court Administration, Austin
- Karen Miller**, Executive Director, Texas Legal Services Center, Austin
- Hon. Velva Price**, District Clerk, Travis County
- Hon. Russ Ridgeway**, JP Precinct 5, Place 1, Harris County
- Hon. Nancy E. Rister**, County Clerk, Williamson County
- Sian Schilhab**, General Counsel, Court of Criminal Appeals, Austin
- Stephanie Sterling**, State Bar of Texas, Paralegal Section, Austin
- Hon. Ralph Swearingin**, JP Precinct 1, Tarrant County
- Hon. Deana Williamson**, Clerk, Court of Criminal Appeals, Austin

TECHNOLOGY BY THE NUMBERS IN FY 2023

OCA INFORMATION SERVICES	RE:SEARCHTX
>1,100 Number of Users directly supported by OCA Information Services	120,397 Number of re:SearchTX Users
EFILE 44,000 Average number of eFile envelopes per day	119,991,577 Number of documents available
790,000 Number of eFile Users	\$348,553.90 Amount collected for counties in FY 23
190 Number of JP Courts on eFile across 49 counties	238,413 Number of documents sold in FY 23



LEGAL DIVISION

LEGAL STAFF LIAISON SUPPORT

- Texas Judicial Council
- Conference of Regional Presiding Judges
- Council of Presiding Judges
- Board of Regional Judges for Title IV-D Account
- Judicial Districts Board
- Judicial Compensation Commission
- Judicial Branch Certification Commission

The Legal Division provides legal support for the agency and numerous entities within the judiciary and the presiding judges of the eleven administrative judicial regions.

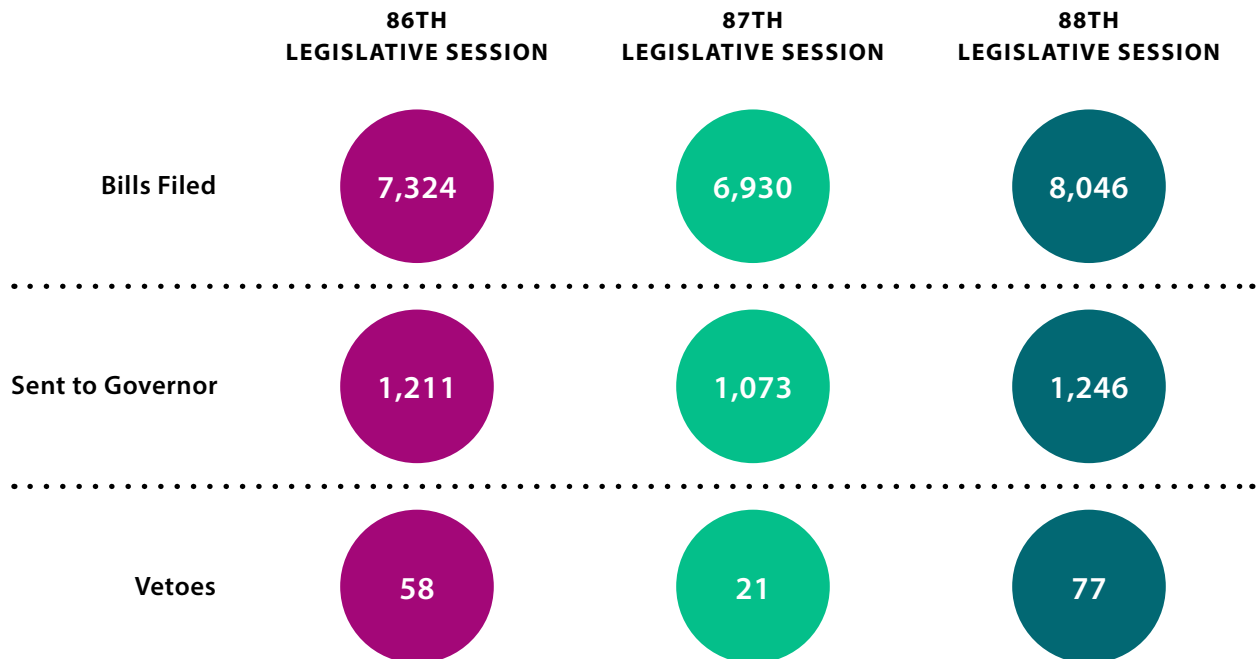
Rule 12 Appeals

The Division provides support to the special committees composed of regional presiding judges who issue decisions in appeals filed pursuant to Rule 12 (denial of access to judicial records) of the Rules of Judicial Administration. In FY 23, 11 public access opinions were issued.

The Open Records Policy and Decisions are posted on the TJB website at www.txcourts.gov/open-records-policy/.

Fiscal Notes

The Office of Court Administration completes more fiscal notes and bill analysis than any other agency in the state, except for the Comptroller. This session we were assigned 1,772 fiscal notes and submitted 1,524.



FINANCE & OPERATIONS

FISCAL AND OPERATIONS SUPPORT RESPONSIBILITIES

- Accounting
- Budgeting
- Facilities
- Management
- Financial Reporting
- Accounts Payable
- Travel
- Payroll
- Property & Surplus
- Purchasing
- Time & Leave

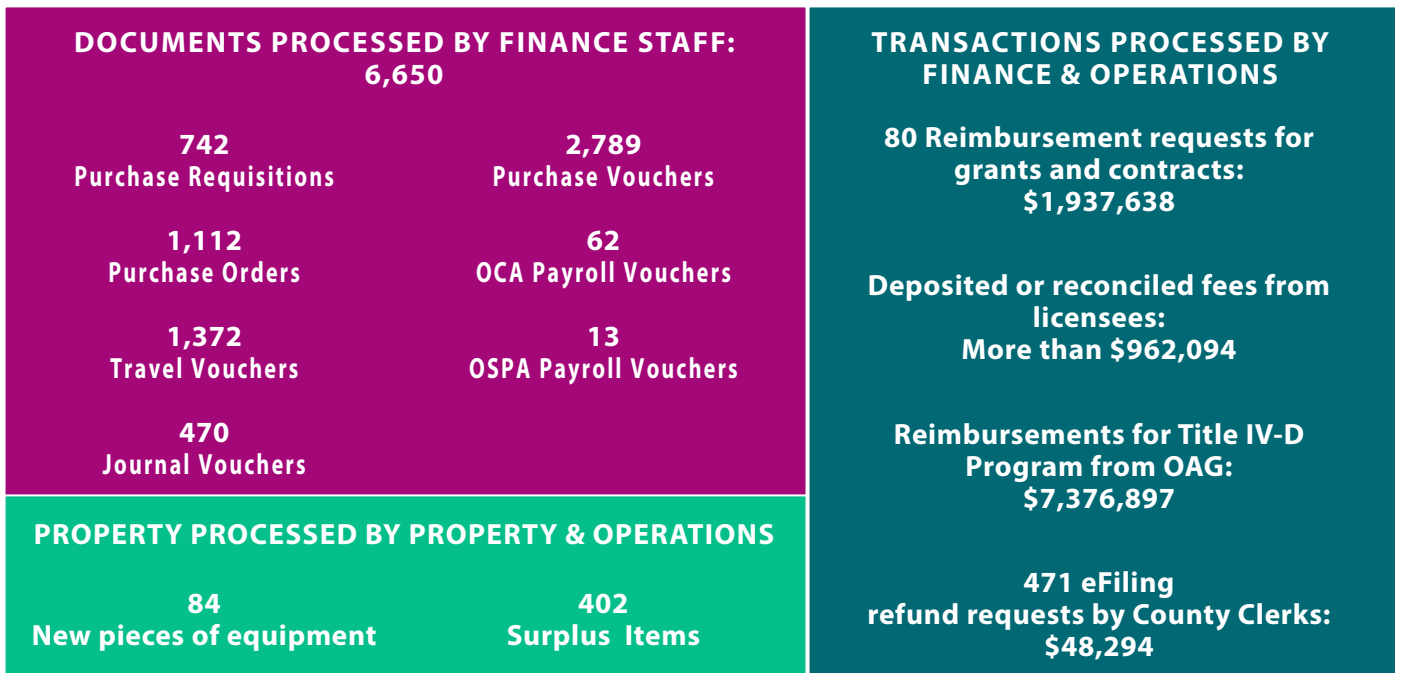
The Finance and Operations Division manages the fiscal and operational support activities of OCA.

Division staff members consult with OCA program managers on a variety of financial and contractual issues, and answer questions from the Legislature, the public, and other interested parties on judicial funding and state appropriations to the courts and judicial agencies. The division coordinates the preparation of the agency’s legislative appropriations request, operating budget, quarterly performance measures, and annual financial report.

Finance and Operations staff work with the clerks of the appellate courts on issues related to accounting, budgeting, purchasing, and financial reporting. The division also provides support to the chief justices of the appellate courts and the presiding judges of the administrative judicial regions regarding legislative and budgetary issues.

The division provides administrative support to the Office of the State Prosecuting Attorney (SPA) via an interagency contract. OCA provides 100% of the processing for SPA’s purchases, payments, budgeting, and other accounting functions including the legislative appropriations request, performance measure reporting, and the annual financial report. OCA also provides support for the facilities functions of the SPA.

FINANCE & OPERATIONS BY THE NUMBERS IN FY 2023



The 88th Legislative Session Appropriations for 2024-2025

The Legislative Appropriations Request for the 2024-2025 biennium was submitted to the Legislative Budget Board and Governor's Office on August 5, 2022. The total baseline budget request for 2024-2025 totaled \$224.7 million. Exceptional Item requests totaled \$129.2 million; \$27.8 million for OCA and \$101.4 million for TIDC. OCA's Exceptional Items and the outcome of each request during the 88th Regular Legislative Session, excluding TIDC, are as follows:

- **Judiciary-wide Inflation Relief and Staff Retention and Recruitment – \$2.8 Million.** As the US Inflation rate continues to rise, coupled with consumer prices rising 9.1 percent year over year in June 2022, the Chief Justice of the Supreme Court has supported a 10% increase for non-judicial staff for the next biennium, branch-wide.

The legislature granted an across-the-board salary increase for classified state employees. Senate Bill 30, the Supplemental bill, granted a 5% salary increase, with a minimum of \$250 per month, effective July 1, 2023. Another 5%, with a minimum of \$250 per month increase, will be issued on September 1, 2024.

- **Replace Legacy System, Case Level Data - \$6 Million.** This project replaces the legacy system responsible for collecting and analyzing judicial data. The system in production was last upgraded in 2010. The legacy system only collects court data in aggregate, limiting the policy analysis that can be done to make our courts more efficient.

The Legislative Budget Board included \$6 million in funding for the Case Level Data system in the Senate and House budget recommendations to the legislature.

- **Replace Legacy System, Texas Appellate Case Management System - \$11.9 Million.** This project replaces the legacy system that provides case management of the appellate courts of Texas. The current system in production was last upgraded in 2010. Additionally, the new system also replaces the external interfaces to appellate attorneys, trial court clerks, and the public in general who want to review case documents at the appellate courts.

This exceptional item was not funded. The request will be included in the Legislative Appropriations Request for 2026-2027.

- **Information Technology Licensing - \$4.3 Million.** OCA provides direct IT services to the high courts, courts of appeals, and all judicial branch agencies. This includes licensing of Microsoft EA, Adobe, DocuSign, Zoom, Azure, cybersecurity tools, and other various software to ensure that our users operate efficiently and are secure. At the same time, as OCA continues to shift operations to the cloud, cloud costs are naturally increasing as well. This exceptional item requests funding for licenses that have increased nearly 300% since 2019. This item also requests funding for the OCA network, which is nearing the manufacturer's end of life. Replacing the equipment greatly improves the agency's cybersecurity posture with additional features that do not exist in the current network. This includes the replacement of switches, routers, WiFi, perimeter networking devices and cybersecurity upgrades.

This exceptional item was fully funded.

- **Court Services Staff Needs – (2) Specialty Court Program Specialists and (2) Court Security Specialists - \$657,500.** Effective September 2019, as a result of the 86th legislative session, the oversight of specialty courts was transferred from the Criminal Justice Division of the Governor's Office to OCA. A large number of responsibilities came with the oversight, but no FTE resources. As of June 2022, there are currently 247 registered and active specialty courts in the state. OCA expects an increase in demand for specialty courts, especially mental health courts in the near future. OCA is requesting funding for two additional FTEs for Research and Court Services dedicated to specialty courts. This exceptional item also requests two more FTEs for the Court Security division. Over time, court personnel have



recognized the need for resources addressing improved courthouse security. The two current FTEs are spread too thin to adequately serve all judicial officers and courthouses in the state requesting assistance. Texas needs to have more dedicated resources to help improve privacy protections, physical protections, and training for those in courthouses and at the homes of our judicial officers.

This exceptional item was fully funded.

- **Children's Court Needs - \$1.1 Million.** OCA has a large number of judges and court coordinators that can retire. Due to the length in state government of the staff, lump sum payments can be very high. Payouts of this size are very costly to the budget and is especially hard for the IV-D Child Support program, as the Office of the Attorney General (OAG) will not reimburse the agency for 66% of these costs as they do for all IV-D salaries and operating expenditures. OCA requested restoration of the \$300,000 that was in the budget during the 22-23 biennium. This exceptional item also requests funding for the IV-D program staff computers, software, and one FTE for the IT Support Desk. Currently, these services are provided by the OAG, creating a conflict of interest in the IV-D courts, with one party to the case (OAG) responsible for maintaining equipment for staff that are employed by another state agency (OCA). Finally, this exceptional item requested an additional 5% salary increase for the court coordinators. This 5% is in addition to the 10% requested in the first exceptional item above. The court coordinators are often recruited to the county they live in at a significant increase. This additional 5% will help OCA retain these skilled staff members.

This exceptional item was mostly funded. The additional 5% salary increase for the court coordinators was not funded, however, with the increase being a minimum of \$250 per month, the overall percentage for the court coordinators approaches 13% by FY2025.

- **Operation Lone Star - \$1.03 Million.** OCA received the current appropriations for Operation Lone Star in our base budget for 24-25. Since the original budget was requested, revisions to the financial needs of providing magistration services have been made to accommodate actual needs. Our original request did not include administrative assistants needed to manage the Zoom hearings. We have also identified a need for administrative assistants for weekend magistrations. We determined the need for a court consultant to assist counties with magistration processes. This request will supplement the existing budget and add four FTEs if granted.

This exceptional item was fully funded.

The legislative session resulted in additional appropriations through various legislation that passed and are as follows:

- District and County Court Personnel Workload Analysis. \$200,000 was appropriated to conduct a study of the court personnel workload of the district and statutory county courts. The study will utilize a weighted caseload considering the nature and complexity of the cases heard. A report to the Governor, LBB, and chairs of the standing committees of the Senate and House is due on January 1, 2025.
- Court Reminder Program. House Bill 4293, 87th Regular Session, directed the OCA to create a court reminder program that allows a county to send a text message to notify criminal defendants of scheduled court appearances. Funding was not provided during the 87th session, however, the 88th legislature appropriated \$2,200,000 to OCA to implement this legislation.
- Business Courts. HB 19 authorized the creation of a business court in each of the 11 judicial regions. The courts are created in a phased in approach, with courts created in the first, third, fourth, eighth and eleventh administrative districts effective September 1, 2024. On or before September 1, 2026, but not before July 1, 2026, the second, fifth, sixth, seventh, ninth, and tenth business court districts are created. OCA was appropriated \$9.8 million for the business courts, including 43 FTEs.



- OCA received funding in the Conference Committee version of HB 1 for legislation that was either vetoed or postponed. They are as follows:
- Guardianship Associate Judges. OCA received \$695,428 for a pilot program for a state-funded specialty guardianship court as authorized by HB 79, 87th Regular Session, 2021. HB 4128 attempted to add state funding as an authorized source other than federal funds or county funds, however, the bill was vetoed by the Governor. This funding will be lapsed.
- Public Safety Reporting System enhancements. SB 1318 would allow the counties to integrate their jail records management system and case management system with the public safety reporting system. Funding in the amount of \$2.8 million is included in OCA's bill pattern, however, the legislation was postponed. This funding will be lapsed if the bill isn't resurrected during a legislative special session.

In Summary, the Office of Court Administration, including TIDC, was appropriated a total of \$295,480,770 for the 2024-2025 biennium compared to \$255,440,279 for the 2022-2023 biennium. Appropriations increased by \$40 million, or 15.68% increase from the 2022-2023 biennium, due largely to the approval of most Information Technology exceptional items, General Revenue funding for felony prosecution of Operation Lone Star cases and the classified employee salary increase.

METHOD OF FINANCE	2022-2023	2024-2025	INCREASE/(DECREASE)
General Revenue	\$75,784,414	\$153,813,818	\$78,029,404
Electronic Filing System Fund	\$51,701,166	\$52,542,505	\$841,339
Forensic Science Commission Operating Acct	\$259,350	\$661,001	\$401,651
Fair Defense Account	\$108,906,392	\$75,046,278	(\$33,860,114)
Appropriated Receipts	\$488,001	\$286,894	(\$201,107)
Interagency Contracts	\$13,147,310	\$13,130,274	(\$17,036)
Federal Funds/OOG Grant	\$5,153,646		(\$5,153,646)
TOTAL	\$255,440,279	\$295,480,770	\$40,040,491

The 88th Legislative Appropriations Request can be viewed here:

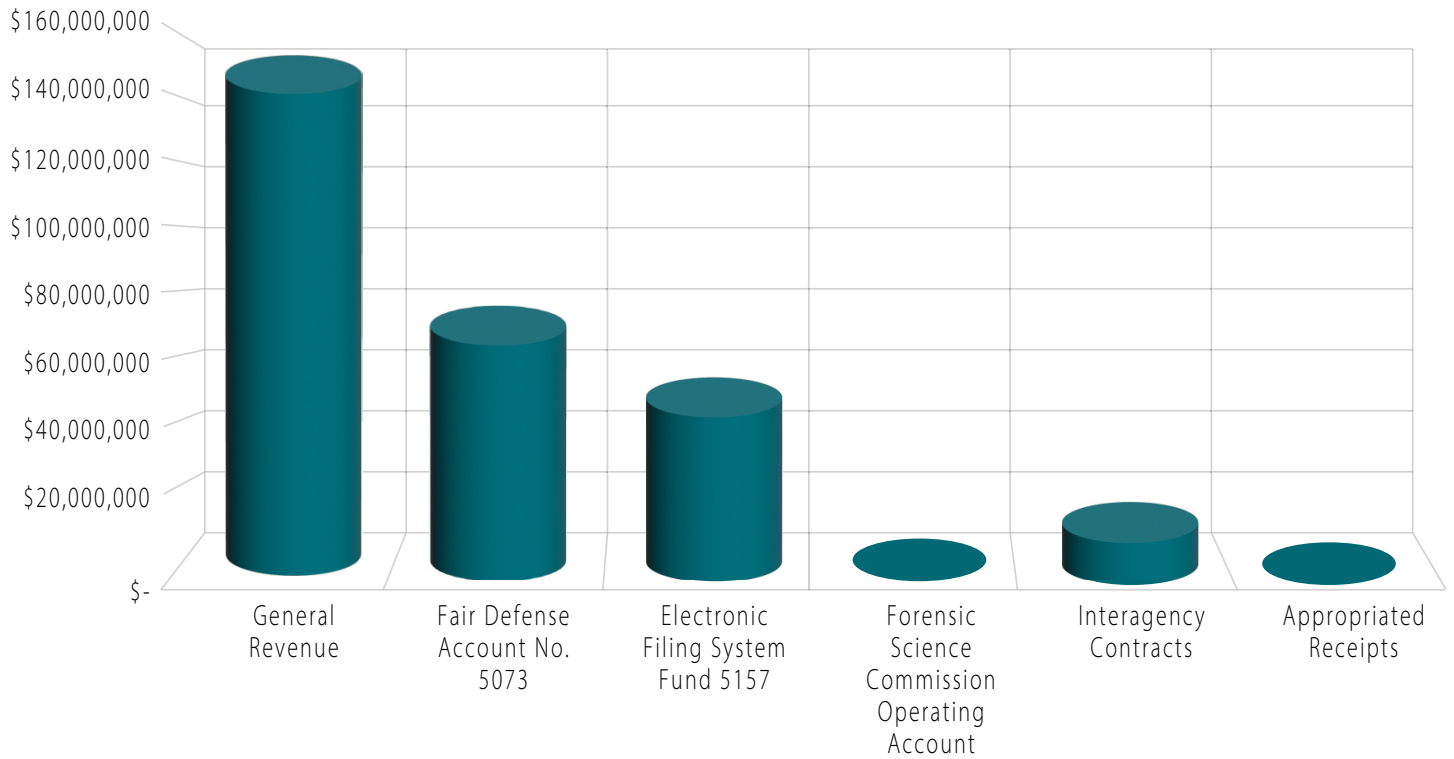
<https://www.txcourts.gov/media/1454690/oca-legislative-appropriations-request-fy2024-2025.pdf>

The Conference Committee version of the General Appropriations Act can be found here.

https://lbb.texas.gov/Documents/Appropriations_Bills/88/Conference_Bills/Conf_CCR_GAB_88R.pdf



OFFICE OF COURT ADMINISTRATION 2024-2025 APPROPRIATIONS



Finance staff attended the Texas State Agency Business Administrator's Association conference in Sugarland, July 2023.



ENTERPRISE PLANNING AND REGULATORY SERVICES

Certification Division Duties

- Protect and serve the public
- Share information on each program's processes
- Streamline and standardize procedures and day-to-day operations

Regulatory Services-Judicial Branch Certification Commission (JBCC)

The Judicial Branch Certification Commission (JBCC) was established by the Texas Legislature during the 83rd Regular Session. The nine-member commission is appointed by the Supreme Court of Texas. The core responsibility of the JBCC is the oversight of the certification, registration, and licensing of approximately 6215 court reporters and court reporting firms, guardians and guardianship programs, process servers, and licensed court interpreters. The JBCC also registers all guardianships statewide, provides training, and provides criminal histories to the courts for the proposed guardians. Hon. Sid Harle, Chair.

Commission Members

Hon. Sid L. Harle, Chair, Presiding Judge Fourth Administrative Judicial Region, San Antonio
Hon. William C. Sowder, Vice-Chair, Judge 99th District Court, Lubbock
Hon. Victor Villarreal, Judge County Court at Law II, Webb County, Laredo
Hon. Glen Harrison, Judge 32nd Judicial District Court, Sweetwater
Hon. Polly Jackson Spencer, Judge, Bexar County Probate Court No. 1 (Retired), San Antonio
Mark P. Blenden, Attorney, Bedford
Don D. Ford III, Attorney, Houston
Ann Murray Moore, Attorney, Edinburg
Velma Arellano, Official Court Reporter 430th District Court, Corpus Christi

PROFESSION	TYPE	NUMBER OF CERTIFICATIONS, REGISTRATIONS, LICENSES
Court Reporters	Certification	2,038
Apprentice Court Reporters	Certification	10
Provisional Court Reporters	Certification	10
Court Reporting Firms	Registration	143
(50%+) CSR Owned Firms	Registration	101
Guardians	Certification	328
Provisional Guardians	Certification	104
Guardianship Program	Registration	30
Process Servers	Certification	2,997
Court Interpreters-Basic	License	57
Court Interpreters-Master	License	397
TOTAL		6,215



Recent Meetings of the JBCC and Advisory Boards and Upcoming Events

- JBCC meetings are conducted quarterly throughout the year. The Commission met on November 4, 2022, February 3, 2023, May 5, 2023, and August 4, 2023. The next meeting of the Commission is November 3, 2023.
- The Court Reporters Certification Advisory Board met September 8, 2022, March 17, 2023, June 2, 2023, and July 7, 2023. The next meeting will be September 29, 2023.
- The Court Reporters Uniform Format Manual Committee met on October 27, 2022.
- The Guardians Certification Advisory Board met on May 23, 2023, June 13, 2023, and July 11, 2023.
- The Process Server Certification Advisory Board met on October 6, 2022, December 15, 2022, March 23, 2023, and June 15, 2023.
- The Licensed Court Interpreters Advisory Board met on July 20, 2023.

The agendas for all JBCC meetings can be found at <http://www.txcourts.gov/jbcc/meetings-agendas/>.

JBCC Compliance Section Compliant Investigation and Resolution

In FY 2023, 102 complaints have been filed with the JBCC Compliance team and are in process or resolved:

- 33 court reporters
- 2 court reporting firms
- 57 process servers
- 4 guardians
- 4 guardianship programs
- 2 licensed court reporter
- 15 professions not regulated by the JBCC

The JBCC certification staff administers the examinations for the Guardianship Certification written examination and the Licensed Court Interpreter written and oral examinations. A vendor administers the written and skills examination for the Court Reporters Certification.

CERTIFICATION OR LICENSE PROGRAM	EXAMS ADMINISTERED	DATES ADMINISTERED
Licensed Court Interpreters-Oral Exam	84	October 04, 2022 – June 06, 2023
Licensed Court Interpreters-Written Exam	145	October 11, 2022 – June 14, 2023
Guardianship Certification Exam	76	December 06, 2022 – August 22, 2023

Registration of Guardianships

SB 1096 (Zaffirini/Smithee) created a safety net to ensure guardians are registered, properly trained, receive a criminal history background check, and guardian contact data is provided to DPS and its Law Enforcement Terminal System (TLETS) to identify persons under guardianship if law enforcement contact is made with them.



June 1, 2018, OCA implemented an online system to register every guardianship in the state prior to appointment. As a registration prerequisite, the OCA conducts a criminal history background check and provides online training to proposed guardians. Since June 1, 2018, our registration team has processed the following.

PROPOSED GUARDIAN REGISTRATIONS	GUARDIANSHIP TRAINING COMPLETED (ENGLISH & SPANISH):	CRIMINAL HISTORIES PROVIDED TO THE COURTS:
55,398	35,662	26,398

Guardianship Abuse, Fraud Exploitation Deterrence Program (GAFEDP)

On September 1, 2019, the OCA implemented the GAFEDP to provide resources to the courts relating to monitoring and compliance of guardianship matters pursuant to SB 31 & HB 1286 (Zaffirini/Smithee). Our team of auditor’s review guardianship cases to identify reporting deficiencies by guardians, audit annual accountings, and report to the courts any concerns of potential abuse, fraud, or financial exploitation. We currently have one manager, two trainers, and 15 program auditors assigned statewide.

The program is offered at no expense to counties throughout the state. Courts throughout the state are required to participate in the program if selected and may also request program participation. Additionally, the OCA director may notify the Judicial Conduct Commission of any concerns involving judges who fail to act upon concerns raised by compliance specialists.

Implementation of the GAFEDP

While the reforms implemented to date have improved the guardianship system in Texas, a key to the reforms’ success is ensuring compliance with the laws and reviewing guardianship activities to spot potential abuse, fraud, and exploitation.

MONITORING AND AUDITS

The annual reports of the well-being and the financial annual accounts should be monitored for compliance, and a sample of the reports should be audited to ensure that the data submitted is complete and accurate. Monitoring and auditing would also create a deterrence against theft and fraud.

DEVELOPMENT OF A STATEWIDE ONLINE GUARDIANSHIP REPORTING PORTAL

The OCA has been developing an automated electronic tool for filing required reports, annual accountings, and other documents in guardianship cases. This system would provide a method to notify courts when required reports are delinquent and to review annual accounting reports for potentially fraudulent activities.

TRAINING AND RESOURCES FOR COURTS AND CLERKS

Only by pro-actively training court personnel and proposed guardians on the fiduciary duties of guardianship, as well as reviewing reports and accountings to detect and deter fraud and exploitation will Texas be adequately braced to ensure the safety and well-being of this vulnerable and growing population.



GAFEDP OVERALL DATA FINDINGS FOR FY 2023	AUGUST 31, 2023
Courts and Counties	50/40
Total Number of Guardianship Cases Reviewed	11,426
Total Number of Cases Recommended for Closure	5,914
Total Number of Active Guardianships Identified	5,443
Percentage of Cases Missing Annual Reports	24%
Percentage of Cases Missing Annual Accountings	48%
Percentage of Cases Missing Inventories	41%
Percentage of Cases Out of Compliance	32%
Total Number of Deceased Wards Identified	1,290

GAFEDP Recent Developments

- The GAFEDP finalized the 2023 program [annual report](#). The report is due to the legislature on January 1, regarding the performance of the program and includes the number of courts involved in the program; the number of guardianships reviewed; the number of reviewed guardianship cases found to be out of compliance with statutory reporting requirement; the number of cases reported to a court concerning potential abuse, fraud, or exploitation, including financial exploitation, committed against a ward; and the status of any technology developed to monitor guardianship cases.
- The team continued finalizing the GAFEDP financial accounting audit procedures with the goal of implementing in counties soon.



The GAFEDP team held in-person training this summer in Austin.

Our mission is to assist the courts in protecting our most vulnerable citizens and their assets.



Project Update-Enterprise Planning Office (EPO)

ENTERPRISE PLANNING OFFICE DUTIES

- Provides uniform agency-wide project and portfolio management services
- Provides quality project planning, execution, and delivery of successful projects

The Enterprise Planning Office (EPO) manages agency projects within OCA. Our goal is to plan, execute, and deliver projects statewide for the judiciary. Our project team collaborates with SMEs, stakeholders, and project team members to develop requirements and implement projects. The EPO also manages the agency contract management process.

Case Level Data Project - OCA Project

The Judiciary, the Legislature, state agencies, and other entities have a need to access consolidated statewide case level data to augment their policy decisions, adjust to criminal and civil trends in courts and provide comprehensive statewide reporting. Court case level data is currently stored within jurisdictions and not consolidated at a statewide level. The project will create a centralized judicial data warehouse that will allow both judicial staff and the public to access statewide case level information for statistical reporting and analysis. The Judiciary, the Legislature, state agencies, and other public and non-public entities have a critical need to analyze and report on statewide case level data. High level summary level data is currently report to the OCA, but it does not provide the level of detail to effectively support government policy decisions. This project would provide consolidated rich data at a detail level that will allow for business intelligence and analysis to meet the growing need for detailed analysis and reporting. The product delivered by the project will be named the Case Level Data System (CLDS). Project Update: In the process of implementing the procurement process for this project.

Court Reminder Program - HB 4293

House Bill 4293, of the 87th legislative session directs OCA to develop and make available to each county at no cost a Court Reminder Program, that allows county statewide to send text messages to notify defendants of a scheduled court appearance. Therefore, OCA will procure a vendor that provides a scalable, Commercial-off the Shelf (COTS) system for use statewide. Project Update: Our team completed the project requirements, scope, and budget for the statement of work and are in the DIR process for obtaining a vendor.

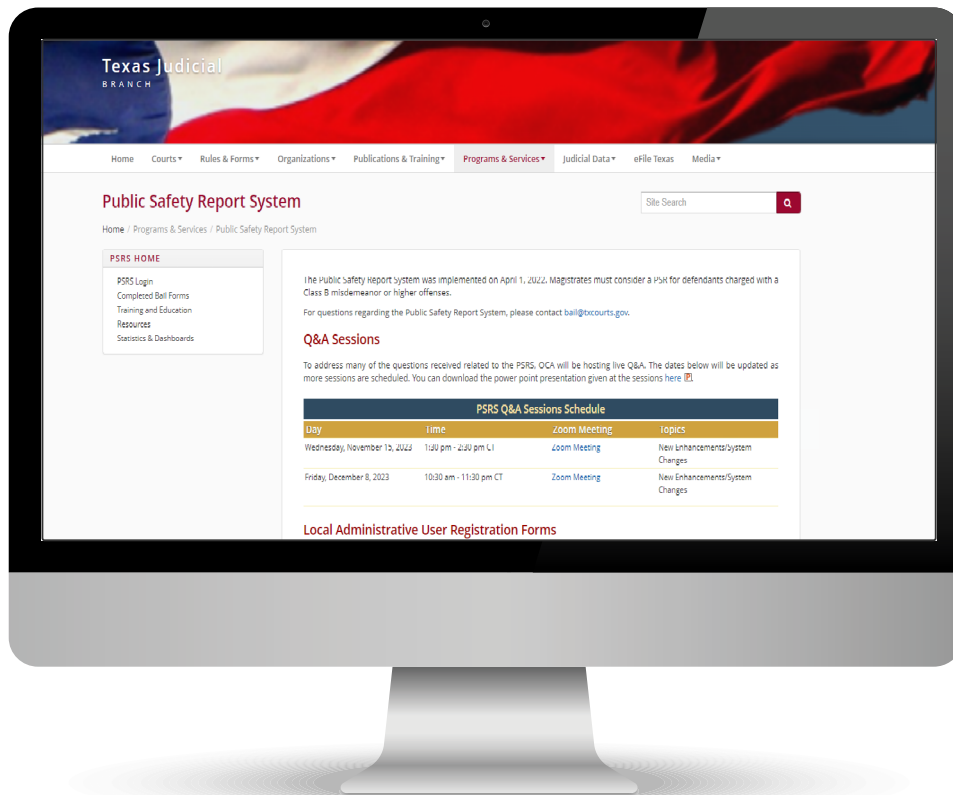
Uniform Case Management - HB 1

The 87th legislature allocated funding to OCA to procure a cloud-based uniform case management system. OCA intends the system to be of no-cost to counties and will be targeted at counties with less than 20,000 in population. The system would be standards-based and would automate the transmission of data to various state and national databases. The system would be opt-in (rather than mandatory). The project manager has been assigned and a user/SME group formed to work on this project. The project team worked with user groups and subject matter experts to develop user stories and system requirements. Project Update: The project team has gone live in Crane, Brewster, Reagan, Eastland, Mills, Jeff Davis, Comanche, Hamilton, Leon, Scurry, Sutton, Crane, Upton, Somervell, Coke, Culberson, Borden, Clay, Montague, Archer, Loving, DeWitt, Sherman, Kinney, Duval, Oldham, Irion, Presidio, Dallam, Swisher, and Terrell counties. We are planning the implementation in Jackson, Madison, Hartley, Donley, and Delta counties.



Public Safety Report System – SB6

The Second Called Session of the 87th Legislature (2021), enacted [Senate Bill 6](#) which requires the Office of Court Administration (OCA) to develop a statewide Public Safety Report System and requires magistrates who set bail for defendants charged with a Class B misdemeanor or higher category offense to consider a public safety report generated by the Public Safety Report System. The bill also requires any magistrate, judge, sheriff, peace officer or jailer who sets bail under Chapter 17, Code of Criminal Procedure, for a defendant charged with a Class B misdemeanor or higher category offense to complete a bail form and to promptly (but no later than 72 hours) submit it to OCA through the Public Safety Report System. OCA selected Automon as the vendor to develop the Public Safety Report System (PSRS). The PSRS went live on April 1, 2022, and generates a public safety report with respect to a defendant for magistrates to consider before setting bail for defendants charged with a Class B misdemeanor or higher category offense, 2) provides the bail form that must be completed by magistrates, judges, sheriffs, peace officers and jailers who set bail under Chapter 17, Code of Criminal Procedure, for a defendant charged with a Class B misdemeanor or higher category offense, and 3) provides a system/process for the bail form to be submitted to OCA. Project Update: Although the system has gone live our program and project teams continue to work on enhancements to the system with the vendor.



TEXAS INDIGENT DEFENSE COMMISSION

COMMISSION DUTIES

- Fund public defense in Texas's 254 counties
- Oversee public defense through data collection and monitoring
- Set policies and standards
- Help improve public defense through planning, publications, training, and mentoring

The Texas Indigent Defense Commission (TIDC) provides financial and technical support to counties to develop and maintain quality, cost-effective public defense systems that meet the needs of local communities and the requirements of the Constitution and state law. Also, the Texas Judicial Council tasked TIDC with carrying out its legislatively mandated duty to collect data from counties related to expenditures related to providing court-ordered representation in suits affecting the parent-child relationship. TIDC protects the right to counsel and improves public defense. Seventeen TIDC staff operate under the direction and supervision of a governing board.

Commission Members

Hon. Sharon Keller, Chair, Presiding Judge, Court of Criminal Appeals, Austin

Hon. Nathan Hecht, Chief Justice, Supreme Court of Texas, Austin

Hon. John Whitmire, State Senator, Houston

Hon. Brandon Creighton, State Senator, Conroe

Hon. Joe Moody, State Representative, El Paso

Hon. Reggie Smith, State Representative, Sherman

Hon. Sherry Radack, Chief Justice, First Court of Appeals (Retired), Houston

Hon. Vivian Torres, Judge, Medina County Court at Law (Retired), Rio Medina

Alex Bunin, Chief Public Defender, Harris County Public Defender Office, Houston

Hon. Richard Evans, Bandera County Judge, Bandera

Jay Cohen, Attorney, Blass Law PLLC, Houston

Hon. Missy Medary, Presiding Judge, 5th Administrative Judicial Region of Texas, Corpus Christi

Hon. Valerie Covey, Williamson County Commissioner Precinct 3, Georgetown

FY 23 Snapshot

TIDC works to fund, oversee, and improve public defense in all 254 Texas counties. In FY23, it also collected and reported data on expenditures related to court-ordered representation in suits affecting the parent-child relationship.

In FY2023, TIDC:

- Awarded \$45.8 million in grants, including \$25.3 million in programmatic grants to sustain and improve local public defense systems and \$20.5 million in formula grants to assist counties in meeting indigent defense requirements.
- Conducted reviews in 36 counties to monitor and improve public defense processes and payments.
- Trained over 2,200 judges, auditors, county officials, and attorneys in 35 presentations.
- Prepared seven planning studies for new public defender or managed assigned counsel offices in 30 counties.

88th Legislative Session

For FY2024-25, the Texas Legislature appropriated TIDC \$154,964,080, an increase of \$30,271,194 over the prior biennium. Nearly \$19 million of the increase is for core programs including \$5 million earmarked for an assessment of public defender services in rural areas and providing new public defender services in those areas. The remaining



increase of approximately \$11 million is allocated to representation of Operation Lone Star indigent defendants, discussed later in this report. Six additional staff (FTEs) were also approved for TIDC.

One of ten legislative proposals TIDC approved for improving indigent defense passed the legislature. HB 409 adds two new members to the TIDC board: 1) a magistrate who presides at Article 15.17 hearings, and 2) a director of a managed assigned counsel program or a person with demonstrated expertise in indigent defense issues. All ten proposals were contained in HB 1528, which passed the House but not the Senate.

The legislature also passed SB 2120 to create a family protection representation program at TIDC, which is discussed later in this report.

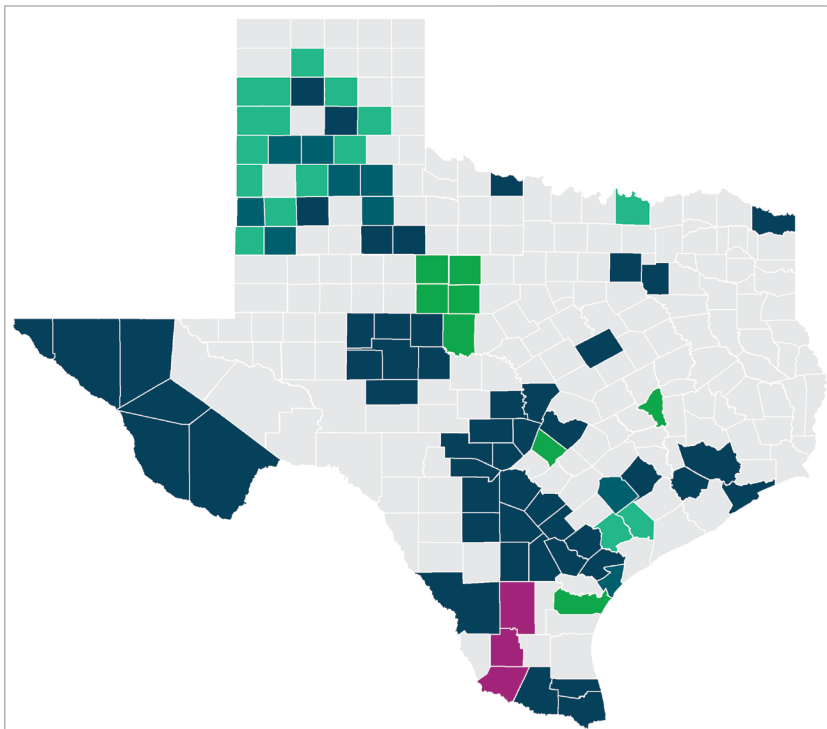
To celebrate the 60th anniversary of the *Gideon v. Wainwright* Supreme Court decision recognizing the Sixth Amendment Right to Counsel in state courts, TIDC hosted a symposium, "A Deeper Look at Public Defense in Texas," in collaboration with the Texas Tribune. The symposium was held in the Capitol Auditorium on March 17, 2023.



With TIDC staff in the gallery, the House and Senate observed Gideon Day on the chamber floors with honorary resolutions from Senator West and Representative Smith.

FY 23 Program Highlights

FY 2023 TEXAS PUBLIC DEFENDER AND MANAGED ASSIGNED COUNSEL OFFICES



2023 PD AND MAC OFFICES

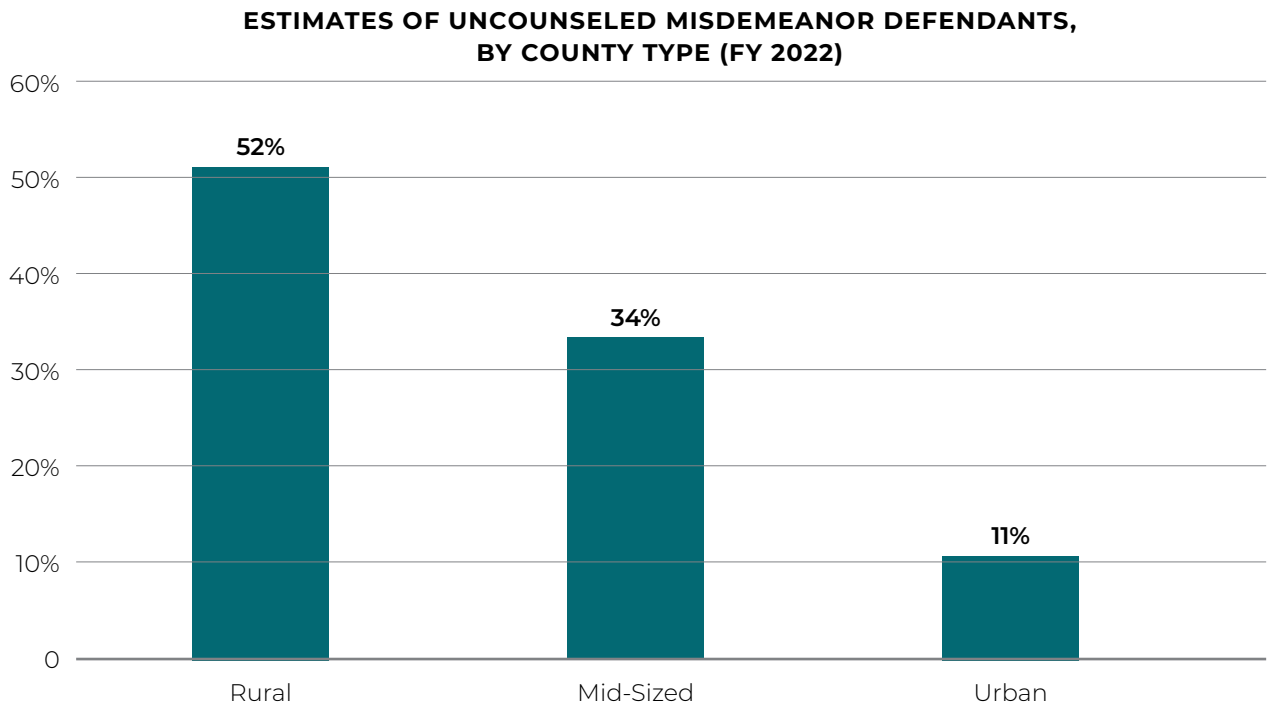
- No Office
- Established PDO and/or MAC
- FY 23 Funded & Established
- FY 23 Funded Office
- FY 23 Office Closed
- FY 23 Office Opened



Funding

TIDC reimburses a portion of counties' public defense costs and awards competitive grants to improve public defense systems. In FY22, overall statewide public defense spending was about \$347 million. In FY23, TIDC awarded \$45.8 million in grants, or about 13% of the most recently reported annual expenditure. In FY23, TIDC awarded \$20.5 million in Formula Grants to 249 counties and \$25.3 million in 42 separate Improvement Grants.

Oversight



TIDC collects indigent defense plans and expenditure reports from every Texas county. It conducts desk reviews for all counties and site visits for select counties to ensure that they meet the requirements of the Fair Defense Laws. In FY23, TIDC made in-person site visits to 30 counties for policy monitoring.

Improvement

TIDC provides analysis, training, and technical assistance to improve indigent defense systems. In FY23, TIDC helped counties plan major projects for FY24, including seven planning studies resulting in two new public defender offices, two public defender office expansions, and one new managed assigned counsel office, serving a total of 30 counties. TIDC continued its work with the Texas Criminal Defense Lawyers Association to bring the Gault Center's best-in-the-nation juvenile defense practices to Texas through the Juvenile Training Immersion Program (JTIP) with a program on establishing trust with youth accused of delinquent conduct and on detention hearing advocacy.

The Future Indigent Defense Leaders (FIDL) Program is a partnership between the Texas Criminal Defense Lawyers Association, the Harris County Public Defender's Office, and TIDC to train the next generation of Texan defenders. During FY23, the second class of FIDL attorneys graduated from the program. The fourth class of attorneys' Core 101 Training took place in April and May of 2023. All classes receive nationally recognized training from Gideon's Promise.



Operation Lone Star

In March 2021, Governor Abbott declared a disaster in response to the rise in illegal immigration and launched Operation Lone Star (OLS). In August 2021, the Supreme Court of Texas issued an order authorizing TIDC to create a plan to effectuate the constitutionally guaranteed right to counsel of indigent OLS defendants. TIDC's board subsequently granted funding to the Lubbock Private Defenders Office (LPDO) to serve as an indigent defense hub, responsible for appointing counsel to indigent OLS defendants. The 88th Texas Legislature allocated \$41,057,688 in General Revenue for OLS indigent defense. TIDC will continue to set standards and grant requirements for counsel appointed to Operation Lone Star cases and will monitor the Operation Lone Star appointment system for compliance with Fair Defense Laws.

Family Protection Representation (CPS)

Data Collection

Pursuant to SB 560 (86th Legislature), TIDC continued the collection of data related to court-appointed legal representation in child protection cases on behalf of the Texas Judicial Council (TJC). For the second year, TIDC collected expenditure data from counties for the cost of providing legal counsel to parents and children involved in lawsuits filed by the Texas Department of Family and Protective Services (DFPS). Total reported spending was \$61,573,531. TIDC provided training to counties, sent notifications regarding reporting requirements to County Auditors and Treasurers, and completed and submitted a report to TJC.

New Legislation

During the 88th Legislative Session, TIDC was given new responsibilities to work toward the improvement of the Family Protection Services Representation system with the passage of SB 2120. TIDC has begun work to fulfill its new responsibilities to improve court-appointed legal representation of families involved in cases with DFPS.

Under the new legislation, data collection and reporting will continue, with TIDC having full responsibility for these activities. TIDC has worked with the Public Policy Research Institute at Texas A&M University to implement new Family Protection Representation (CPS) attorney practice time reporting requirements and a new Family Protection Representation (CPS) judicial plan reporting website for FY 23 data collection.



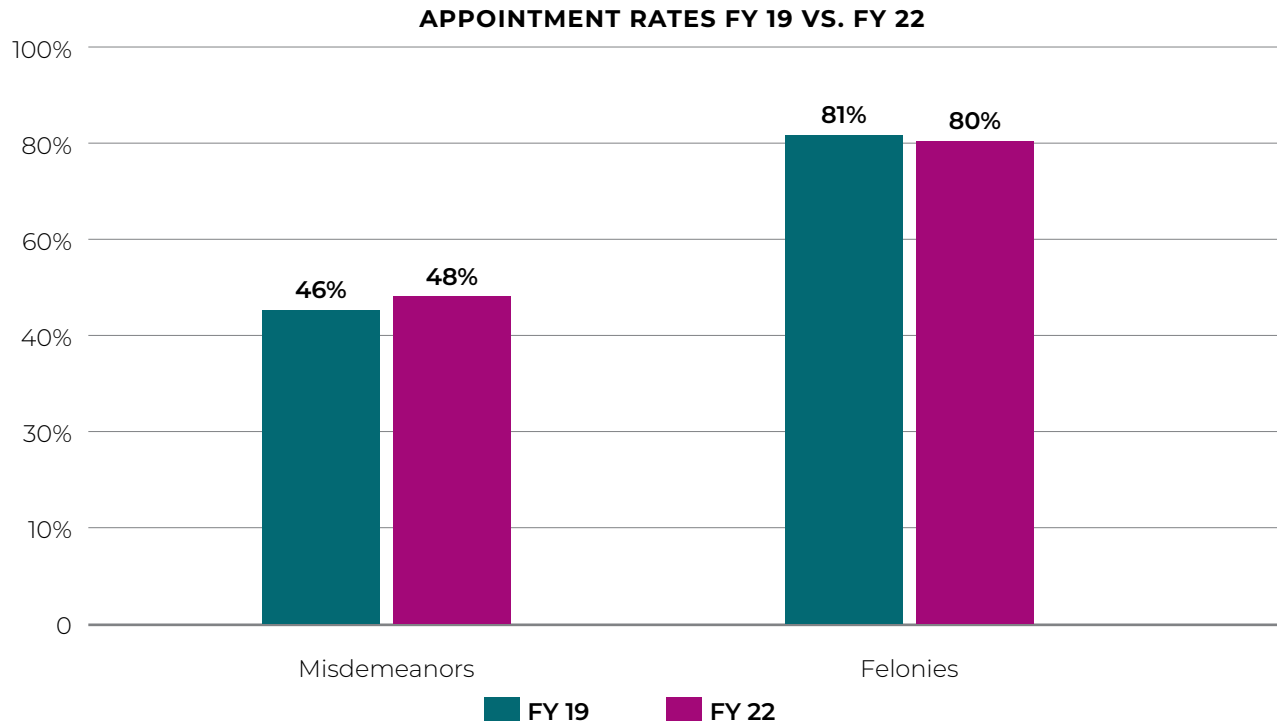
Wesley Shackelford, Joel Lieurance, and Debra Stewart traveled to Dallas County for policy and fiscal monitoring.



Trends

In FY22, data reported by counties indicated:

- Statewide appointment rates remained in line with pre-COVID appointment rates.
- An estimated 54% of defendants were represented by attorneys with caseloads above Texas guidelines.
- Over half of counties reported no expenses for appointed investigators.



TEXAS FORENSIC SCIENCE COMMISSION

FORENSIC SCIENCE COMMISSION DUTIES

- Investigate allegations of negligence and/or misconduct
- Administer the State Crime Laboratory Accreditation Program
- Administer the Forensic Analyst Licensing Program
- Maintain a code of professional responsibility
- Provide education and guidance to stakeholders regarding forensic issues

The Texas Legislature created the Texas Forensic Science Commission (“Commission”) during the 79th Legislative Session by amending the Code of Criminal Procedure to add Article 38.01, which describes the composition and authority of the Commission. The Commission is required to investigate allegations of professional negligence or professional misconduct that would substantially affect the integrity of the results of a forensic analysis conducted by a crime laboratory. The Commission is also charged with developing and implementing a reporting system through which accredited laboratories report professional negligence or misconduct. During subsequent legislative sessions, the Texas Legislature further amended the Code of Criminal Procedure, clarifying and expanding the Commission’s jurisdiction to include oversight of the State’s crime laboratory accreditation and forensic analyst licensing programs. The 87th Texas Legislature tasked the Commission with establishing a code of professional responsibility to regulate the conduct of persons, laboratories, facilities, and other entities subject to the Commission’s jurisdiction. The Commission is also actively engaged in various forensic development initiatives and works collaboratively with stakeholders in the criminal justice system to improve education and training in forensic science and the law, including the Court of Criminal Appeals training initiatives led by Judge Barbara Hervey.

Commission Members

The Commission has nine members appointed by the Governor of Texas. Seven of the nine commissioners are scientists and two are attorneys (one prosecutor nominated by the Texas District and County Attorneys Association and one criminal defense attorney nominated by the Texas Criminal Defense Lawyers Association).

Presiding Officer: **Jeffrey Barnard, MD**, Chief Medical Examiner, Dallas County and Director of the Southwestern Institute of Forensic Sciences; Professor of Pathology at the University of Texas Southwestern Medical Center
Patrick Buzzini, Ph.D., Associate Professor of Forensic Science, Sam Houston State University
Michael Coble, Ph.D., Associate Professor and Executive Director of the Center for Human Identification, University of North Texas Health Science Center
Mark Daniel, Esq., Criminal Defense Attorney, Daniel, Moore, Evans, Biggs, Decker & Smid
Nancy Downing, Ph.D., Associate Professor, Texas A&M University Department of Forensic Nursing and Forensic Nurse at Baylor, Scott & White Hospital
Jasmine Drake, Ph.D., Acting Chair, Assistant Professor and Graduate Program Director of the Forensic Science Learning Laboratory at the Barbara Jordan-Mickey Leland School of Public Affairs, Texas Southern University.
Sarah Kerrigan, Ph.D., Professor, Forensic Science Department, Sam Houston State University
Hon. Jarvis Parsons, Elected District Attorney, Brazos County
Erika Ziemak, M.S., Director of Special Projects at the Center for Human Identification, University of North Texas Health Science Center

Licensing Advisory Board

Sandy Parent, Comparative Disciplines Program Coordinator, Texas Department of Public Safety Crime Laboratory System
Kelly Wouters, Laboratory Director, Armstrong Forensic Laboratory, Inc.



The Forensic Science Commission's main goal is to improve the integrity and reliability of forensic science in Texas courts.

Ed Wallace, Forensic Scientist Supervisor, Bexar County Criminal Investigation Laboratory
Michelle Paulson, Forensic Services Division Manager, Plano Police Department Crime Laboratory
Andrew Greenwood, Forensic Toxicologist, Harris County Institute of Forensic Sciences
Carina Haynes, Crime Scene Unit Director, Houston Forensic Science Center
Calli Bailey, Conviction Integrity Unit Chief, Collin County District Attorney's Office
Angelica Cogliano, Defense Attorney, The Law Office of E.G. Morris
Katherine Sanchez, Quality Assurance Program Manager, City of Austin Forensic Science Department

FY 23 Program Highlights

The Texas Forensic Science Commission staff worked on numerous projects with the goal of improving the integrity and reliability of forensic science in Texas criminal cases. Below are some of the highlighted accomplishments in fiscal year 2023.

- The Commission received and reviewed 17 complaints and 47 self-disclosures, has one active investigation, and issued reports in 5 investigative cases this fiscal year. Copies of all investigative reports can be found on the Commission's website at <http://www.txcourts.gov/fsc/publications-reports/investigative-reports/>.
- The Commission accredits 61 forensic laboratories.
- The Commission has licensed over 1400 forensic analysts.
- The Commission's Licensing Advisory Committee established voluntary licensing programs for forensic anthropologists, forensic document examiners, latent print analysts, and digital/multimedia analysts in Texas.
- In October 2023, the Commission's Licensing Advisory Committee proposed rules for voluntary licensing programs for latent print processors and crime scene technicians, crime scene investigators, and crime scene reconstruction analysts.
- Staff presented at various conferences and trainings, virtually and in-person, throughout the United States highlighting current forensic issues, and its crime laboratory accreditation and forensic analyst licensing programs.
- November 2-3, 2023, the Commission, in collaboration with the Court of Criminal Appeals, the Texas District Attorneys Association, and the Texas Criminal Defense Lawyers Association, hosted a DNA training for over 300 lawyers and judges.
- In November 2023, the Commission concluded a month-long statewide training for Texas laboratory managers by the American Society of Crime Laboratory Director's Leadership Academy.
- On November 16-17, 2023, the Commission hosted the inaugural meeting of the nation's first Association of State Forensic Boards.
- Staff is working with OCA IT on the development of a statewide public database of information concerning crime laboratories, complaints, laboratory self-disclosures, forensic standards, and forensic analysts to be launched later this year.
- The Commission continues to work with representation from the Organization of Scientific Area Committees for Forensic Science of the National Institute of Standards and Technology and Texas crime laboratories on implementation of consensus standards in various forensic science disciplines.



In April, Lynn Garcia participated in Organization of Scientific Area Committee (OSAC) meetings in Houston, Texas.

The agendas for all Forensic Science Commission meetings can be found at <http://www.txcourts.gov/fsc/meetings/>.



THE STATE LAW LIBRARY

STATE LAW LIBRARY ORGANIZATION:

- 12 FTEs
- Administered by the State Law Library Board
- Board members designated by:
 - Supreme Court
 - Court of Criminal Appeals
 - Office of the Attorney General

The State Law Library was initially created as the law library for the Supreme Court in 1854 established as its own state agency in 1971. The State Law Library's mission is to provide legal information and research materials to state agencies and the residents of Texas. The Library prioritizes assistance to the Supreme Court, Court of Criminal Appeals, and the Office of the Attorney General.

Since 2014, the Library has focused on improving statewide access to justice and legal information by making legal resources available to Texans throughout the state via its website.

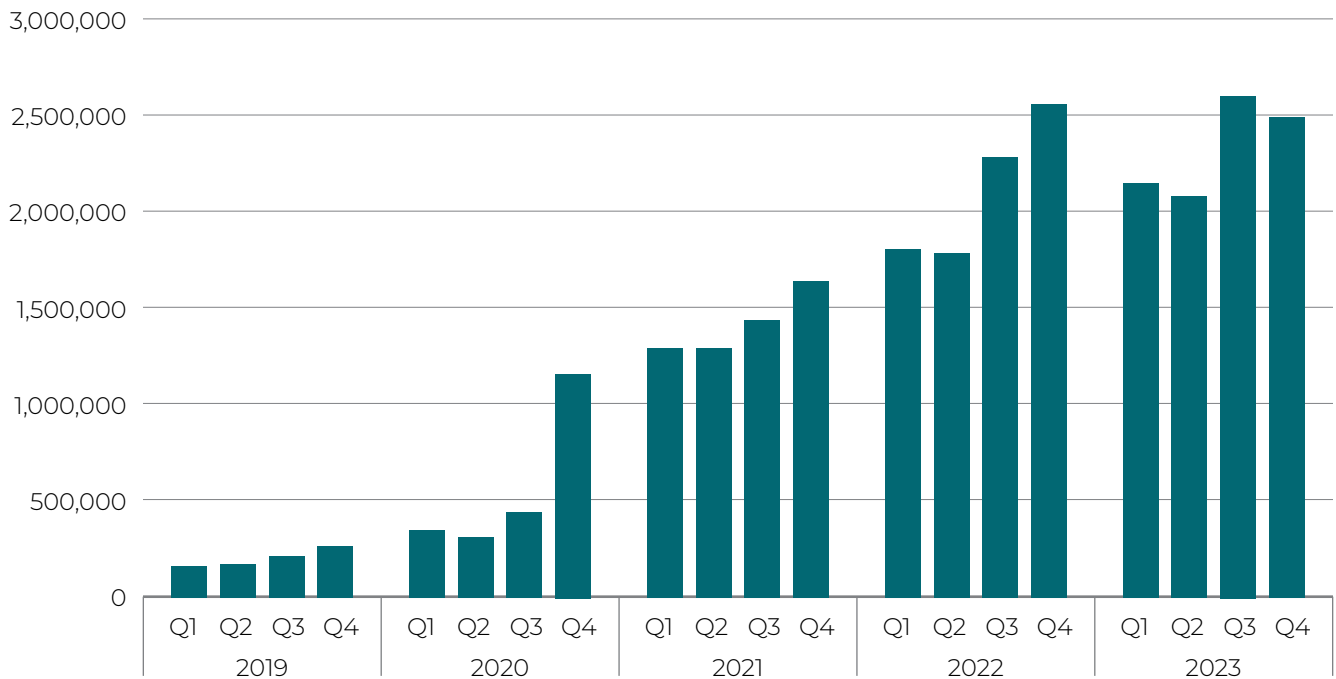
One of the most popular services on the Library's website is a growing collection of subject-specific research guides called LibGuides. These guides help patrons easily locate online resources on a specific topic. As of October 2023, librarians have created 67 custom LibGuides that compile information on commonly asked-about subjects such as landlord/tenant law, homeowners' associations, family law issues, debt collection, and more. These guides provide direct links to digital resources and e-books on the selected topics, saving researchers time and frustration. Because many patrons are looking for basic information but don't know how to get started, the LibGuides feature has proven to be wildly successful due to the simplicity with which they present relevant, current, and helpful information. State Law Library librarians have also developed a collection of Legal Frequently Asked Questions that provide answers to straightforward and common questions about the law. Links to these LibGuides and FAQs frequently show up in Google searches, making them a handy gateway to authoritative information for the general public.

For more in-depth research, our website offers thousands of e-books and databases ranging from self-help information to detailed practice information for professionals. Public response to the Library's digital

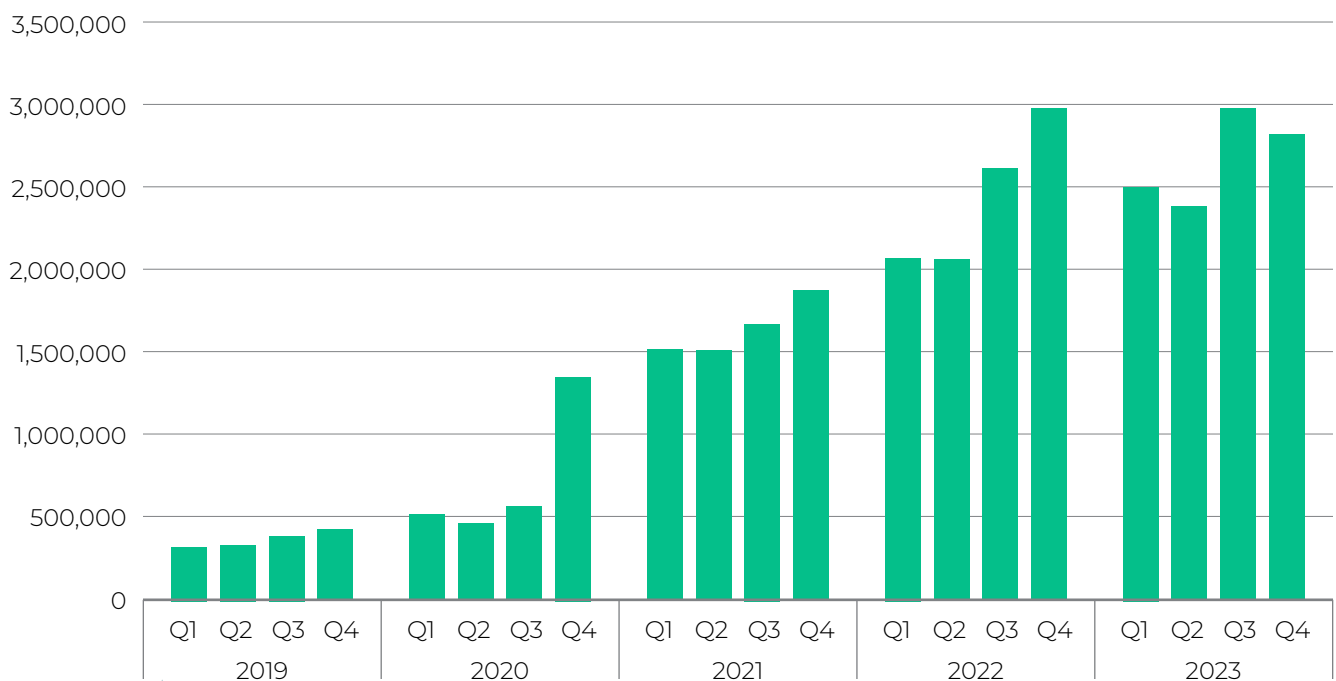
offerings has been enthusiastic and widespread. Since the program's inception, over 41,000 patrons have registered to use the service, representing over 1,200 cities and 244 out of 254 counties across Texas.



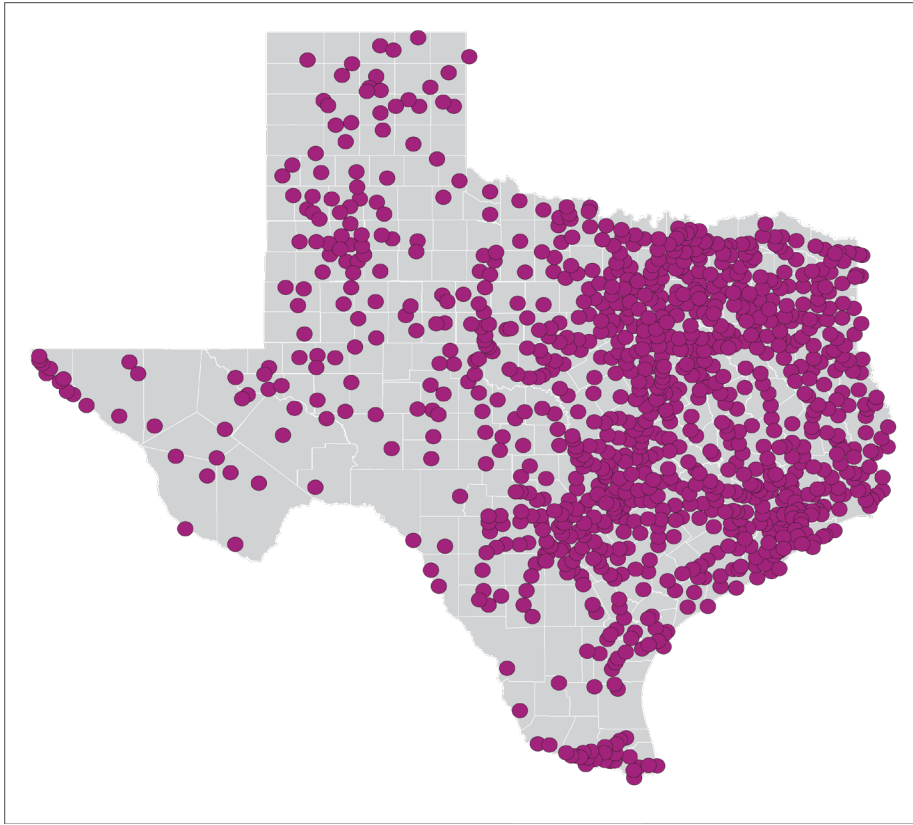
LIBGUIDE VIEWS



STATE LAW LIBRARY WEBSITE PAGEVIEWS



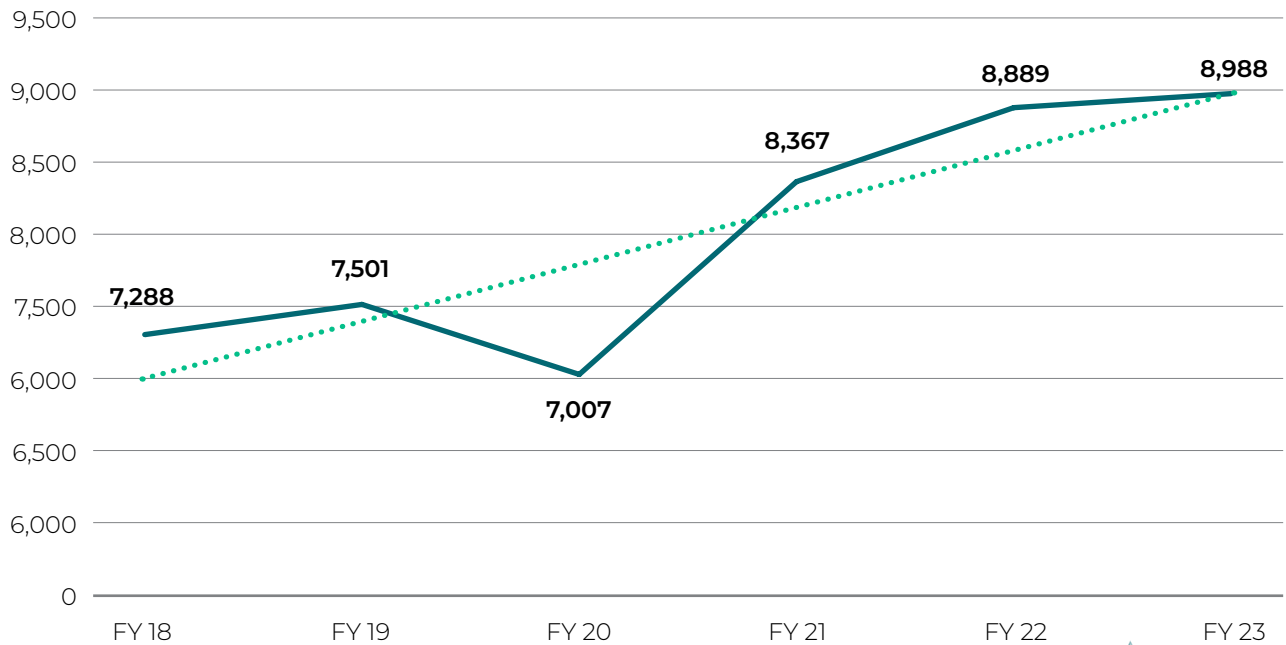
STATE LAW LIBRARY MAP OF ACCOUNT HOLDERS BY CITY



Patrons in 1,170 distinct cities have registered for State Law Library accounts. This number includes the following cities in other States:

- Altus AFB, NM
- Little Rock, AR
- New Orleans, LA
- Ruston, LA
- Titusville, FL

QUESTIONS ANSWERED PER FISCAL YEAR



A crucial component to patrons' success at using these databases is the assistance of librarian staff. Professional librarians are available to help patrons navigate online resources as well as print books. They provide expertly researched responses to patrons' questions about the law in person or via phone, email, or mail. In addition, Library staff have made several presentations about legal research and the Library's remote services to legal groups, court staff, and public librarians throughout the state.

To browse the Library's Digital Collection, visit:

<https://www.sll.texas.gov/library-resources/collections/digital-collection/>

To register for a library account to access these digital resources from home, visit the Get a Library Account page:

<http://www.sll.texas.gov/about-us/get-a-library-account/>

FY 23 Program Highlights

- 7,911 new patrons registered in FY23, up 8% from FY22
- 8,988 questions answered by reference staff

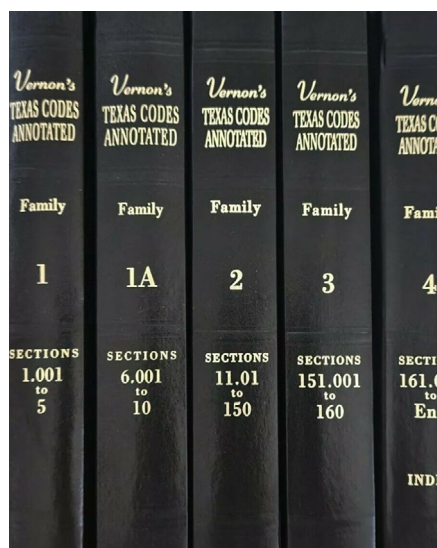
Resources Available For Researchers

Historical materials:

- Texas statutes, 1879 – present
- Texas court rules, 1894 – present
- Texas Administrative Code, 1978 – present
- *South Western Reports/Texas Cases*, 1889 - present
- *Black's Law Dictionary*, 1891 – present

Treatises, practice guides, and more:

- *Dorsaneo's Texas Litigation Guide*
- *Texas Practice Guide*
- *Texas Jurisprudence*
- *Restatements of the Law*
- State Bar of Texas *Pattern Jury Charges*
- State Bar of Texas Continuing Legal Education Courses



OFFICE OF STATE PROSECUTING ATTORNEY

Centennial Observance

*Marking a Century of Legal Advocacy: The Office of State Prosecuting Attorney -
100 Years Strong in Safeguarding Texas' Judicial Interests!*

The Office of the State Prosecuting Attorney serves as the legal representative of the State of Texas in proceedings before the Texas Court of Criminal Appeals, either independently or in collaboration with locally elected prosecutors. Additionally, the Office may extend its representation to criminal cases before the fourteen courts of appeals when deemed in the State's best interest.

The core responsibilities of the Office are overseen by the State Prosecuting Attorney, Stacey M. Soule, along with the support of two Assistant State Prosecuting Attorneys, namely John R. Messinger and Emily Johnson-Liu.

A pivotal aspect of the Office's function involves a meticulous review of court opinions from all fourteen courts of appeals that rule against the State. The Office then strategically selects issues of significant importance to Texas' criminal jurisprudence, presenting them to the Court of Criminal Appeals through a petition for discretionary review (PDR). After the grant of a PDR, the Office diligently files briefs, occasionally culminating in oral arguments in exceptional cases. This collaborative approach extends to close cooperation with local district and county attorneys and special prosecutors statewide to identify emerging issues and formulate strategies that uphold justice within a fair and efficient legal system.

Committed to open communication and dissemination of information, the Office shares objective summaries of PDR issues granted by the Court of Criminal Appeals on its official website (www.spa.texas.gov) and X (formerly Twitter) feed [@OSPATX](https://twitter.com/OSPATX). The website serves as a comprehensive resource, hosting a library of publications and Continuing Legal Education (CLE) materials produced by the Office.

FY 23 Program Highlights

- Submission of thirteen PDRs and seventeen briefs, encompassing amicus briefs. The Court of Criminal Appeals granted 50% of the submitted PDRs.
- Rigorous review of over 325 opinions from the U.S. Supreme Court, the Court of Criminal Appeals, and Texas' Courts of Appeals.
- Offering counsel and guidance to both prosecutors and defense attorneys.
- Active involvement in the drafting and editing of petitions and briefs.
- Authorship of papers and participation as presenters at various Continuing Legal Education conferences.
- Participation in multiple committees addressing diverse criminal law issues.

STATE PROSECUTING ATTORNEY DUTIES

With exclusive jurisdiction before the Texas Court of Criminal Appeals, the State Prosecuting Attorney scrutinizes all decisions adverse to the State issued by Texas' fourteen courts of appeals to ensure their faithful adherence to the law and to identify significant issues requiring resolution by the Court of Criminal Appeals.



STATE COMMISSION ON JUDICIAL CONDUCT

STATE COMMISSION ON JUDICIAL CONDUCT DUTIES

- Issues discipline and orders of additional education when necessary
- Can petition the Texas Supreme Court for the removal of a judge
- Dismisses cases when appropriate
- Provides informal ethics advice to judges, court clerks, staff attorneys, interns and others at judicial training programs across the State of Texas

Organization

The State Commission on Judicial Conduct was created in 1965 by an amendment to Article V of the Texas Constitution. The Commission is the independent judicial branch agency responsible for investigating allegations of judicial misconduct or permanent disability, and for disciplining judges. The Commission has fourteen authorized staff positions consisting of: the Executive Director, General Counsel, the Chief Investigator, four staff attorneys, four investigators, a staff services officer, and two administrative assistants.

The Commission's jurisdiction includes all sitting Texas judges, including municipal judges, justices of the peace, criminal magistrates, county judges, county courts-at-law judges, statutory probate judges, district judges, appellate justices, masters, associate judges, referees, retired and former judges who consent to sit by assignment, and judges pro tempore. The Commission has no jurisdiction over federal judges and magistrates, administrative hearing officers for state agencies or the State Office of Administrative Hearings, or private mediators or arbitrators.

Disciplinary Actions

In FY 2023, according to OCA records, 3,880 judges were under the jurisdiction of the Commission.

FY 23 Program Highlights

- Received 925 cases and disposed of 1,173 cases.
- Resolved 62 cases through public sanction, private sanction, orders of additional education, a combination of a sanction with an order of additional education, special court of review order, or resignation in lieu of discipline agreement.
- Dismissed 1,128 cases as follows: 446 were determined to not contain any allegations which, if true, would violate the Texas Code of Judicial Conduct. 682 cases were dismissed after investigation which included 46 cases that were dismissed with letters of caution, 2 cases that was dismissed based on the judges' corrective action, and 4 cases that were dismissed as moot.
- Resolved 557 cases after a preliminary investigation and 170 cases after a full investigation (requiring a response from the judge).



Commission Members

Officers:

Gary L. Steel, Chair, 274th District Court, Comal, Guadalupe, and Hays County

Janis Holt, Vice-Chair, Public Member, Silsbee, Hardin County

Ronald E. Bunch, Secretary, Attorney Member, Waxahachie, Ellis County

Members:

Valerie Ertz, Public Member, Dallas, Dallas County

Clifton Roberson, Attorney Member, Tyler, Smith County

Kathy P. Ward, Public Member, Plano, Collin County

Wayne Money, Justice of the Peace, Pct. 1, Greenville, Hunt County

Andrew M. "Andy" Kahan, Public Member, Houston, Harris County

Ken Wise, Justice, 14th Court of Appeals, Place 7, Houston, Harris County

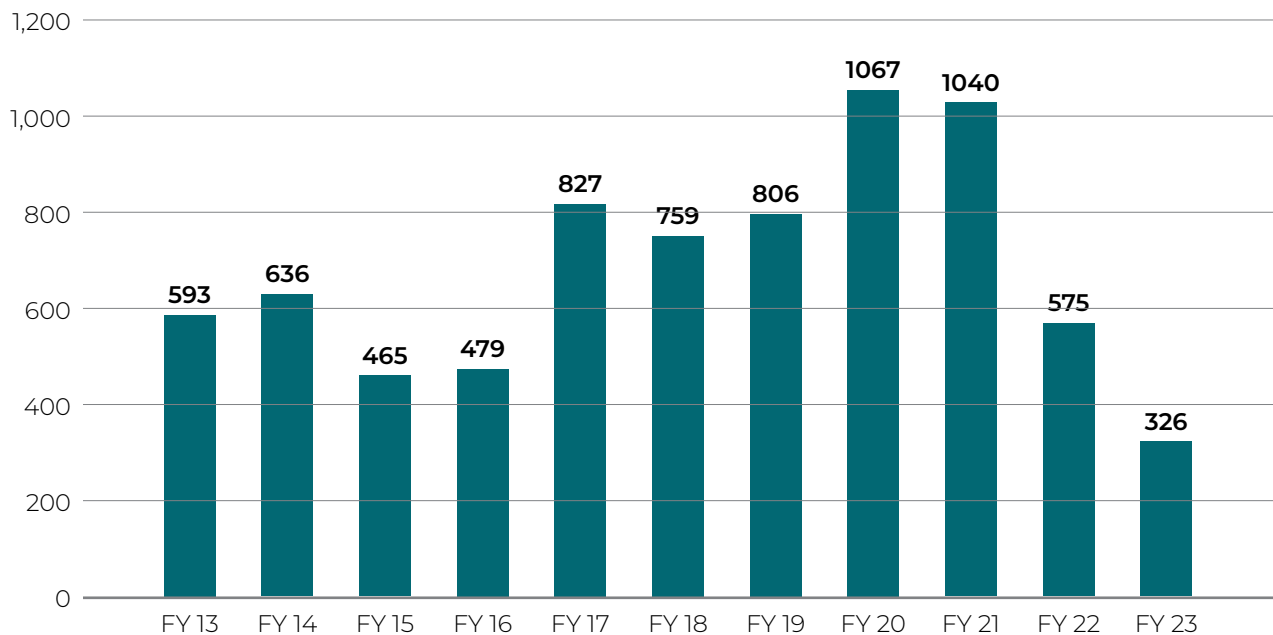
Carey F. Walker, County Criminal Court No. 2, Fort Worth, Tarrant County

Tano E. Tijerina, Constitutional County Judge, Laredo, Webb County

Clifford T. Harbin, Public Member, Montgomery, Montgomery County

Chace Craig, Municipal Court, Abilene, Taylor County

**STATE COMMISSION ON JUDICIAL CONDUCT
NUMBER OF PENDING CASES
FY 13- FY 23**



OFFICE OF CAPITAL AND FORENSIC WRITS

CAPITAL & FORENSIC WRITS ESSENTIAL DUTIES

- Investigate and identify all facts necessary to present and litigate potential claims of constitutional error.
- Gather, review, and digest all available materials from the client's capital trial, including from the trial defense team, the state, and the official court records.
- Conduct independent investigation of all facts and circumstances relating to a client's conviction and sentence, including mitigating evidence from a client's life history and examining all forensic evidence.
- File motions, briefing, and applications for writs of habeas corpus and litigate the constitutionality of a client's conviction and sentence in Texas state habeas proceedings.

Since 2010, the Office of Capital and Forensic Writs (OCFW) has proudly served as the office of conviction integrity for the State of Texas, ensuring that capital and non-capital convictions are constitutional, reliable, and untainted by questionable forensic science.

OCFW does this through two programs:

- Capital Post-conviction representation.
 - OCFW represents death-sentenced Texans in mandated proceedings that determine the constitutionality of convictions and death sentences.
- Forensic Science post-conviction representation.
 - OCFW represents incarcerated Texans in cases where questionable forensic science contributed to their conviction.
 - The Texas Forensic Science Commission refers OCFW these cases following an investigation into professional negligence or misconduct of forensic analysts or unsupported forensic scientific analysis or testimony.

OCFW Governance

The Court of Criminal Appeals appoints the Executive Director of OCFW. Two years ago, the Legislature passed legislation to allow for an oversight board to ensure continued institutional success, independence, and good governance in alignment with Texas and national public defender governance standards. The oversight board provides strategic guidance in matters of policy and budget with members appointed by the Executive Director of the Texas Indigent Defense Commission and the State Bar of Texas.

Oversight Board Members

James Bethke, Esq., Chair, Executive Director of the Bexar County Managed Assigned Counsel Program, San Antonio

Marcy Greer, Esq., Vice Chair, Managing Partner, Alexander Dubose & Jefferson, Austin

Alma Lagarda, Esq., Secretary, Capital Defense Attorney, El Paso

Hon. Terry Shamsie, Esq., Criminal Defense Attorney, Corpus Christi

Phillip Yates, Esq., Attorney at Law, Houston

Small Judicial Agency, Big Footprint

- OCFW staff includes 12 attorneys, seven mitigation specialists, three paralegals, and two accountants.
- OCFW represents 70-80% of death sentenced persons pending in initial Article 11.071 proceedings.
- Since 2020, the Forensic Science Commission has referred approximately 70 cases to OCFW for review and possible representation. OCFW currently represents eight persons pursuant to this forensic writ mandate.



- OCFW has represented clients from over 30 counties from across Texas.

Essential and Economical Service

- OCFW safeguards the constitutionality of death penalty convictions and sentences, and the Texas criminal justice system, by investigating and litigating all possible constitutional claims in post-conviction litigation in Texas courts, ensuring that these fundamental claims are fully aired, and Texas courts can consider them efficiently and fairly.
- As a public defender, OCFW provides the State great benefits, including economies of scale, skilled and specialized experience, and supervised, high-quality work.
- The Code of Criminal Procedure requires that OCFW be appointed to represent death-sentenced persons in post-conviction proceedings, if the Office can assume representation and has sufficient resources to provide professional representation.
- OCFW salaried staff are funded by the Texas Legislature; when OCFW is unable to provide representation, trial courts must appoint private counsel, who are paid hourly by the county of conviction.

FY 23 Program Highlights

- OCFW practices statewide, focusing narrowly on constitutional issues, forensic science, and wrongful convictions.
- OCFW has presented evidence in support of post-conviction applications in hearings before numerous trial courts and litigated constitutional issues before the Court of Criminal Appeals and United States Supreme Court.
- In the last three years, the Court of Criminal Appeals has overturned one client’s conviction and another client’s death sentence. Trial courts in five other cases have found clients’ convictions or sentences to be unconstitutional.
- OCFW’s work exposed significant flaws in the work of a forensic analyst, prompting notifications and ongoing review of over 1,400 potentially tainted convictions.
- OCFW’s work in the same case prompted an investigation by the Forensic Science Commission and the spurred the introduction and passage of legislation to create a statewide crime lab disclosure portal, designed to disclose relevant evidence simultaneously to the prosecution and the defense.
- OCFW’s work resulted in a unanimous, favorable decision by the United States Supreme Court.



OCFW Staff photo, October 2023



ANNUAL REPORT OF THE JUDICIAL SUPPORT AGENCIES, BOARDS AND COMMISSIONS

P.O. Box 12066
Austin, TX 78711-2066

512.463.1625 Phone
512.463.1648 Fax

www.txcourts.gov