



## Texas Judicial Council

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## Director's Report FEBRUARY 2014



**Table of Contents**

COMMITTEE ON COURT RESOURCES ..... 3

- Shared Solutions 2.0 ..... 3
- Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) ..... 3

LEGISLATIVE APPROPRIATIONS REQUEST UPDATE ..... 4

TECHNOLOGY & DATA ..... 4

- Information Services Division ..... 4
- Current Major Projects..... 4
  - Electronic Filing..... 4
  - Texas Appeals Management and Efiling System (TAMES)..... 5
  - CIP Technology ..... 5
  - Technology Equipment Update ..... 6
  - Website Redesign..... 6

DATA COLLECTION ..... 6

- Judicial Information Program ..... 6
  - Publications..... 6
  - Judicial Council Monthly Court Activity Reports ..... 7
  - Data Collection ..... 7
  - Protective Orders ..... 8

COURT SERVICES ..... 9

- Language Access Program..... 9
  - Language Access Coordinator .....10
  - Texas Court Remote Interpreter Service (TCRIS).....10
  - Court Services Consultant Program.....11

COLLECTION IMPROVEMENT PROGRAM..... 11

- Technical Support ..... 11
- Audit ..... 13

RESEARCH ..... 13

- Sting Operations Study ..... 13

SPECIALTY COURTS PROGRAM ..... 13

- Child Protection Courts..... 13
- Child Support Courts Program..... 14

REGULATORY SERVICES ..... 14

- Administration ..... 14
- Process Server Review Board ..... 15

Guardianship Certification Board .....	15
Court Reporters Certification Board .....	16

## Committee on Court Resources

### Shared Solutions 2.0



OCA received a grant in the amount of \$47,198 from the State Justice Institute to develop Shared Solutions 2.0. Shared Solutions 2.0 proposes to extend the concepts developed in the first Shared Solutions Summit, which brought together trial courts of varying levels to discuss common problems and potential solutions. With help from the National Center for State Courts (NCSC) and the National Association for Court Management, organizational core court competencies will be developed that will result in standards for courts based on the International Organization for Standardization (ISO) 9000 family of standards. The ISO 9000 family of standards are well-recognized in the private sector as a top-level certification for which the entity must strive. An advisory committee met with representatives from NCSC on October 3rd and 4th to work on the court competencies. The work from that meeting has been developed into Characteristics of an Effective Court System. Stakeholders from the judiciary will be invited to discuss these characteristics at the Shared Solutions 2.0 Summit in the May 2014. Funding for travel costs for participants is being sought from the Governor's Office Criminal Justice Division.

### Working Interdisciplinary Network of Guardianship Stakeholders (WINGS)

OCA received a grant in the amount of \$7,000 from the National Guardianship Network to assist the State in improving guardianship proceedings. Texas is one of four states to receive the competitive grant. The "over age 65" population in Texas will increase by almost 50% by 2020 and more than double by 2040. The grant funds have facilitated the establishment of a Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) to evaluate where improvements are needed. WINGS will enable the stakeholders to receive the support and guidance needed to assess the state's system of guardianship and alternatives, address policy and practice issues, and serve as an ongoing problem-solving mechanism.

Participating stakeholders include Disability Rights Texas, Social Security Administration, State Bar of Texas, Texas Department of Aging and Disability Services, Texas Department of Assistive and Rehabilitative Services, Texas Department of Family and Protective Services, Texas Council for Developmental Disabilities, Texas Guardianship Association, Texas Legal Services, and Texas Veterans Commission. Judges Gladys Burwell, Polly Spencer, and Glenn Phillips serve as judicial representatives on the WINGS steering committee. The entire WINGS group met on November 15, 2013 and developed recommendations on eight adult guardianship issues. The third steering committee conference call with Erica Wood, Assistant Director of the American Bar Association Commission on Law and Aging, was held on February 6, 2014. The steering committee will be creating three workgroups within WINGS to continue work in the following three areas: person-centered assessment, alternatives to guardianship, and support for family and friends.

## Legislative Appropriations Request Update

The Article IV (Judicial Branch) courts and judicial agencies are beginning to prepare for their legislative appropriations requests that will be due in the summer. This process involves strategic planning, analyzing needs and developing priorities.

### Technology & Data

#### Information Services Division

OCA's Information Services Division (ISD) is instructed by the Legislature to directly provide staff and information technology equipment and services to the following entities:

- Supreme Court;
- Court of Criminal Appeals;
- The 14 courts of appeals;
- The State Law Library;
- The State Prosecuting Attorney's Office;
- The Office of Capital Writs; and
- State Commission on Judicial Conduct.

The services provided by ISD to the entities mentioned above include the following:

- Routine desktop computer support;
- Maintenance of the local networks, wide area network, email, and Internet connections;
- Ongoing updates of security safeguards;
- Management of the computer servers;
- Management of enterprise backups and offsite archiving; and,
- Provision of unique court application software.

#### Current Major Projects

##### Electronic Filing

In November 2012, OCA signed an agreement with Tyler Technologies to provide the next Electronic Filing Manager (EFM) for Texas. The system is known to all as "eFileTexas.gov" (formerly "TexFile").



In August 2013, NICUSA (Texas.gov) notified OCA that the existing eFiling system would be retired at 11:59PM on November 30, 2013. Tyler Technologies successfully transitioned all existing courts to the new system ahead of the shutdown.

Tyler Technologies then worked with the top 10 most populous counties to implement eFiling where it did not already exist prior to the Supreme Court's mandate on civil cases on January 1. Tyler Technologies successfully implemented eFiling on a mandatory basis the top 10 most populous counties, the Supreme Court, Court of Criminal Appeals, and all 14 intermediate appellate courts.

Today, Tyler Technologies is working with the next set of counties as the Supreme Court mandate takes effect every six months through July 2016. Fortunately, all counties have some level of experience with eFiling and Tyler Technologies expects no issues with the next mandate deadline in July.

One variation on eFiling that is predominantly in Texas is the use of Electronic Filing Service Providers (EFSPs). These companies exist to innovate and provide added value to the eFiling community. Services include mobile filing (from an iPhone or other mobile device), fax filing, to full service integration into an attorney's case management system. The EFSPs communicate with eFileTexas.gov through the Electronic Case File (ECF) standard used by the federal government and other courts across the country.

eFileTexas.gov currently has more than 20 EFSPs interested in participating and seven commercial providers that have completed their certification through OCA.

On an average day, eFileTexas.gov process more than 13,500 filings, over five times the volume of the previous system. The system currently has more than 55,000 registered users.

#### **Texas Appeals Management and Efiling System (TAMES)**

OCA has completed TAMES implementations at all the intermediate appellate courts. The team is currently developing the writs section of TAMES for the Court of Criminal Appeals and expects to deploy TAMES to the court very soon.

The TAMES governance committee meets every other week to review and prioritize outstanding enhancement requests.

Several appellate courts have implemented all pieces of TAMES and are reaping the benefits of an electronic court. Briefs, clerk records, and court reporter records all arrive electronically. Notices are generated and sent to parties via email. Opinions are kept and posted electronically. These courts have achieved the vision of a case being adjudicated without ever having been kept in paper.

#### **CIP Technology**

OCA continues to work with the Permanent Judicial Commission for Children, Youth and Families to improve IT systems for child protection courts. The team continues to improve

the Child Protection Case Management System by adding the ability of role-based security. This will allow each court to provide access to the certain parts of the system for approved outside entities (such as case workers, attorneys and others). OCA is currently piloting a new system that sends email reminders to interested entities about upcoming hearings. If successful, the system will be expanded to allow all child protection courts the ability to use it.

The video conference project continues to expand. OCA has deployed video conferencing capabilities to 55 residential treatment centers (RTC) and 14 courts. In FY 2013, more than 200 hearings were conducted using the video conferencing capabilities installed through this project. This has resulted in an increased number of children participating in their hearings. OCA hopes to have up to 25 courts online by October 2014.

#### **Technology Equipment Update**

Information Services, working with the appellate courts and the other judicial agencies are deploying new computer equipment to the courts. Additionally, counties that responded to the OCA survey are now beginning to receive “experienced” computer equipment for use as eFiling kiosks.

#### **Website Redesign**

OCA engaged a vendor to redesign the Texas Courts Online website. This redesign will include the websites of the Supreme Court, Court of Criminal Appeals, the intermediate appellate courts as well as OCA.

OCA is meeting with the various entities to convert their current website to the new version. Launch is expected sometime late summer/early fall.

## **Data Collection**

### **Judicial Information Program**

The Judicial Information Program collects, reports and analyzes court activity statistics, judicial directory information, and other information from more than 2,800 courts (includes child support and child protection specialty courts) in the State; produces the Annual Report for the Texas Judiciary, Texas Judicial System Directory, and other publications; and provides information about the judicial branch to the Legislature, state and federal agencies, local governments, private associations and public interest groups, and the media, among others. Approximately 162,000 statistical and other reports were received in FY 2013.

#### **Publications**

Judicial Information produced three publications.

The [2013 Annual Statistical Report for the Texas Judiciary](#) includes information on court structure and jurisdiction; judicial salaries, turnover and demographics; and workload and

other information for all the court levels in the State. Various links on OCA's [Judicial Information](#) webpage were also updated with the new information from the annual report.

The [2013 Report on Texas Court Security Incidents](#) presents a summary of information received during the year on security incidents that occurred in the Texas trial courts.

The [Geographical Jurisdiction of District Courts](#) document was updated with the legislative changes that went into effect September 1, 2013.

Also, Judicial Information staff worked on the annual update of information for the Texas Judicial System Directory, which contains information for more than 2,800 courts and more than 7,300 court system personnel. Appellate court information has already been updated and released. The remaining information for the [2014 Texas Judicial System Directory](#) will be released by the end of February 2014. While this information is only updated on an annual basis, any new information received by OCA can be accessed from the searchable directory database at <http://card.txcourts.gov/DirectorySearch.aspx>.

#### **Judicial Council Monthly Court Activity Reports**

Due to the greatly expanded content and complexity of the Judicial Council Monthly Court Activity Reports and mandate for all trial courts to submit their reports electronically, a significant share of Judicial Information's efforts continue to be devoted to providing support to the trial courts and clerks and their information technology staff or case management vendors on reporting issues. Staff continued to make regular presentations at seminars sponsored by the Texas Municipal Courts Education Center and Texas Justice Court Training Center, and worked with organizers of the College of Probate Judges seminars to improve data quality in the probate and mental health reports.

In addition, due to the abolition of the small claims court as of August 31, 2013, the civil section of the Justice Court Monthly Activity report changed as of September 1, 2013. The three case categories previously in use were replaced with three new categories that correspond to the case categories established by [Supreme Court Order 13-9049](#). Staff continued to provide technical assistance to courts, their information technology staff, and case management system vendors as they implemented the necessary changes.

As the very high demand for support in implementing all of the reporting changes has subsided, Judicial Information staff have been able to spend more time on improving reporting completeness and data quality. Staff are working with clerks, courts, case management system vendors, and other local information technology staff to correct various errors in reporting.

#### **Data Collection**

##### **National Instant Criminal Background Check System (NICS) – Record Improvement Mental Health-Related Cases**

OCA has taken a leading role in providing assistance to district and county clerks with the implementation of HB 3352, which passed in 2009 to comply with and implement the requirements of the federal NICS Improvement Amendments Act of 2007. HB 3352

requires clerks to report information on prohibiting mental health, guardianship, and mental retardation cases to the Criminal Justice Information System (CJIS) site maintained by the Texas Department of Public Safety. This information is used in background checks performed by the FBI to determine whether a person is disqualified from possessing or receiving a firearm.

OCA has engaged in numerous activities to provide assistance to the district and county clerks:

- Continued to provide frequent assistance to clerks by answering questions over the phone and by email;
- Received two federal grants, under the NICS Act Record Improvement Program, totaling \$1,035,880, to hire OCA staff to assist the district and county clerks in researching their case files for all eligible historical mental health and other cases required to be entered into NICS through CJIS. The grant project is called the “Texas NICS Mental Health Record Improvement Project.” The grant periods end September 30, 2014.
  - Since the start of the project, OCA has:
    - Provided records research assistance to the county clerk and/or district clerk in Anderson, Atascosa, Bee, Bell, Brazos, Brown, Caldwell, Cass, Cherokee, Collin, Collingsworth, Concho, Coryell, Dawson, Deaf Smith, Dimmit, Duval, Edwards, Ellis, Fannin, Foard, Fort Bend, Franklin, Frio, Grimes, Guadalupe, Hale, Hamilton, Hardin, Henderson, Hidalgo, Hockley, Irion, Jasper, Kimble, Kinney, La Salle, Lubbock, Martin, Matagorda, Maverick, Milam, Morris, Nueces, Palo Pinto, Polk, Randall, Sabine, Smith, Starr, Stephens, Throckmorton, Titus, Tom Green, Travis, Tyler, Val Verde, Van Zandt, Webb, Wilson, and Zavala counties; and
    - Reviewed 382,899 records and identified 17,682 records with sufficient data to be entered into CJIS. The records research portion of the project was completed in December 2013.

### **Protective Orders**

In fall 2013, OCA received a grant award in the amount of \$118,733 from the NICS Act Record Improvement Program to hire a protective order resource attorney to conduct the Texas NICS Protective Order Record Improvement Project. The purpose of the project is to increase the number of prohibiting protective order records made available to NICS by: 1) conducting a systemic review and analysis of the protective order reporting process in Texas, from the filing of an application for a protective order or request for a magistrate’s order of emergency protection to entry into the Texas Crime Information Center (TCIC), through case studies in rural, suburban, and urban jurisdictions; and 2) developing and providing training to address the identified reporting barriers and provide information on best reporting practices. The grant period is October 1, 2013 through September 30, 2014.

OCA's protective order resource attorney (PORA):

- Developed an action plan to conduct site visits to review and analyze the protective order reporting process in eight counties in Texas.
- Made a presentation to judges on magistrate's orders of emergency protection, peace bonds, and OCA's NICS Protective Order Record Improvement Project at Texas Justice Court Training Center's Justice of the Peace Seminars held in Austin and Galveston.
- Made a presentation to judges on magistrate's orders of emergency protection and OCA's NICS Protective Order Record Improvement Project at a Municipal Court Education Center's New Judges School held in Austin.
- Conducted a statewide webinar on OCA's NICS Protective Order Record Improvement Project, which was attended by municipal court judges and personnel, for the Texas Municipal Courts Education Center.
- Made a site visit, along with OCA's research specialist, to Nacogdoches County to review their protective order reporting process.
- Made a presentation on protective orders and OCA's NICS Protective Order Record Improvement Project to judges, law enforcement, and clerks, at a regional training event, in Maverick County, which was sponsored by OCA, the Maverick County Commissioners Court, and Wintergarden Women's Shelter.
- Along with OCA's research specialist, met with judges, the sheriff, and a court clerk in Maverick County to discuss and review their protective order reporting process.

## **Court Services**

### **Language Access Program**

OCA's Language Access Program consists of: 1) a Language Access Coordinator to assist courts in developing and implementing language access plans; provide training on language access issues and best practices; and work with Texas colleges and universities to develop college-level court interpreter training programs in an effort to increase the pool of licensed court interpreters in the State; and, 2) the Texas Court Remote Interpreter Service (TCRIS), which provides free Spanish interpretation services via phone or

videoconferencing by licensed court interpreters, in short hearings with limited or no evidence, for all case types.

### **Language Access Coordinator**

The Language Access Coordinator assisted other OCA staff in a number of activities to implement TCRIS, including the following:

- Developed policies and procedures;
- Created a webpage;
- Simplified and improved an online appointment system for scheduling interpretation services;
- Developed a program brochure;
- Developed a program bench card;
- Sent information on TCRIS to district courts, county courts at law, statutory probate courts, and constitutional county courts by regular mail and email;
- Sent information on TCRIS to IV-D courts by email;
- Prepared a press release;
- Provided training to OCA's newly hired licensed Spanish court interpreter; and
- Tested and implemented a new telephonic-plus-videoconference setup to provide both simultaneous and consecutive interpretation to participating courts.

In addition the Language Access Coordinator:

- Worked with OCA's Certification Division to assist in the transfer of court interpreter licensing from the Texas Department of Licensing and Regulation to OCA;
- Contacted judicial education organizations, professional associations (including the Texas Association for Court Administration and Texas Association of Judiciary Interpreters and Translators), and legal aid groups to offer to provide training and articles on language access issues; and
- Visited with University of Texas at Brownsville and Austin Community College faculty to learn about their interpreting programs and to discuss expanding career opportunities in court interpreting.

### **Texas Court Remote Interpreter Service (TCRIS)**

OCA hired a licensed Spanish court interpreter who started employment on January 2, 2014. Since TCRIS was launched on January 7, 2014:

Interpretation services have been provided in a total of 34 hearings held in a total of 11 counties (Bell, Collin, Dallas, Hardin, Harrison, Hood, Hutchinson, Jefferson, Potter, Presidio, and Smith). While interpretation services were provided in a variety of criminal and civil cases, most services were provided for plea hearings and arraignments.

### **Court Services Consultant Program**

The 83rd Legislature restored funding for OCA's Court Services Consultant position. The consultant provides technical assistance on court administration matters to judges, clerks, court personnel, and other county officials and staff, with primary emphasis on case management.

Since starting employment on August 30, 2013, the new consultant has:

- Contacted 30 district judges who, prior to the restoration of this position, expressed an interest in receiving case management technical assistance. Eleven of those judges have received assistance regarding minor case management procedural questions; 4 are receiving ongoing assistance; and the remaining 15 judges indicated they no longer need assistance or will request it in the future.
- Provided training on court management and caseload management procedures to the court coordinator and judge of the 452nd District Court, a newly-created district court; and
- Conducted, at the request of Harris County and under the direction of OCA's Director of Research and Court Services, a major case management and space needs review of the Harris County IV-D courts.

## **Collection Improvement Program**

### **Technical Support**

OCA continued to assist counties and cities required to implement a collection improvement program (CIP) with either fully implementing a program or refining the processes of a previously implemented program:

- 87 of the 87 counties and cities required to implement a program have either fully or partially implemented a program. Under previous law, 91 counties and cities were required to implement the program. Senate Bill 387 passed by the 83rd Legislature, Regular Session (2013), requires OCA to grant a waiver to a county with a population of 50,000 or more when the population of the county is at least 50,000 only because of the TDCJ inmate population within the county. The three counties – Anderson, Cherokee, and Rusk – eligible for a waiver under this new law have requested and received a waiver. However, it should be noted that while Anderson and Rusk Counties requested waivers, they have also acknowledged the success of the program and affirmed their intent to continue it on a voluntary basis; and
- Harris County previously received a waiver and is therefore not required to implement a program.

The primary focus of the assistance provided to counties and cities by OCA's CIP technical support staff has been to ensure their compliance with the critical components of the CIP.

OCA's goal is to ensure each jurisdiction passes the statutorily-required compliance audit that was formerly conducted by the Comptroller of Public Accounts (CPA), but is now the responsibility of OCA's CIP audit staff. OCA's CIP technical support staff works with each jurisdiction using a review format designed to identify problem areas and recommend corrections prior to the official audit.

- 82 preliminary reviews of the total 87 counties and cities required to implement a program, have been completed. The 5 remaining preliminary reviews should be completed by the end of March 2014.

Of the 82 counties and cities in which a preliminary review was conducted: 19 were audited by the CPA and all of them passed either their initial or subsequent official compliance audit; 19 were audited by OCA's CIP audit staff, with 16 passing (including the City of Laredo which failed its initial audit but passed its follow-up audit) and 3 failing their initial audit (the 3 failing jurisdictions – Grand Prairie, Kaufman County, and McLennan County – are expected to pass their follow-up audit.

Since September 6, 2013, OCA:

- Conducted 20 "spot checks" of counties and cities required to implement a program to ensure continuing compliance with program components;
- Completed distributing 2012 "return on expenditure" (ROE) reports, bringing the total number of ROE reports distributed to 53 local jurisdictions (19 cities and 34 counties).; and
- Began compiling data for the 2013 ROE reports.

Also, since September 6, 2013, OCA engaged in the following training and assistance activities:

- Conducted regional collections training workshops in El Paso, Forney, and Houston;
- Conducted regional collections reporting and analysis workshops in Carrollton, Grand Prairie, Fort Worth, Irving, and Mesquite.
- Made a collections presentation at the Texas Municipal Courts Education Center's New Clerks' Boot Camp in Austin
- Had an information booth at the Texas Justice Court Training Center's schools for justices of the peace and justice court clerks, in Austin, Galveston, and San Antonio; and

- Provided information to State Auditor’s Office staff when they conducted an audit of the CIP.

## **Audit**

The Collection Improvement Program – Audit Section has issued reports for fifteen compliance engagements (aka, audits), twelve pre-implementation rate reviews, and four (4) post-implementation rate reviews included on the FY 2013 Audit Plan. In addition, reports have been issued for one (1) Pre-implementation Rate Review and one (1) Post-implementation Rate Review included in the FY 2014 Audit Plan. Audit staff are currently working on four (4) compliance engagements.

## **Research**

### **Sting Operations Study**

Pursuant to an appropriations bill rider (General Appropriations Act for the 2014-2015 Biennium, Article IV, Office of Court Administration, Rider 15), OCA has contracted with Texas A&M University (TAMU) to conduct a study for the purpose of determining the financial impact on local governments of enhanced enforcement operations (referred to as “sting operations” by the 83rd Texas Legislature in the General Appropriations Act for the 2014-2015 Biennium) conducted by the Department of Public Safety (DPS), in particular the costs of the prosecution and defense of court cases resulting from these enhanced enforcement operations in small or exurban communities and counties near urban areas. The study will include a review of past enhanced enforcement operations conducted by DPS, including those involving drugs, human trafficking, and similar activity. The study will also include a review of all forfeiture funds collected as a result of these enhanced enforcement operations, including an analysis of who receives these funds and the purposes for which they are used. TAMU will provide a written report to OCA of the results of the study no later than October 31, 2014.

TAMU has timely submitted the first study deliverable, an interim report on the county sample and initial data collection, which was due on January 31, 2014.

## **Specialty Courts Program**

### **Child Protection Courts**

In its regular session, the Legislature approved funding for four additional Child Protection Courts. One court was designated to serve Harris County, and Harris County will directly administer that court. The Harris County Child Protection Court judge and coordinator positions have been filled, and the court should commence operations soon. Drawing on their strategic planning work earlier in the year, the regional presiding judges allocated resources for the additional three courts. The first, West Texas Child Protection Court, began operations on September 1, 2013 and serves Crane, Ector, Loving, Reeves, Ward and Winkler counties. The second court overlaps the jurisdiction of the existing South Plains Cluster Court, based out of Lubbock County, and was also operational effective September 1. The third court will serve Wilson, Karnes, Atascosa, Frio and La Salle

counties. The associate judge and court coordinator positions are currently posted and the court should be operational by late Spring.

### **Child Support Courts Program**

The November family violence conference planned in conjunction with the Texas Center for the Judiciary and funded by the Court of Criminal Appeals and the Children’s Commission was a great success. The conference was developed with assistance from the National Council of Juvenile and Family Court Judges (NCJFCJ). Since the conference, the NCJFCJ has obtained grant funds to conduct a facilitated stakeholder meeting between the regional presiding judges, OCA and the Office of the Attorney General, Child Support Division to discuss family violence issues presented in child support cases and how to provide meaningful remedies to the victims.

## **Regulatory Services**

### **Administration**

The Office of Court Administration currently supports three regulatory Boards: [Court Reporters Certification Board](#), [Guardianship Certification Board](#) and [Process Server Review Board](#). Although each board's structure is unique, many regulatory practices and staff functions are common to all three. All three share the mission to protect and serve the public.

Board	Regulated Population (as of January 31, 2014)
CRCB	2359 individuals and 433 firms
GCB	404 individuals
PSRB	3737 individuals

Revenue collected for the three boards, as of January 31, is \$371,659.64. Amounts collected by board are as follows:

PSRB - \$102,555.25

GCB - \$9,924.50

CRCB - \$259,089.89

On September 1, 2014, the Judicial Branch Certification Commission (JBCC) will come into existence. The Commission will handle certification and licensing for court reporters and court reporting firms, professional guardians, process servers, and court language interpreters. The process of developing rules and procedures for the new JBCC is well under way. A special task force comprised of representatives from each of the professions that will be regulated by the Commission developed the proposed rules. The task force finished the initial draft proposal during the first week of November and the proposed rules were published for public comments from the public on OCA's website. Stakeholders were given notice of the 30 day comment period when the proposal was made available for comment. On January 22, 2014, the OCA finalized the proposed JBCC rules which were

submitted to the Supreme Court for review. The next step for the proposed rules will be a second round of public comment in the Texas Bar Journal. The proposed rules are anticipated to be adopted and ready to go into effect when the Commission begins operating on September 1, 2014.

In the Certification Division, new positions recently hired by the OCA include a new director and a new compliance investigator. In order to streamline and consolidate the OCA regulatory programs, the Certification Division has functionally aligned and organized its team structure into separate licensing and compliance sections. There is a new licensing manager responsible for the processing of all applications for certification, registration and licensure in all of the new JBCC programs. Also new is a new compliance manager who is responsible for the compliance and enforcement of the law and rules for all JBCC programs. The Certification Division staff members continue to meet weekly to discuss on-going projects and share information on each program's processes.

Looking forward to the JBCC and the new divisional structure, management continues to work towards assigning tasks to each staff member by function, rather than by board. The goal is to standardize procedures and day-to-day operations using regulatory best practices. All administrative duties are consolidated and assigned to one person; the Judicial Regulatory Assistant. At this time, input and reconciliation of fees has been consolidated for all the boards and that function is assigned to one staff member. Staff is currently working to consolidate application and complaint processing by function while cross-training divisional staff.

### **Process Server Review Board**

On January 31, 2014, there were 3,737 individuals certified to serve process statewide by the PSRB. Approximately 90 process server applications (new, renewal and reinstatement) are reviewed and heard by the PSRB's Application Review Committee each month.

The PSRB has met once in FY2014 and heard three complaints. Two complaints were dismissed for lack of good cause to take disciplinary action, and one certification was suspended. In FY2014, eight new complaints against process servers have been filed. These complaints, along with three from FY2013 that have been unresolved are scheduled to be heard at the upcoming PSRB meeting in March.

### **Guardianship Certification Board**

GCB staff members have been registering applicants and collecting application fees for the required certification exam. The tests are administered through the University of Texas at Austin and San Antonio proctoring centers, and the examinations were provided four times during FY2013; 60 exams were given. In FY2014, two exams have been given, with 35 applicants taking the exam. Two additional examinations are scheduled.

The GCB Exam Review Committee has met three times this fiscal year to review examination questions. An additional meeting is scheduled for February 2014. Once the Committee has completed its review of the existing questions, they will meet to discuss

updating and writing new questions based on recent changes to the laws affecting guardianship.

As of January 31, 2014, 18 guardians re-certified, 37 new provisional certifications and 12 new certifications were issued, including four guardians who moved from provisional to "full" certification.

Three GCB complaints were pending at the end of FY2013. Two were dismissed at the Board meeting held in November 2013, and one complaint is scheduled to be heard during a formal hearing, tentatively to be held in mid-May. In FY2014, no new complaints against certified guardians have been opened.

### **Court Reporters Certification Board**

As of January 31, 2014, 10 new court reporters were certified after successfully completing the October 2013 court reporters examination. Four exams were administered this year in various cities throughout Texas. On August 15, 2013, the contract to administer the court reporters exam was awarded to the Texas Court Reporters Association. The contract took effect on September 1, 2013, and will expire on August 31, 2015. There is an option to extend the contract for an additional two-year period or until August 31, 2017.

On September 1, 2013, the certification renewal window opened for certifications expiring on December 31, 2013. A total of 992 court reporters and 118 court reporting firms were renewed for certifications and registrations. Renewal applications that were submitted after December 31 but within the year are considered late renewals and require payment of late fees.

On September 26, 2013, the Court Reporters Certification Board held a scheduled Board meeting where one complaint was administratively dismissed, six complaints were dismissed by the Board, and six formal hearings were conducted. The administrative hearings resulted in one dismissal, five court reporters receiving sanctions, including public and private reprimands, and one administrative penalty. On May 9, 2014, fourteen complaints are scheduled for the Board's consideration at the next Board meeting, including: one withdrawn, two administrative dismissals, eight recommendations for dismissal by the Review Panel, and three matters set for formal hearings.

A pending lawsuit filed against the Board in fiscal year 2013 concerning a former court reporter who was seeking reinstatement of her certification that expired on January 1, 2011, was nonsuited when the court reporter decided to retire.