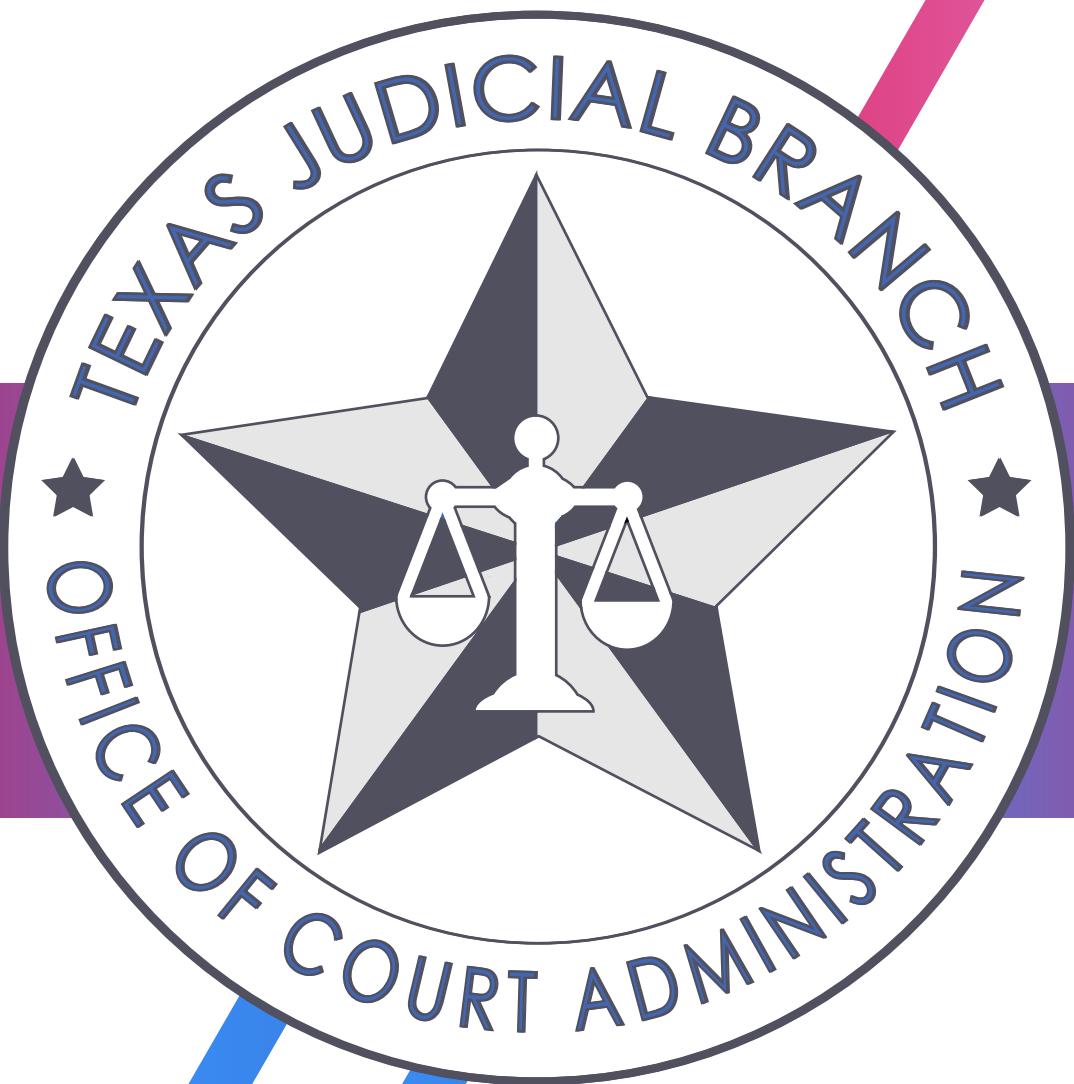


Annual Reports of Judicial Support Agencies, Boards and Commissions for the Texas Judiciary



FISCAL YEAR 2021



OCA MISSION

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

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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.”

MEMBERS AS OF AUGUST 31, 2021

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

**The Texas Judicial Council Met
Three Times in FY21**

- **November 15, 2019**
- **February 14, 2020**
- **June 12, 2020**

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, Judge, 470th District Court, McKinney

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

Kevin Bryant, Crow Holdings, Dallas

Sonia Clayton, Virtual Intelligence Providers LLC, Houston

Hon. Jon Gimble, District Clerk, McLennan County, Waco

Rachel Racz, Vista Proppants & Logistics, Fort Worth

Kenneth S. Saks, Oliva Saks Garcia & Curiel, LLP, San Antonio

Evan Young, Baker Botts, Austin

Executive Director

David Slayton, Administrative Director, Office of Court Administration

COMMITTEES

The Texas Judicial Council currently has five committees. Three Committees released reports and recommendations in September 2020 prior to the 87th Legislature.

[Civil Justice Committee Report & Recommendations](#)

[Criminal Justice Committee Report & Recommendations](#)

[Public Trust & Confidence Report & Recommendations](#)

CIVIL JUSTICE COMMITTEE

Charge 1: Continue to study the landscape of the Texas Civil justice system, and recommend any necessary reforms to improve access to justice in Texas Courts.

Charge 2: Work with individual jurisdictions to implement pilot programs for:

- Business Courts
- Online Dispute Resolution

Charge 3: Monitor the Commission on Judicial Selection and recommend any necessary reforms.

CRIMINAL JUSTICE COMMITTEE

Charge 1: Continue to evaluate and monitor Texas' pretrial bail system for improvement and recommend any further statutory and non-statutory changes. Work with individual jurisdictions to facilitate implementation of reforms.

Charge 2: Consider best practices and necessary reforms for youth in Class C Misdemeanor matters.

Charge 3: Evaluate Texas' jury and grand jury processes and recommend any necessary reforms.

PUBLIC TRUST AND CONFIDENCE COMMITTEE

Charge 1: Continue to monitor public trust and confidence in the Texas Judiciary and recommend any necessary reforms to increase public support and respect.

STRATEGIC VISION COMMITTEE

Charge 1: Develop recommendations for a strategic vision and plan for the Texas Judiciary including:

- Budgeting
- Authority
- Innovations
- Updates on past reforms

DATA COMMITTEE

Charge 1: Continue to work on guiding the revisions of the court activity reporting database to collect case-level statistical data.

Charge 2: Monitor implementation of the Uniform Case Management System.

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 2020 meeting, the TJC endorsed the following proposals for the 87th Legislative Session:



Bail



Civil Justice



Court Funding



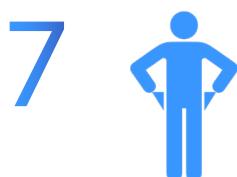
Funding for Civil Legal Aid



Improving Civil Education



Improving Training and
Community Engagement



Indigent Defense



Mental Health



Removing Barriers to Online
Court Hearings



Youth in Class C
Misdemeanor Matters

Executive Operations

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 since May 2012 by Mr. David Slayton¹, the Administrative Director of OCA and the Executive Director of the Texas Judicial Council. The Administrative Director is supported by an executive assistant, a public affairs director, and a team of division directors.

In an effort to better communicate with the public and court stakeholders, the Executive Division oversees the distribution of [CourTex](#), a quarterly electronic publication to more than 4,400 stakeholders. It also manages the [@TXCourts](#) twitter feed for the Judicial Branch.

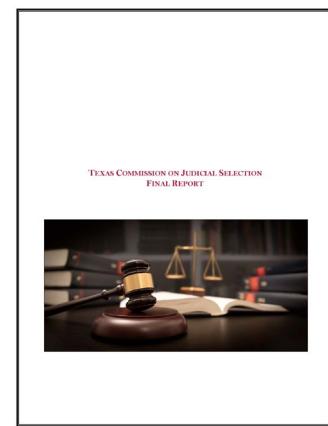
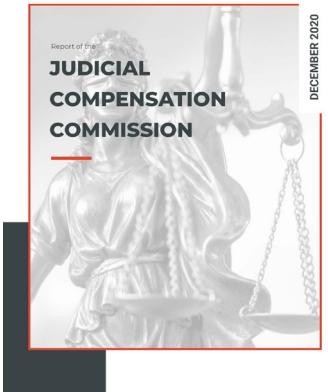
OCA holds quarterly agency-wide staff meetings.

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

In FY21 the Executive Division through the Director of Public Affairs, served as staff to both the [Texas Commission on Judicial Selection](#) and the [Texas Judicial Compensation Commission](#). The Judicial Selection Commission was created by the 86th Legislature to study the way in which Texas selects its judges and recommend any improvements to the system. The Commission issued its [final report](#) to the Legislature on December 31, 2020. The Judicial Compensation Commission issued its [final report](#) on December 8, 2020 .

In FY21, the OCA continued its expanded role in assisting the Judicial Branch in navigating the COVID-19 Pandemic. Through multiple Emergency Orders Regarding the COVID-19 State of Disaster, the Texas Supreme Court required the OCA to provide guidance, technology support and trial support to courts across the state.

Inside FY21, Texas Judges held approximately 1.06 million remote hearings in every case type and type of proceeding, including bench and jury trials , with 3.8 million participants lasting almost 3.1 million hours.



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**

¹ Mr. Slayton retired from OCA effective August 31, 2021.

Research and Court Services Division

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 through audio or video remote interpreting provided by the Texas Court Remote Interpreter Service staff.

During FY2021, the demand for OCA's two remote interpreters continued to increase, resulting in the hiring of a third temporary staff interpreter. The three remote interpreters provided free Spanish interpretation services in 2,476 hearings serving 104 counties across Texas. The Language Access Program continues to see dramatic increases in their services this fiscal year as well. Services have increased over 100% since March 2020.

In addition, this department was also tasked to supply 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 the final part of FY2021, the three remote interpreters rendered services in 253 additional magistration hearings via videoconference.

The high volume and unprecedented demand of interpreting services impacted the Language Access Department from undertaking any document translation projects during this fiscal year.



The Research and Court Services Division provides services to improve the administrative operation of courts and increase public accessibility to courts, and provides information about the Judicial Branch.

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:

- Provides 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;
- Establishes a \$5.00 filing fee on any civil action or proceeding requiring a filing fee to generate revenue to support judicial and court personnel training;
- 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.

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 FY2021, the Court Security Divisions' efforts to assess court facilities and provide court security training was hampered by the ongoing pandemic, declared state of disaster in 254 counties, and Emergency Orders issued by the Texas Supreme Court outlining minimum standard health protocols to conduct in-person hearings. To meet this challenge, courts availed themselves to a virtual environment minimizing

the Division's ability to provide on-site assessments, training evolutions, and assist in the establishment of court security committees. There was a marked decrease in judicial threats and courthouse related incidents this FY. The resumption of normal court related business will task the Divisions' effort to meet future demands. To maximize OCA's outreach promoting awareness of the privacy protections afforded pursuant to SB 42, OCA staff virtually attended numerous Judicial Conferences providing security related information with the ability for judges to submit their privacy questionnaire and address court security related concerns or questions with staff.

Incident reporting to OCA continued with a total of 380 incident reports submitted in FY21. To date, 1,486 judicial officers have taken advantage of having their personal and residential information suppressed.

Additionally, during this period, the Court Security Director will facilitate the fourth meeting of the Supreme Court's Advisory Committee on Judicial Emergency Preparedness and 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. The pandemic had an unfortunate impact on the program. Courthouses have continued to express a need for evaluation and consultation, but individual safety and health concerns prohibited much of the onsite visits. The Court Security Division expects the next fiscal year to be busy with a backlog of courthouse assessment requests as restrictions ease and a gradual resumption of normal activities.

The Court Security Division is preparing to launch their first statewide survey of Courthouse Security Committees. The survey will be sent to the Local Administrative Judges for all 254 counties in Texas in November 2021. The survey will support the Court Security Division by identifying which counties have established Courthouse Security Committees, how regularly those committees meet, what common issues those committees face, and will provide a strong foundation for evaluating the ongoing challenges and security needs faced by Texas Courts.

Children's Courts Program

The Children's Courts program is comprised of 73 operational courts - 30 child protection and 43 child support courts (CPC and CSC, respectively). 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. The Specialty Courts and 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, several Children's Courts associate judges and court coordinators retired. Replacements were hired through August 31, 2021. Fortunately, a few judges will continue to share their years of child welfare and child support expertise by sitting as visiting associate judges.

OCA headquarters and field staff continued working remotely including Children's Courts judges and court coordinators. The Supreme Court issued additional Orders extending court deadlines in CPS cases and authorizing the continuation of remote hearings. OCA's Research and Court Services Director and the Specialty Courts and Children's Courts Program Manager continued ongoing meetings with the Office of Attorney General Child Support Division and the Texas Supreme Court's Permanent Judicial Commission for Children, Youth and Families (Children's Commission) leadership regarding remote hearings and child support dockets, to study the efficacy of remote hearings in child welfare cases, and future equipment needs for a hybrid hearing approach.

Since the last report, the three child protection court judges who volunteered and whose courts were approved to serve as pilot sites began

taking cases with youth dually involved in the child welfare and juvenile justice systems. The courts represent small, mid-size, and urban areas. An evaluation of the project will be conducted.

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

In FY2020, 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 FY22 renewal grant application OCA 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. The request was granted for the upcoming fiscal year.

Problem-Solving 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). These duties include maintenance of the statewide Specialty Court registry. The Statewide Problem-Solving Court Coordinator (SPSCC), RCSD Director, and RCSD staff stand ready to assist Specialty Court teams across the State.

In FY2021, 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 Texas Veterans Commission (TVC), the National Association of Drug Court Professionals (NADCP), 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), the Texas Specialty Court Resource Center (SCRC), and the Texas Department of Criminal Justice (TDCJ) Reentry Task Force. 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.

After many years of advocating to be recognized as a formal group, the Conference of Chief Justices (CCJ) and Conference of State Court Administrators (COSCA) formalized the 50 Statewide Problem-Solving Court Coordinators into the Council of State Treatment Court Coordinators (Council). The Council is a group focused on improving the performance of treatment courts nationwide. The Council formalizes efforts to advise state court leaders and funders on initiatives related to problem-solving treatment courts, which address specific issues or populations like mental health, substance abuse and justice-involved veterans.

Click on the link below to read the press release in full.

<https://www.ncsc.org/newsroom/news-releases>

Centers of Excellence

The Centers of Excellence Program continues to work to identify and evaluate excellent courts at all levels across the state of Texas in key performance and compliance areas. The program was briefly put on hiatus during the early stages of the COVID-19 pandemic. In the interim, the Centers of Excellence program has undergone revision and review of each area based upon lessons learned during the initial launch of the program. The aim of these revisions is to better capture the specific needs of each court and identify strengths and opportunities for growth for participating courts. Additionally, evaluations have been refined to more accurately reflect the work each court does at a local level.

As the Centers of Excellence Program grows, RCSD will continue to evaluate the program itself to better serve and provide support for participating courts, while expanding and linking existing Centers of Excellence as examples of best practice and guidance for court administration in Texas.



RESEARCH AND COURT SERVICES DUTIES AND RESPONSIBILITIES

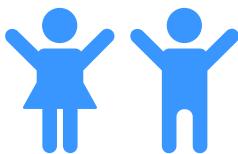
- **Provide resources, services, and information to support the efficient operation of courts in Texas**
- **Promote judicial data reporting accuracy and compliance**
- **Provide remote language interpreter services**
- **Increase compliance with the satisfaction of assessed court costs, fines, and fees**

Operation Lone Star

In response to Governor Abbott's disaster declaration, Research and Court Services provided administrative support and helped establish a magistration process that works to ensure that the rights of the detained and the integrity of the judicial branch are maintained. OCA continues to support local actors and stakeholders on the ground with remote hearings scheduling hearings and processing the necessary paperwork to provide detainees with legal counsel.

Study of Virtual Child Welfare Hearings

Three Child Protection Courts in Texas participated in the National Centers for State Courts' Study of Virtual Child Welfare Hearings during the last fiscal year. The study was part of a larger study conducted across five states. The purpose of the research was to learn more about the experience of stakeholders -- specifically parents, children, attorneys, and case workers -- in virtual hearings. The findings of this research will be used to educate child welfare stakeholders on promising practices, to identify potential barriers or challenges to quality virtual hearings, and to inform opportunities for future research. The study was successful, and a [report of the findings](#) was issued this year.



Uniform Case Management System

In response to Governor Greg Abbott's School Safety Action Plan, the 86th Texas Legislature appropriated funds to the Office of Court Administration to contract with a third party to establish a uniform case management system for use by counties, focusing primarily on counties with a population of 20,000 or less.

It was the intent of the Texas legislature that OCA procure a system that would: (1) collect county judicial data, including mental health adjudications and domestic violence protective orders; (2) provide timely and accurate reporting of judicial data to the office and the national criminal history record information and mental health record repositories; (3) easily integrate with existing state and countywide systems to allow frequent sharing of information between systems; and (4) include adequate reporting standards to ensure the accurate reporting of information through the system.

In August of 2021, OCA successfully executed contracts for the statewide Uniform Case Management System known as [UCMS](#), with three (3) vendors. Clerk's Offices across Texas will have the opportunity to work with a selected vendor, at no-cost, for implementation of a UCMS. The vendor selected will be responsible for implementing UCMS for use by the Clerk's Offices and provide hosting, training, maintenance, and ongoing production support services for Clerk's Offices that elect to use UCMS. To the extent that a Clerk's Office seeks data conversion or migration, it may contract directly with the vendor for such services.

Remote Hearings Study

OCA, in consultation with the National Center for State Courts, worked on a project funded by the State Justice Institute to conduct an evaluation of the impact of virtual court services on judicial workload in the Texas trial courts. Working with 11 jurisdictions across the state, many judges recorded the time spent on hearings for a three-week period. This data, along with other observational data, is being used to finalize a study on the impact of remote hearings in Texas.



Weighted Caseload Study

OCA was slated to conduct a weighted caseload study in the Spring of 2020. The 86th Legislation in Senate Bill 891 (2019, Regular Session) directed OCA to contract with the National Center for State Courts to conduct a study of the caseloads of the district and statutory county courts in the State of Texas. The pandemic unfortunately put a pause on the study which was to occur in spring of 2021. The agency is now targeting launching the study in the spring of 2022.

Public Engagement Pilot Project

Last fiscal year, RCSD participated in a grant-funded project called the Public Engagement Pilot Project. They joined five other jurisdictions around the country that conducted public engagement events with the purpose of talking to general members of the community about their thoughts and perceptions of the Texas judiciary, while also advancing understanding of how courts can best involve the public to overcome social inequities and bias and build trust.

Three sites around the state were chosen for the public engagement events: Houston, Brownsville and Alpine. The events were all held successfully, and findings presented to the Public Trust and Confidence Committee of the Judicial Council. The work continued this year by expanding the work and conducting engagement events virtually. With the pandemic preventing people to socially interact in-person, this was an opportunity to study feedback about the Texas judiciary virtually. A full report on the Public Engagement projects is expected next year.

Court Consultant

2021 has been a busy time for courts as they begin addressing the growing number of pending cases that COVID-19 has created. The backlog creates multiple challenges and courts have implemented virtual and hybrid court hearings to continue holding hearings. After several counties contacted OCA to provide recommendations on various ways the backlog could be addressed, a [“Best Practice”](#) guide was created to assist courts in formulating a plan to begin working through the pending cases.

Additional Consultant activity included:

- Participation and co-presenting in a virtual presentation regarding Expedited Actions and the changes to the rules December 2020.
- Assessment of Alpine Municipal Court addressing procedural questions, jury cases, reporting, reviewing, and implementing case solutions for pending case load, and record retention guidelines.
- Assisting Wood County by providing data and analysis of cases pending and solutions for addressing backlog specific to certain case types.
- Multiple presentations and consultations related to a variety of subject matter, including general updates to projects OCA is involved in, Mental Health Reporting, Juvenile cases filings, Citation by Publication and Social Media service, Protective Order/Publication website, to name a few.
- Participation and subject matter expert for Statewide Case Management project for counties 20,000 and under.
- Participation and subject matter expert for renewed contract and requirements of e-file product.
- Participation and subject matter expert in NODS and collection of additional data from courts project.
- Participation and staff assigned to manage court proceedings through video magistration for Operation Lone Star.



**Public Engagement Project
in Houston**

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 FY2021 program staff were involved in the following activities:

Report Production and Updates:

- 2020 [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
- 2021 [Texas Judicial System Directory](#)
- 2020 [Annual Report on Disposition of Judicial Bypass Cases by Trial Courts](#)
- 2020 [Presiding Judges Annual Report](#)
- 2020 [Writs of Attachment Annual Report](#)
- [Profile of Judges Report](#) as of September 1, 2021
- 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 State Court [Organization Project](#) and [Court Statistics Project](#)
- Data collection for the Judicial Salaries and Turnover Report for FYs 20 & 21

Data collection, analyses, requests, and support to:

- The Texas Judicial Council
- The Council of Presiding Judges
- The Council of Chief Justices
- The Supreme Court for its courts of appeals [docket equalization program](#)
- The Office of Court Administration and external customers during the legislative sessions, including requests for analyses for new district courts or county courts at law
- Trial courts and clerks and their information technology staff or case management vendors
- Judicial Compensation Commission for its [biennial report](#)

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 1000 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.

Over 1,000

Number of Users directly supported by OCA IT



489,174 eFile Users



Average 39,000
eFile envelopes per
day

re:SearchTX™



68,442 eSearchTX Users

228,538 Documents sold

83,273,586 Documents
available via re:SearchTX

\$137,892.00 Collected
and sent to 153 counties

Re:SearchTX

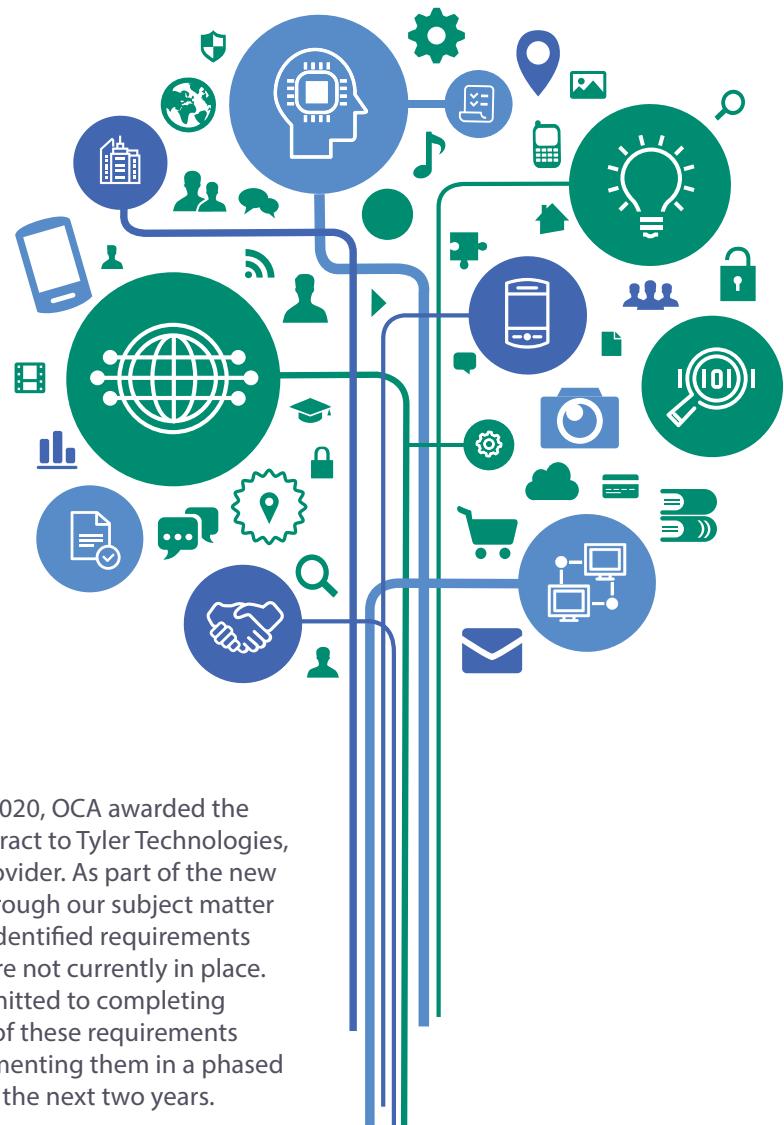
Re:SearchTX aims to provide a single statewide view of electronic court documents. The system currently includes more than 83 million documents filed in civil cases across the state. Any of the 68,000 users can purchase the document (\$0.10/page with a max of \$6 per document) and the money collected goes to the county of origin. This year more than \$137,000 was collected and distributed to more than half of the counties in the state.

Continuing COVID-19 Technology Response

With the pandemic continuing through FY2021, OCA renewed Zoom for all judges in Texas in March 2021. In addition to Zoom, OCA worked with zConnect.io to provide an additional layer to Zoom that allows judges to manage their mass docket calls. The product was piloted by two judges for refinement and will be deployed soon.

OCA also continued to provide iPads for counties for use with remote jury selection and virtual trials. In December of 2020, OCA was down to less than 20 (of 120) iPads, with the remaining iPads stationed across Texas in various counties allowing jurors to participate remotely – even if they did not have the technology to participate.

In the Summer of 2021, OCA is moving towards making a hybrid hearing model available, where some participants are in the court room, while others are remote. In the past, this was nothing more than a telephone, but with the increased adoption of Zoom, Judges prefer to see and hear all participants as well as making sure the remote participants can see and hear everything going on in the court room. OCA has applied for and received a grant from the Children's Commission to implement two courts as a pilot.



eFile

In December 2020, OCA awarded the next eFile contract to Tyler Technologies, our current provider. As part of the new agreement, through our subject matter experts, OCA identified requirements for eFile that are not currently in place. Tyler has committed to completing development of these requirements and are implementing them in a phased approach over the next two years.

eFile Improvement Highlights:

- Movement of the components to AWS Gov Cloud
- Adoption and implementation of ECF5
- New eFile Insights tool to provide business intelligence for Court Administrators and Clerks
- Reworked processes for proposed orders
- Additional and complete service options

Self-Help

In working with the eFiling vendor and legal services, the included self-help features of eFiling continued to expand. As of 8/31/2021 there were 45 different interviews, with 7 of them enabled to directly eFile once completed online. On average, the system is seeing approximately 3,600 sessions per month. More than half of the sessions result in the document prepared being electronically filed, with the other portion being printed and filed on paper.

Judicial Committee on Information Technology

The mission of the Judicial Committee on Information Technology (JCIT) is to promulgate standards and guidelines for information technology in the Texas Judiciary. In FY21, JCIT met five times and discussed a variety of topics including:

- Cybersecurity guidelines for all courts
- 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

MEMBERS AS OF AUGUST 31, 2021

Voting Members

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

Bob Wessels, former Criminal Court Administrator, Harris County

Hon. David Escamilla, County Attorney, Travis County

Hon. Dan Hinde, Former Judge, 269th District Court, Harris County

Hon. Missy Medary, Judge, 347th District Court, Nueces County

Cynthia Orr, Goldstein, Goldstein, Hilley & Orr, San Antonio

Hon. Brian Quinn, Chief Justice, Seventh Court of Appeals, Amarillo

Todd Smith, Attorney, Austin

Carlos Soltero, Attorney, Austin

Dean Stanzione, Director of Court Administration, Lubbock County

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

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

Miles Brissette, Gill & Brissette, Fort Worth

Hon. David Canales, Judge, 73rd District Court, Bexar County

Hon. Anne Marie Carruth, Justice of the Peace, Lubbock County

Hon. Judy Crawford, District/County Clerk, Crane County

Hon. Giovanni Capriglione, State Representative, District 98, Keller

Annie Elliott, Court Coordinator, 434th District Court

Hon. Roy Ferguson, Judge, 394th District Court, Brewster County

Laura Garcia, Texas Association of Counties, Austin

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

Gary Hutton, Former JP and Court Administrator, Bexar County
Roland Johnson, Attorney, Fort Worth
Hon. Jennifer Linden Zweig, County Clerk, Hunt County
Karen Miller, Executive Director, Texas Legal Services Center
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
David Slayton, Administrative Director, Office of Court Administration, Austin
Stephanie Sterling, State Bar of Texas, Paralegal Section
Hon. Ralph Swearingin, JP Precinct 1, Tarrant County
Mark Unger, The Unger Law Firm, San Antonio
Hon. Royce West, Senator, District 23, Dallas
Hon. Kevin Yearly, Judge, Court of Criminal Appeals, Austin



Legal Division

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 FY21, 12 public access opinions were issued.

Pandemic Resource

To assist judges with questions related to OCA's Court Guidance regarding court proceedings during the pandemic, OCA continued to support a designated email address to respond to questions submitted by judges and the public.

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

Coordination with Information Services Division

In FY21, the Division also coordinated with the Information Services Division to reprocure the State's statewide efile system for implementation after the expiration of the current eFile system contract and to procure a Uniform Case Management System.



Finance and Operations Division

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 preparation of the agency's legislative appropriations request, operating budget, quarterly performance measures and the annual financial report.

Finance and Operations staff work with the clerks of the appellate courts on issues related to accounting, 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 facilities functions of the SPA.

During FY21,

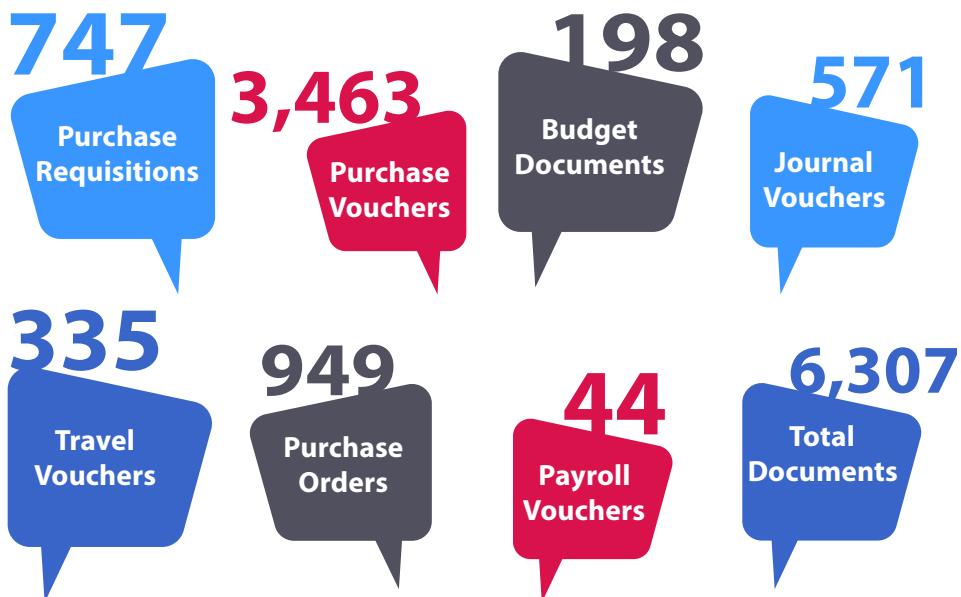
Members of the Finance and Operations team were pleased to be selected by the Comptroller's Office to participate in the development, configuration and testing of the new CAPPs Travel and Expense module.

The application eliminates the paper travel voucher for staff, whereby expenses will be entered directly into CAPPs. The application has been put into production and a majority of the staff has been training on using it. Finance & Operations anticipates having full implementation of the online Travel and Expense module on January 1, 2022.

FISCAL AND OPERATIONS SUPPORT RESPONSIBILITIES

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

Documents Processed



Property and Operations



125+ New pieces of equipment



94 Surplus items

130

Reimbursement requests for grants and contracts

\$14.33 million

Reimbursement requests for grants and contracts

Over \$886,847

Deposited or reconciled fees from licensees

The 87th Legislative Appropriations Request for 2022-2023

Due to the COVID-19 Pandemic, the due date for the Legislative Appropriations Request for the 2022-2023 was moved to September 2020. Agencies were directed to submit a budget request at 95% of 2020-2021 baseline levels. The total baseline budget request for 2022-2023 totaled \$193.8 million. Exceptional Item requests totaled \$7 million. The baseline budget request includes \$90 million for Texas Indigent Defense Commission (TIDC). TIDC requested restoration of the 5% reduction, estimated appropriations authority and edits to riders to increase availability of funding for mental-health-focused public defender offices and managed assigned counsel (MAC) programs. The Legislature restored TIDC's reduction and provided an additional \$528,214 in additional funding for indigent defense grants.

OCA's Exceptional Items include three funding requests that stem from the 5% reduction in the baseline budget, COVID-19 and a request for dedicated funding for the Domestic Violence Resource attorney. OCA's Exceptional Items and the funding results for each item are as follows:

- **Partially funded - Restore Cuts to Critical Programs - \$1,168,694.** On May 20, 2020, all agencies and appellate courts were asked to create a plan to reduce the 2020-2021 biennium appropriations by 5%. Reductions were taken from accrued salary savings in the Guardianship Abuse, Fraud and Exploitation Deterrence Program (GAFEDP) due to delay in hiring auditors and salary savings realized due to the timing of creating the new child protection courts authorized in 2020-2021. OCA also offered unused travel funds due to the pandemic's forced halt on all travel for the Children's Courts hearing child abuse/neglect and child support enforcement hearings beginning in March 2020. While some hearings may continue being held remotely, the loss of this magnitude is not sustainable in the 2022-2023 biennium for those courts that return to in person hearings, therefore, OCA requested restoration of these funds and all salary funding for the GAFEDP program and the children's courts and was successful in having it restored. OCA also requested restoration of funds dedicated to paying lump sum annual leave payments for Children's court staff that were eliminated in the Legislative Budget Board's recommendation to the legislature. The legislature did not restore the lump sum annual leave funding.
- **Not funded - COVID-19 Impacted Critical Needs - \$1,139,125.** To assist judges in holding court hearings remotely during the pandemic, OCA procured licenses from Zoom to permit any judge in the state to host and provide public access to the proceedings as required by the Texas Constitution. The electronic proceeding is livestreamed on YouTube, so that the public has access to the proceeding away from the courthouse, permitting compliance with the Constitution. Providing technical assistance and account management to facilitate the state's remote hearing process for over 3,000 judges requires dedicated staff. OCA requested two FTEs for this purpose so those filling in can resume their regular job duties.

OCA requested funding for the ongoing Zoom licenses needed to continue remote hearings. In addition, to provide access to potential jurors participating in a virtual jury trial that do not have a device and to comply with Supreme Court orders, OCA is requesting funds to procure and maintain iPads for those jurors in virtual jury trials.

OCA makes available language interpretation services to all courts statewide to comply with Constitutional and statutory requirements. Services have increased over 85% since 2018 and by 50% since the transition to remote hearings in March 2020 compared to the same period in 2019. Staff interpreters no longer have the capacity to meet the demand for interpretation and translation services requested by the courts, therefore OCA requested one FTE and funding for an additional interpreter to provide adequate language access in the courts.

- **Funded - Domestic Violence and Community Safety - \$204,200.** OCA has provided training and technical assistance on domestic violence and protective order issues, including assistance with reporting to the National Instant Criminal Background Check System (NICS), solely through a grant-funded domestic violence training attorney (DVTA). The position has been intermittently funded as both a part-time and full-time position via federal and state funding streams. Until this position was established at OCA, there was no central repository of comprehensive information and technical assistance in Texas available for judges to access when seeking assistance with domestic violence, sexual assault, stalking, and trafficking cases. In addition to training and technical assistance, the DVTA's focus has been on the development of and updates to the Texas Family Violence Bench Book and assistance in protective order reporting to appropriate authorities as required by law. The DVTA has developed and conducted training for local, state, and national criminal justice training entities;

developed online training modules and collaborated with agencies such as the TX Council on Family Violence, TX Advocacy Project, and the State Bar of Texas Family Law Task Force Committee on Best Practices for Lawyers Representing Survivors of Domestic Violence, Sexual Assault, Stalking, and Trafficking.

The 2nd called special session for the 87th Legislature added new funding to OCA's and TIDC's 2022-2023 appropriations. Governor Abbott launched Operation Lone Star in March 2021 to respond to a rise in smuggling of people and drugs into Texas and issued a disaster declaration on May 31, 2021, along the Texas southern border in response to the border crisis, providing more resources and strategies to combat the ongoing influx of unlawful immigrants. The Office of Court Administration, the Indigent Defense Commission, and the Judiciary section of the Comptroller's office were contacted by the Governor's Office to assist with the coordination of magistration services, legal representation and language services for individuals arrested under Operation Lone Star. The enactment of HB 9, signed September 17, 2021, provided funding in the amount of \$32.5 million and 6.0 FTEs for providing grants for indigent defense, immigration consultation, language interpretation services, staff to administer and provide court services during the magistration process, and to provide judicial matter expertise at the State Operations Center through the 2022-2023 biennium. Funding was also provided to the Comptroller Judiciary section to pay for magistration by visiting judges. These funds augment a \$2.1 million disaster grant awarded to OCA/TIDC by the Trusteed Programs within the Office of the Governor in mid-August 2021 for the same purposes.

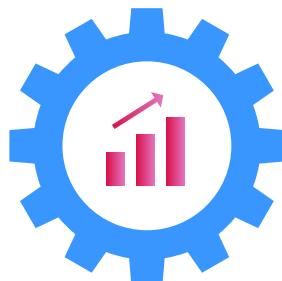
Also, during the 2nd called special session OCA was appropriated \$4.3 million and 6.0 FTEs in HB 5 to implement the provisions set forth in Senate Bill 6. SB 6 seeks to address the current bail system in Texas, and the release practices surrounding habitual and violent offenders to better protect the safety of their victims, law enforcement officers, and communities. The legislation requires OCA to develop and maintain a public safety reporting system and provide no cost access to the appropriate officials in each county and municipality. The system will provide readily available information on defendants to judges and magistrates who are setting bond, to properly assess the risk of defendants within the system.

During the 3rd called special session, OCA was appropriated funding from the federal coronavirus state fiscal recovery fund in the amount of \$3 million for the purpose of addressing the backlog in court cases, including information technology support. The Indigent Defense Commission received restoration of lost revenues in the amount of \$13,492,466, also for the purpose of addressing backlog in court cases.

In Summary, the Office of Court Administration requested a total of \$193,796,626 (excluding exceptional items) for the 2022-2023 biennium compared to \$221,762,952 for the 2020-2021 biennium. Appropriations increased by \$30.5 million, or 13.8% from the 2020-2021 biennium, due largely from the elimination of Uniform Case Management System funding and addition of funding for Operation Lone Star, the SB 6 bail reform bill, and SB 8 funding from the coronavirus state fiscal recovery fund.

\$193,796,626

Total Appropriations Request
(excluding exceptional items)

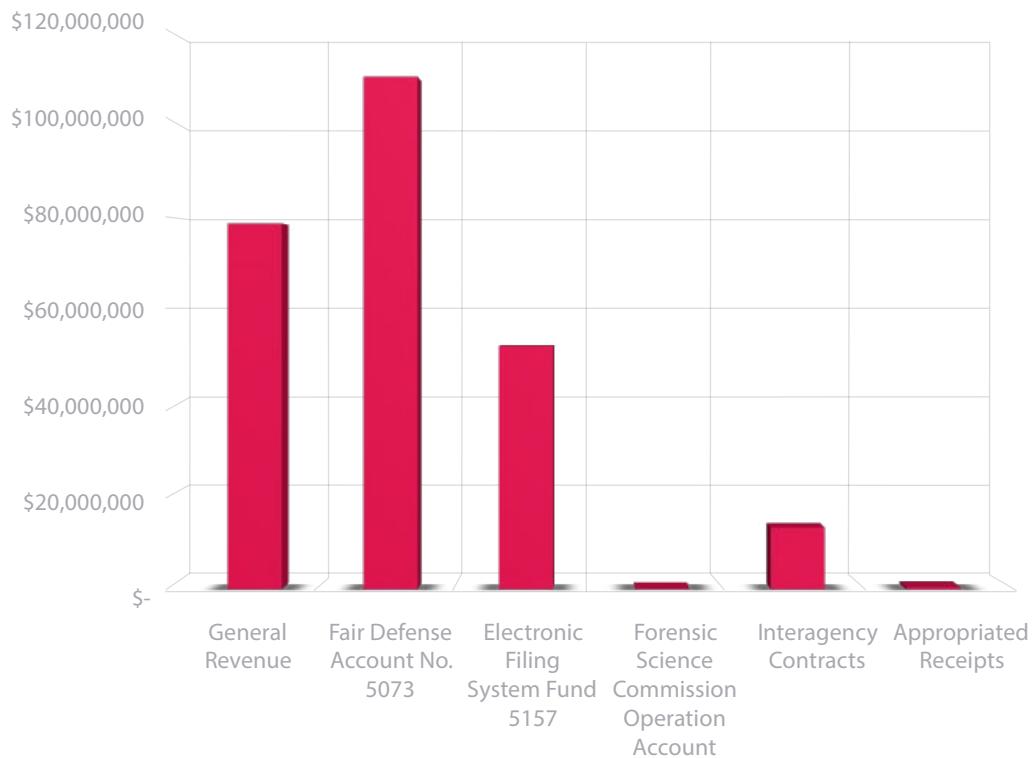


13.8% increase from the 2020-2021 biennium due to:

- Elimination of Uniform Case Management System funding;
- Addition of funding for Operation Lone Star;
- SB 6 bail reform bill; and
- SB 8 funding from the coronavirus state fiscal recovery fund.

Method of Finance	2020-2021	2022-2023	Increase/(Decrease)
General Revenue	\$53,891,739	\$77,759,536	\$23,867,798
Electronic Filing System Fund	\$60,529,020	\$51,707,838	(\$8,821,182)
Forensic Science Commission Operating Acct	\$273,000	\$259,350	(\$13,650)
Fair Defense Account	\$94,435,712	\$108,906,392	\$14,470,680
Appropriated Receipts	\$179,972	\$488,001	\$308,029
Interagency Contracts	\$12,453,509	\$13,147,310	\$693,801
TOTAL	\$221,762,952	\$252,268,427	\$30,505,476

**Office of Court Administration 2022-2023
Appropriations**



The 87th Legislative Appropriations Request can be viewed here:

<https://www.txcourts.gov/media/1449943/oca-legislative-appropriations-request-FY2022-2023.pdf>

SB1 – Conference Committee Report (2022 – 2023 State Budget) (May 2021) can be viewed here:

https://www.lbb.state.tx.us/Documents/Appropriations_Bills/87/Conference_Bills/87R-SB1.pdf

Enterprise Planning and Regulatory Services (EPRS)

Regulatory Services-Judicial Branch Certification Commission (JBCC)

The Judicial Branch Certification Commission (JBCC) was established by the Texas Legislature during the 83rd Regular Session to promote government efficiency and create consistency across the regulated judicial professions. 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 7,269 court reporters and court reporting firms, guardians and guardianship programs, process servers, and licensed court interpreters. The JBCC also registers all guardianships throughout Texas and provides training and criminal histories to the courts for the proposed guardians.

COMMISSION MEMBERS

The Supreme Court of Texas appointed 9 members to serve staggered terms on the Judicial Branch Certification Commission (JBCC).

Hon. Sid L. Harle, Chair, Presiding Judge Fourth Administrative Judicial Region, San Antonio

Hon. William C. Sowder, Vice-Chair, 99th District Court, Lubbock

Hon. Victor Villarreal, County Court at Law II, Webb County, Laredo

Hon. Glen Harrison, 32nd Judicial District Court, Sweetwater

Hon. Polly Jackson Spencer, San Antonio

Mark P. Blenden, Bedford

Don D. Ford III, Houston

Ann Murray Moore, Edinburg

Velma Arellano, Corpus Christi

CERTIFICATION DIVISION DUTIES

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

Profession	Type	Number of Certifications, Registrations, Licenses
Court Reporters	Certification	2254
Apprentice Court Reporters	Certification	8
Provisional Court Reporters	Certification	6
Court Reporting Firms	Registration	250
(50%+) CSR Owned Firms	Registration	47
Guardians	Certification	390
Provisional Guardians	Certification	124
Guardianship Program	Registration	26
Process Servers	Certification	3665
Court Interpreters-Basic	License	66
Court Interpreters-Master	License	433
TOTAL		7269

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. On 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.

Total Guardianship Registrations in the JBCC system Active and Approved	Guardianship Training Completed (English & Spanish):	Criminal Histories Provided to the Courts:
38,887	24,014	17,877

Recent Meetings of the JBCC and Advisory Boards and upcoming events

JBCC meetings are conducted quarterly throughout the year. The Commission met on February 5, 2021, May 7, 2021, and August 6, 2021. The Court Reporters Certification Advisory Board met on April 29, 2021, and August 12, 2021.

During the August 6, 2021 JBCC meeting, the Commission adopted the proposed JBCC Rules Pertaining to the following:

- Guardianship Code of Ethics and Minimum Standards Section 21(c) – Management of Multiple Guardianship Cases (50 to 40 wards reported to Director)
- JBCC Rule 7.2(b) – Requirement for Obtaining Guardian Certification – adding new option for fulfilling educational online training prerequisite
- Add “Guardianship Program” to Code of Ethics and Minimum Standards
- HB 3774 – Court reporter definition expanded to include Apprentice and Provisional Court Reporters
- SB 615 – FBI checks required for out-of-state guardians registering with the JBCC
- SB 1129 – OCA to establish 24-hour guardianship mediation training course

September 18, 2021, Jeff Rinard made a presentation to the members of the Texas Process Servers Association (TPSA) in Corpus Christi, Texas. During the meeting he provided a JBCC overview, rules update and answered questions from members.

June 1, 2021, Jeff Rinard made a virtual presentation during the 2021 Texas Guardianship Association (TGA). During the meeting he provided an update on the JBCC and GAFEDP and answered questions from members.

November 6 2020, David Slayton and Jeff Rinard made a presentation to the Texas Guardianship Association (TGA) during their annual legislative forum. David and Jeff provided attendees with information relating to OCA and JBCC.

Court Reporter Reciprocity: California - The JBCC team along with the court reporter associations discussed issues relating to implementing reciprocity between Texas and California. On May 21, 2020, JBCC staff members Jeff Rinard, Scott Gibson, Michele Henricks and Sheryl Jones attended a virtual meeting of the Court Reporters Board of California to discuss reciprocity between Texas and California court reporters, with another California Board meeting held on November 20, 2020. The California Board voted to form a License Reciprocity Task Force comprised of various representatives with task force meetings held on June 26, 2020 and March 29, 2021. On August 20, 2021, the California Board voted not to grant license reciprocity with Texas at this time but is open to revisiting reciprocity with Texas in the future.

Our team is currently in communication with Iowa, New Mexico, New Jersey, Mississippi, and Oklahoma and continues to reach out to states in anticipation of future reciprocity agreements.

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

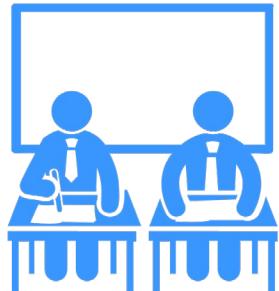
JBCC Compliance Section Complaint Investigation and Resolution

In FY2021, 104 complaints have been filed with the JBCC Compliance team and are in process or resolved:



The following JBCC Complaint Review Committees met:

Court Reporter	Process Server	Guardian
<ul style="list-style-type: none">September 4, 2020December 13, 2020Mary 14, 2021	<ul style="list-style-type: none">September 10, 2020December 17, 2020May 13, 2021	<ul style="list-style-type: none">November 17, 2020June 29, 2021July 13, 2021



Examinations for 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.

Our team is developing an online certification written examination for the Licensed Court Interpreters and Guardian profession. This will allow applicants to securely take the written examinations remotely using the Blackboard platform. We expect to go-live in the new year.

The team is also coordinating the licensed court interpreter oral examination to be administered in El Paso, Texas.

Certification or License Program	Exams Administered	Dates Administered
Guardianship Certification	97	<ul style="list-style-type: none">September 09, 2020July 20, 2021
Licensed Court Interpreters-Oral Exam	95	<ul style="list-style-type: none">November 17, 2020August 17, 2021
Licensed Court Interpreters-Written Exam	83	<ul style="list-style-type: none">December 01, 2020August 24, 2021

Guardianship Abuse Fraud and Exploitation Deterrence Program (GAFEDP)

On September 1, 2019, the OCA implemented the GAFEDP to aid the courts relating to guardianship matters pursuant to SB 31 & HB 1286 (Zaffirini/Smithee). Our team of guardianship compliance specialists assist in reviewing guardianship cases to identify reporting deficiencies by guardians, auditing annual accountings, reporting their findings back to the judge, and reporting to the courts any concerns of potential abuse, fraud, or financial exploitation being committed against a ward under guardianship.

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.

On January 1, 2021, the GAFEDP issued the 2020 Annual Report to the Texas Legislature.

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. To provide a safety net for all vulnerable persons under the care of guardians, the Judicial Council proposed expanding the GCP statewide as proposed in OCA's legislative appropriations request and SB 31 (86th R.S., Zaffirini et al). OCA is in the process of implementing the program and hiring the personnel necessary to monitor cases throughout the state.

Monitoring and Audits

The annual reports of the well-being and the financial annual accounts should be monitored, 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.

Training and Resources for Courts and Clerks

Only by proactively training court personnel and proposed guardians on the fiduciary duties of guardianship, as well as auditing 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. In addition to our online training of guardians on fiduciary record-maintenance and reporting duties, ongoing training and professional development is recommended for court and clerk staff on the collection and reporting of required guardianship data, as well as training on the fiduciary duties of guardians to inform the direction and guidance of proposed guardians.

Total Guardianship Cases Reported to OCA (CARD)	Total Case Files Reviewed	Total Cases in guardianship, min or emancipated)	Total Active Cases of the Person	Total Guardianships of Both Person & Estate	Total Guardianships of the Estate	Total Reports of the Person	Missing Annual Accountings	Missing Initial Inventory	Missing Guardianships with Bonds Waived	Deceased Wards	Closures:	
											Recommended for Inactive Status (deceased)	Waived
TOTAL	44,121	58,075	26,846	31,229	17,258	792	7,572	26%	41%	36%	9%	5,492
COUNTY COURT TOTALS	18,805	31,109	15,518	15,591	7,248	479	5,826	33%	44%	48%	12%	3,792
STATUTORY PROBATE COURT TOTALS	25,316	26,966	11,328	15,638	10,010	313	1,746	19%	31%	17%	8%	1,700
GAFEDP COUNTIES	22,843	28,299	8,692	19,607	9,777	368	3,855	20%	36%	34%	9%	1,987
GCP PROJECT COUNTIES	21,278	29,776	18,154	11,622	7,481	424	3,717	34%	46%	39%	9%	3,505
OVERALL TOTAL COUNTIES	153		TOTAL COUNTY COURT COUNTIES	144	TOTAL STATORIY PROBATE COUNTIES	9						
OVERALL TOTAL COURTS	200		TOTAL COUNTY COURT COUNTIES	184	TOTAL STATORIY PROBATE COURTS	16						
OVERALL % ODC FOR COMPLETED COUNTIES	33%		TOTAL COUNTY COURT COUNTIES	43%	TOTAL STATORIY PROBATE COUNTIES	21%						

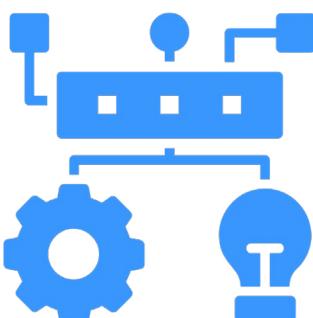
Screenshot from Financial Audit Workbook

GAFEDP Recent Developments:

The GAFEDP team has implemented the pilot project for the guardianship online reporting system in Guadalupe County in addition to Cameron and Montgomery counties. The team finalized the financial workbook procedures and will implement soon. The team continues refining team statewide scheduling, case review, and reporting procedures to ensure a more streamlined statewide system. We continue to develop quality assurance, initial and ongoing training and reporting requirements.

The GAFEDP now has 17 team members of the total 23 personnel appropriated. The program is currently in the process of posting and interviewing for vacant team positions following the restoration of the 5% to the annual budget.

The team is currently working in numerous counties in various stages, developing GAFEDP procedures, and training our team on including financial audits and report to the courts.



ENTERPRISE PLANNING OFFICE DUTIES

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

Enterprise Planning Office (EPO)

The Enterprise Planning Office (EPO) within Office of Court administration manages our diverse internal and external portfolio of projects. The goal of our EPO and our project management team is to assist the OCA in properly planning, executing, and delivering projects throughout the agency and the court system. The EPO team has implemented the following legislatively mandated projects and have assigned a project manager and project sponsor. The project managers work with the project teams consisting of user and subject matter experts to develop functional and non-functional requirements to implement the projects in a timely manner. We are currently implementing internal and external OCA projects from the 87th Legislative Session. Below are projects currently managed by the EPO.

Senate Bill 6 Public Safety Report System

The Second Called Session of the 87th Legislature (2021), enacted Senate Bill 6 related to procedures for setting the amount of bail, the release of certain defendants on a monetary or personal bond, the duties of certain officers taking bail bonds and of magistrates in criminal cases, and to the reporting of information pertaining to bail bonds. The bill requires OCA to implement a standardized public safety report system for statewide use. The bill also requires OCA to provide access to the system to the appropriate officials in each county and each municipality that perform magistrations at no cost. The bill also requires magistrates who set bail to consider the public safety report for a defendant charged with a Class B misdemeanor or higher category of offense. The project consists of developing the statewide Public Safety Report System (System) required to be implemented by OCA that meets the requirements of Senate Bill 6, including reporting requirements; implementing the System in all local magistrate offices throughout the State; and training all statewide users in the use of the System. The system implementation must take effect by April 1, 2022. Our project team has developed system requirements, posted instructions for proposals, and is working on selecting a vendor.

Uniform Case Management – HB 1 (Zerwas/Nelson)

The 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.

Service of Citation by Publication On-line - SB 891 (Huffman/Leach)

Currently, service of citation by publication occurs in local newspapers. This method is becoming more expensive, and questions have arisen about the utility of such service. Under SB 891, OCA is required to establish a website that allows for service of citation by publication to occur via a website (in addition to service by publication in a newspaper or as an alternative to service by publication in certain circumstances where the cost is prohibitive, or a newspaper is not available). The site is intended to be no additional cost to individuals or to the counties. OCA has hired a project manager and is beginning work on this project as well. A project manager has been assigned and rules have been adopted by the Supreme Court necessary to implement this requirement that goes into effect in June. July 1, 2020, Go-live located at <https://www.txcourts.gov/judicial-data/citation-by-publication/>.

Protective Order Registry - SB 325 (Huffman/Landgraf)

OCA is required to create a family violence protective order registry to allow law enforcement and the public to have a single source of protective order applications (viewable only to law enforcement) and granted final family violence protective orders (viewable by law enforcement and public). The orders will be available to the public when the victim opts-in to providing the order to the public. The project manager held the kickoff meeting in October, and the first user/SME group meeting has been held. Staff are in the process of developing requirements and working with the internal programmer/developer. The project team is working with the project sponsor, user groups and subject matter experts to ensure IT development of this project. October 15, 2020, this project went live, located at <https://www.txcourts.gov/judicial-data/protective-order-registry/>.

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 will provide a method to notify courts when required reports are delinquent and to review annual accounting reports for potentially fraudulent activities. The project team has been piloting the guardianship annual reporting system in Cameron and Montgomery counties. Montgomery County will be the first county to go-live and use the system full time.

Texas Indigent Defense Commission

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. TIDC protects the right to counsel and improves public defense. Fifteen 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. Nicole Collier, State Representative, Fort Worth
Hon. Reggie Smith, State Representative, Sherman
Hon. Sherry Radack, Chief Justice, First Court of Appeals, Houston
Hon. Vivian Torres, Judge, Medina County Court at Law, Rio Medina
Mr. Alex Bunin, Chief Public Defender, Harris County Public Defender Office, Houston
Hon. Richard Evans, Bandera County Judge, Bandera
Mr. Gonzalo Rios, Jr., Attorney, Gonzalo P. Rios Jr. Law Office, San Angelo
Hon. Missy Medary, Presiding Judge, 5th Administrative Judicial Region of Texas, Corpus Christi
Hon. Valerie Covey, Commissioner Precinct 3, Williamson County

87th Legislative Session and Special Sessions

TIDC developed ten legislative proposals to improve public defense. Of those proposals, HB 295 was signed into law. It amends the Government Code to allow TIDC to directly fund indigent defense and support services at nonprofit organizations.

Following the second special legislative session, Governor Abbott signed HB9, appropriating \$1.8 billion for Operation Lone Star (OLS), including \$29 million to TIDC for OLS indigent defense representation.

During the third special session, the Legislature appropriated approximately \$14 million to address TIDC's COVID-19-related revenue loss.

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

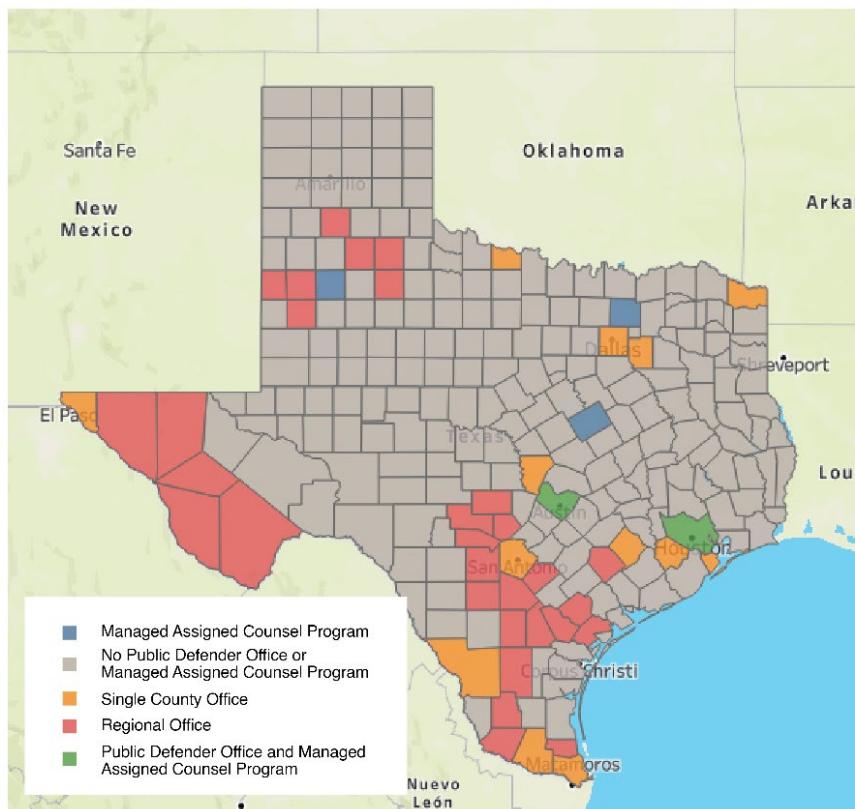
FY21 Snapshot
TIDC works to fund, oversee, and improve public defense in all 254 Texas counties.
In FY2021, TIDC:

- Awarded nearly \$39 million in grants to sustain and improve local public defense systems.
- Visited 12 counties to monitor and improve public defense processes and payments.
- Trained over 1,500 judges, auditors, county officials, and attorneys.
- Prepared three planning studies for new public defender offices in six counties.

FY21 Program Highlights

TEXAS PUBLIC DEFENDERS

Snapshots of public defender offices in 2021.



[View TIDC's interactive Public Defender Office and Managed Assigned Counsel Program Map](#)

Funding

TIDC reimburses a portion of counties' public defense costs and awards competitive grants to improve public defense systems. In FY20, overall statewide public defense spending was about \$271 million, with the state contributing about \$33 million, or about 12% of total spending. In FY21, TIDC awarded \$22 million in formula grants to all 254 counties and \$16.9 million in improvement grants to 24 counties.

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 FY21, TIDC made 23 in-person or remote site visits.

Improvement

TIDC provides analysis, training, and technical assistance to improve indigent defense systems. In FY21, TIDC helped counties plan major projects for FY22, including three public defender office planning studies, with one resulting in a managed assigned counsel program in Bexar County. Along with Texas Criminal Defense Lawyers Association and the National Juvenile Defender Center, TIDC brought best-in-the-nation juvenile defense practices to Texas through the Juvenile Training Immersion Program (JTIP). JTIP is funded through a Byrne-JAG grant from the governor's office—the first time this funding has been awarded for public defense in Texas.

COVID-19 Response

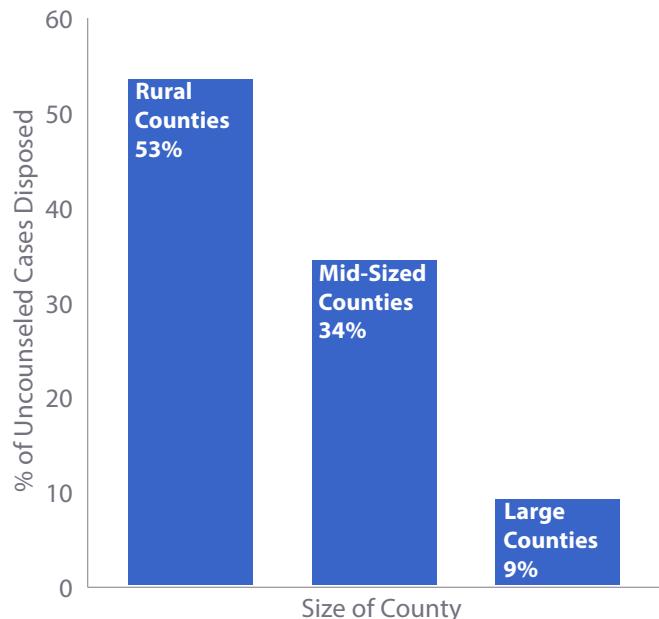
TIDC continued to operate virtually in FY21, but resumed in-person policy monitoring visits. Where possible, TIDC shifted trainings and meetings online. For example, the Future Indigent Defense Leaders program and Texas Chief Public Defenders group met monthly via Zoom.

Revenue to the Fair Defense Account continued to fall in FY21. Court costs from criminal defendants declined 20% from the 2018-2019 average, and surety bond fees declined 15%. These reductions led to about \$7 million in lost revenue annually in both FY20 and FY21. This revenue loss led to a decrease in formula grant funding (from \$26 million in FY20 to \$22 million in FY21) and prevented TIDC from awarding additional improvement grants to counties. We anticipate future increases in expenditures as courts begin to address the backlog of criminal court cases pending due to the pandemic.

Operation Lone Star

Governor Abbott launched Operation Lone Star in March 2021 to respond to a rise in illegal immigration. The Supreme Court of Texas issued an order authorizing TIDC to create a plan for appointing counsel for Operation Lone Star cases. On July 26, 2021, TIDC held an emergency board meeting and granted funds to the Lubbock Private Defenders Office (LPDO) to serve as the indigent defense hub for Operation Lone Star, and myPadilla to provide Padilla advisals for Operation Lone Star cases. TIDC held a second emergency board meeting to grant an additional \$9.6 million in indigent defense funding. 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.

Uncounseled Misdemeanor Defendants, FY2020



Access to counsel varies widely across Texas. Defendants in rural counties are much more likely to proceed without an attorney.

Child Protective Services Data Reporting

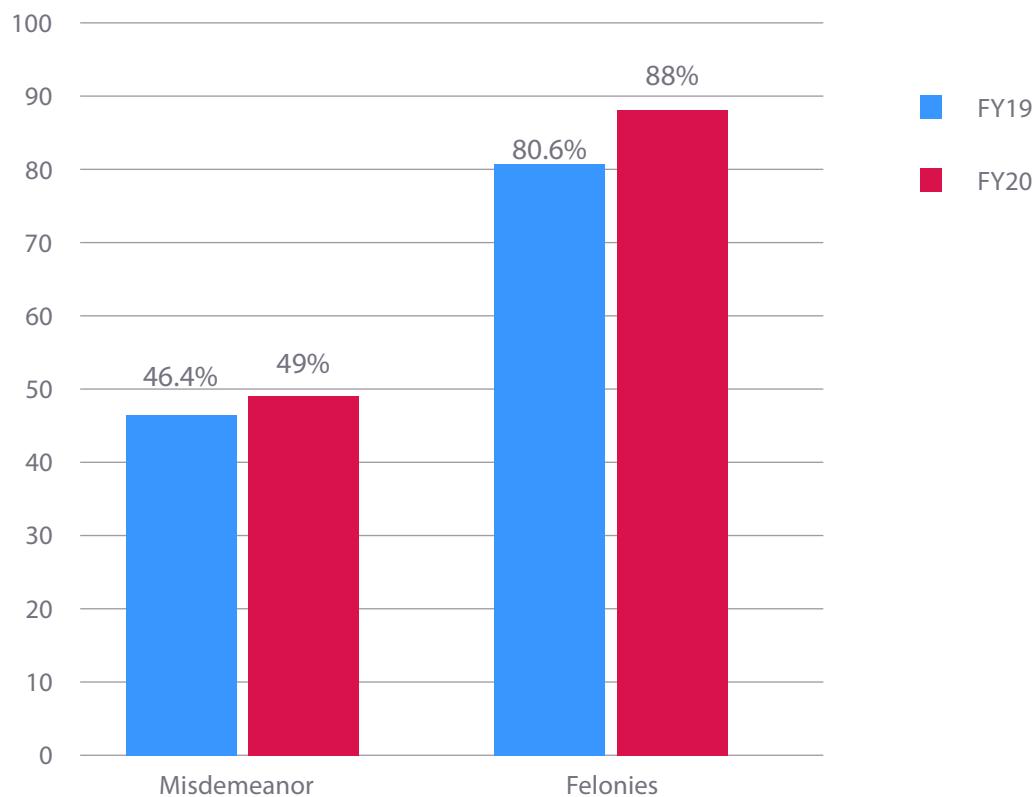
In September 2021, TIDC hired its first senior policy analyst to implement a statewide system for gathering data for court-ordered representation in child protective services (CPS) cases from all 254 Texas counties. In preparation for November 1, 2021 county reporting deadlines, TIDC has created reporting forms for both CPS court-ordered representation judicial plans and expenditure reports. TIDC completed instructions for the judicial plan and an updated Indigent Defense Expenditure Report manual to include information about CPS court-ordered representation. TIDC has also created a model attorney fee voucher to assist counties in capturing data that will be required in the FY2022 report. TIDC notified each county's Local Administrative District Judge and County Auditor about the new reporting requirements.

Trends

In FY21, TIDC collected indigent defense data from all 254 counties. In FY20:

- Statewide appointment rates increased: 49% in misdemeanors (+2.6%) and 88% in felonies (+7.4%).
- Forty percent of defendants were represented by attorneys with caseloads above Texas guidelines.
- Over half of counties reported no use of appointed investigators.

**Misdemeanor and Felony Attorney
Appointment Rates, FY19-20**



Forensic Science Commission

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.

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

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, Chief Medical Examiner, Dallas County and Director of the Southwestern Institute of Forensic Sciences

Bruce Budowle, Professor and Executive Director, University of North Texas Health Science Center/Center for Human Identification

Michael Coble, Associate Professor and Associate Director of the Center for Human Identification, University of North Texas Health Science Center/Center for Human Identification

Mark Daniel, Defense Attorney, Daniel, Moore, Evans, Biggs, Decker & Smid

Nancy Downing, Associate Professor, Texas A&M University Department of Forensic Nursing and Forensic Nurse at Baylor, Scott & White Hospital

Jasmine Drake, Associate Professor of Administration of Justice at Texas Southern University Barbara Jordan-Mickey Leland School of Public Affairs

Sarah Kerrigan, Department Chair and Director for the Institute for Forensic Research, Training and Innovation, Sam Houston State University

Jarvis Parsons, Elected District Attorney, Brazos County

Patrick Buzzini, Associate Professor of Forensic Science, Sam Houston State University

LICENSING ADVISORY BOARD

Deborah Smith, Latent Print Supervisor, Fort Worth Police Department Crime Laboratory

Sandy Parent, Comparative Disciplines Program Coordinator, Texas Department of Public Safety Crime Laboratory System

Kelly Wouters, Laboratory Director, Armstrong Forensic Laboratory, Inc.

Erin Reat, Assistant Crime Laboratory Director, Bexar County Criminal Investigation Laboratory

Emily Esquivel, Laboratory Director, Jefferson County Regional Crime Laboratory

Donna Eudaley, Firearms Section Manager, Houston Forensic Science Center

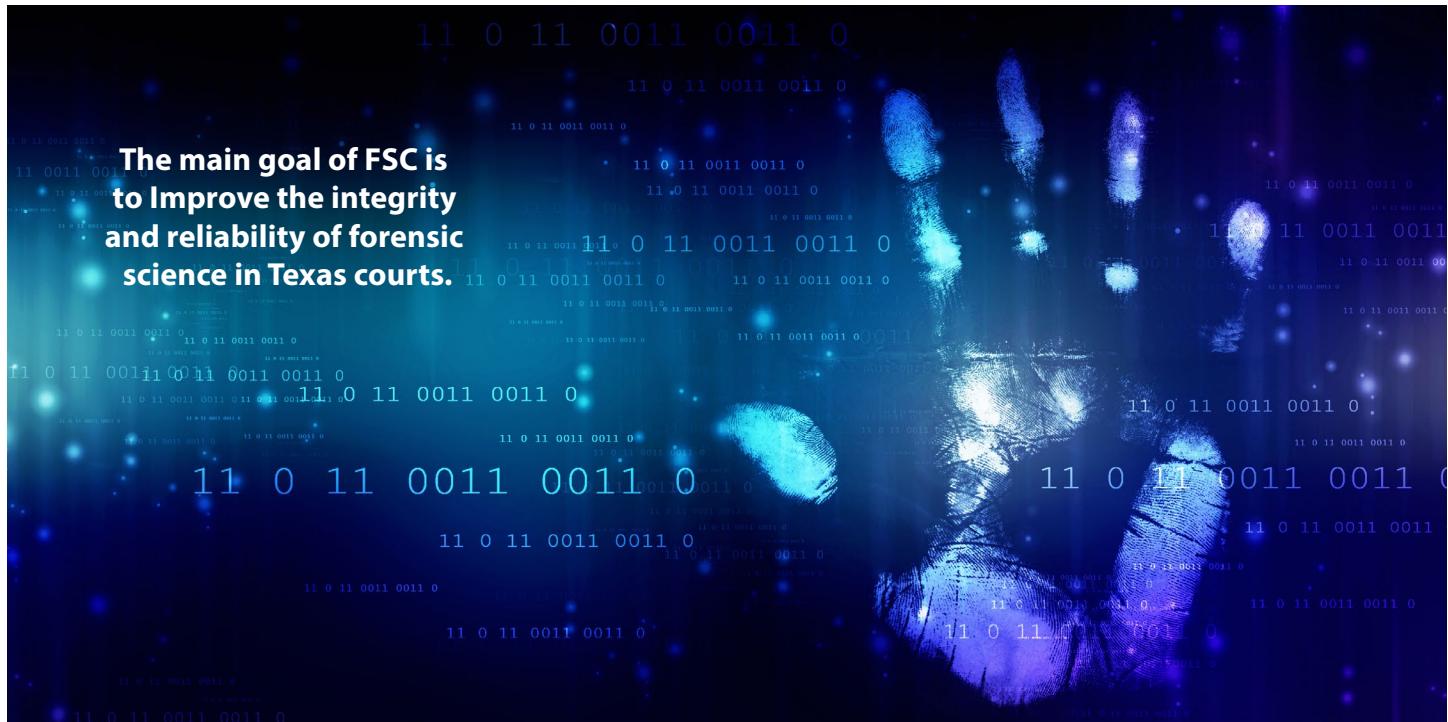
Crystina Vachon, Quality Director, Bexar County Criminal Investigation Laboratory
Calli Bailey, Conviction Integrity Unit Chief, Collin County District Attorney's Office
William M. Hines, Defense Attorney and Senior Partner, Hines, Ranc, & Holub

FY21 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 2020.

- The Commission received and reviewed 29 complaints and 40 self-disclosures, has 7 active investigations, 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 launched a secure, remote administration option for its forensic analyst licensing program exam in Summer 2021 and currently licenses over 1,300 forensic analysts in the State.
- The Commission accredited 85 forensic laboratories.
- Staff launched an online Mandatory Legal and Professional Responsibility training for all forensic licensees seeking renewal in October 2020.
- The Commission's Licensing Advisory Committee established proposed requirements and components for a voluntary license program for certain forensic disciplines not currently subject to accreditation requirements in Texas.
- 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.
- 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 agendas for all Forensic Science Commission meetings can be found at <http://www.txcourts.gov/fsc/meetings/>.



The State Law Library

The State Law Library (SLL) was established as the law library for the Supreme Court in 1854 and was expanded to include direct service to the public in 1971. In addition to providing research support to the courts and the public, the State Law Library offers a centralized, cost-effective research facility staffed by legal research experts for the Office of the Attorney General and all other state agencies.

The SLL's primary responsibility is to make legal information accessible to all researchers. Since 2014, the library has focused on making legal resources available to Texans throughout the state via its website. The library's website is a portal that gathers primary law resources and provides access to explanatory sources that assist in understanding the law and putting it to practical use. The staff of professional librarians enhances the value of these resources by helping researchers identify pertinent information and guiding them through accessing and using the technology. Using the library's print collection and these online resources, staff provides responses to patrons' questions in person or via phone, email, or mail.

Each year, library has continued to increase the number of digital resources that are available via its portal. Because its mission is to make legal information accessible to all and to be a partner in the Access to Justice movement, the library offers a wide variety of resources. Some of the resources are geared towards legal professionals, who may be able to provide low cost or pro bono services if they have access to the legal treatises outside the scope of what they regularly use in their practice. For patrons with no legal experience, the resources like the Legal Information Reference Collection provide consumers with plain language explanations of the law and practical solutions to everyday problems. Everyone, from high school students to judges, can find valuable information in the Hein Online law library journal databases and hornbooks and "nutshell" series available as e-books.

These resources were invaluable when the library was forced to close its doors to the public due to the coronavirus pandemic in March of 2020. The library's pre-existing remote research materials and a dedicated staff enabled the library to continue serving the public with almost no disruption in service. When the library reopened to the public in June of 2021, a record number of questions answered by the staff showed that the library was more popular and heavily utilized than ever. The public's increasing reliance on the library as a source for reputable information is a testament to quality of the services and resources offered.

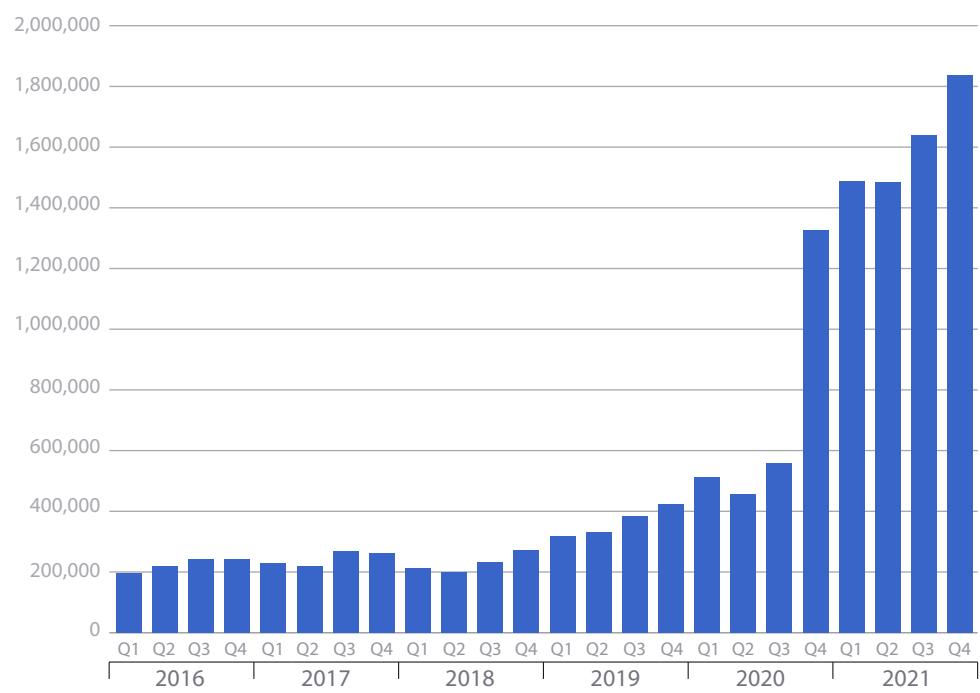
Public response to the library's digital offerings has been enthusiastic and widespread. Since the program's inception, over 25,000 patrons have registered to use the service, representing over 1,120 cities and 239 out of 254 counties across Texas. Library staff have made several presentations on the new services to legal groups, court staff, and public librarians throughout the

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



State Law Library Website Quarterly Pageviews



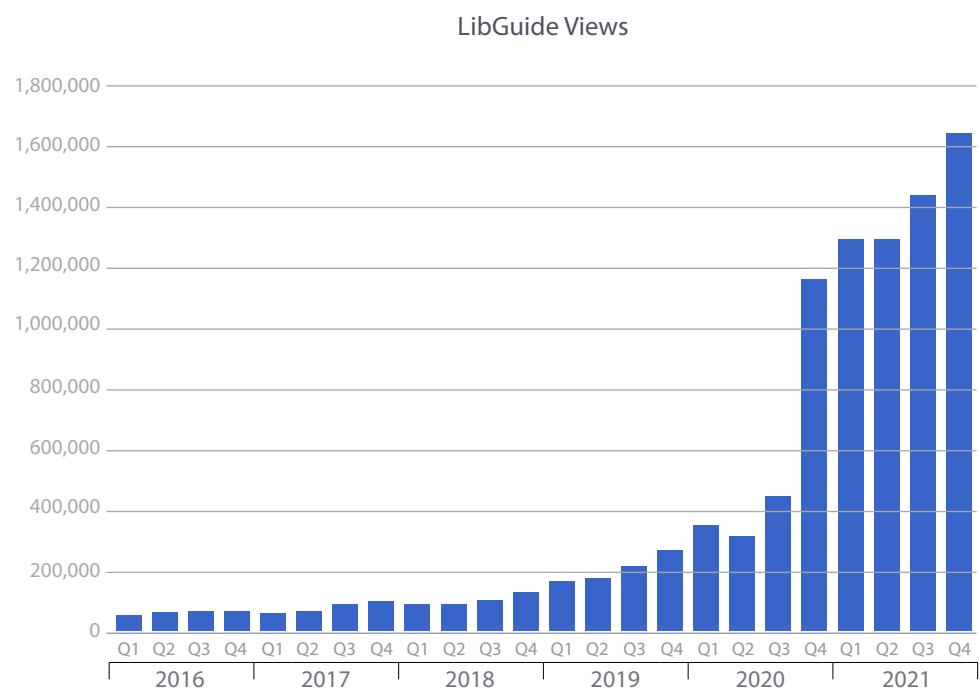
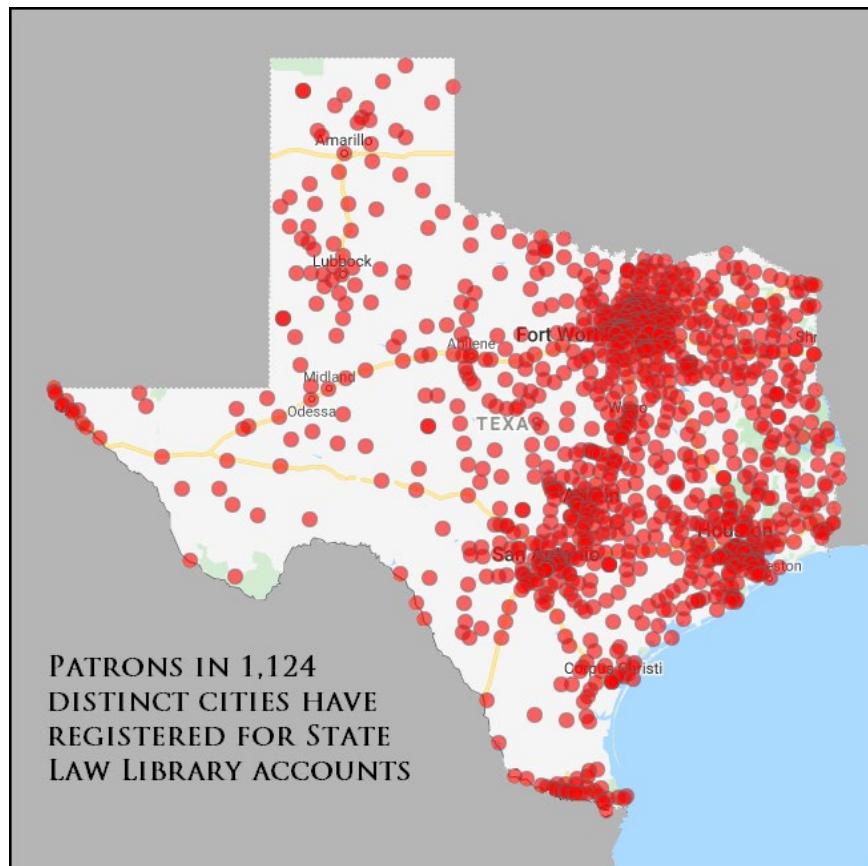
state. Throughout the pandemic, staff conducted webinars to guide users working remotely through the library's digital resources so that they could continue their important legal work.

One of the most popular services the library provides on its website is a growing collection of subject-specific research guides called LibGuides that help patrons easily locate digital resources on a specific topic. As of October 2021, librarians have created 66 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. Links to these LibGuides frequently show up in Google searches, making them a handy gateway to authoritative information for the general public.

LibGuides became a natural platform for presenting information on the rapidly developing and changing body of laws, orders, and rules surrounding the COVID-19 pandemic. The library's librarians compiled a COVID-19 LibGuide that was updated on a near-daily basis to serve as a central location for users seeking information about how the pandemic has affected the legal aspects of their everyday life. Since the guide was created in March 2020, it has been accessed over 1,724,000 times.

Even under "normal" circumstances, the popularity of the library's LibGuides grew steadily, but COVID-19-related



needs for information caused usage to skyrocket in FY20. The COVID-19 & The Law specific guide was not the only guide that saw an explosion in traffic; related guides like Landlord/Tenant Law (which covers eviction), and Marriage in Texas (which describes how marriage licenses and ceremonies are regulated) were viewed more as well. Once all-time usage highs were established at the end of FY20, the public's use of these guides as a source for information did not decline; views of the guides have continued to increase throughout FY21 and so far into FY22. Yearly LibGuide usage has increased by 30% every single year since the inception of the program in FY14, until fiscal years 2020 and 2021, when guide views in each year almost tripled over the last.

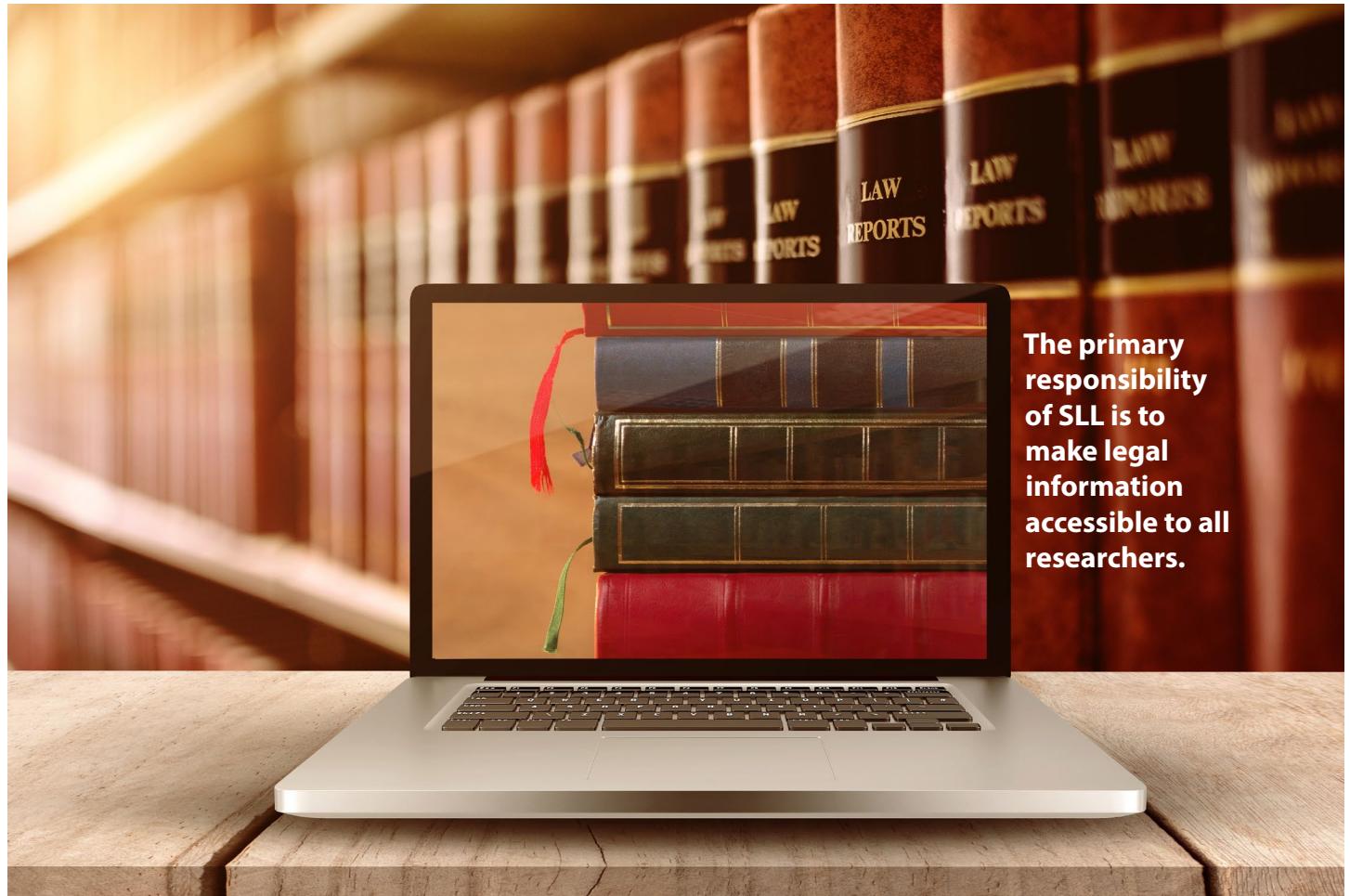
The 86th Legislature finally recognized the importance of the State Law Library's innovative online program for offering key legal resources statewide by funding the Remote Access Program. Through this funding, the library will be able to continue providing already heavily used resources and add significant new databases and e-books.

To browse our 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 our Get a Library Account page:

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



Office of the State Prosecuting Attorney

Organization

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.

The Office of the State Prosecuting Attorney represents the State of Texas in all proceedings before the Texas Court of Criminal Appeals, either independently or with the assistance of elected prosecutors. The Office may represent the State in criminal cases before the fourteen courts of appeals when it is in the State's interest.

The Office's duties are carried out by the State Prosecuting Attorney, Stacey M. Soule, and two assistant State Prosecuting Attorneys—John R. Messinger and Emily Johnson-Liu.

The Office reviews all courts of appeals' opinions decided against the State and selects issues of the greatest importance to Texas' criminal jurisprudence to bring before the Court of Criminal Appeals by way of petition for discretionary review (PDR). Once granted, briefs are filed and, in exceptional cases, oral argument will be presented. The Office works closely with local district and county attorneys and special prosecutors across the State to identify emerging issues and develop strategies that will ensure that justice is achieved within a fair and efficient system.

To keep judges, criminal-law practitioners, and the public abreast of PDR issues granted by the Court of Criminal Appeals, the Office writes and posts objective summaries on its website (www.spa.texas.gov) and Twitter feed (@OSPATX). The website also contains a library of our publications and CLE materials.

FY2021 Highlights

- Filed 35 PDRs, 23 briefs, including amicus briefs, and 5 motions for rehearing. The Court of Criminal Appeals granted 23 of the SPA's PDRs.
- Reviewed approximately 380 opinions from the U.S. Supreme Court, the Court of Criminal Appeals, and Texas' Courts of Appeals.
- Consulted and advised hundreds of prosecutors and defense attorneys.
- Assisted with drafting and editing petitions and briefs.
- Authored papers and presented at several continuing legal education conferences.
- Served on various committees related to criminal law issues.



**The Office of the State
Prosecuting Attorney is the
voice of the people of Texas
before the Court of Criminal
Appeals.**

State Commission on Judicial Conduct

The State Commission on Judicial Conduct reviews and decides every allegation of judicial misconduct made against a Texas judge.

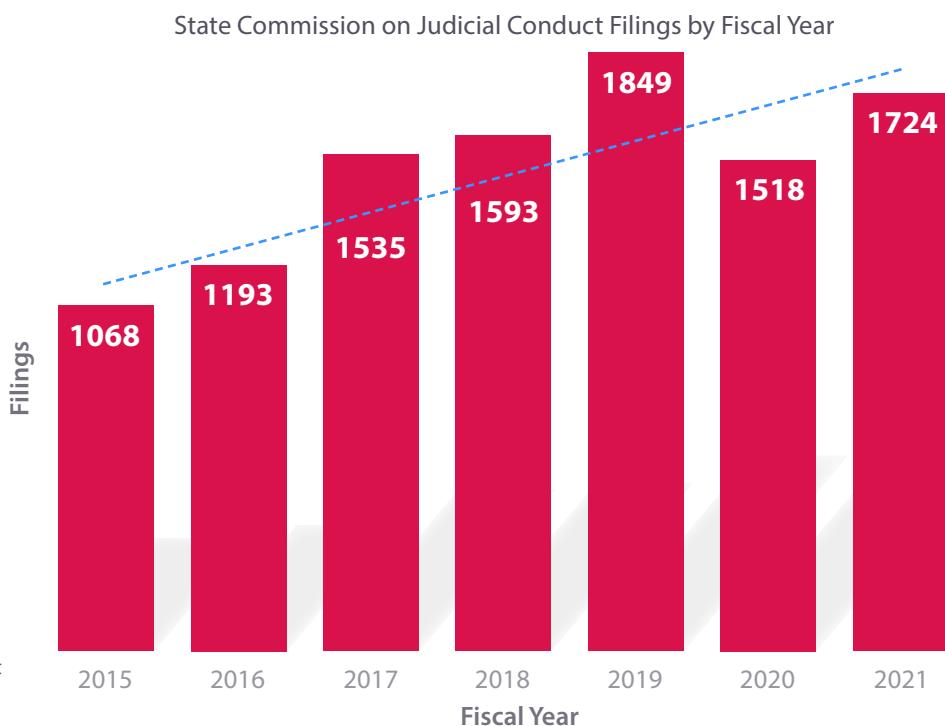
Organization

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, four staff attorneys, the Chief Investigator, 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. Although judicial candidates are required to comply with the Texas Code of Judicial Conduct, the Commission does not have the authority to sanction anyone who was not a sitting judge at the time an offense occurred. Violations of the canons by candidates for judicial office who were not judges at the time of the alleged misconduct are subject to review and appropriate action by other authorities such as the State Bar, the Attorney General, the Secretary of State, or the local district attorney.

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



Disciplinary Actions

In FY2021, according to OCA records, 4,116 judges were under the jurisdiction of the Commission.

During FY2021, the SCJC:

- Received 1,724 cases².
- Resolved 94 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 agreement³.
- Dismissed 1,573 cases as follows: 1022 were determined to not contain any allegations which, if true, would violate the Texas Code of Judicial Conduct. 543 cases were dismissed after investigation which included 33 cases that were dismissed with letters of caution, 1 case that was dismissed based on the judges' corrective action, and 13 cases that were dismissed as moot.
- Resolved 455 cases after a preliminary investigation and 173 after a full investigation (requiring a response from the judge).

**The mission of the Commission
is to protect the public,
promote public confidence in
the integrity, independence,
competence, and impartiality
of the judiciary, and encourage
judges to maintain high
standards of conduct both on
and off the bench.**



² Complaint filings were lower than projected for FY2021, presumably because of the significant reduction of hearings/trials held in Texas courts due to COVID-19.

³ Eight cases were resolved by resignations in lieu of discipline in which the judges agreed to resign and never sit on the bench in the future. (While technically dismissals [not sanctions], the dismissals are counted as public discipline.)

Office of Capital and Forensic Writs

The Office of Capital and Forensic Writs (OCFW) is the Texas office of conviction integrity. OCFW serves an essential function for the State of Texas and the criminal justice system: ensuring that convictions are constitutionally sound, reliable, and untainted by questionable forensic science.

OCFW Serves Texas

- **Capital Post-Conviction.** OCFW safeguards the constitutionality of death penalty convictions and sentences by investigating and litigating all possible constitutional claims in mandatory post-conviction litigation in Texas courts, ensuring that these fundamental claims are fully aired, and Texas courts can consider them efficiently and fairly.
- **Forensic Writ Litigation.** OCFW represents a limited number of incarcerated persons serving non-capital sentences, where questionable forensic science tainted their conviction. The Texas Forensic Science Commission refers these cases to OCFW following an investigation into the professional negligence and misconduct or unsupported forensic analysis and testimony.

OCFW's Services are Essential and Economical

- Capital and forensic writ cases are extraordinarily complex and require post-conviction and appellate specialists to provide this highly technical and often resource-intensive representation.
- The Code of Criminal Procedure mandates the appointment of OCFW to represent death-sentenced persons in post-conviction proceedings, if the Office can assume representation and has sufficient resources to provide professional representation.
- OCFW is funded by the Texas Legislature. Staff are salaried, and OCFW does not seek attorneys fees from district courts.
- When OCFW is unable to represent a particular client, trial courts must appoint private counsel, who are paid hourly by the county of conviction.
- As a public defender, OCFW benefits from economies of scale, providing cost-effective representation by highly specialized, supervised staff, while keeping costs lower than commensurate representation delivered by attorneys in private practice.

Challenges of COVID-19

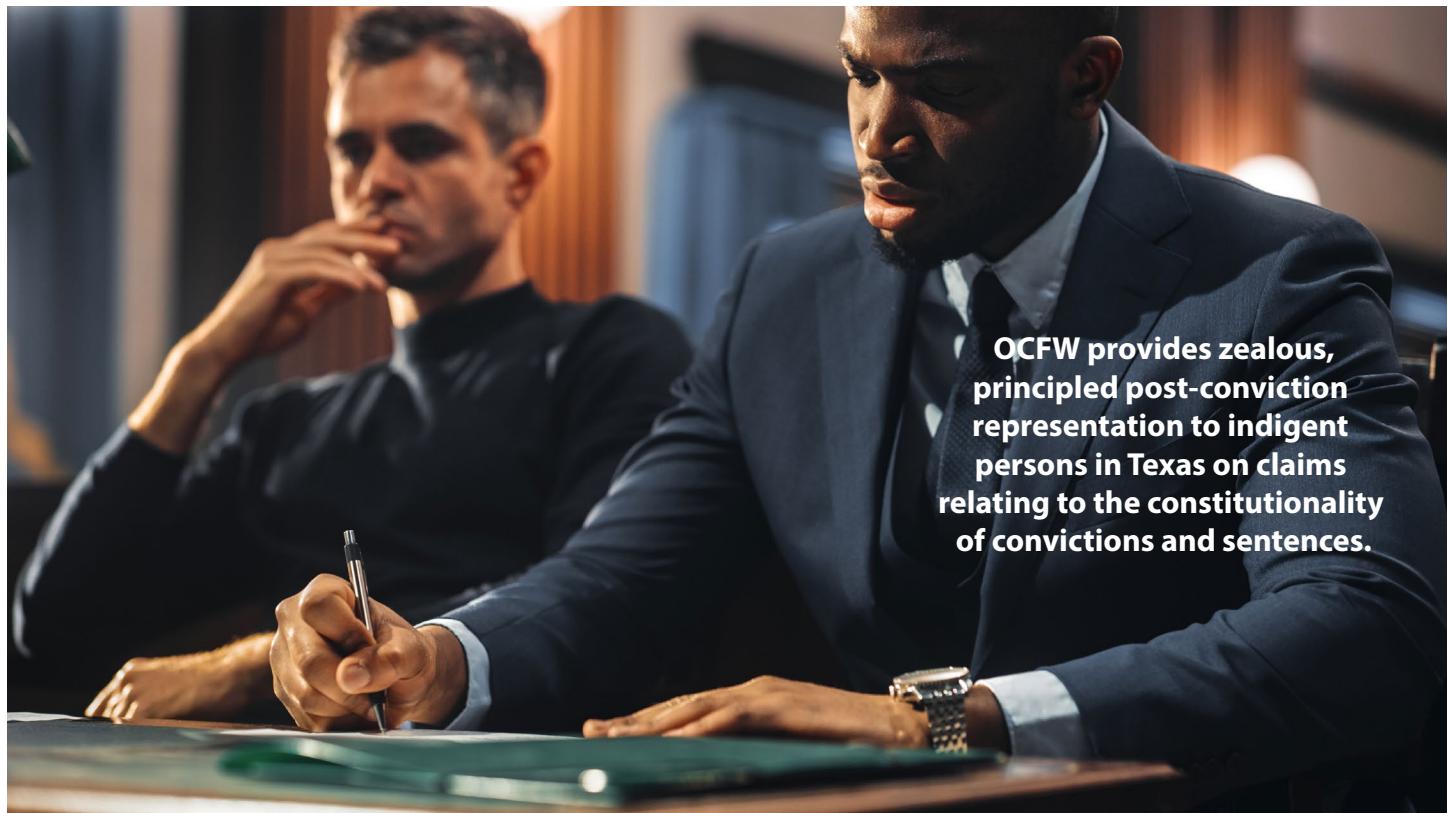
- **The Nature of OCFW's Work Requires Field Investigation.** Under normal circumstances, mitigation specialists and investigators travel up to 50% of their workweek to interview witnesses across Texas, work that cannot be performed remotely or through video conference.
- **Remote Work.** During the height of the pandemic, TDCJ closed prisons to legal visitation, courts suspended in-person proceedings, and OCFW temporarily paused field investigation to prevent staff, clients, and witnesses from contracting or spreading COVID-19.
- **OCFW Has Resumed Field Work Responsibly.** OCFW has encouraged staff vaccinations and has also encouraged staff to wear supplied PPE while interacting with the public and has made reasonable accommodations for staff with underlying health concerns.
- **The Pandemic Has Continued to Slow Investigation.** Investigation takes longer, due to necessary safety protocols.

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.

COVID-19 exposures mean staff lose valuable work time due to infection, isolation, and quarantine.

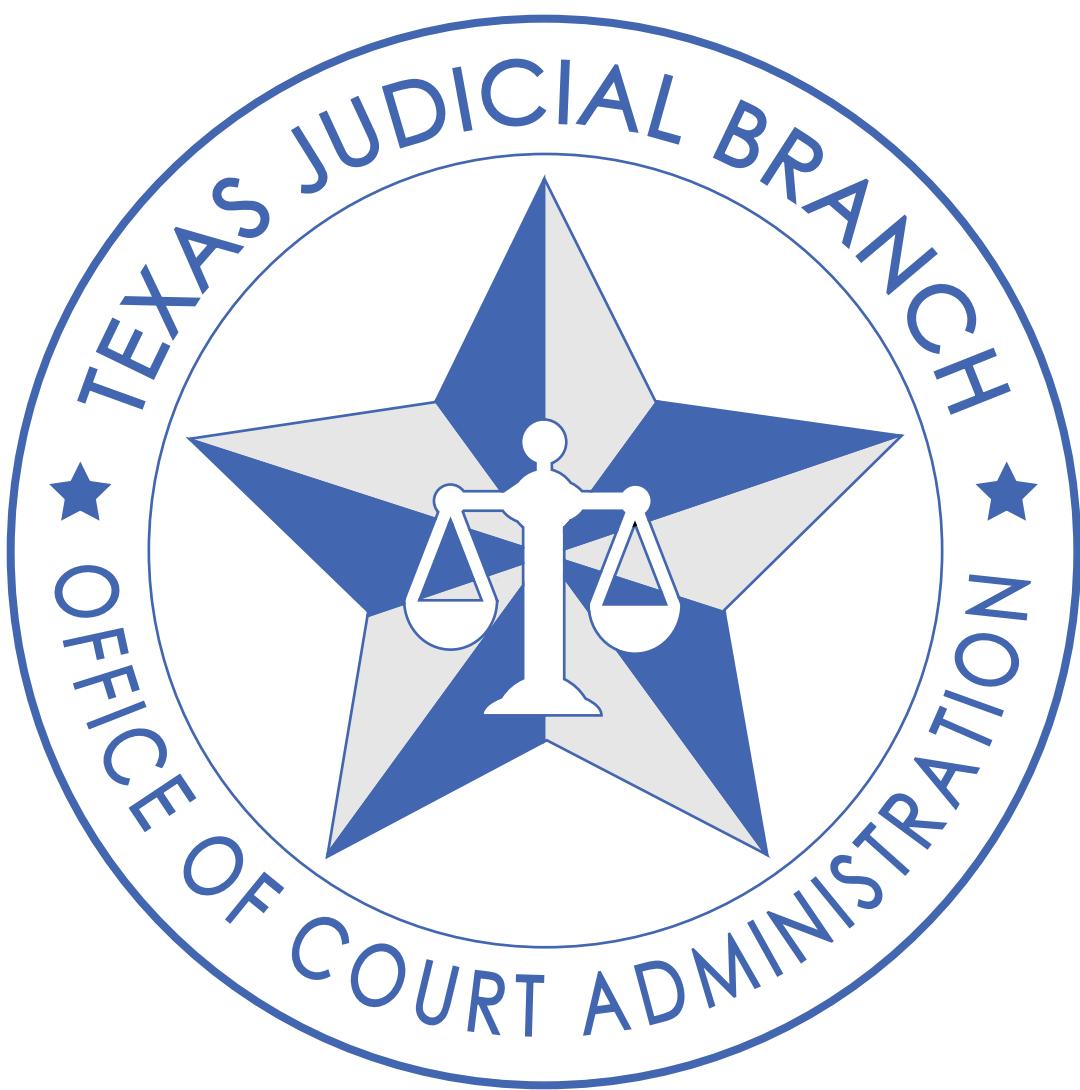
- **Confronting the Backlog.** Over the last six months, OCFW has litigated four in-person evidentiary hearings, and resumed field investigation and prison visitation in all other cases.
- **COVID-19 relief funds.** The Texas Legislature recently appropriated federal American Rescue Plan Act funds to enable OCFW to hire an additional mitigation specialist to help it confront its post-pandemic case backlog.



OCFW provides zealous, principled post-conviction representation to indigent persons in Texas on claims relating to the constitutionality of convictions and sentences.

Program Highlights

- OCFW practices statewide, focusing narrowly on constitutional issues, forensic science, and wrongful convictions.
- OCFW staff includes 12 staff attorneys and 7 mitigation specialists.
- OCFW represents approximately 80% of initial capital post-conviction applicants pending before Texas courts.
- OCFW has represented clients in over 30 Texas counties.
- The Texas Forensic Science Commission has referred over 60 cases involving questionable forensic science to OCFW.
- 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.





ANNUAL REPORT OF THE JUDICIAL SUPPORT AGENCIES, BOARDS AND COMMISSIONS



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