

ANNUAL REPORTS of

Judicial Support Agencies, Boards and
Commissions for the Texas Judiciary

A wide-angle photograph of a grand, ornate courtroom. The room features high ceilings with arched windows, a balcony on the right side, and rows of wooden benches. An American flag and a Texas state flag are visible in the background. The text "FY 2022" is overlaid in the bottom left corner.

FY 2022



OCA MISSION

TO PROVIDE

RESOURCES AND INFORMATION FOR
THE EFFICIENT ADMINISTRATION OF
THE JUDICIAL BRANCH OF TEXAS.

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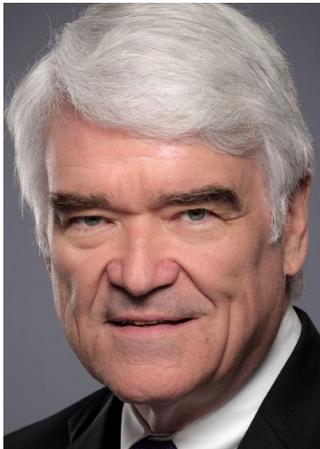
FORENSIC SCIENCE COMMISSION



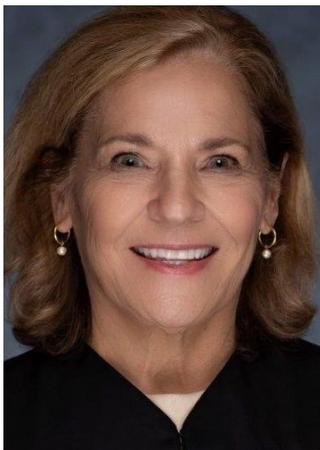
CALDWELL COUNTY COURTHOUSE

TEXAS JUDICIAL COUNCIL

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



NATHAN L. HECHT, CHAIRMAN
TEXAS JUDICIAL COUNCIL



SHARON KELLER, VICE-CHAIR
TEXAS JUDICIAL COUNCIL

MEMBERS AS OF AUGUST 31, 2022

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

LEGISLATIVE MEMBERS

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

JUDICIAL MEMBERS

Hon. Bill Gravell Jr., Constitutional County Judge, Williamson County
Hon. Claudia Laird, Judge, County Court at Law No. 2, Montgomery County
Hon. Emily Miskel, 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

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

EXECUTIVE DIRECTOR

Megan LaVoie, Administrative Director, Office of Court Administration

COMMITTEES

The Texas Judicial Council currently has four committees. The Committees met multiple times in FY 22 and their reports and recommendations will be released in September 2022 prior to the convening of the 88th Legislature. They will be published on the Texas Judicial Branch website at <https://www.txcourts.gov/tjc/judicial-council-reports/>.



CIVIL JUSTICE COMMITTEE

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

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

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

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

CRIMINAL JUSTICE COMMITTEE

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

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

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

DATA COMMITTEE

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

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

PUBLIC TRUST & CONFIDENCE COMMITTEE

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

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

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

EXECUTIVE OPERATIONS

DIRECTOR RESPONSIBILITIES

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

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

The OCA has been led Megan LaVoie since December 2021, the Administrative Director of OCA and the Executive Director of the Texas Judicial Council. The Administrative Director is supported by an executive assistant and a team of division directors. Formerly the Public Affairs Director, Ms. LaVoie is in the process of selecting a Government Relations Director and Communications Director to complete the Executive Team. 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.

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

In FY 22 the Executive Division served as staff to the [Texas Judicial Compensation Commission](#). The Commission's Report to the Legislature will be released prior to the convening of the 88th Legislature.

In FY 22, 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 Supreme Court of Texas required the OCA to provide guidance, technology support and trial support to courts across the state. The Court issued its 55th Emergency Order on August 30, 2022.

Inside FY 22, Texas Judges held approximately 848,760 remote hearings in every case type and type of proceeding, including bench trials, with 4 million participants lasting almost 3.1 million hours.

OPERATION LONE STAR

In July 2021, OCA began supporting local court systems impacted by Operation Lone Star (OLS). This ongoing support includes facilitation of central magistrations at two processing facilities in Val Verde and Jim Hogg Counties. Eighteen visiting judges appointed by the Supreme Court conduct magistrations at the temporary processing facilities. Through FY 22, 6,038 magistrations have been conducted. OCA provides administrative support for the proceedings, including court interpretation services. Support staff consists of seven administrative assistants (four full-time, three part-time) and seven court interpreters, as well as a court services manager, special projects manager, and a court consultant who liaise between various court system participants to problem solve and ensure daily dockets are processed.

RESEARCH AND COURT SERVICES

DUTIES AND RESPONSIBILITIES

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



Language Access Program

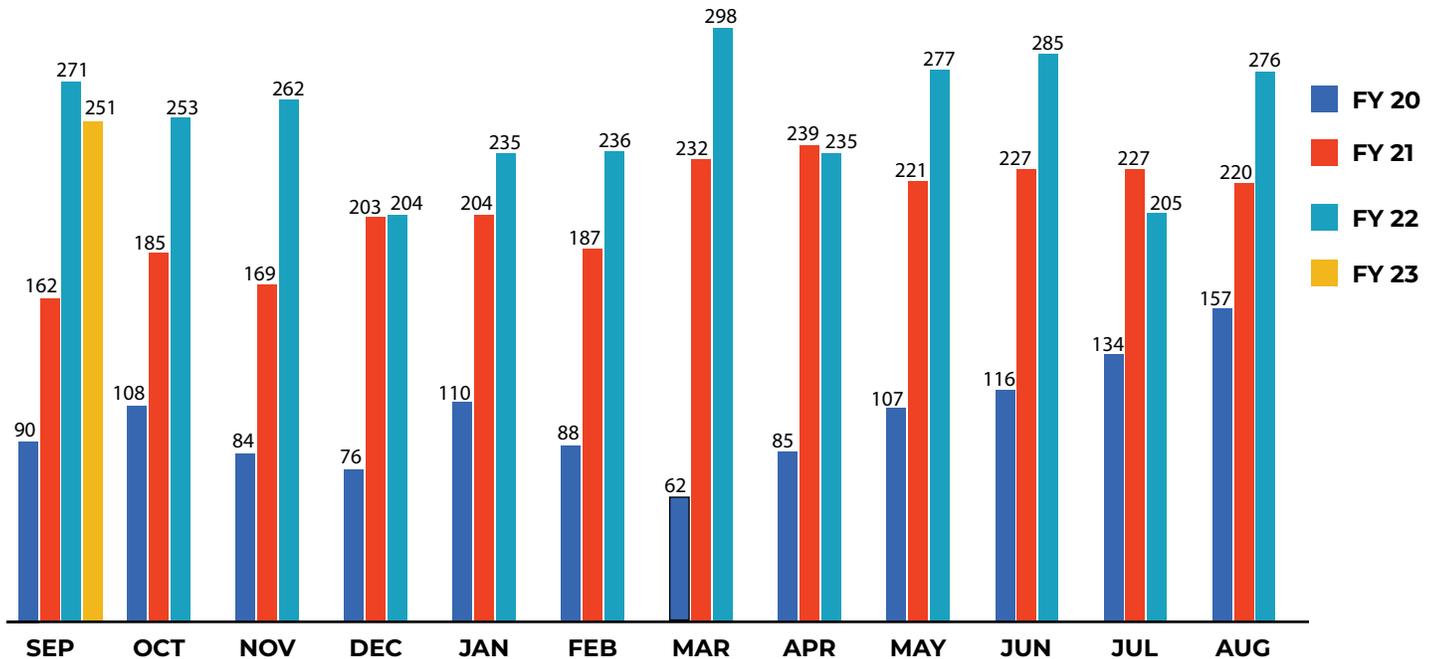
OCA's Language Access Program provides assistance to courts in communicating with individuals with limited English proficiency, giving these individuals meaningful access to their legal proceedings through audio or video remote interpreting provided by the Texas Court Remote Interpreter Service staff.

During FY 22, the demand for OCA's remote interpreting services continued to increase, resulting in the conversion of a third temporary staff interpreter to a permanent full-time position. The three remote interpreters provided free Spanish, French and Portuguese interpretation services in 3,037 hearings serving 121 counties across Texas. The continued increases in the Language Access Program services this fiscal year resulted in the posting of two additional temporary full-time interpreters using funds from the American Rescue Plan Act.

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 FY 22, this department also coordinated contract interpreters to interpret in 4,541 remote magistration hearings via video conference.

While providing interpreting services to Texas Courts, the Language Access Program also provided document translation services to the Supreme Court of Texas in the newly enacted Seizure Exemption forms pursuant to HB 3774 (87th Legislature).

NUMBER OF INTERPRETED SESSIONS BY MONTH



Court Security Division

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

- Provide for the suppression of the residence address of a judge and judge's spouse in records maintained by the Texas Ethics Commission, a county registrar, and a county appraisal district. The law also allows a judge and judge's spouse to replace their home address on their driver's license with the address of the courthouse in which the judge serves.
- Requires county clerks, upon the written request of a judge, to omit or redact personal information from an online database that is made public.
- Requires that a courthouse security committee be established by the presiding judge of a municipality or the local administrative district judge in each county, respectively.
- 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.

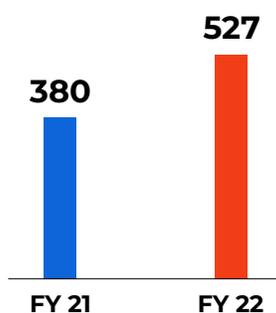
In FY 22, the Court Security Divisions' efforts to assess court facilities and provide court security training was impacted by the ongoing pandemic, declared state of disaster in 254 counties, and Emergency Orders issued by the Texas Supreme Court outlining minimum standard health protocols to conduct in-person hearings. To continue services during the pandemic, courts availed themselves to a virtual environment minimizing the Court Security Division's ability to provide on-site assessments, training evolutions, and assist in the establishment of court security committees. Now that courts across the state have resumed in-person hearings, the Division has been able to proceed with assessments,

There was a marked increase in judicial threats and reported courthouse related incidents this fiscal year.

trainings, and establishments of court security committees. There was a marked increase in judicial threats and reported courthouse related incidents this fiscal year. The resumption of normal court related business will task the Divisions' effort to address the backlog of courthouse assessments coupled with meeting future court security related demands in training and assessments. To maximize OCA's outreach promoting awareness of the privacy protections afforded pursuant to SB 42, OCA staff provided numerous in-person Judicial, Court Professional and Court Partnership Conferences. OCA continued to provide personal security related information with the ability for judges to submit on-site, their privacy questionnaire and address court security related concerns or questions with staff.

Incident reporting to OCA reflected a total of 527 incident reports submitted in FY 22, a 39% increase over FY 21. To date, 1,527 judicial officers have taken advantage of having their personal and residential information suppressed from public view.

SUBMITTED INCIDENT REPORTS



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

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

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

Children’s 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) covering 148 counties. Each court has an associate judge appointed by the Presiding Judges of the Administrative Judicial Regions and a court coordinator. The judge and court coordinator are employed by the OCA. The Children’s Courts Program Manager staffs the program serving as point-of-contact for the courts coordinating with OCA divisions in servicing court needs, i.e., equipment, supplies, travel, and HR-related issues.

During this last fiscal year, 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.

Many OCA headquarters and field staff worked 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. The most recently issued order requires judges to hold virtual proceedings from their “usual location” which generally is their courtroom. Counsel, parties, witnesses, etc. may continue to participate in hearings remotely. OCA’s Research and Court Services Director and the 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. Six child protection courts received equipment to assist in holding hybrid hearings as part of pilot program funded by the Children’s Commission.

Since the last report, OCA hired three Early Intervention Court Liaisons (EICLs) as part of a pilot initiative with the Children’s Commission and the Department of Family Protective Services’ Prevention and Early Intervention (PEI) Team. The EICLs report to the Children’s Courts Program Manager. PEI awarded a grant to OCA to fund the positions. PEI identified three communities in need of resources to address high maltreatment risk numbers for youth in the communities. The EICL positions were created to serve as special assistants to child protection courts in the communities to enhance the court’s knowledge of available resources in the community to refer families at risk of having children removed from their homes. The EICLs are working to bridge gaps within the child welfare

community and enhance communication amongst child welfare stakeholders.

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

In FY 2020, OCA received a grant from the Children's Commission to fund the use of former CPC associate judges to sit as visiting associate judges to ensure judges experienced in child protective services (CPS) matters are available to hear cases in an associate judge's absence from the bench. In its FY 2023 renewal grant application (completed in FY 22) OCA again requested to include the use of former/retired district and county court at-law judges experienced in hearing CPS cases to expand the pool of eligibility.



Specialty Courts

The Research and Court Services Division (RCSD) continues to have direct responsibility to provide technical assistance to and monitor Specialty Courts' compliance with programmatic best practices and coordinate and provide information to the Governor's Criminal Justice Division (CJD). These duties include registering new Specialty Courts and maintenance of the statewide Specialty Court registry. At the conclusion of FY 22, there were 204 registered Specialty Courts. The Statewide Problem-Solving Court Coordinator (SPSCC), RCSD Director, and RCSD staff stand ready to assist Specialty Court teams across the State.

In FY 22, the SPSCC continued representing OCA and the State of Texas by attending and participating in specialty court-related meetings and conferences sponsored by a diverse body of stakeholders, including but not limited to, the National Association of Drug Court Professionals (NADCP), the Texas Association of Specialty Courts (TASC), the Conference of Chief Justices and Conference of State Court Administrators (CCJ-COSCA), the CJD and CJD's Specialty Courts Advisory Council (SCAC), the Center for Court Innovation (CCI), and the Texas Specialty Court Resource Center (SCRC). The SPSCC continued to serve as the Specialty Court Ombudsman, the single point-of-contact for specialty court participants and team members to report complaints/concerns about program operations, processes, and individual team members, including the specialty court judge.



DRUG



PUBLIC SAFETY
EMPLOYEES
TREATMENT



VETERANS



MENTAL
HEALTH



COMMERCIALY
SEXUALLY
EXPLOITED
PERSONS



FAMILY

Centers of Excellence

The Centers of Excellence was an initiative by the Public Trust and Confidence Committee of the Texas Judicial Council to identify courts across the State of Texas doing exceptional work in judicial administration. The program launched in 2018 and identified two early partner courts—the 347th and the 214th district courts in Nueces County, which were recognized as the first Centers of Excellence by the Texas Judicial Council in June of 2019. The program continued bringing in partner courts, working with the Webb County Court at Law II and Montgomery County Court at Law II. Both courts were successfully recognized as Centers of Excellence in November of 2019 and February 2020 respectively.

The Centers of Excellence Program continues to work to **identify, support, and evaluate courts pursuing excellence in judicial administration at all levels across the state of Texas**. The program was put on hold in March of 2020 due to the ongoing COVID-19 pandemic. In 2022, the Centers of Excellence program was relaunched following an extensive review and evaluation of the program, incorporating lessons learned during the pandemic and examples drawn from existing Centers of Excellence. There are currently seven courts participating in the program with eventual recognition set for partner courts beginning in 2023.

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 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. Initially, the work started with 11 jurisdictions across the state and ended with 9 for the study. 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. The report was finalized December 2021.

Expedited Actions Evaluation

OCA is currently working with the National Center for State Courts and the Institute for the Advancement of the American Legal System to review the current practice of the use of the civil Expedited Action Rules in Texas courts. They are evaluating a sample of over 2,500 cases in which the rules may apply to research their applicability and use. The evaluation is a current undertaking, last observed in 2016. The outcome should help inform whether any amendments should be made to the rules, or if efforts need to be made to further educate judges and attorneys on the use of the rules in eligible cases.

Pretrial and Bail

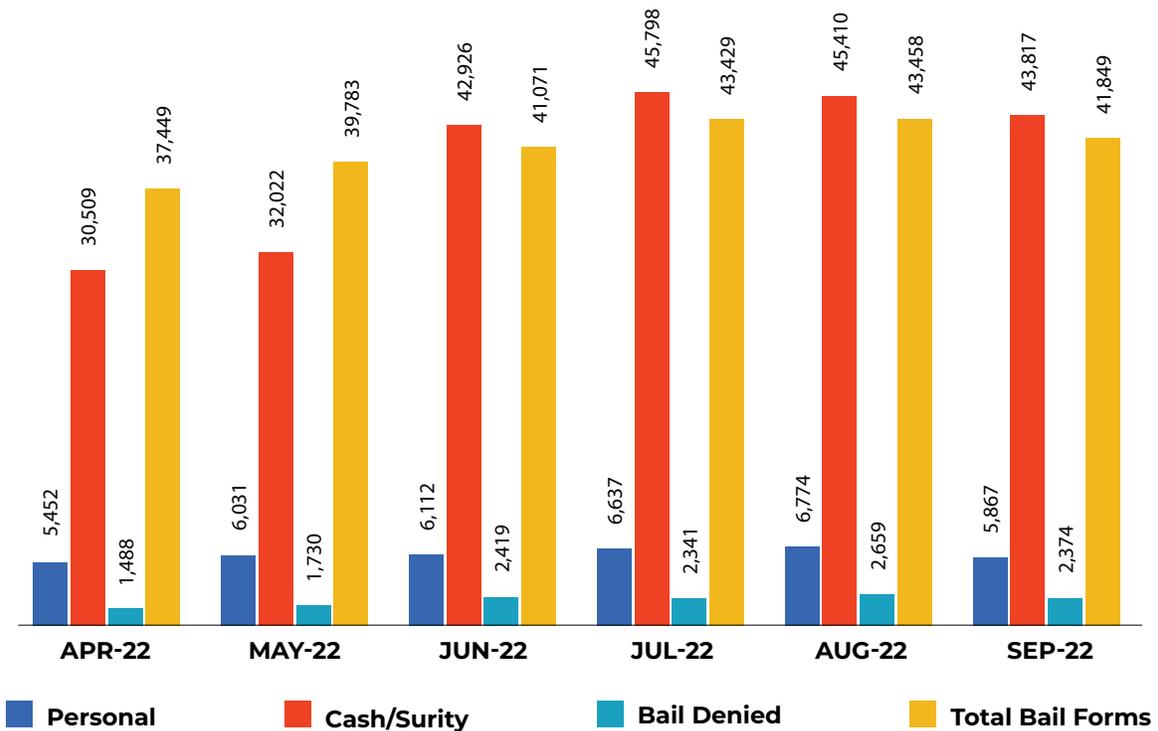
In September 2021, during the Second Special Called Session of the 87th Legislature, [Senate Bill 6](#) (the Damon Allen Act) was enacted. The Damon Allen Act established procedures for setting bail and the reporting of bail information, set certification and reporting requirements for charitable bail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

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

The PSRS began operations on April 1, 2022, as required by legislation. As of the end of FY 22, there were 5,718 active users and 228 counties that have completed magistrations in the system. A total of 215,836 bail forms have been completed from April 1 through August 31, 2022. These bail

decisions are detailed in the chart below. Note that multiple offenses may be included on one bail form.

BAIL DECISIONS



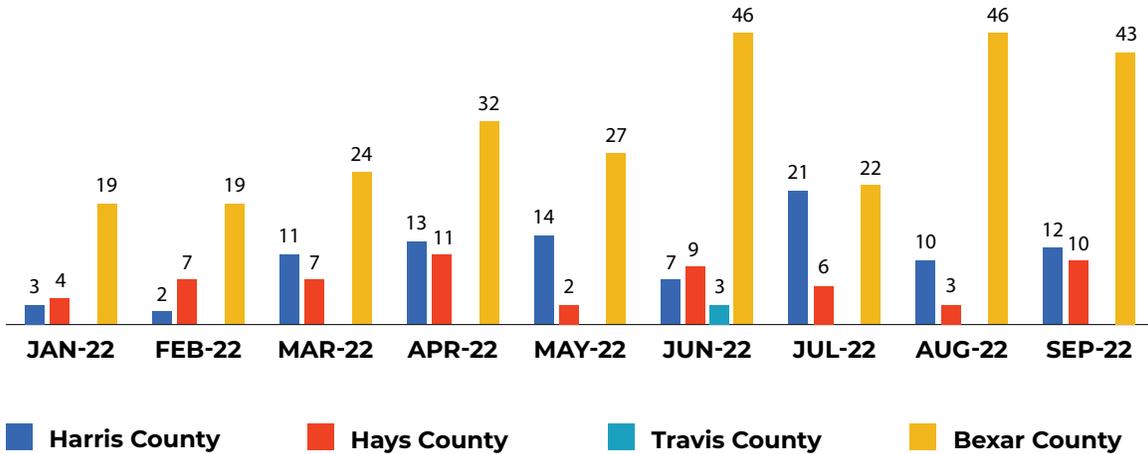
Three updates to the original system have been released and additional enhancements are in the planning stage in response to user requests.

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

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

Bexar, Harris, Hays, and Travis counties have provided charitable bail reports to OCA this year. One non-profit organization, The Bail Project, is responsible for all the bails reported in Harris, Hays, and Travis counties. The reports from Bexar County came from The Texas Organizing Project. The total defendants reported bailed out for the four counties is represented in the chart below:

CHARITABLE BAIL REPORTS

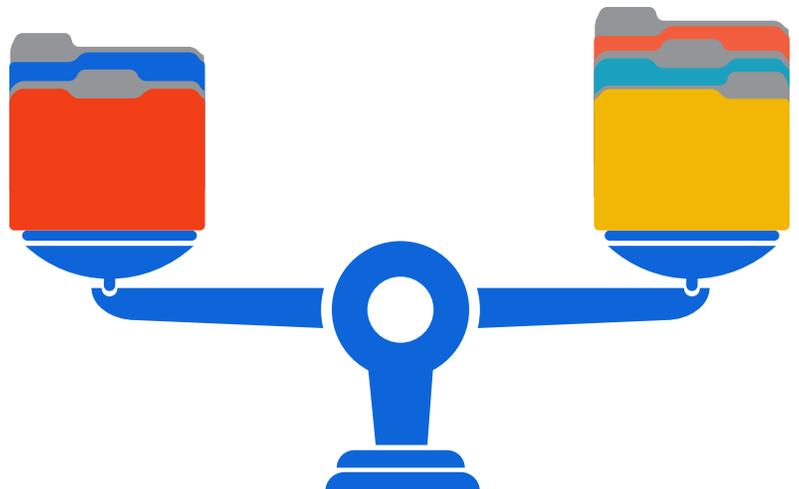


SB 6 required OCA to develop statewide procedures and forms to be used by courts to facilitate the refund of funds paid toward monetary bonds and/ or application of the cash funds towards the defendant’s outstanding court costs and other fees. These forms are available on the OCA website for courts and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

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

Weighted Caseload Study

OCA was slated to conduct a weighted caseload study in the Spring of 2020. The 86th Legislature 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 early 2023. OCA staff, judges, and representatives from the NCSC met in October 2022 to discuss a plan and schedule.



Court Consultant

The last fiscal year brought challenges to courts as they continued to address backlog created by COVID-19 and implement new procedures and processes for the Public Safety Report System. Continued assistance in reviewing, establishing, and recommending processes for courts, clerks, and counties are made available upon request.

Additional Consultant Activity:

- Reviewed and assisted in analysis of civil cases related to criminal matters, determining the best approach to address backlog.
- Mental Health Reporting maintenance guide and assistance with questions related to NICS including updates as to Juvenile MH and changes based on Federal Law.
- Attendance at meetings and presentment of selected topics related to courts and clerks including escheating funds, SB 6, Service, OCA updates, Legislative updates, and Juvenile records.
- eFileTexas 2.0 assisting with testing, meetings and evaluating the product with Tyler Technologies and OCA project manager.
- Case Level Data Reporting evaluation team, assisting with reviewing the data elements captured at the court level and data wanted for reporting purposes.
- Continued updates to general recommendations and “Best Practices” to address court backlog due to the pandemic.
- Assisted National Center for State Courts in gathering data for Expedited Action Cases related to filing, discovery, and disposition of civil cases in designated counties.
- Assist in attending and tabling for OCA at assigned conferences.
- Create process and forms for Voluntary Remote marriage Licenses for County clerks including maintaining applications and managing issuance of licenses by OCA.
- Court Reminder Project subject matter expert, including identifying best utilization of the system for court cases.

Judicial Information

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

In FY 22 program staff were involved in the following activities:

Report Production and Updates:

- 2021 [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
- 2022 [Texas Judicial System Directory](#)
- 2021 [Annual Report on Disposition of Judicial Bypass Cases by Trial Courts](#)
- 2021 [Presiding Judges Annual Report](#)
- 2021 [Writs of Attachment Annual Report](#)
- [Profile of Judges Report](#) as of September 1, 2022
- 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 and analyses for the Judicial Salaries and Turnover Report for FYs 20 & 21
- Monthly reports on bail data from the Public Safety Report System
- Monthly reports on bail data from the Court Activity Reports
- Reporting and analyses related to pandemic backlogs

Data collection, analyses, requests, and support to:

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



Research

In partnership with the Supreme Court of Texas Children's Commission, the OCA hired a full-time Senior Data Analyst to conduct research that revolves around the child welfare system, court data, and implementation of various initiatives in partnership with the Supreme Court of Texas Children's Commission.

FY 22 Research and Analyses included:

- In depth evaluation of OCA's Child Protection Courts Management System (CPCMS).
- Conducting a study on the effect of COVID-19 in child abuse and neglect cases.
- Address data inquiries related to CPCMS and DFPS data.
- Analyze impact of removals of children from their homes as a result of policy and legislative changes.

Collaboration with the NCSC on a study related to virtual hearing in child protection cases.

INFORMATION SERVICES

Recipients of Direct Technology Services

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

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

590,000 eFILE USERS

44,000 eFILE ENVELOPES PER DAY (AVG)

81,820 re:SEARCHTX USERS

92,724,238 DOCUMENTS AVAILABLE VIA re:SEARCHTX

\$250,245 AMOUNT COLLECTED FOR COUNTIES IN re:SEARCH FROM 9/1/21 – 8/31/22

197,095 DOCUMENTS SOLD FROM 9/1/21-8/31/22

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.

1,100▲ NUMBER OF USERS DIRECTLY SUPPORTED BY OCA IT

Re:SearchTX

Re:SearchTX aims to provide a single statewide view of electronic court documents. The system currently includes more than 92 million documents filed in civil cases across the state. Any of the almost 82,000 users can purchase the document (\$0.10/page with a minimum of \$1 per document) and the money collected goes to the county of origin. This year more than a quarter of a million dollars were collected and distributed to more than half of the counties in the state.

Continuing COVID Technology Response

With the pandemic continuing, OCA renewed Zoom for all judges in Texas in March 2022. 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. It allows judges to upload a copy of their docket and groups participants based on the case that they are involved with. The product was made available to all judges that have a Zoom account.

As part of the Children's Commission grant program, OCA assisted in the ordering and delivery of hybrid hearing equipment to several child protection courts. The commission is evaluating the program for possible expansion.

Self-Help

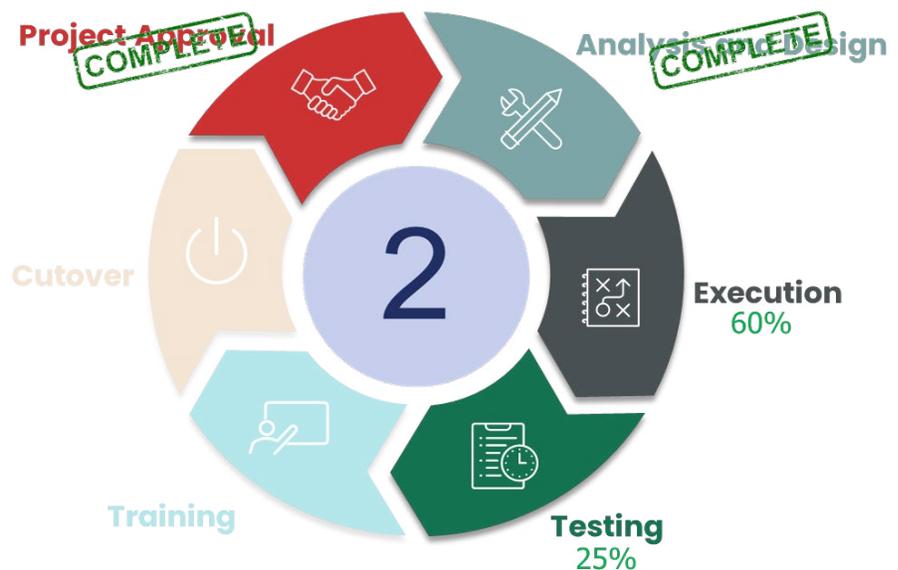
In working with the eFiling vendor and legal services, the included self-help features of eFiling continued to expand. As of 8/31/2021 there were 45 different interviews, with 7 of them enabled to directly eFile once completed online. On average, the system is seeing approximately 3,600 sessions per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

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



Source: Tyler Technologies, "e-Filing/re:SearchTX Update" to the Judicial Committee on Information Technology on May 13, 2022: <https://www.txcourts.gov/media/1454355/efiletexas-status-jcit-05132022.pptx>.

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 FY 22, JCIT met three times and discussed a variety of topics including:

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

MEMBERS AS OF AUGUST 31, 2022

Voting Members

Hon. Rebecca Simmons, Former Justice, Fourth Court of Appeals, San Antonio
Bob Wessels, Former Criminal Court Administrator, Harris County
Hon. David Escamilla, Former County Attorney, Travis County
Hon. Roy Ferguson, Judge, 394th District Court, Brewster, Culberson, Jeff Davis, Hudspeth, and Presidio Counties
Hon. Dan Hinde, Former Judge, 269th District Court, Harris County
Hon. Laura Hinojosa, District Clerk, Hidalgo County
Cynthia Orr, Goldstein, Goldstein, Hilley & Orr, San Antonio
Hon. Brian Quinn, Chief Justice, Seventh Court of Appeals, Amarillo
D. Todd (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. Ann-Marie Carruth, Judge, 72nd District Court, Lubbock County
Hon. Giovanni Capriglione, State Representative, District 98, Keller
Annie Elliott, Court Coordinator, 434th District Court
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
Roland Johnson, Attorney, Fort Worth
Megan LaVoie, Administrative Director, Office of Court Administration, Austin
Hon. Velva Price, District Clerk, Travis County
Hon. Russ Ridgeway, JP Precinct 5, Place 1, Harris County
Hon. Nancy E. Rister, County Clerk, Williamson County

Sian Schilhab, General Counsel, Court of Criminal Appeals, Austin
Stephanie Sterling, State Bar of Texas, Paralegal Section
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 Yeary, Judge, Court of Criminal Appeals, Austin

*The mission of the JCIT is
to promulgate standards
and guidelines for
information technology in
the Texas Judiciary.*



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.

Legal Staff Liaison Support

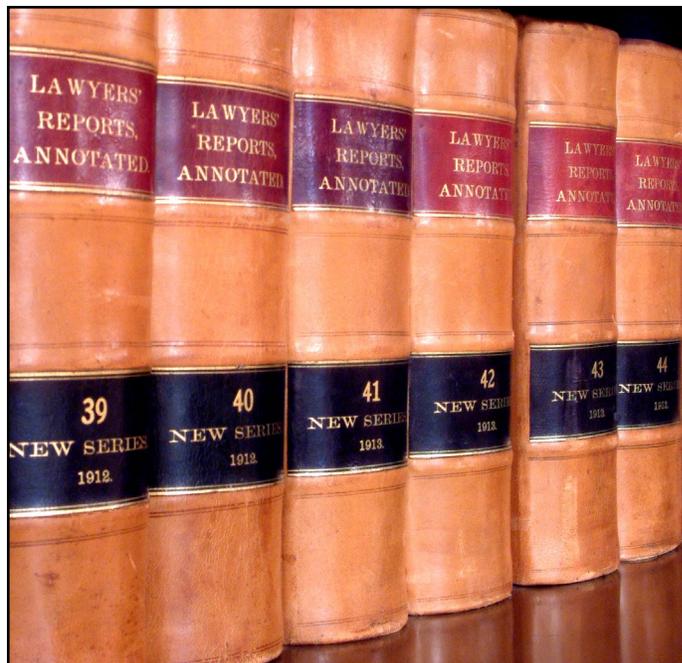
- *Texas Judicial Council*
- *Conference of Regional Presiding Judges*
- *Council of Presiding Judges*
- *Board of Regional Judges for Title IV-D Account*
- *Judicial Districts Board*
- *Judicial Compensation Commission*
- *Judicial Branch Certification Commission*

Rule 12 Appeals

The Division provides support to the special committees composed of regional presiding judges who issue decisions in appeals filed pursuant to Rule 12 (denial of access to judicial records) of the Rules of Judicial Administration. In FY 22, 9 public access opinions were issued.

Coordination with Information Services Division and Research and Court Services Division

In FY 22, the Division also coordinated with the Information Services Division and the Research and Court Services Division to implement the Public Safety Report System mandated by Senate Bill 6 (87 Legislature, 2nd Called Session, 2021).



FINANCE AND OPERATIONS

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

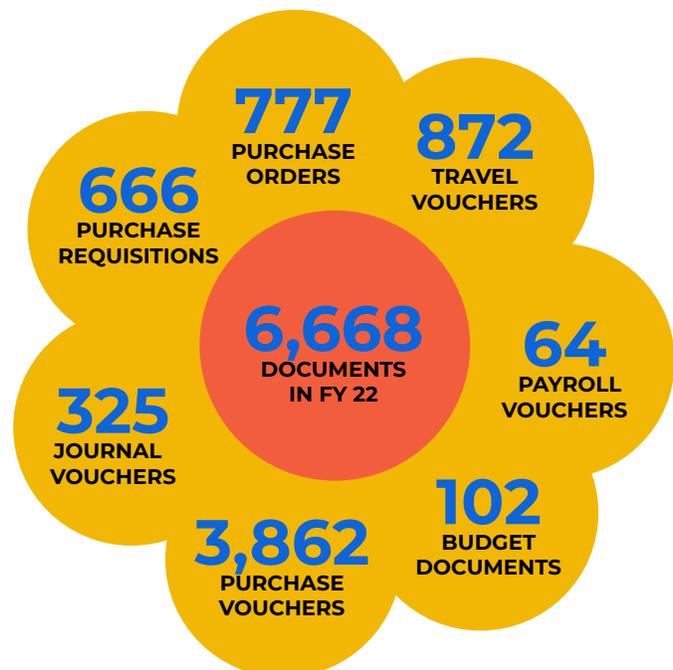
Division staff members consult with OCA program managers on a variety of financial and contractual issues, and answer questions from the Legislature, the public, and other interested parties on judicial funding and state appropriations to the courts and judicial agencies. The division coordinates the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

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

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

Fiscal and Operations Support Responsibilities

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



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 effective February 1, 2022, all employee travel reimbursements and travel advance requests began processing exclusively through CAPPs.

STAFF PROCESSED **149** REIMBURSEMENT REQUESTS FOR GRANTS AND
 CONTRACTS TOTALING **\$3,459,321.42** AND DEPOSITED
 OR RECONCILED OVER **\$943,197** IN FEES FROM LICENSEES.
455 ELECTRONIC FILING FEE REFUNDS REQUESTED
 BY THE COUNTY CLERKS, TOTALING **\$42,472.**
 PROPERTY AND OPERATIONS PROCESSED OVER **675**
 NEW PIECES OF EQUIPMENT AND **61** SURPLUS ITEMS.

The 88th Legislative Appropriations Request for 2024-2025

The Legislative Appropriations Request for the 2024-2025 biennium was submitted to the Legislative Budget Board and Governor's Office on August 5, 2022. The total baseline budget request for 2024-2025 totaled \$224.7 million. Exceptional Item requests totaled \$77.8 million; \$28.7 million for OCA and \$50 million for TIDC. OCA's Exceptional Items, excluding TIDC, are as follows:

- **Judiciary-wide Inflation Relief and Staff Retention and Recruitment - \$2.8 Million.** As the US Inflation rate continues to rise, coupled with consumer prices rising 9.1 percent year over year in June 2022, the Chief Justice of the Supreme Court has supported a 10% increase for non-judicial staff for the next biennium, branch wide. As it is for all public servants, it is critical to equalize the impact of the economy for our judicial branch employees with a salary increase. The Judiciary had the third highest turnover rate in FY2021, falling below only Health and Human Services and Public Safety and Criminal Justice. The agency risks losing valuable state employees to larger state agencies that can afford higher salaries or to the private sector.
- **Replace Legacy System, Case Level Data - \$6 Million.** This project replaces the legacy system responsible for collecting and analyzing judicial data. The system in production was last upgraded in 2010. The legacy system only collects court data in aggregate, limiting the policy analysis that can be done to make our courts more efficient. The new system will be a vendor-hosted, cloud-based system that will collect case-level data. Automated Programming Interfaces (APIs) will be used to allow each court to report data in near real-time. Additionally, OCA staff will be given a business intelligence platform to manipulate the data to answer policy questions posed by the Judicial Council and the Legislature.
- **Replace Legacy System, Texas Appellate Case Management System - \$11.9 Million.** This project replaces the legacy system that provides case management of the appellate courts of Texas. The current system in production was last upgraded in 2010. Additionally, the new system also replaces the external interfaces to appellate attorneys, trial court clerks, and the public in general that want to review case documents at the appellate courts. The new system will be a

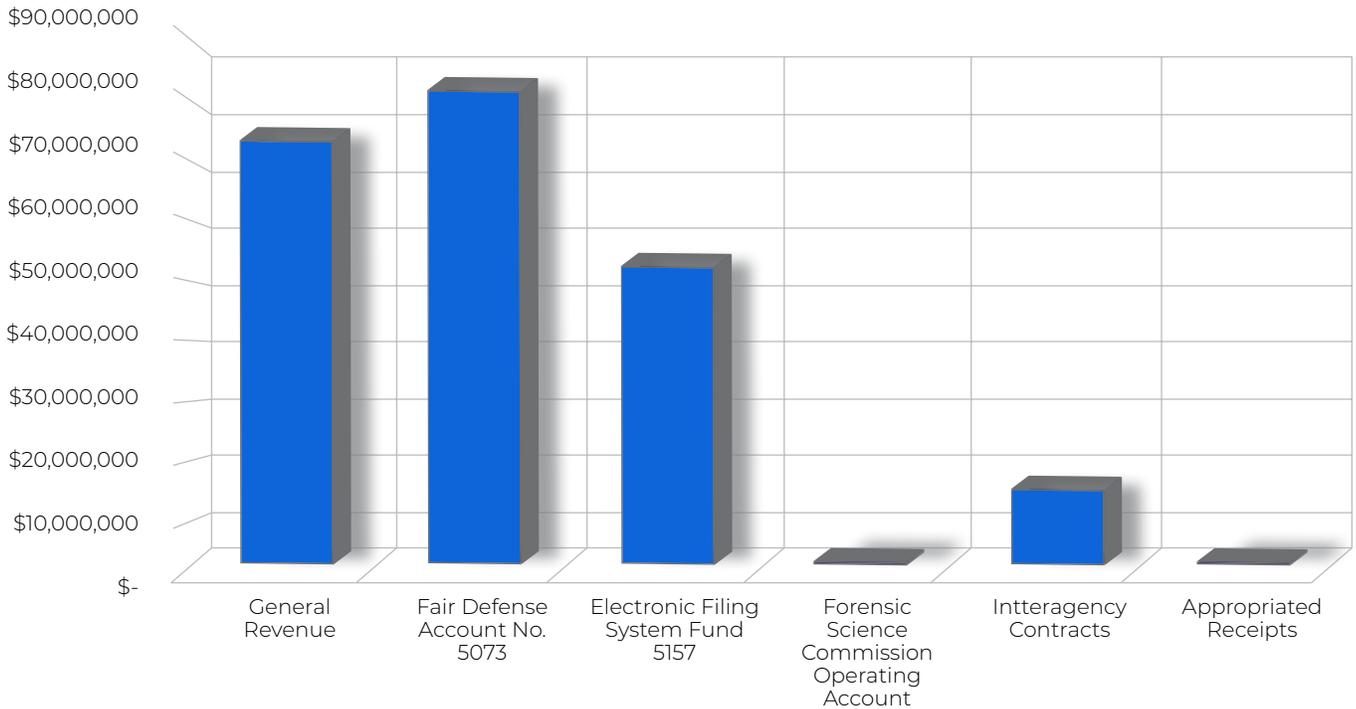
vendor-hosted, cloud-based system that will manage appellate court cases and provide access to court documents. It will also manage court conferencing for the two high courts as well as writs management of the Court of Criminal Appeals.

- **Information Technology Licensing - \$4.3 Million.** OCA provides direct IT services to the high courts, courts of appeals, and all judicial branch agencies. This includes licensing of Microsoft EA, Adobe, DocuSign, Zoom, Azure, cybersecurity tools, and other various software to ensure that our users operate efficiently and are secure. At the same time, as OCA continues to shift operations to the cloud, cloud costs are naturally increasing as well. This exceptional item requests funding for licenses that have increased nearly 300% since 2019. This item also requests funding for the OCA network, which is nearing the manufacturer's end of life. Replacing the equipment greatly improves the agency's cybersecurity posture with additional features that do not exist in the current network. This includes the replacement of switches, routers, WiFi, perimeter networking devices and cybersecurity upgrades.
- **Court Services Staff Needs – (2) Specialty Court Program Specialists and (2) Court Security Specialists - \$657,500.** Effective September 2019, as a result of the 86th legislative session, the oversight of specialty courts was transferred from the Criminal Justice Division of the Governor's Office to OCA. A large number of responsibilities came with the oversight, but no FTE resources. As of June 2022, there are currently 247 registered and active specialty courts in the state. OCA expects an increase in demand for specialty courts, especially mental health courts in the near future. OCA is requesting funding for two additional FTEs for Research and Court Services dedicated to specialty courts. This exceptional item also requests two more FTEs for the Court Security division. Over time, court personnel have recognized the need for resources addressing improved courthouse security. The two current FTEs are spread too thin to adequately serve all judicial officers and courthouses in the state requesting assistance. Texas needs to have more dedicated resources to help improve privacy protections, physical protections, and training for those in courthouses and at the homes of our judicial officers.
- **Children's Court Needs - \$1.1 Million.** OCA has a large number of judges and court coordinators that can retire. Due to the length in state government of the staff, lump sum payments can be very high. Payouts of this size are very costly to the budget and is especially hard for the IV-D Child Support program, as the Office of the Attorney General (OAG) will not reimburse the agency for 66% of these costs as they do for all IV-D salaries and operating expenditures. OCA is requesting restoration of the \$300,000 that was in the budget during the 22-23 biennium. This exceptional item also requests funding for the IV-D program staff computers, software, and one FTE for the IT Support Desk. Currently, these services are provided by the OAG, creating a conflict of interest in the IV-D courts, with one party to the case (OAG) responsible for maintaining equipment for staff that are employed by another state agency (OCA). Finally, this exceptional item requests an additional 5% salary increase for the court coordinators. This 5% is in addition to the 10% requested in the first exceptional item above. The court coordinators are often recruited to the county they live in at a significant increase. This additional 5% will help OCA retain these skilled staff members.
- **Operation Lone Star - \$1.03 Million.** OCA received the current appropriations for Operation Lone Star in our base budget for 24-25. Since the original budget was requested, revisions to the financial needs of providing magistration services have been made to accommodate actual needs. Our original request did not include administrative assistants needed to manage the Zoom hearings. We have also identified a need for administrative assistants for weekend magistrations. We determined the need for a court consultant to assist counties with magistration processes. This request will supplement the existing budget and add four FTEs if granted.

In Summary, the Office of Court Administration requested a total of \$224,672,954 (excluding exceptional items) for the 2024-2025 biennium compared to \$252,268,427 for the 2022-2023 biennium. Appropriations decreased by \$27.9 million, or 11.04% decrease from the 2022-2023 biennium, due largely from the elimination of one-time restoration of revenue loss to the Fair Defense Account, and grant funding provided last biennium from the Governor's Office for Operation Lone Star.

Method of Finance	2022-2023	2024-2025	Increase/(Decrease)
General Revenue	\$74,762,872	\$74,762,871	(\$1)
Electronic Filing System Fund	\$51,704,502	\$52,528,502	\$824,000
Forensic Science Commission Operating Acct	\$259,350	\$347,160	\$87,810
Fair Defense Account	\$104,906,392	83,617,253	(\$21,289,139)
Appropriated Receipts	\$488,001	\$286,894	(\$201,107)
Interagency Contracts	\$13,332,222	\$13,130,274	(\$201,948)
Federal Funds/OOG Grant	\$7,099,316	\$0	(7,099,316)
TOTAL	\$225,552,655	\$224,672,954	(\$27,879,701)

OFFICE OF COURT ADMINISTRATION 2024-2025 APPROPRIATIONS



The 88th Legislative Appropriations Request can be viewed here:

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

ENTERPRISE PLANNING AND REGULATORY SERVICES

Regulatory Services-Judicial Branch Certification Commission (JBCC)

The Judicial Branch Certification Commission (JBCC) was established by the Texas Legislature during the 83rd Regular Session. The nine-member commission is appointed by the Supreme Court of Texas. The core responsibility of the JBCC is the oversight of the certification, registration, and licensing of approximately 6,544 court reporters and court reporting firms, guardians and guardianship programs, process servers, and licensed court interpreters. The JBCC also registers all guardianships statewide, provides training, and provides criminal histories to the courts for the proposed guardians. Hon. Sid Harle, Chair.

Profession	Type	Number of Certifications, Registrations, Licenses
Court Reporters	Certification	2,220
Apprentice Court Reporters	Certification	9
Provisional Court Reporters	Certification	5
Court Reporting Firms	Registration	180
(50%+) CSR Owned Firms	Registration	79
Guardians	Certification	368
Provisional Guardians	Certification	95
Guardianship Program	Registration	28
Process Servers	Certification	3,099
Court Interpreters-Basic	License	59
Court Interpreters-Master	License	402
TOTAL		6,544

Certification Division Duties

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

Recent Meetings of the JBCC and Advisory Boards and Upcoming Events

JBCC meetings are conducted quarterly throughout the year. The Commission met on November 5, 2021, February 4, 2022, May 6, 2022, and August 5, 2022. The next meeting of the Commission is November 4, 2022.

- Court Reporters Certification Advisory Board met January 12, 2022. The next meeting will be September 8, 2022.
- Court Reporters Uniform Format Manual Committee met on February 23, 2022, and April 6, 2022. The next meeting will be September 7, 2022.
- Guardians Certification Advisory Board met on February 10, 2022.
- Process Server Certification Advisory Board met on July 14, 2022.
- Licensed Court Interpreters Advisory Board met on July 14, 2022.

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 FY 22, 96 complaints have been filed with the JBCC Compliance team and are in process or resolved:

- 31 court reporters
- 47 process servers
- 17 guardians
- 1 licensed court reporter
-

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

Certification or License Program	Exams Administered	Dates Administered
Licensed Court Interpreters-Oral Exam	55	November 16, 2021- June 07, 2022
Licensed Court Interpreters-Written Exam	175	November 30, 2021- August 10, 2022
Guardianship Certification Exam	87	October 19, 2021 – August 23, 2022

- 11 oral exams were administered in El Paso in February 2022.
- 114 written exams were administered online from February 2022 (LCI) – August 2022 (GC).
- Staff administered 317 exams in FY 22

Registration of Guardianships

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

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

Data Received for Proposed Guardians Registration	Guardianship Training Completed (English & Spanish):	Criminal Histories Provided to the Courts:
51,696	26,970	20,064

Guardianship Abuse, Fraud Exploitation Deterrence Program (GAFEDP)

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

The program is offered at no expense to counties throughout the state. Courts throughout the state are required to participate in the program if selected and may also request program participation. Additionally, the OCA director may notify the Judicial Conduct Commission of any concerns involving judges who fail to act upon concerns raised by compliance specialists. On January 1, 2022, the GAFEDP issued the [2021 Annual Report](#) to the Texas Legislature.

IMPLEMENTATION OF THE GUARDIANSHIP ABUSE FRAUD AND EXPLOITATION DETERRENCE PROGRAM (GAFEDP)

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

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.

TRAINING AND RESOURCES FOR COURTS AND CLERKS

Only by pro-actively training court personnel and proposed guardians on the fiduciary duties of guardianship, as well as 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.

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

GAFEDP RECENT DEVELOPMENTS:

- The [GAFEDP finalized the 2021 program annual report](#). The report is due to the legislature on January 1, regarding the performance of the program and includes the number of courts involved in the program; the number of guardianships reviewed; the number of reviewed guardianship cases found to be out of compliance with statutory reporting requirement; the number of cases reported to a court concerning potential abuse, fraud, or exploitation, including financial exploitation, committed against a ward; and the status of any technology developed to monitor guardianship cases.
- Our GAFEDP Manger participated in the revision of the 2022 [NACM Guardianship Guide](#). Thanks to Rebecca Doolittle for participating in the development of this nationwide comprehensive guardianship resource.
- Our Team met with researchers contracted to work with the National Institute of Justice (NIJ) to conduct an environmental scan of guardianship and conservatorship abuse and fraud, identify opportunities to advance knowledge through research or data collection, and write reports and a summary overview based on our findings to inform future NIJ and/or Department of Justice (DOJ) on research and data collection.
- The team continued finalizing the GAFEDP financial accounting audit procedures with the goal of implementing in counties soon.

GAFEDP Overall Data Findings	August 31, 2022
Courts and Counties Involved in the GAFEDP and GCP	288/230
Total Number of Guardianship Cases Reviewed GCP/GAFEDP	68,192
Total Number of Cases Recommended for Closure	32,499
Total Number of Active Guardianships Identified	34,284
<i>Percentage of Cases Missing Annual Reports</i>	26%
<i>Percentage of Cases Missing Annual Accountings</i>	43%
<i>Percentage of Cases Missing Inventories</i>	39%
<i>Percentage of Cases Out of Compliance</i>	33%
Total Number of Deceased Wards Identified	6,699

Project Update-Enterprise Planning Office (EPO)

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

PUBLIC SAFETY REPORT SYSTEM – SB6 (HUFFMAN/SMITHEE)

The Second Called Session of the 87th Legislature (2021), enacted [Senate Bill 6](#) which requires the Office of Court Administration (OCA) to develop a statewide Public Safety Report System and requires magistrates who set bail for defendants charged with a Class B misdemeanor or higher category offense to consider a public safety report generated by the Public Safety Report System. The PSRS went live on April 1, 2022, and generates a public safety report with respect to a defendant for magistrates to consider before setting bail for defendants charged with a Class B misdemeanor or higher category offense, 2) provides the bail form that must be completed by magistrates, judges, sheriffs, peace officers and jailers who set bail under Chapter 17, Code of Criminal Procedure, for a defendant charged with a Class B misdemeanor or higher category offense, and 3) provides a system/process for the bail form to be submitted to OCA.

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 Project kicked off on September 1, 2021. The project team is currently working requirements gathering and system testing with the selected vendors for the early adopters in Crane and Brewster counties.

COURT REMINDER PROGRAM- HB 4293

House Bill 4293, of the 87th Legislative session directs OCA to develop and make available to each county at no cost a Court Reminder Program, that allows county statewide to send text messages to notify defendants of a scheduled court appearance. Therefore, OCA will procure a vendor that provides a scalable, Commercial-off the Shelf (COTS) system for use statewide. Our team has been working on enveloping project requirements, scope, and budget for the statement of work.

Enterprise Planning Office Duties

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

CASE LEVEL DATA PROJECT-OCA PROJECT

The Judiciary, the Legislature, state agencies, and other entities have a need to access consolidated statewide case level data to augment their policy decisions, adjust to criminal and civil trends in courts and provide comprehensive statewide reporting. Court case level data is currently stored within jurisdictions and not consolidated at a statewide level. The project will create a centralized judicial data warehouse that will allow both judicial staff and the public to access statewide case level information for statistical reporting and analysis. High level summary level data is currently report to the OCA, but it does not provide the level of detail to effectively support government policy decisions. This project would provide consolidated rich data at a detail level that will allow for business intelligence and analysis to meet the growing need for detailed analysis and reporting.

The product delivered by the project will be named the Case Level Data System (CLDS).

(TAMES) APPELLATE CASE MANAGEMENT SYSTEM MODERNIZATION PROJECT

This internal project will upgrade and replace the TAMES system. Tames is the modernization of the Appeals Courts case management system. It will be migrated from a locally managed system to a cloud-based SaaS system.

SCOTX ADMINISTRATIVE RULES WEBPAGE

This internal project assists the SCOTX with developing a webpage for housing administrative rules from the courts by county. The project team is developing requirements and working on system configuration.

OCA WEBSITE REPLACEMENT PROJECT

This internal project will replace and upgrade OCA's current website. In the process of developing the scope, schedule, budget, and funding for this project.

COURT CASE BACKLOG SUMMIT PROJECT

This internal project will develop and 2-day backlog summit with courts, clerks, and interested stakeholders, scheduled for September 14-15 at the Texas Association of Counties (TAC).



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. Sixteen TIDC staff operate under the direction and supervision of a governing board.

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*

Commission Members

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

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

Hon. John Whitmire, Houston, State Senator

Hon. Brandon Creighton, Conroe, State Senator

Hon. Nicole Collier, Fort Worth, State Representative

Hon. Reggie Smith, Sherman, State Representative

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

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

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

Hon. Richard Evans, Bandera, Bandera County Judge

Mr. Gonzalo Rios, Jr., San Angelo, Attorney, Gonzalo P. Rios Jr. Law Office

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

Hon. Valerie Covey, Williamson County, Commissioner Precinct 3

FY 22 Snapshot

TIDC works to fund, oversee, and improve public defense in all 254 Texas counties.

In FY2022, TIDC:

- Awarded \$39.5 million in grants to sustain and improve local public defense systems.
- Visited 32 counties to monitor and improve public defense processes and payments.
- Trained over 2,400 judges, auditors, county officials, and attorneys.
- Prepared ten planning studies for new public defender offices in twenty-five counties.

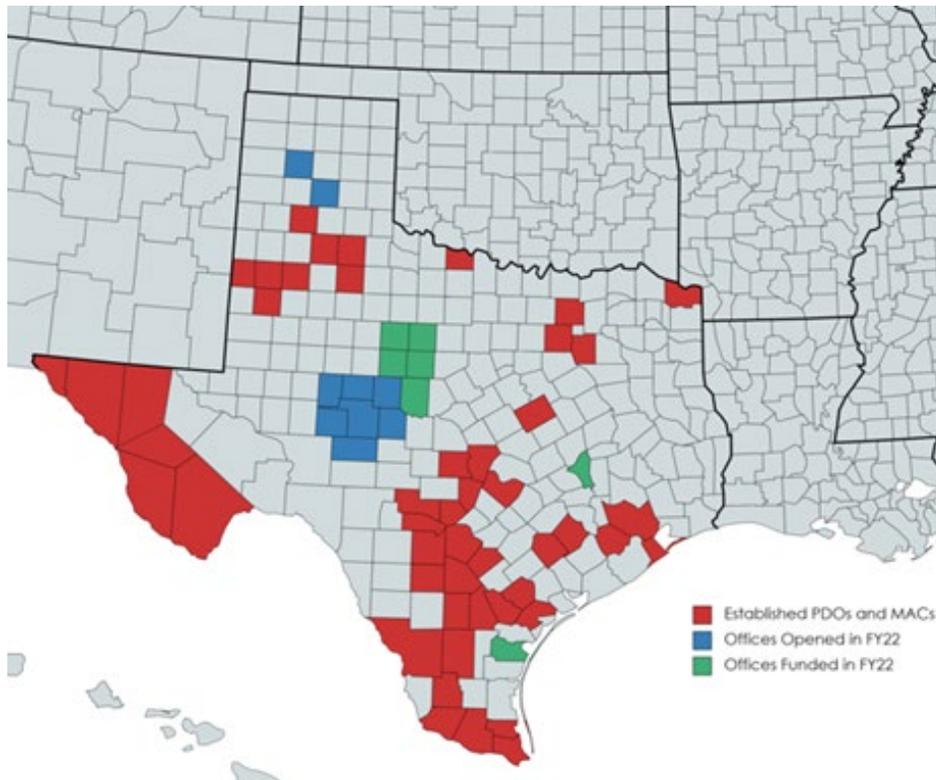
88th Legislative Session

For FY2024-25, TIDC is requesting an additional \$50 million in general revenue to build more rural regional public defender offices.

TIDC has also approved ten legislative proposals for improving indigent defense. These include clarifying magistrates' duties under Article 15.17; allowing for limited-scope appointments for 15.17 hearings; and expanding the scope of MAC duties.

FY 22 Program Highlights

Texas PDOs and MACs FY2022



FUNDING

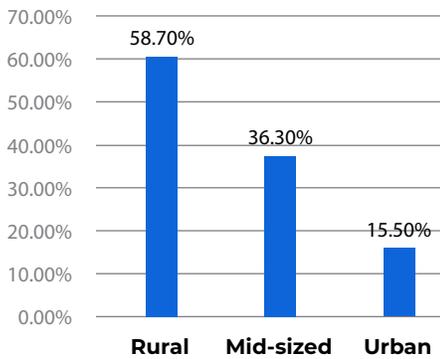
TIDC reimburses a portion of counties' public defense costs and awards competitive grants to improve public defense systems. In FY 21, overall statewide public defense spending was about \$277.5 million, with the state contributing about \$35.6 million, or about 13% of total spending. In FY 22, TIDC awarded \$20.5 million in formula grants to all 254 counties and \$19 million in 33 separate improvement grants.

During FY 22, the American Rescue Plan Act was passed by the federal government, giving states funds to use to address deficiencies caused by the COVID-19 pandemic. TIDC requested over \$80 million and received \$13.9 million to grant out to counties and public defender offices to address case backlogs. Thus far, TIDC has awarded twelve grants totaling \$12.8 million.

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 FY 22, TIDC made 27 in-person site visits for policy monitoring.

UNCOUNSELED MISDEMEANOR DEFENDANTS FY 22



IMPROVEMENT

TIDC provides analysis, training, and technical assistance to improve indigent defense systems. In FY 22, TIDC helped counties plan major projects for FY23, including ten public defender office planning studies, with two resulting in public defender offices in Brazos and Nueces Counties. Along with Texas Criminal Defense Lawyers Association and the Gault Center, TIDC brought best-in-the-nation juvenile defense practices to Texas through the Juvenile Training Immersion Program (JTIP), which is the first time Byrne-JAG funding has been awarded for public defense in Texas. There were a total of eight JTIP trainings in FY 22.

The Future Indigent Defense Leaders (FIDL) Program is a partnership between the Texas Criminal Defense Lawyers Association, the Harris County Public Defender's Office, and TIDC to train the next generation of Texan defenders. Young lawyers are paired with Texas mentors and receive nationally recognized training from Gideon's Promise. The Core 101 Training took place in April and May of 2022.

Operation Lone Star

In March 2021, Governor Abbott declared a disaster in response to the rise in illegal immigration and launched Operation Lone Star (OLS). In August 2021, the Supreme Court of Texas issued an order authorizing TIDC to create a plan for protecting the constitutionally guaranteed right to counsel of indigent OLS defendants. Pursuant to an emergency board meeting, TIDC granted funds to the Lubbock Private Defender's Office (LPDO) to serve as an indigent defense hub, responsible for appointing counsel to indigent OLS defendants. HB9 of the 2nd called session, 87th Texas Legislature allocated \$32,486,125 from the General Revenue fund to the Office of Court Administration (OCA), which subsequently funded TIDC - OLS operations with a biennial budget of \$29,664,625. To date, TIDC has awarded about \$24.4 million in OLS funds to support OLS indigent defense operations through August 2023. 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.

Child Protective Services Data Reporting

During the 86th legislative session, SB560 directed the Texas Judicial Council (TJC) to collect data about court-ordered representation in child protective services (CPS) cases from all 254 Texas counties, and TJC tasked TIDC with that collection. In September 2021, TIDC hired its first Child Protective Services Senior Policy Analyst to implement this statewide system for gathering the data. In preparation for November 1, 2021, county reporting deadlines, TIDC 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 court-ordered representation in CPS cases. TIDC notified each county's Local Administrative District Judge and County Auditor about the new reporting requirements. An in-person and online training was provided for County Auditors before the November 1, 2021 reporting deadline. Data for FY2021 was collected, reviewed, and compiled in a report. The report was submitted to the Texas Judicial Council.

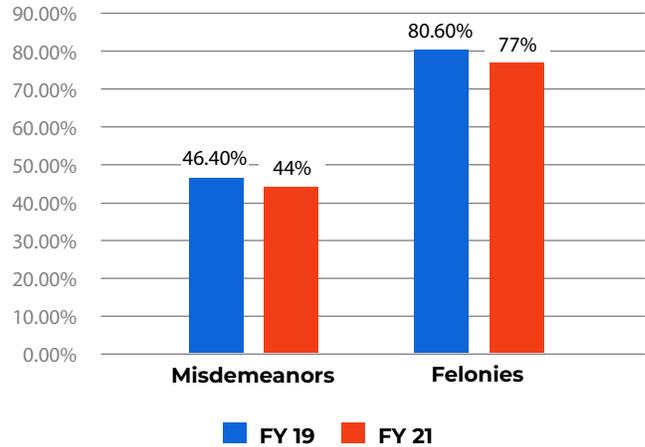
TIDC has also created a model attorney fee voucher to assist counties in capturing data that will be required in the FY2022 report. In preparation for FY2022 expenditure reporting, TIDC conducted a training webinar for County Auditors on April 28, 2022.

Trends

In FY 22, TIDC collected indigent defense data from all 254 counties. In FY21:

- Statewide appointment rates slightly decreased since 2019: 44% in misdemeanors (-2%) and 77% in felonies (-4%).
- Forty percent of defendants were represented by attorneys with caseloads above Texas guidelines.
- Over half of counties reported no use of appointed investigators.

APPOINTMENT RATES FY 19 VS FY 21



TEXAS 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.

End of Year 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 2022.

- The Commission received and reviewed 37 complaints and 38 self-disclosures, has seven active investigations, and issued reports in four 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/>.
- In August 2022, the Commission launched second version of its General Forensic Analyst Licensing Exam referred to as the GFALE II remotely administered to forensic analysts across the state seeking licensure in Texas.
- The Commission accredited 89 forensic laboratories.
- The Commission licensed over 1400 forensic analysts.
- The Commission’s Licensing Advisory Committee established a voluntary licensing program for forensic anthropologists and forensic document examiners and adopted rules for requirements for voluntary licensing programs for friction ridge and digital/multimedia licensure in Texas.
- Staff presented at various conferences and trainings, virtually and in-person, throughout the United States

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*

highlighting current forensic issues, and its crime laboratory accreditation and forensic analyst licensing programs.

- The Commission trained over 400 forensic analysts statewide on human factors and cognitive bias in forensic science at a program taught by cognitive bias expert Itiel Dror in November 2021.
- The Commission hired a part-time Forensic Development Project Manager who will spearhead several forensic development projects extending from the Commission's investigative work and recommendations.
- 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/>.

Commission Members

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

Presiding Officer: Jeffrey Barnard, MD, Chief Medical Examiner, Dallas County and Director of the Southwestern Institute of Forensic Sciences; Professor of Pathology at the University of Texas Southwestern Medical Center

Michael Coble, Ph.D., Associate Professor and Executive Director of the Center for Human Identification, University of North Texas Health Science Center

Mark Daniel, Esq., Criminal Defense Attorney, Daniel, Moore, Evans, Biggs, Decker & Smid

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

Jasmine Drake, Ph.D., Acting Chair, Assistant Professor and Graduate Program Director of the Forensic Science Learning Laboratory at the Barbara Jordan-Mickey Leland School of Public Affairs, Texas Southern University.

Sarah Kerrigan, Ph.D., Professor, Forensic Science Department, Sam Houston State University

Hon. Jarvis Parsons, Elected District Attorney, Brazos County

Patrick Buzzini, Ph.D., 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

Angelica Cogliano, Defense Attorney, The Law Office of E.G. Morris

*Main Goal:
Improve the
integrity and
reliability of
forensic
science in
Texas courts.*

THE STATE LAW LIBRARY

STATE LAW LIBRARY ORGANIZATION:

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

The State Law Library (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. The State Law Library’s mission is to provide legal information and research materials to state agencies and the residents of Texas. We prioritize assistance to the Supreme Court, Court of Criminal Appeals, and the Office of the Attorney General.

The SLL’s primary responsibility is to make legal information accessible to all researchers. Since 2014, the Library has focused on improving statewide access to justice and legal information by making legal resources available to Texans throughout the state via our website.

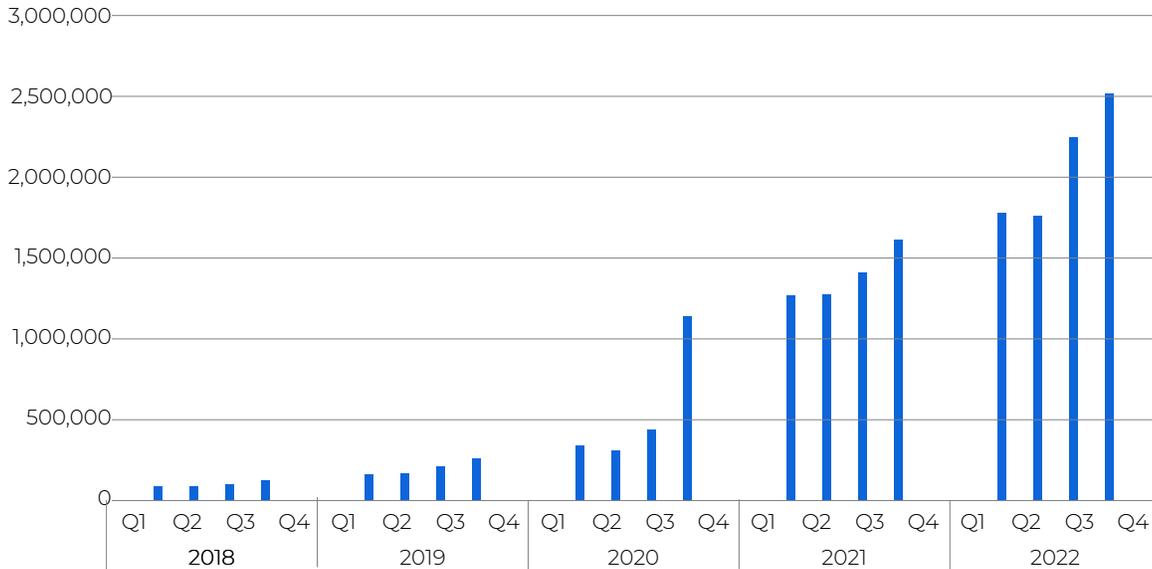
One of the most popular services we provide on our website is a growing collection of subject-specific research guides called LibGuides that help patrons easily locate online resources on a specific topic. As of October 2022, librarians have created 67 custom LibGuides that compile information on commonly asked-about subjects such as landlord/tenant law, homeowners’ associations, family law issues, debt collection, and more. These guides provide direct links to digital resources and e-books on the selected topics, saving researchers time and frustration.

Because many patrons are looking for basic information but don’t know how to get started, the LibGuides feature has proven to be wildly successful due to the simplicity with which they present relevant, current, and helpful information. Our librarians have also developed a collection of answers to Legal Frequently Asked Questions that help people with straightforward and common questions find the information they need quickly. Links to these LibGuides and FAQs frequently show up in Google searches, making them a handy gateway to authoritative information for the general public.

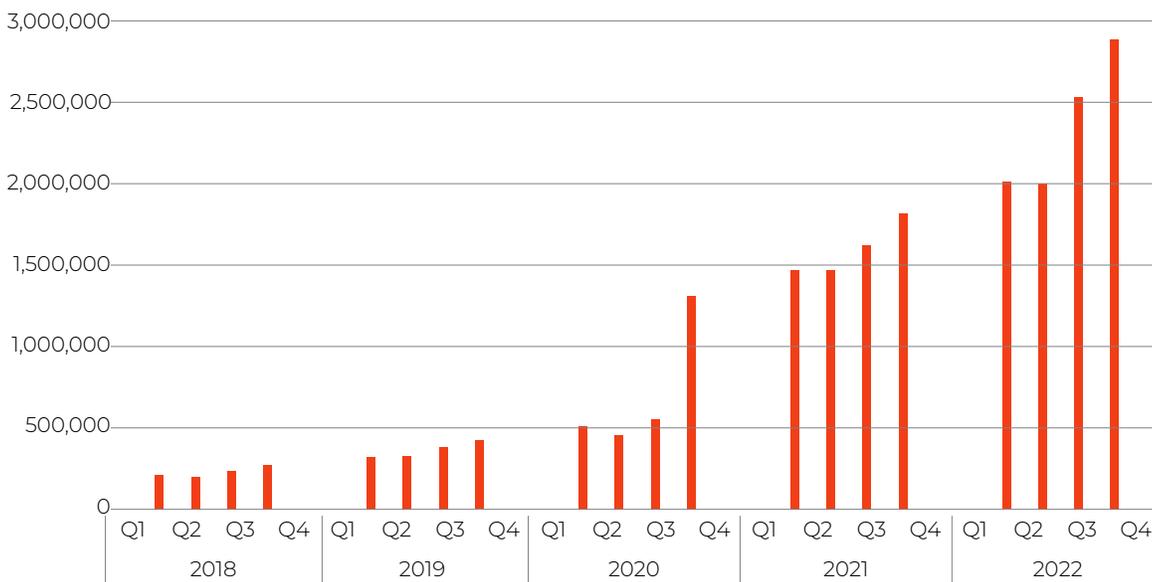
For more in-depth research, our website offers thousands of e-books and databases ranging from self-help information to detailed practice information for professionals, guides to legal topics, lists of resources for more help, and more. Public response to the library’s digital offerings has been enthusiastic and widespread. Since the program’s inception, over 33,000 patrons have registered to use the service, representing over 1,200 cities and 244 out of 254 counties across Texas.

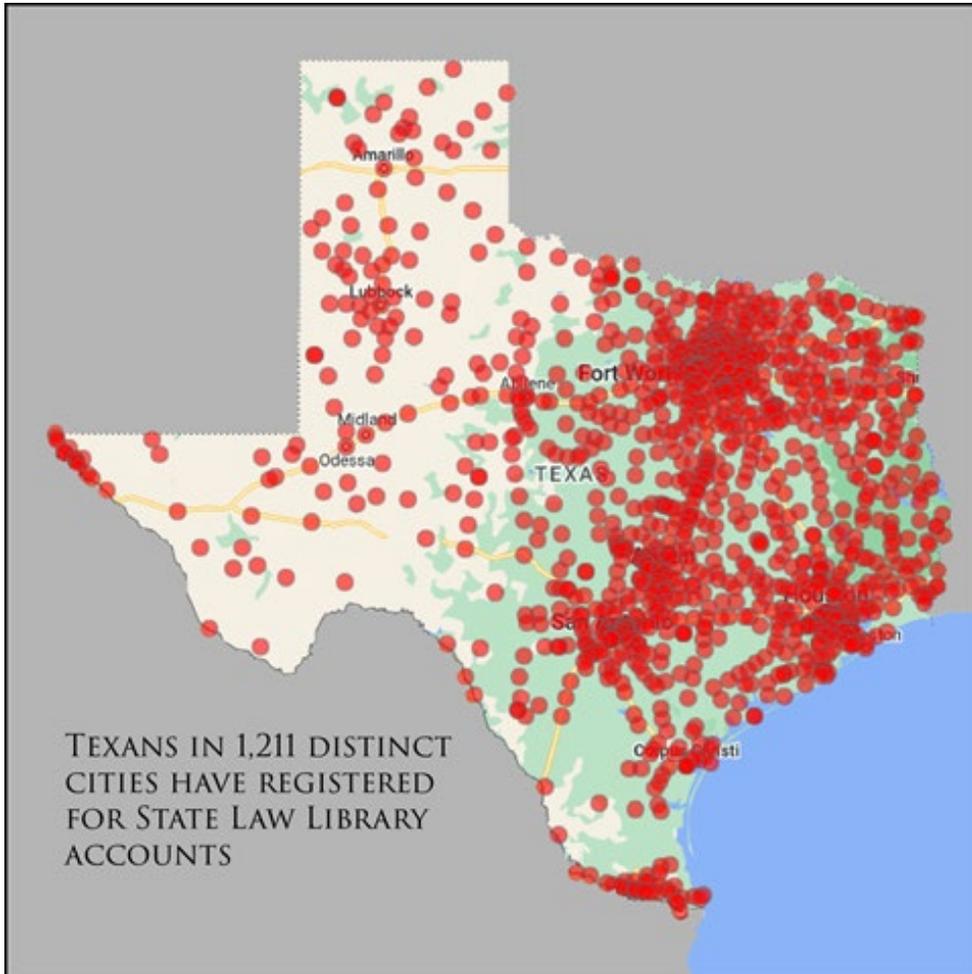


LIBGUIDE VIEWS



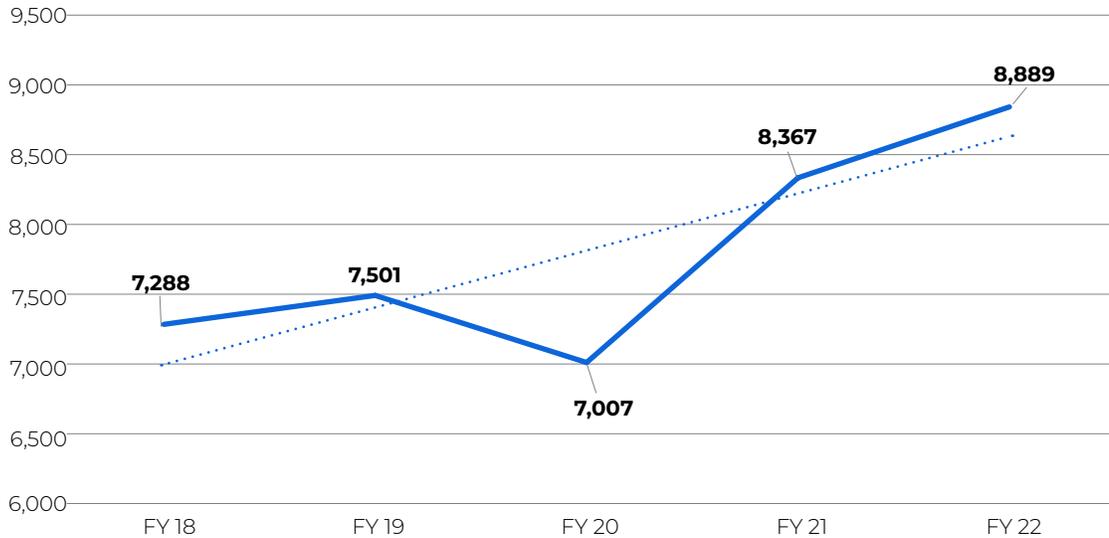
STATE LAW LIBRARY QUARTERLY WEBSITE PAGEVIEWS





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. As the Library has resumed service at pre-pandemic levels, the demand for information continues to grow steadily. 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.

QUESTIONS ANSWERED PER FISCAL YEAR



A crucial component to patrons' success at using these databases is the assistance of our librarian staff. Our professional librarians are available to help patrons navigate our online resources as well as our print books. They provide expertly researched responses to patrons' questions about the law in person or via phone, email, or mail. In addition, library staff have made several presentations about legal research and our remote services to legal groups, court staff, and public librarians throughout the state, with a session for public librarians at the annual Texas Library Association Conference planned for April.

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/>.

FY 22 Highlights

- 7,297 new patrons registered in FY 22, up 17% from FY21
- 8,889 questions answered by reference staff, up 6.25% from FY21

Resources available for researchers

Historical materials:

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

Treatises, practice guides, and more:

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

OFFICE OF STATE PROSECUTING ATTORNEY

The Office of the State Prosecuting Attorney represents the State of Texas in all proceedings before the Texas Court of Criminal Appeals, independently or with an elected prosecutor's assistance. The Office may represent the State in criminal cases before the fourteen appeals courts 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 significant 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 is presented. The Office works closely with local district and county attorneys and special prosecutors across the State to identify emerging issues and develop strategies to 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.

FY 22 Highlights

- Filed 12 petitions for discretionary review, 20 briefs, including amicus briefs, and 6 motions for rehearing.
- Reviewed approximately 300 opinions from the U.S. Supreme Court, the Court of Criminal Appeals, and Texas' fourteen intermediate appeals courts.
- Consulted and advised hundreds of prosecutors, defense attorneys, and the public.
- Assisted with drafting and editing petitions and briefs.
- Authored papers and presented at several continuing legal education conferences.
- Served on the State Bar of Texas Criminal Justice Section and Criminal Committee for Pattern Jury Charges.

The Office looks forward to celebrating 100 years of service to Texas in 2023.

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

STATE COMMISSION ON JUDICIAL CONDUCT

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: Executive Director, General Counsel, Chief Investigator, four staff attorneys, four investigators, a staff services officer, and two administrative assistants.

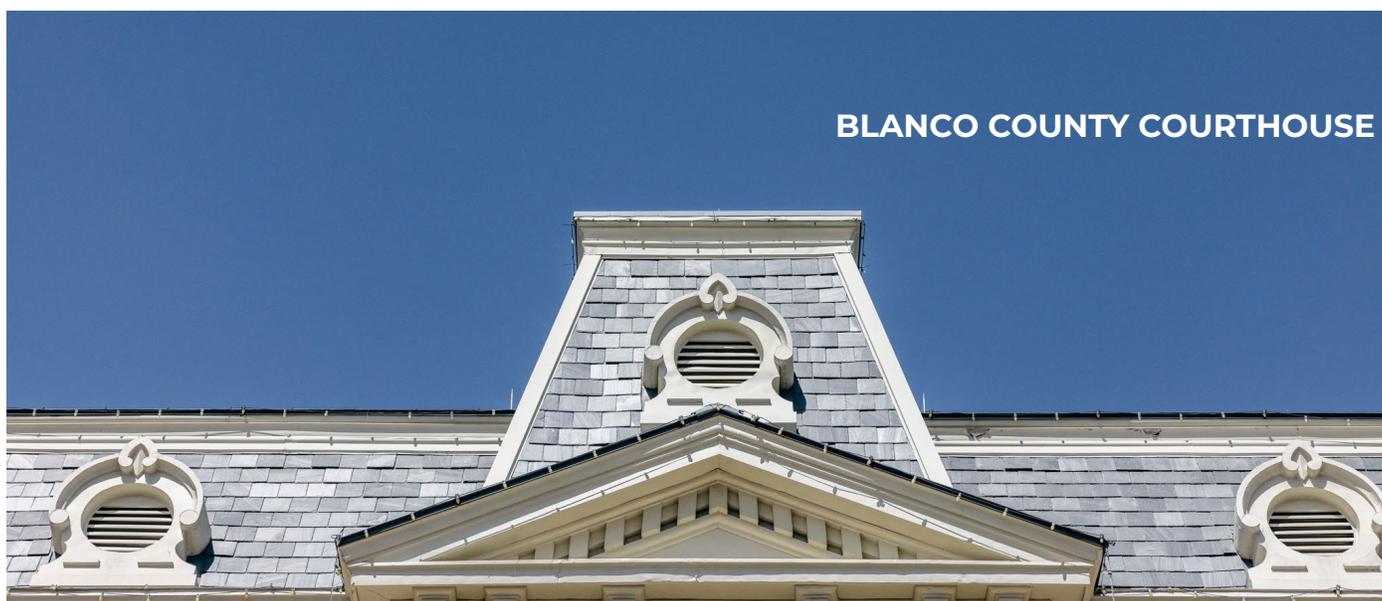
The Commission's jurisdiction includes all sitting Texas judges, including municipal judges, justices of the peace, criminal magistrates, county judges, county courts-at-law judges, statutory probate judges, district judges, appellate justices, masters, associate judges, referees, retired and former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

Disciplinary Actions

In FY 22, according to OCA records, 3,755 judges were under the jurisdiction of the Commission.

During FY 22, the SCJC:

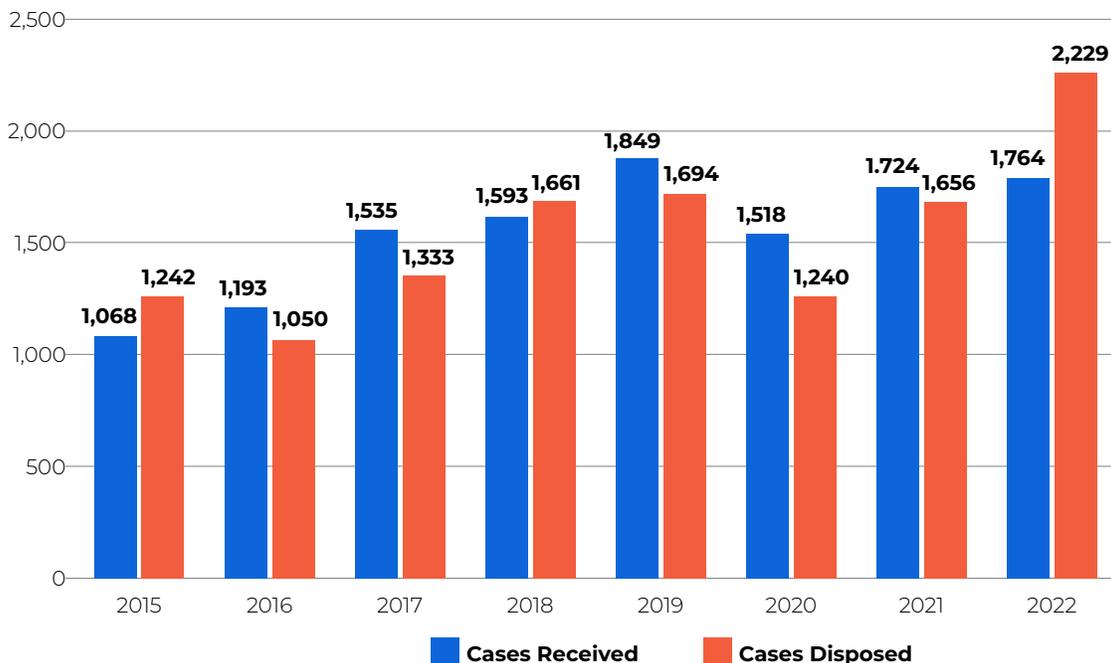
- Received 1,764 cases and disposed of 2,229 cases.
- Resolved 84 cases through public sanction, private sanction, orders of additional education, a combination of a sanction with an order of additional education, special court of review order, or resignation in lieu of discipline agreement.
- Dismissed 2,151 cases as follows: 1,215 were determined to not contain any allegations which, if true, would violate the Texas Code of Judicial Conduct. 936 cases were dismissed after investigation which included 78 cases that were dismissed with letters of caution, 5 cases that was dismissed based on the judges' corrective action, and 6 cases that were dismissed as moot.
- Resolved 707 cases after a preliminary investigation and 283 after a full investigation (requiring a response from the judge).



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

STATE COMMISSION ON JUDICIAL CONDUCT — CASES RECEIVED AND DISPOSED
FY 2015 - FY 22



OFFICE OF CAPITAL AND FORENSIC WRITS

Capital & Forensic Writs Essential Duties

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

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



OCFW does this through two programs:

- Capital Post-conviction representation.
 - OCFW represents death-sentenced Texans in mandated proceedings that determine the constitutionality of convictions and death sentences.
 - OCFW safeguards the constitutionality of death penalty convictions and sentences, and the Texas criminal justice system, by investigating and litigating all possible constitutional claims in post-conviction litigation in Texas courts, ensuring that these fundamental claims are fully aired, and Texas courts can consider them efficiently and fairly.
- Forensic Science post-conviction representation.
 - OCFW represents incarcerated Texans in cases where questionable forensic science contributed to their conviction.
 - The Texas Forensic Science Commission refers OCFW these cases following an investigation into professional negligence or misconduct of forensic analysts or unsupported forensic scientific analysis or testimony.

OCFW Governance

While Court of Criminal Appeals appoints the Executive Director of OCFW, prior to the last Legislature, OCFW did not otherwise have an oversight board. Senate Bill 280 (87th R.S.) changed that. It established an oversight board for OCFW to ensure continued institutional success, independence, and good governance in alignment with Texas and national public defender standards. The role of the Oversight Board is to provide oversight and strategic guidance to OCFW, including recommending a candidate for appointment as agency head to the Court of Criminal Appeals when a vacancy exists, setting office policy, and developing a budget proposal. The Oversight Board has five members: three appointed by the Executive Director of the Texas Indigent Defense Commission; two appointed by the State Bar of Texas.

Oversight Board Members

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

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

Alma Lagarda, Esq., Secretary, Capital Defense Attorney (El Paso, TX)

Hon. Terry Shamsie, Esq., Criminal Defense Attorney (Corpus Christi, TX)

Phillip Yates, Esq., Attorney at Law (Houston, TX)

Small Judicial Agency, Big Impact

- With a staff of 12 attorneys, seven mitigation specialists, a director and two accountants, OCFW represents approximately 70% of death-sentenced individuals in capital post-conviction proceedings.
- 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.
- OCFW practices statewide, focusing narrowly on constitutional issues, forensic science, and wrongful convictions. OCFW's caseload comes from counties big and small across the State of Texas.

Essential and Economical Services

- As a public defender, OCFW provides the State great benefits, including economies of scale, skilled and specialized experience, and supervised, high-quality work.
- The Code of Criminal Procedure 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 salaried staff are funded by the Texas Legislature.

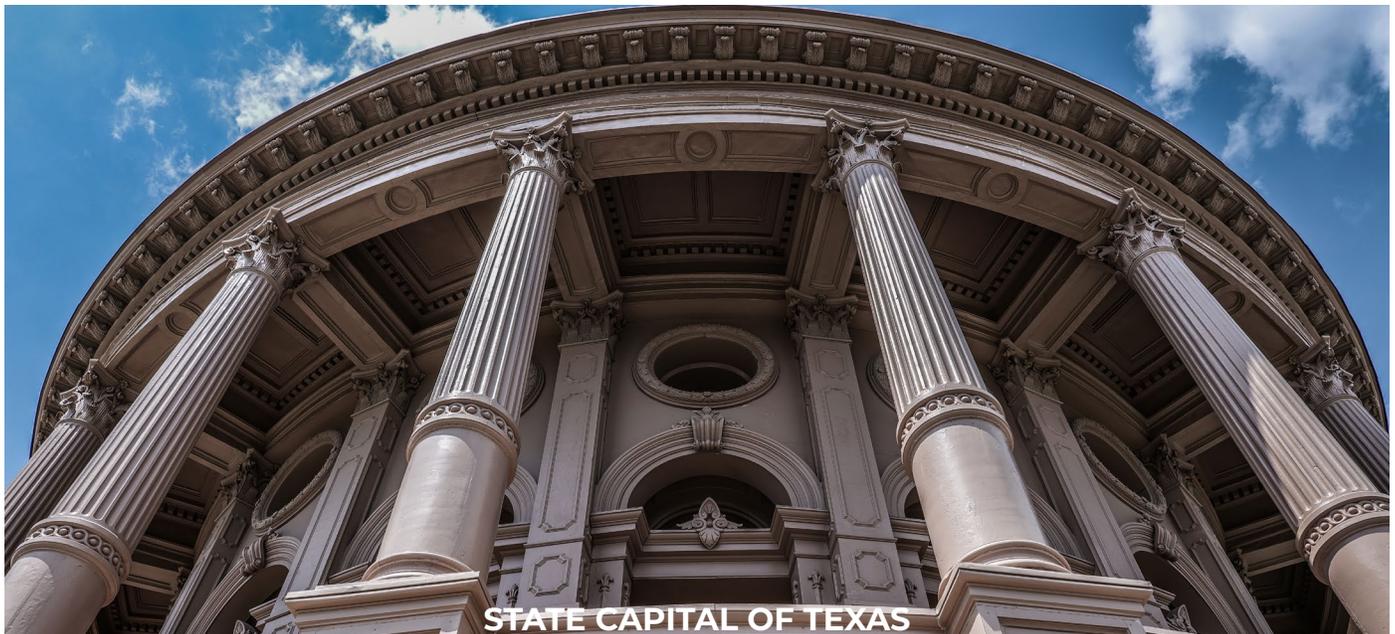
- When OCFW is unable to represent a particular client, trial courts must appoint private counsel, who are paid hourly by the county of conviction.

Confronting the Covid-19 Backlog

- Confronting the Effects of the Pandemic. 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. While TDCJ has reopened legal visitation, it remains very limited.
- Making up for lost investigation and litigation time. OCFW mitigation specialists routinely spend 50% of their work week away from home interviewing witnesses across Texas. And, to make up for limited mitigation specialist staffing, attorneys have been spending substantial amounts of time conducting necessary investigation
- COVID-19 relief funds. The Texas Legislature appropriated federal funds to enable OCFW to hire an additional mitigation specialist to help it confront its post-pandemic case backlog.
- OCFW Expects the Effects of the Pandemic to Persist. With the COVID-19 pandemic, all trials ground to a halt, leading to large case backlogs. Texas district courts, however, have been working hard to reduce their backlogs. OCFW anticipates the number of capital trials and potential death sentences—and potential new cases—to increase over the next two years.

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 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.





LLANO COUNTY COURTHOUSE

ANNUAL REPORT OF THE JUDICIAL SUPPORT AGENCIES, BOARDS AND COMMISSIONS

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