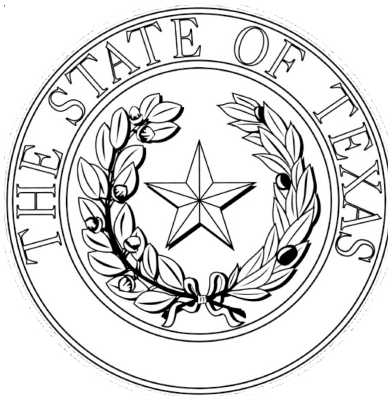


**ANNUAL REPORTS
OF THE
JUDICIAL SUPPORT AGENCIES,
BOARDS, AND COMMISSIONS**



FISCAL YEAR 2006

Table of Contents

Introduction to the Judicial Support Agencies, Boards, and Committees	1
Office of Court Administration	1
Texas Judicial Council	5
Task Force on Indigent Defense	7
Judicial Committee on Information Technology	10
Court Reporters Certification Board	11
Process Service Review Board	12
Guardianship Certification Board	13

Introduction to the Judicial Support Agencies, Boards, and Committees

The **Office of Court Administration** provides information and research, technology services, budgetary and legal support, and other administrative assistance to a variety of judicial branch entities and courts, under the supervision of the Chief Justice of the Supreme Court of Texas and an Administrative Director reporting to the Chief Justice.

The **Texas Judicial Council** is the primary policy-making body responsible for studying and recommending changes to improve the administration of justice.

The **Task Force on Indigent Defense** is a standing committee of the Texas Judicial Council that oversees the distribution of funds to counties to provide indigent defense services, and promulgates policies and standards for services to indigent defendants.

The **Judicial Committee on Information Technology** establishes standards and guidelines for the systematic implementation and integration of information technology into the state's trial and appellate courts.

The **Court Reporters Certification Board** performs licensing and regulatory functions for the court reporting profession.

The **Process Service Review Board** performs regulatory functions for persons authorized to serve process.

The **Guardianship Certification Board** performs regulatory functions for individuals (other than attorneys and corporate sureties) who act as private professional guardians, individuals (other than volunteers) who provide guardianship services to wards of guardianship programs, and individuals who provide guardianship services to wards of the Department of Aging and Disability Services.



Office of Court Administration

2006 Activities of OCA by Division

Executive Operations - The OCA is led by an Administrative Director, Mr. Carl Reynolds, who also is the Executive Director of the Texas Judicial Council, and is supported by an Executive Assistant. The Director provides leadership and strategic direction, represents the agency to the Legislature and interest groups, and is responsible for the agency's performance.

In FY 2006, the Director embarked upon a range of activities designed to improve outcomes for children who have been abused or neglected, beginning in September 2005, when Texas judicial and executive branch leaders attended the National Summit on the Protection of Children. The Director was appointed to the Children and Families Committee of the Conference of State Court Administrators, and in Texas has established close collaborative relationships with the Court Improvement Project, the Supreme Court Task Force on Foster Care, the Department of Family and Protective Services, the State Bar of Texas Committee on Child Abuse and Neglect, and the Partnership for Family Recovery under the Department of State Health Services. The Director also assisted the Supreme Court of Texas in establishing and staffing the Task Force on Child Protection Case Management and Reporting, which has secured significant federal grant funding to improve case tracking, data sharing, and court performance in child abuse and neglect cases.

The Director was also closely involved in the FY 2006 implementation of the Guardianship Certification Board, and the mandatory Collection Improvement Program (discussed below). The Director's Assistant continued her primary responsibility for service to the Process Service Review Board.

Research and Court Services Division - During FY 2006, the division's activities included the development or continuation of programs and projects designed to increase the collection of fines, fees, and court costs; to improve the administrative operation of the courts; and to improve reporting accuracy and compliance. Highlights of these programs and projects are noted below.

Collection Improvement Project. OCA's Collection Improvement Program is a set of principles and processes for managing cases when defendants are not prepared to pay all court costs, fees, and fines at the point of assessment and when time to pay is requested. In 2005, the Texas Legislature enacted Senate Bill 1863 (Code of Criminal Procedure, article 103.0033), which requires cities with a population of 100,000 or more, and counties with a population of 50,000 or more, to implement collection improvement programs based on OCA's model Court Collection Improvement Program. A total of 78 counties and cities are affected over the 2006-07 biennium, with 38 counties and cities required to implement programs by April 1, 2006, and the remaining number by April 1, 2007.

In FY 2006, OCA engaged in numerous activities to implement the program, including hiring and training five new collection staff to assist with the implementation; dividing the state into six regions and assigning a regional collection specialist to each region to assist the affected counties and cities; holding a meeting for all county and city officials and staff and community supervision department directors and staff in each of the six regions to discuss S.B. 1863 and its requirements; visiting the local officials and staff in each of the 38 counties and cities required to implement a program by April 1, 2006, and assisting or offering assistance with local collection improvement program efforts; developing, in cooperation with the Comptroller of Public Accounts, a methodology for determining the pre-program and post-program collection rates and the compliance audit requirements for the Collection Improvement Program; and developing the database requirements for an Internet-based collections database system that is being developed by Texas A & M University.

As a result, the Collection Improvement Program was implemented in 32 of the 38 counties and cities required to implement programs. Of the remaining six counties and cities, four are expected to implement programs by January 31, 2007. In addition, two voluntary programs were implemented, in the city of Killeen and in Hill County. Preliminary indications are that the state has received \$7.1 million in additional funding attributable to the program.

Judicial Data Workgroup. Acting on a mandate of the 79th Texas Legislature (under OCA Rider 8, S.B. 1, 2005) and a request of the Texas Judicial Council Committee on Judicial Data Management, the division continued working with judges and clerks on an extensive review of the data elements currently used by trial courts in reporting court activity in criminal, civil (including family law) and juvenile cases. This review was inaugurated in 2004. In time, all levels of trial courts will be brought into the process. Because the number of data elements is so extensive, OCA decided to create a workgroup for each level of trial court (i.e., district, county, justice, and municipal), and to divide the workgroup for the district courts into three sub-workgroups (i.e., criminal, civil, and juvenile). During FY 2006, the review of the data elements for civil and family law cases in the district courts was completed and proposals for change were developed. After an opportunity for input from other interested individuals and entities, the recommendations of the three district court sub-workgroups will be forwarded to the Committee on Judicial Data Management and the Judicial Council for consideration and possible adoption.

Trial Court Security Survey. Division staff assisted the Texas Judicial Council Committee on Court Security by conducting a survey of the trial courts on security incidents, security measures that were currently in place, and security concerns of the judges. This survey is discussed further in the report for the Texas Judicial Council.

Trial Court Judicial Data Management System. Implemented in FY 2004, OCA's Trial Court Judicial Data Management System allows for electronic submission of monthly activity reports from the trial courts. During FY 2006, OCA continued to promote electronic reporting and to assist courts with the electronic submission of their case activity data. As a result of this effort, 65 percent of reporting entities in Texas were submitting their activity electronically by the end of the fiscal year, compared to 49 percent at the end of the previous fiscal year.

The **Information Services Division** provides the Supreme Court, the Court of Criminal Appeals, the 14 courts of appeals, and state judicial agencies with information technologies, network infrastructure, commodity and custom application software, and technical and training assistance. To support the agency's many forms of assistance to all levels of the judiciary, the division provides services for internal use within the Office of Court Administration. The division also develops, implements, and promotes automated systems to facilitate improved court efficiencies and to advance the establishment of technology standards throughout Texas courts. Additionally, the division provides staff support for the Judicial Committee on Information Technology.

During FY 2006, along with its routine service duties, the Information Services Division:

- replaced obsolescing file-server computers, printers for appellate courts, and computers for appellate courts, State Law Library, State Prosecuting Attorney, and OCA;
- implemented memoranda of understanding with trial courts to provide funding for OCA-verified commercial collection software in return for electronic reporting to OCA; and
- outsourced the development of a software application for monitoring compliance with the collection program.

The **Indigent Defense Division** supports the Task Force on Indigent Defense by administering the distribution of funds to counties for indigent defense services; developing policies and standards for legal representation and other defense services for indigent defendants; promoting local compliance with the core requirements of the Fair Defense Act through evidence-based practices; providing technical support to counties with respect to indigent defense; and establishing a statewide county reporting plan for indigent defense information. Accomplishments for FY 2006 are discussed in the report for the Task Force.

The **Legal Division** maintained its traditional role of providing legal support for numerous entities within the judiciary and overseeing the administration of the specialty courts programs on behalf of the presiding judges of the nine administrative judicial regions. In addition, it provided in-depth support for OCA's newest function, regulating professional guardians. Specific activities are noted as follows:

Legal Research, Publications and Training. The division updated several publications and tools that assist the judiciary, bar, and public, including the model felony judgment form, the district clerk procedure manual, the county clerk procedure manual, the presiding judges reference manual, the statutory county court subject matter jurisdiction table, and the model jury summons and questionnaire (see www.courts.state.tx.us/oca/pubsnforms.asp). The division also provided technical assistance to the Supreme Court for publishing the Texas Rules of Civil Procedure and Texas Rules of Appellate Procedure online. Legal staff assisted with other judicial branch efforts such as rules revisions for the Court Reporters Certification Board, implementation of the Collections Improvement Program, and records production for the Process Service Review Board. A division attorney made many presentations throughout the year to judicial stakeholders such as judges and clerks on issues including the handling of municipal court records, the institution of civil cases in district court, district clerk reporting requirements, juror pay, municipal court orders, interpreters during the magistration process, and an overview of the court system.

Specialty Courts Program. The specialty courts program includes the child protection courts and the child support courts programs. The specialty courts program director initiated an advisory group for the child protection courts to enable the staff to set priorities and make business decisions for the courts' case management system and to make decisions for the program; she also facilitated the acquisition of, delivery of, and user training for new computer hardware and software for the child protection courts. Legal division staff began working with the Supreme Court Task Force on Child Protection Case Management and Reporting to integrate the knowledge gained from administration of the agency's child protection courts program with the work of that task force. The specialty courts program director also held a training conference in Austin for the child support courts. Throughout the year division staff supported the efforts of the presiding judges of the administrative judicial regions in administering the specialty courts program.

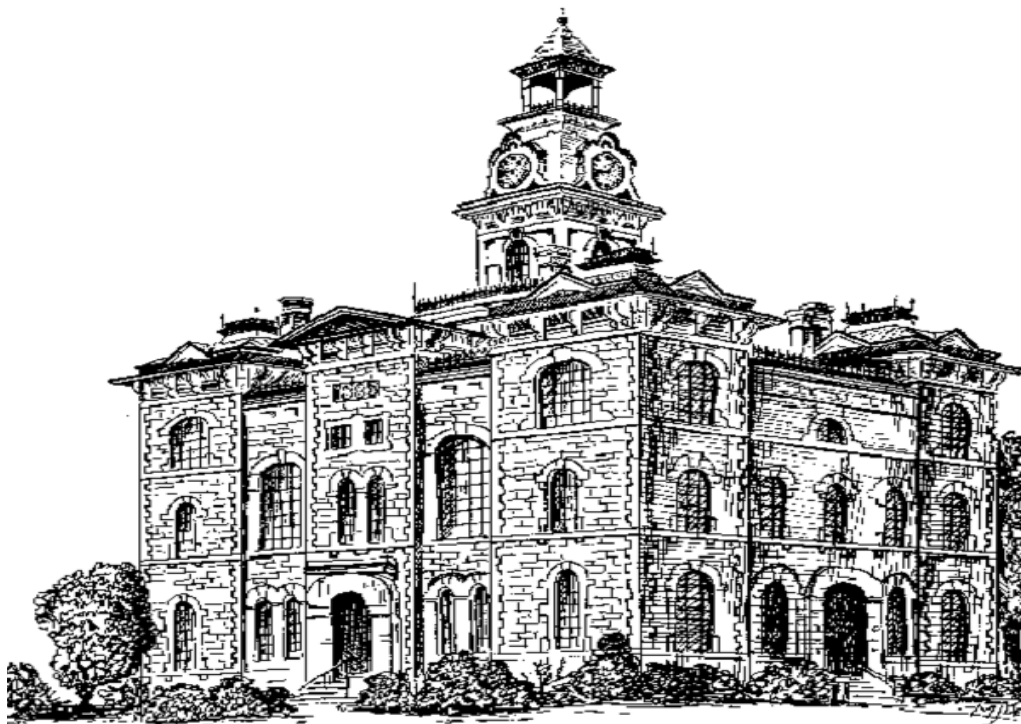
Guardianship. Legal staff provided technical assistance in initiating the activities of the new Guardianship Certification Board, including drafting rules, policies, and standards, facilitating meetings of the board and committees, and assisting with employment of the first program director.

The **Finance and Operations Division** manages the fiscal and operational support activities of OCA, including purchasing, accounting, payroll, budgeting, financial reporting, human resources, property inventory, and facilities management. Division staff consult with OCA program managers on a variety of financial and contractual issues, and answer questions from the Legislature, the public, and other interested parties on judicial funding and state appropriations to the courts and judicial agencies. The division coordinates preparation of the agency's strategic plan, legislative appropriations request, and quarterly performance measures. Finance and Operations staff work with the clerks of the appellate courts on issues related to accounting, purchasing, financial reporting, and human resources. In addition, the division provides support to the appellate courts and the Presiding Judges of the administrative judicial regions regarding legislative and budgetary issues.

In FY 2006, the human resources function was transferred from the Legal Division to the Finance and Operations Division. The agency's administrative support functions were pooled under the supervision of the Human Resources Manager to provide expanded assistance to agency directors and staff who do not have direct administrative support in their division.

The division also completed testing of an automated requisition system that will allow OCA staff to request the purchase of goods and services on-line with electronic approvals, eliminating the need to manually move paper documents across the agency. The system went live at the end of August 2006.

The **Court Reporters Certification Division** serves as staff to the Court Reporters Certification Board (CRCB), the governing body that oversees the licensing and regulation of the court reporting profession in Texas. Primary responsibilities include administration of the court reporters exam, certification of court reporters, registration of court reporting firms, and the conduct of disciplinary hearings on complaints filed against court reporters and court reporting firms. Accomplishments for FY 2006 are discussed under the report for the CRCB.



Shackelford County Courthouse



Texas Judicial Council

In FY 2006, the Council held two public hearings in Austin: one on December 7, 2005 and the other on May 30, 2006. While the Council's activities focused on coordinating policy goals for the next legislative session, the Council continued efforts to improve the administration of justice through the work of its various committees.

Committee on Court Security. In July 2005, the Council formed the Committee on Court Security to examine, analyze and make recommendations to the Council regarding court security and safety in Texas state courts.

The Committee had two meetings in FY 2006, one on October 26, 2005 and the other on August 25, 2006. At those meetings, the Committee discussed and heard presentations on various court security issues, including security incidents that have occurred in the courts in Texas and other states, the use of court security measures, and court security and safety issues experienced by attorneys and staff employed by the Office of the Attorney General Child Support Division and associate judges who handle child support cases.

In addition, the Committee, with the assistance of the Office of Court Administration, conducted a survey of the trial courts to obtain information on the security incidents that occurred in courtrooms, chambers, and judge staff offices during the period September 1, 2004 through August 31, 2005, security measures that were currently in place, and security concerns of the judges. Questionnaires were sent to district court judges, county-level judges (both constitutional and statutory county court judges), justices of the peace, child protection associate judges, child support associate judges, and municipal court judges. The results of the survey were reviewed by the Committee at its August 2006 meeting.

At the August 2006 meeting, the Committee agreed to recommend that the Judicial Council adopt a resolution to support state funding for a court security specialist to be employed by the Office of Court Administration and legislation that would: explicitly authorize the expenditure of courthouse security fund moneys on security personnel, services and items related to buildings housing associate judges; require reporting of court security incidents to the Office of Court Administration; authorize the state auditor to audit courthouse security funds; and make judges' personal information confidential and not subject to disclosure by governmental bodies.

Committee on Statutory County Courts. In January 2005, the Council formed the Committee on Statutory County Courts to examine, study and make recommendations regarding the jurisdiction of statutory county courts.

The Committee met twice in FY 2006. At its December 7, 2005 meeting, the Committee discussed the inconsistent statutory language used to describe the jurisdiction of the statutory county courts. The Committee also heard testimony regarding the compensation of statutory county court judges, which ranges from \$78,000 to \$131,000. At its March 24, 2006 meeting, the Committee reviewed the results of a survey conducted by the Texas Association of County Court at Law Judges. The survey analyzed: 1) the number of county court at law judges that were affected by the district judge pay raise that took effect in December 2005; 2) the possibility of converting existing county courts at law into district courts; and 3) the responses from county commissioners in those counties. The Committee recommended to the Judicial Council that the standardization of the jurisdiction of future statutory county courts be made a legislative priority. The Committee reported to the Council that it would continue to explore recommendations regarding compensation, draft model language regarding the jurisdiction of statutory county courts, draft language to address compensation discrepancies, and assemble information regarding the amount of family law cases currently heard by statutory county courts.

Committee on Judicial Compensation. In December 2005, the Council created the Committee on Judicial Compensation to examine, study, and make recommendations to the Council regarding adequate and fair compensation for Texas' judicial officers.

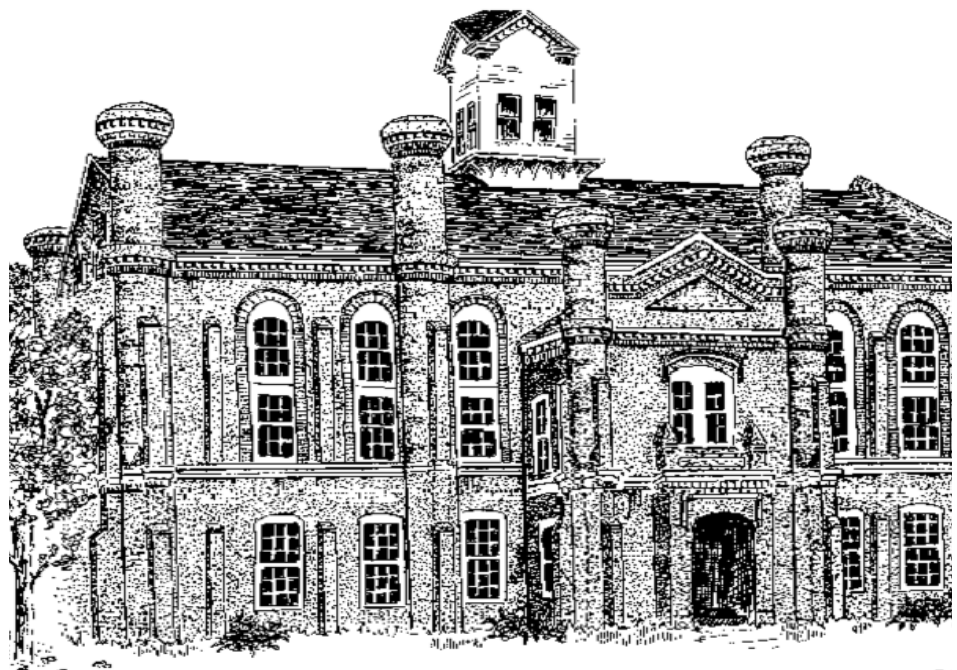
The Committee met on January 10, 2006 and April 5, 2006. The Committee discussed the possibility of establishing a judicial compensation commission and the reasons the creation of such a commission was opposed in the past. They also discussed issues regarding judicial retirement and longevity pay. The Committee recommended to the Judicial Council that the following be considered for possible legislation for the 80th legislative session: 1) compensation parity among the statutory county courts; 2) 90 percent retirement benefit to judges with thirty years of credited service in the Judicial Retirement System; 3) judicial longevity pay for judges in the Judicial Retirement System; and 4) establishment of a judicial compensation advisory commission. The Committee also recommended that base judicial salaries be included in the General Appropriations Act rather than in the Government Code.

Committee on Juvenile Justice. In August 2004, the Council created the Committee on Juvenile Justice to examine and make recommendations regarding the admissibility and verification of video magistrations made pursuant to Title 3 of the Texas Family Code. The Committee was also asked to study and make recommendations about juvenile justice as it relates to the public school system including failure to attend school and violations of standards of student conduct.

After examining and making recommendations regarding the admissibility and verification of video magistrations that became part of House Bill 1575, the omnibus juvenile bill, passed by the legislature during the 79th Regular Session, the Committee turned its attention to juvenile justice issues that arise in the public school system. The Committee met twice in FY 2006 to consider improvements in communication between and among courts, as well as with school districts. The meetings included participation by a school superintendent and a teacher, who served as advisory members. On March 29, 2006, the Committee met and discussed the interface between courts and the schools, as well as the opportunity and need for greater communication and education about their respective roles. It also considered the need for increased communication between different court levels, such as municipal, justice, and juvenile courts.

The Committee met again on May 30, 2006, and heard a presentation on the Dallas Independent School District's electronic filing system for failure to attend school cases. The Committee recommended to the Judicial Council that the Human Resources Code be amended to include a municipal court judge and justice of the peace on each local juvenile board. Since justice and municipal courts have criminal jurisdiction over Class C misdemeanor cases involving juveniles, including the large number "Failure to Attend School" offenses, they have assumed a role akin to being the "front door" of the juvenile justice system.

*Shelby County
Courthouse*





Task Force on Indigent Defense

Introduction and Background to Indigent Defense. FY 2006 marked the fifth year of the statewide indigent defense program in Texas. The Task Force on Indigent Defense (Task Force) was established in January 2002 under legislation passed during the 77th Texas Legislature (2001) known as the Texas Fair Defense Act (FDA). The FDA established the Task Force as the first state organization to oversee the provision of indigent defense services in Texas. It also connected the new organization to two existing entities—the Task Force is a permanent standing committee of the Texas Judicial Council, and it is staffed as a component of the Office of Court Administration (OCA). The Task Force has authority to set statewide policies and standards for the provision and improvement of indigent defense, to grant state funds to counties for that purpose, and to monitor counties' compliance with indigent defense laws. The Task Force is a body of thirteen appointed and ex-officio members supported by seven full-time staff members.

The mission of the Task Force is to improve the delivery of indigent defense services through fiscal assistance, accountability and professional support to State, local judicial, county and municipal officials. That mission supports the ultimate purpose of the Task Force, which is to promote justice and fairness to all indigent persons accused of criminal conduct, including juvenile respondents, as provided by the laws and constitutions of the United States and Texas.

Since the inception of the FDA, there has been a 35 percent increase in population receiving constitutionally guaranteed assistance to counsel. In FY 2005, 369,116 adult defendants were served, up from 278,479 during the first year of the FDA. Overall costs increased 23 percent—rising from \$114 million in 2002 to \$140 million in 2005. In FY 2006, the Task Force and its committees held 14 public meetings guided by its strategic plan, entitled: *A Strategic Plan for improving Texas indigent defense criminal justice systems 2005-2010*. The plan charts the course and direction of Task Force activities on three distinct but related legislative goals: 1) policies and standards development, 2) promoting local compliance with evidence-based practices, and 3) funding strategies. The plan identifies the necessary initiatives to continually improve indigent defense processes in Texas for future generations.

Policies and Standards Development. Goal one in the strategic plan is to develop policies and standards to improve the delivery of indigent defense services. In selecting strategic initiatives under this goal, the Task Force was guided by Section 71.060, Government Code. The section lists potential areas of policy development, which are achieved through development or rules, best practices, and model forms in a process that encourages stakeholder involvement and collaboration.

The most important policy development was the creation and adoption of rules setting minimum standards for managing contract defender systems. The rules provide for an open attorney application and selection process by the judges or juvenile board in whose court(s) the attorney(s) will serve. The rules also require that certain specific items be included in a contract for indigent defense services and the contract be approved by the county. They were developed with assistance from a stakeholders' workgroup that looked towards national guidelines and Texas practice. Commentary to the rules will also be promulgated to assist jurisdictions implement effective contract systems. The rules will become effective on January 1st, 2007 and are available online.

The Task Force is also charged with recommending to the legislature ways to improve Texas' indigent defense system. The Task Force formed a legislative workgroup comprised of many criminal justice stakeholders to assist the Policies and Standards Committee in developing such recommendations. At its year-end August meeting, the Task Force approved eight recommendations for the upcoming 80th Regular Session of the Texas Legislature. Highlights include recommendations to simplify the establishment of public defender offices, to remove the sunset provision from the State Bar Legal Services Fee, and to create separate requirements for trial and appellate representation in death penalty cases.

In furtherance of two other strategic initiatives, the Task Force has also collected and posted to its website the nine regional death penalty attorney qualifications and approved attorney lists. As part of this process, the Task Force provided information to the presiding judges of the administrative judicial regions related to new statutory minimum requirements. It also provided them information on the third chair program whereby volunteer attorneys may assist those attorneys appointed to represent defendants charged in death penalty cases.

The Task Force has also begun work on an informational booklet to clarify the unique issues related to representation of children in juvenile courts. The booklet will assist juvenile justice stakeholders and family members with understanding the indigent defense requirements. The Task Force is also exploring the special issues related to representation of the mentally impaired in criminal or juvenile courts. Several mental health defender programs have been or are being established in El Paso, Limestone, Dallas, and Travis counties, and the Task Force is collecting data from these programs to evaluate the systems and explore the benefits of such systems.

Promoting Local Compliance with Evidence-Based Practices. Goal two in the strategic plan is to promote local efforts for ensuring that competent counsel is appointed timely in each criminal case where the accused is indigent and to ensure that state indigent defense funding is used appropriately by local governments.

In FY 2006, the Task Force hired a research specialist, who is responsible for analyzing data collected at the local level, reviewing local county indigent defense plans and practices, and then reporting those findings to the Task Force. To measure the core outcomes, a comprehensive methodology was developed along with a risk assessment tool to determine which jurisdictions should be reviewed in the future. This program includes on-site review of local practices to see if these practices match their indigent defense plans and statutory requirements. Five site assessments were conducted in the final quarter of FY 2006. As part of the review and recommendations, a “self-assessment mechanism” is being recommended to the local jurisdictions to review relevant data to determine whether core fair defense requirements are being met and to take corrective actions if necessary.

The Task Force offers professional development educational programs to enhance understanding of the FDA. In FY 2006, Task Force staff made over 20 presentations to more than 1,200 attendees at various professional associations. One of these presentations was the 3rd Annual Indigent Defense Workshop sponsored by the Task Force. Seventeen counties participated, bringing key decision makers, including elected officials, to address specific local indigent defense challenges. The workshop demonstrated best practices and provided tools, such as a 90-day action plan, to address specific issues. The workshop also resulted in Hidalgo County hosting a criminal justice stakeholder symposium, with over 100 in attendance, to address issues pertaining to indigent defense in their jurisdictions.

To further promote best practices and accountability by transparency, the Task Force serves as a clearinghouse of indigent defense information via its website, at www.courts.state.tx.us/tfid, with public access to all county plans, expenditures, guides, model forms, rules, publications, e-newsletters and press releases.

Other actions taken during FY 2006 towards goal two initiatives were:

- The Task Force prepared and published, in collaboration with Texas A&M University’s Public Policy Research Institute, the study “Evaluating the Impact of Integrated Electronic Systems in Criminal Case Filings: Closing the Paper Trap” (July 2006) with a \$90,000 grant from the State Justice Institute (with \$50,000 match from Task Force funds). This study:
 - Documents and compares three systems for processing misdemeanor defendants from arrest to case disposition;
 - Links differences in case processing systems to defendant outcomes; and
 - Translates these findings into a replicable “best practices” model of misdemeanor case processing.
- Two additional studies were initiated in FY 2006. One study will document effective strategies on determining indigence and will provide recommendations on what level of verification is necessary to maintain public trust and confidence in the system. This study is expected to be published in December

2006. The other study is being conducted in coordination with the Criminal Justice Advisory Council to explore the feasibility of state funded public defender offices to provide indigent defense services. The findings of this study are expected to be published in January 2007 as part of Governor Perry's 2nd Annual Report of the Criminal Justice Advisory Council.

Funding Strategies. Goal three in the strategic plan is to develop effective funding strategies. Distribution of and accounting for state funds to counties are critical responsibilities of the Task Force. In FY 2006, the Task Force awarded \$12.8 million in formula grants, \$1.5 million in discretionary grants, \$140,009 in direct disbursements to rural counties, and \$91,554 in reimbursements for counties with extraordinary expenses. The Task Force grant program encourages compliance with state and federal requirements by requiring counties to meet provisions of the FDA in their local indigent defense plans to qualify for funding. The counties must also meet expenditure reporting requirements of the FDA. Actions taken during FY 2006 towards goal three initiatives were:

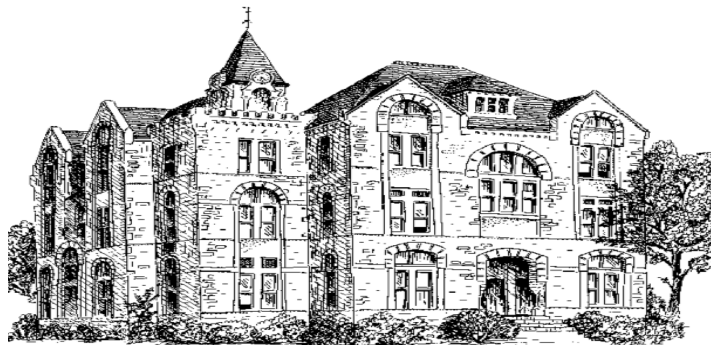
- Funded the establishment of the state's first regional public defender office—Texas Rio Grande Legal Aid (www.trla.org), a non-profit corporation providing services in Val Verde, Edwards, Terrell and Kinney Counties. This is also the first public defender office in Texas to be operated by a non-profit legal aid organization.
- Funded the first ever standalone mental health public defender in the nation in Travis County. Kaufman and Willacy counties were also awarded state funding to establish public defender offices for suburban and rural counties, respectively.
- Contracted with The Spangenberg Group (www.spangengroup.com) to evaluate and provide technical assistance to two recently established public defender programs in Bexar and Hidalgo counties. The evaluation should assure financial commitment of counties to new programs initially funded by the state if the research demonstrates the success of these programs.
- Recommended that the Legislature continue funding from the mandatory State Bar Legal Services Fee, which is due to sunset on September 1, 2007.

Texas Innocence Projects. During FY 2006, the Task Force began implementing a rider to the appropriations bill that directs up to \$800,000 over the next two years to innocence projects at the University of Houston, the University of Texas, Texas Southern University and Texas Tech University to assist people wrongly convicted of crimes. When an investigation reveals a potential case of actual innocence, the projects work to pursue remedies for the inmate through the courts or clemency procedures. Innocence projects involve law students working under supervision of professors. Each school is eligible to receive up to \$100,000 per year from money the Legislature approved during the 79th Legislative Session.

To better coordinate the efforts of the public law schools and other universities involved with the innocence projects, the Governor's Criminal Justice Division awarded a grant to the OCA and the Task Force to develop an online reporting system for the administration of the innocence projects. This system, which will be functional by December 2006, will also allow the innocence projects to track cases in a unified system that will prevent duplication of effort.

FY 2006 Annual Report for the Task Force. The Task Force is statutorily required to submit an Annual Report and Expenditure, and the full report for FY 2006 may be viewed and downloaded at www.courts.state.tx.us/tfid.

*Fayette County
Courthouse*





Judicial Committee on Information Technology

Electronic Court Filing. The 75th Texas Legislature charged the JCIT to “develop minimum standards for an electronically based document system to provide for the flow of information within the judicial system in electronic form and recommend rules relating to the electronic filing of documents with courts” (Government Code § 77.031(b)). To fulfill this mandate, JCIT has continued to encourage and enable trial courts to adopt electronic filing rules. As of September 2006, 27 counties and 36 clerks have implemented electronic filing, representing a total of 244 trial courts (181 district courts, 57 county courts, and 6 probate courts). These courts represent over 60 percent of the state’s population.

Electronic court filing enables filers and courts to connect electronically through the state’s e-Government portal, TexasOnline (www.texasonline.com), which was created by the 77th Texas Legislature to make government more accessible to Texas citizens through electronic means. The electronic filing architecture is designed to allow parties to file electronically in any participating court using a certified service provider of their choice. It also allows courts to accept filings from the commercial filing services without having to connect to each one individually.

Work continued in FY 2006 to address the challenges of expansion of e-Filing into the appellate courts in Texas. OCA submitted a funding request to the Texas Legislature to build a system to receive e-filed documents from the trial courts into the appellate courts.

Trial Court Technology Support. Through 2006, more than 448 surplus computers had been directed to courts lacking equipment. A portable, wireless computer network is available for judicial training throughout the state. Email services are provided to rural trial court staff. The Office of Court Administration (OCA) continues to provide ongoing access and support of court data through the Texas Judiciary Online. Courts and clerks are provided access to report judicial data electronically, and a searchable, online directory for the Texas Judiciary is available.

Trial Court Case Management System. Through the end of FY 2006, OCA had provided a total of 77 trial courts funds assistance to purchase court case management software. Court case management software is available to local governments from six of the Department of Information Resources (DIR) approved vendors at the best available rates through DIR contracts. OCA continues to provide support for a Specialty Docket Case Management System used by Child Support and Child Protection associate judges and court coordinators. OCA continues to test with court case management software vendors on new applications programming interfaces for the monthly Judicial Council court activity reports. There are currently 11 court case management software vendor products available with this interoperability. OCA plans to continue support of the trial court case management software efforts with appropriations received for FYs 2006 to 2007.

Trial Court Connectivity. Planning efforts with the County Information Resource Agency (CIRA, part of the Texas Association of Counties) continued through FY 2006 to extend broadband Internet connectivity to courts and clerks. Currently more than 185 courts and clerks in 51 counties have been provided broadband access to the Internet. In exchange for this improved Internet access, the recipient courts and clerks agreed to submit their monthly court activity reports to the Office of Court Administration electronically. JCIT’s goal is to continue to fund and install broadband hardware and initial connectivity in additional rural counties, and the Office of Court Administration received appropriations for FYs 2006 to 2007 to expand broadband connectivity.

Trial Court Collections Software Support. In FY 2006, 25 counties and cities completed applications for funds assistance to purchase court collections software. These counties and cities are implementing the OCA Collection Improvement Program as mandated by Article 103.0033, Code of Criminal Procedure, utilizing collections software

to assist in their program. OCA will continue to provide funds for collections software for additional counties and cities that apply and are approved in FY 2007. As of June 2006, collections of state revenue for the period October 2005 to June 2006 increased by approximately \$5.3 million over the same period the year before. This excludes the jury reimbursement and judicial support fees that went into affect October 1, 2005 and December 1, 2005, respectively. Projecting the \$5.3 million (9 months) for a 12-month period equates to a \$7.1 million increase in state annual revenue as a result of implementing the collection improvement program.

Judicial Information Technology Standards. To promote and foster the use of information technology standards in the courts, OCA is working with the Judicial Committee on Information Technology (JCIT) in three areas: 1) evaluation of how to extend national standards to conform to Texas law and procedures, establish processes for comments from the court system, publish adopted standards, and promote public awareness of standards after adoption by the Supreme Court; 2) promotion of conformity of case management systems with emerging national and state standards; and 3) establishment of electronic courtroom standards.

Dallas County is sharing its electronic courtroom success by offering applications to other trial courts that it has implemented in the justice and municipal courts to assist with e-filing of school truancy cases.

Court Reporters Certification Board

Organization. The Court Reporters Certification Board is comprised of 13 members: one active district judge who serves as chair, two attorneys, two official court reporters, two freelance court reporters, two representatives from court reporting firms (one court reporter owned and one non-court reporter owned), and four public members. The Supreme Court of Texas serves as the Board's rulemaking authority.

The following activity occurred in FY 2006:

Board and Committee Meetings Held (Austin). The Board and its committees held a total of 14 meetings during the fiscal year: three Board meetings, one Continuing Education Committee meeting, two Certification Committee meetings, three Rules Committee meetings, and five Review Committee meetings. The Board holds its meetings on Saturdays and generally schedules committee meetings around the weekend of the Board meeting and the certification exam to save on travel expense.

Complaints. The Board received 22 complaints were filed against court reporters, and 7 complaints were filed against court reporting firms, for a total of 29 complaints filed in FY 2006. The Board held 5 formal hearings, which resulted in disciplinary actions against three court reporters.

Lawsuits. During the fiscal year, three lawsuits were filed against the Board by complaint respondents; two of the respondents had been disciplined by the Board. One lawsuit, filed by a complainant in 2003, also remained pending.

Mediations. The Board participated in four mediations during the year, three to resolve lawsuits and one to resolve a complaint scheduled for a formal hearing. The Board was able to reach agreement with the other party in two of those mediations—in one complaint matter and one lawsuit matter, leaving two lawsuit matters still pending.

Certification of Individuals. The Board administered three exams to 287 applicants and issued 81 new certifications in the following methods: 1) oral stenography - 10, and 2) machine shorthand - 71. The Board held exams on the Friday before the Board meeting to minimize travel expense. The exam consists of a manual skills test (oral) and a written test. Applicants must pass both parts of the exam to be eligible for certification.

The Board renewed 1,145 individual certifications, approximately 62 percent of which were renewed online through the Texas Online portal. Renewals are based on a two-year cycle. In order to renew their certifications, individuals must complete 1.0 continuing education units (10 hours) within the two-year period preceding the certification expiration date.

Continuing Education Course Approvals. The Board processed 102 course approvals during the fiscal year. The Board approves sponsor-submitted continuing education courses, except for courses sponsored by the National Court Reporters Association.

Registration of Firms. The Board processed 32 new registrations for court reporting firms and renewed 120 firm registrations. Renewals are based on a two-year cycle with a December 31st expiration date.

Curriculum Approval for Court Reporting Firms. The Board approves court reporting curriculums for public community colleges, technical institutes and proprietary schools. There are currently 13 court reporting schools in Texas. One curriculum was submitted for approval in FY 2006.

Records Requests. Staff processed 137 records requests.

Internal Audit. An internal audit of the Court Reporters Certification Program was conducted in May 2006 and resulted in 19 recommendations. The scope of the audit included:

- Certification of court reporters and registration of court reporting firms,
- Court reporter examination,
- Automated information systems,
- Continuing education for court reporters,
- Revenue reconciliation procedures,
- Complaint processing procedures,
- Disciplinary actions, and
- Operating practices and procedures.

The audit found that licensing applications were being processed effectively, requirements were being met, and program operations were in compliance with statutory requirements. However, the audit found that the database used for tracking licensing information was found to be ineffective and unreliable. Inefficiencies, inconsistencies, and cost savings are addressed in other areas as set out in the recommendations.

Customer Service. The Board surveys its external customers (examinees and licensees) to obtain feedback on services that the Board provides. This information is reported in even-numbered fiscal years. The Board received a 95.2 percent overall satisfaction rating on services rendered during the period.

Process Service Review Board

In June of 2005, the Supreme Court of Texas approved amendments to Rules 103 and 536(a) of the Texas Rules of Civil Procedure, effective July 1, 2005, governing statewide certification of process servers. The Court also issued a companion order (Misc. Docket No. 05-9122) to establish the framework for certification of those approved to serve process under the revised rules, to approve of certain existing civil process service courses, and to establish the framework for the Board to approve additional courses. This order also required the Office of Court Administration to provide clerical support to the Process Service Review Board (PSRB).

The Supreme Court also approved a companion order (Misc. Docket No. 05-9123) that establishes the membership of the PSRB, and an order (Misc. Docket No. 05-9137) appointing a Chair. The Board consists of nine members and is a geographical representation of judges, attorneys, law enforcement, and process servers throughout the State. Board Members are not compensated for their services and do not receive reimbursement for actual travel and other expenses incurred while in the performance of their official duties.

The mission of the PSRB is to improve the standards for persons authorized to serve process and to reduce the disparity among Texas civil courts for approving persons to serve process by making recommendations to the Supreme Court of Texas on the certification of individuals and the approval of courses.

The following activity occurred in FY 2006:

Board Meetings Held. The PRSB held four meetings in Austin during the fiscal year. These meetings resulted in the following recommendations to the Supreme Court of Texas: Code of Professional Conduct for Certified Private Process Servers; Policy for Investigating Complaints against Process Servers; Curriculum Guidelines for Process Service Courses; Policy on Conduct Affecting Process Server Certification; and Identity Cards for Process Servers.

Complaints. There were 17 complaints filed against process servers on the Supreme Court of Texas Statewide List of Certified Process Servers, resulting in two disciplinary actions taken. As of August 31, 2006, six complaints were pending investigation.

Approval of Applications. The Board received 817 applications, 797 of which were approved. Of the 20 that were not approved, seven were appealed. Five were later approved on appeal, one was denied, and one remained pending. All appeals are held at Board meetings.

When the orders were adopted by the Supreme Court, effective July 1, 2005, 1,278 process servers were “grandfathered” by virtue of meeting pre-existing requirements in Harris, Dallas, and Denton counties. As of August 31, 2006, the total of grandfathered and certified process servers had reached 2,078. The Board approved a total of 800 applications in FY 2006.

Curriculum Approval for Process Service Training Schools. This fiscal year, the Board made recommendations to the Supreme Court of Texas for three Process Service Training Schools. These recommendations are still pending review.

Public Inquiries and Records Requests. Staff responded to 801 phone calls and emails from the public and processed 17 records requests.

Website. The Board maintains a website to provide information to the public including, but not limited to, the Supreme Court orders establishing the membership of the Process Service Review Board and the appointment of its Chair, various forms, processes and procedures, and other items. The Supreme Court Statewide List of Certified Process Servers is also maintained on this website and can be viewed at www.supreme.courts.state.tx.us/psrb.asp.

Guardianship Certification Board

The Guardianship Certification Board (GCB) was created by the 79th Texas Legislature when it passed Senate Bill 6 to establish a certification process for individuals (other than attorneys and corporate sureties) who act as private professional guardians, individuals (other than volunteers) who provide guardianship services to wards of guardianship programs, and individuals who provide guardianship services to wards of the Department of Aging and Disability Services. These guardians must be certified by September 1, 2007.

The GCB, which is administratively attached to the Office of Court Administration, is comprised of eleven members appointed by the Texas Supreme Court and four public members appointed by the Supreme Court from a list of nominees submitted by the Governor’s Office. The GCB members were appointed in early 2006. Judge Gladys Burwell of Galveston serves as Chair, and Leah Cohen of Austin serves as Vice Chair. The other members are:

Jason Armstrong, Lufkin
Garth Corbett, Austin
Dr. Raymond Costello, San Antonio

Dr. Ann Elizabeth Lemke, El Paso
Marlane Meyer, McAllen
Gina D. Patterson, Houston

Carol Patrice Dabner, Dallas
Susan Eason, Austin
Don D. Ford III, Houston
Philip A. Grant, Georgetown

Janis Thompson, Sherman
Patti Turner, Fort Worth
Robert Warach, El Paso

The Board Members receive no compensation for their services and are not entitled to reimbursement of travel expenses while performing their official duties as members of the Guardianship Certification Board.

During FY 2006, the Board developed rules governing Guardianship Certification and Minimum Standards for the provision of guardianship services. The Rules were presented to the Texas Supreme Court for approval.

The Office of Court Administration awarded the contract for Guardianship Certification Examination Services to the National Guardianship Foundation (NGF). The NGF will develop a Texas-specific exam based on Texas law and will begin administering the exam in March 2007 through July 2007 in geographically diverse areas of the State.

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