

COURTEX

Texas Judicial Branch News

Summer 2007

From the Director, Office of Court Administration

Greetings from Austin and our second issue of [CourTex](#) in a very limited time (see the Special Edition on Collection Improvement that went out on August 21). There is so very much going on that I wanted to get another issue out and stay on “schedule” by having a Summer edition. With the September 1 date now behind us, I want to highlight a couple of pieces of legislation where OCA had implementation responsibilities, both involving new reports to OCA from our [Required Reporting](#) webpage. First is [Jury Charges and Sentences in Capital Cases](#), based on S.B. 702: Sec. 72.087(c), Government Code, requires the judge or clerk of a court to submit to the Office of Court Administration a written record—containing the contents of the trial court's charge to the jury and the sentence issued in each case—of cases involving the trial of a capital offense. Second is security incident reporting, based on H.B. 1380: Art. 102.017(f), Code of Criminal Procedure, requires the local administrative judge to submit to the Office of Court Administration a written report regarding any security incident involving court security that occurs in or around a building housing a court for which the judge serves as local administrative judge not later than the third business day after the date the incident occurred. Note that we have devised a different [form for municipal courts](#), but all other courts will use the same [form](#).

- [Carl](#)

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Courts for Kids Judicial Commission

Foster care is intended to protect children who are not safe in their own home. It is life-saving for many children, but too often leads to a life without family, stability or much hope for the future. On any given day in Texas, there are about 20,000 children in foster care, and nationwide, almost 118,000 children are waiting to be adopted.

As gatekeepers for families in crisis, the courts play a critical role. No child enters foster care, leaves foster care, or does anything significant in between, without a court order. A judge decides when a child should be removed, where the child will live, with whom, and for how long. While the child is in foster care, a judge decides whether he or she will be allowed to see siblings and other family members, how often, and under what circumstances. Clearly, courts have a profound impact - and the stakes are exceedingly high.

Unlike other cases that follow the traditional adversarial process, child-protection cases require a collaborative, multi-disciplinary approach. Attorneys and judges need specialized training not only in child-welfare law, but also in other areas that may be unfamiliar, like substance abuse, domestic violence, and mental illness. Courts must be equipped with knowledge, tools and information to respond in a manner that respects the child's needs and the child's clock.

The Supreme Court of Texas is assuming a leadership role in strengthening our courts hearing child protection cases. In collaboration with other courts, the child-protection agency, and the many stakeholders, the Court is studying and prioritizing issues integral to improving outcomes for families and children. From this study the Court is leading many initiatives for court improvement.

Perhaps the most significant proposal being considered is the formation of a statewide, permanent Judicial Commission on Children, Youth and Families. The proposed commission would organize the various court-improvement initiatives, promote collaboration, sponsor and enhance professional training, identify additional resources, fill in gaps that may exist across the state, develop best practices, and help raise public awareness of the need on a statewide level. For the past year this concept has been vetted with key stakeholders, and the response has been overwhelmingly positive.

To advise on the commission's optimal structure and composition, the Court appointed a Consultative Group comprised of experts from within the child-protection community, as well as business and bar leaders. The Consultative Group held a two-day strategic planning session where core values and concepts were developed and specific recommendations regarding the organization of a commission were made. The [report](#) is available on the Court's [CIP website](#).

The culmination of this year of preparation will be [a public hearing before the Court on September 25, 2007 at 9:00 a.m.](#) to consider creation of the proposed commission and the policy issues the Commission might address. It is anticipated that participants in the child-protection system, as well as national and state leaders, will share their knowledge and views on the potential for such a commission. This historic hearing will be the first order of business as the Court begins its 2007-08 term, emphasizing the important role that courts play in improving outcomes for Texas children, youth and families in the foster-care system.

Texas Partnership for Family Recovery

The [Texas Partnership for Family Recovery](#), an inter-agency initiative to integrate and coordinate judicial, legal, child welfare and substance abuse services to improve outcomes for families involved with CPS, has completed a year of intensive Technical Assistance from the National Center on Substance Abuse and Child Welfare ([NCSACW](#)). In order to facilitate completion of some specific, immediate objectives, less intensive TA will continue through the end of December, 2007. The Partnership has developed a Guide for communities to improve cross system service integration on up to developing and implementing a Family Drug Treatment Court. The Partnership oversight committee is composed of the Executive Directors of the Supreme Court of Texas Task Force on Foster Care, the Office of Court Administration, Texas Court Appointed Special Advocates for Children, Assistant Commissioner Joyce James of the Department of Family and Protective Services and Dave Wanser, Director of Behavioral Health Initiatives, Health & Human Services Commission.

In order to improve engagement and retention of women involved with Child Protective Services, the Department of State Health Services, Community Mental Health and Substance Abuse Division, has initiated training in Trauma Informed Management and Trauma Informed Treatment. The focus of the effort is on those substance abuse treatment programs that provide specialized female services. Trauma informed services are evidence-based and represent the most effective treatment modality for women with substance abuse and related behavioral health problems. The clinical profile of women in need of substance abuse services includes extensive histories of childhood and adulthood abuse and neglect along with domestic violence. Trauma informed services are designed to address the underlying trauma and related Post Traumatic Stress Disorder.

Nine Performance Measures

To provide guidance to juvenile and family courts as they measure performance in child abuse and neglect cases, the [American Bar Association Center on Children and the Law](#), the [National Center for State Courts](#), and the [National Council of Juvenile and Family Court Judges](#) developed A *Toolkit for Court Performance Measurement in Child Abuse and Neglect Cases*. The dependency court performance measures outlined in the Toolkit and [Building a Better Court](#) reinforce the AFCARS performance measures and the CFSR (Child and Family Service Review) standards. The measures cover four basic categories of measures and outcomes: Safety, Permanency, Due Process, and Timeliness. While 30 performance measures are outlined in [Building a Better Court](#), it is recognized that it may not be possible for courts to gather data for all measures at the same time, so nine core performance measures are identified, for which every court should strive to gather data:

1. Safety: Percentage of children who were victims of child abuse or neglect while under the court's jurisdiction.
2. Safety: Percentage of children who were victims of child abuse or neglect within 12 months after the court's jurisdiction ends.
3. Permanency: Percentage of children who reach legal permanency by reunification, adoption or guardianship.
4. Due Process: Percentage of cases in which both parents receive written service of process on the original petition.
5. Due Process: Percentage of cases in which all hearings were heard by one judicial officer.
6. Timeliness: Time to Permanent Placement (average or median time from filing of the original petition to permanent placement).

7. Timeliness: Time to Adjudication (average or median time from filing of the original petition to adjudication).
8. Timeliness: Time to First Permanency Hearing (average or median time from filing of the original petition to first permanency hearing).
9. Timeliness: Time to Termination of Parental Rights (average or median time from the filing of the original petition to termination of parental rights)

Court Administration

Weighted Caseload Study Scheduled for October

The Office of Court Administration (OCA) has contracted with the [National Center for State Courts](#) to conduct a [weighted caseload study](#) of Texas district courts. The purpose of a weighted caseload study – a technique employed by many other states and the federal courts – is to develop an objective and accurate method to measure the workload of the courts in order to assess how many judges are needed to handle that workload. If the need for a new district court or courts currently exists or arises in a county, the results from this study will allow the judiciary to more easily demonstrate that need.

The recommendation for conducting a weighted caseload study originated with the [Texas Judicial Council](#), the policy-making arm of the judiciary, in 2000. In 2005, the 70th Texas Legislature passed [S.B. 729](#), which directed OCA to contract with a nonprofit organization that specializes in providing consulting services to courts to conduct a weighted caseload study of the district courts. A [Judicial Needs Assessment Committee](#) composed of judges and court administrators was created to provide guidance and oversight to the weighted caseload study. At its meetings, the committee discussed the time study design and sample of courts to participate in the study.

During the month of October, a sample group of district judges, county court at law judges who exercise civil and/or family law jurisdiction concurrent with district courts, and associate judges, masters, magistrates, referees, and certain visiting judges who work for participating judges will be asked to report on the amount of time they spend handling cases and performing non-case-related activities (e.g., travel, continuing education, vacation).

At the upcoming [Judicial Section Annual Conference](#), [Chief Justice Wallace B. Jefferson](#) and Dr. Brian Ostrom with the National Center for State Courts will discuss the weighted caseload study at a plenary session.

To ensure the time study goes smoothly, training on how to record and report time will be offered in a variety of formats, as follows:

Live Training

Judicial Section Annual Conference
Weighted Caseload Training Session
Monday, September 17, 2007
4:30 p.m. to 5:30 p.m.

Online Training

An short online [tutorial](#) is available on our website.

Live Webinar Training

Friday, September 28, 2007
12:15 p.m.

The NCSC will host the live webinar training session. Further information will be provided to the judges and judicial officers participating in the time study.

Collection Improvement Program

As reported in the [Special Edition](#) on this topic, OCA is soliciting comments on proposed rules governing the collection improvement program, published in the [August 31 issue of the Texas Register](#). Comments received will be subject to discussion at a public session to be convened on October 5, 2007, 9:30 a.m., Room 1410, Brown-Heatley Building, 4900 N. Lamar, Austin. The session will be facilitated by the [Center for Public Policy Dispute Resolution](#), under contract with OCA.

Indigent Defense

The staff for the [Task Force on Indigent Defense](#) is busy planning the [5th Annual Indigent Defense Workshop](#) for October 18-19 in Austin. The theme is Establishing Effective Defense Delivery Systems.

Court Professions

Guardians

The September 1, 2007 deadline for certification of certain individuals who provide guardianship services has arrived. Forms, instructions and information on certification and provisional certification are available [here](#). To date, 160 guardians have been certified or provisionally certified.

Certified guardians and provisionally certified guardians must complete at least six hours of continuing education for each year of the two-year certification period. Each year's six hours of continuing education must include at least one hour of ethics, and one hour of legislative update is required for each two-year certification period. Up to two hours of continuing education may be carried forward for the following year's requirements, but ethics hours may not carry forward. Continuing education must be participatory (no self-study is allowed) and the activity must be approved by the Board. Continuing education credit may also be earned by speaking at a seminar, teaching a course, or authoring a book or article with Board approval. See the Board's [Rules](#) VII and XIII for more details. Courses approved by the [Guardianship Certification Board](#) include:

October 3-5, 2007

Texas Advanced Paralegal Seminar (TAPS)

Sponsored by the Paralegal Division, State Bar of Texas Crowne Plaza Hotel, Addison

Website: www.txpd.org (CLE/Events tab)

[Approved for a total of five hours of continuing education, including one hour legislative update. [Click here for a list of approved topics.](#)]

October 6-9, 2007

National Guardianship Association The 2007 Conference on Guardianship

San Antonio - Crowne Plaza Riverwalk Hotel

[Approved for 11.5 hours; an additional 6 hours credit may be earned for the pre-conference workshop on the basics of guardianship. (No ethics and no legislative update hours.)]

Website: www.guardianship.org

October 25-26, 2007

Regional Education on Aging Caregiving and Healthcare (REACH)

Sponsored by Area Agency on Aging of East Texas Maude Cobb Activity Center, Longview

[[Click here for a list of topics.](#) Topic number 3 is approved for 3 hours of ethics. Other topics, EXCEPT numbers 7, 8, 9, 11, 16, 23, 28 and 34 are approved for .75 hours each of continuing education credit. Attendance at each session must be verified to claim credit.]

Contact Priscilla Jones at (800) 442-8845, ext. 223 to register or for more information.

Austin - September 18, Corpus Christi - September 19; Arlington - October 3, Tyler - October 4, Beaumont - October 5, and El Paso - October 11 (2007)

Alzheimer's, Dementia and Parkinson's

Presented by Institute for Natural Resources

[Approved for 6.00 hours; no legislative update and no ethics

Call (877) 246-6336 (toll-free) for more information.

Court Reporters

The second of two meetings on contracting issues facilitated by the [Center for Public Policy Dispute Resolution](#), and sponsored by the [Court Reporters Certification Board](#) (CRCB) and the Office of Court Administration (OCA,) was held on, August 24, 2007, with the Board members as participants. The first dialogue meeting was held on July 13, 2007 with a panel of stakeholders as participants. The CRCB discussed public input received, specific contracting issues, and possible options to address those issues. The next meeting of the CRCB is scheduled for September 29th in Austin.

OCA Profile: Ted Wood

Ted Wood is employed as Assistant General Counsel for the Office of Court Administration (OCA). Ted serves as a resource to clerks, judges and other court actors on issues such as court costs, records requests and court procedures. He is responsible for producing the model jury summons, the standard felony judgment forms, and the district clerk's and county clerk's procedure manuals. During the legislative session, Ted closely tracks all legislation that affects the court system. He is a frequent speaker to clerks and judges on such topics as interpreters, magistration, judicial immunity, and open records.

Prior to joining OCA, Mr. Wood served as Randall County Judge from 1995 to 2002. Upon taking office at age 34, he was the second-youngest county judge in the state. While serving as county judge, Ted taught state and federal government classes at Amarillo College in the evenings and on Saturdays. Prior to serving as county judge, Ted worked as a briefing attorney to Justice H. Bryan Poff, Jr. on the Seventh Court of Appeals in Amarillo. Ted is a 1991 graduate of Baylor Law School where he was a Notes and Comments Editor on the Baylor Law Review.



Before entering law school, Ted worked in the Procurement and Supply Department for Chrysler Corporation in Detroit, Michigan where he was responsible for purchasing exotic parts such as distributor caps and windshield washer solvent reservoirs. He is a 1986 graduate of the University of Wisconsin where he earned two undergraduate degrees in Business (Marketing and Transportation). Ted interrupted his college education to serve two years as a volunteer missionary for the LDS Church in Tokyo, Japan.

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Ted and his wife Paula recently celebrated their 25th wedding anniversary. They are the parents of two daughters (Holly and Echo) and two sons (Daniel and Jackson). All of the children have now graduated from high school except for Jackson who has just entered the sixth grade.

In his spare time, Ted enjoys civic involvement and activities with his children. He presently serves as vice-chair of the City of Leander Parks and Recreation Advisory Board and as secretary of his homeowners' association. He is currently the coach of Jackson's YMCA basketball team. Given the team's current record of 0-4, Ted does not expect to be coaching at a higher level any time soon.

Court Tech

Here is a quick summary of the major Judicial Branch data/information/technology projects.

Project	Budget	Objective	Components
TexDECK	\$2.8m/5 yrs	Data enabled courts improving court performance in child protection cases.	<ul style="list-style-type: none"> ○ Judicial webpage allowing access to selected data on DFPS database IMPACT. ○ Case management functional standards for child protection cases, published to vendors. ○ Performance reports by county from AFCARS data. ○ Weighted caseload study of child protection courts.
Automated Registry	\$3.0m/2 yrs	Connecting selected courts to state databases to demonstrate data-enabled courts.	Criminal, family and juvenile judges with access to DPS, TDCJ, DFPS, DSHS and other state agency databases for evaluating defendants/litigants before them.
Path to NIEM	\$35,000	Criminal justice system alignment with national data exchange standards.	28 selected data exchanges such as felony judgment form, defined using IEPD (Information Exchange Package Documentation) technique.
E-filing	(filing fees)	Trial courts receiving e-cases from litigants through e-filing service providers and Texas Online.	<ul style="list-style-type: none"> ○ TexasOnline serves as the hub for transmission of court filings from attorney, first through their electronic filing service provider, through TexasOnline, then to the individual court. ○ TexasOnline serves also as the hub for transmission of e-service among parties.
TAMES	\$2.3m/2 yrs	Appellate courts receiving and managing e-cases.	<ul style="list-style-type: none"> ○ An upload facility for trial court clerks and court reporters to send their respective records to the appellate court. ○ TexasOnline to handle attorneys' original filings to appellate courts. ○ Appellate court CMS facility to receive and store the e-docs. ○ Appellate court in-chambers software for circulating the e-docs. ○ Enhanced web features for public use of certain court e-documents.
Judicial Data	n/a	Updates to case categories, forms and instructions for clerks to report summary court activity statistics.	<ul style="list-style-type: none"> ○ Web pages for entering monthly court statistics to submit to OCA, according to the new classifications. ○ Facility for receiving the same statistics, as automatically exported from a court's case management system. ○ Reports available on the Internet.

[Texas Courts Online](#)

In keeping with our mission, OCA has been steadily working to make more accessible the wealth of information on [Texas Courts Online](#). Here are three new and noteworthy pages, and please let us know if you have any suggestions for the website:

[Programs & Projects](#)

Office of Court Administration, Texas Judicial Council & Judicial Committee on Information Technology

PROGRAMS	PROJECTS
<ul style="list-style-type: none">• Indigent Defense Funding & Standards• Collection Improvement Program• Court Services Program• Specialty Court Program• Court Reporter Certification• Guardian Certification• Process Server Certification• Judicial Information Program• Publications and Forms	<ul style="list-style-type: none">• Weighted Caseload/Judicial Needs Assessment• Judicial Data Committee• Texas Data-Enabled Courts for Kids (TexDECK)• Texas Appeals Management & E-Filing System (TAMES)



[Judicial Information Program](#)

Office of Court Administration

Statistics and Analysis of Court Information and Case Activity

- [Annual Statistical Reports of the Texas Judicial System](#)
- [Trial Court Judicial Data Management System \(run reports for court activity from September 1992 to present\)](#)

Court System Structure and Jurisdiction

- [Court Structure Chart](#)
- [Overview of Court System Structure and Jurisdiction \[275 KB pdf\]](#)
- [Subject Matter Jurisdiction of the Courts, Index to Subject Matter Jurisdiction](#)
- [Trial Courts and Jurisdiction by County](#)
- [Courts of Appeals Districts](#)
- [Administrative Judicial Regions](#)
- [Judicial Appropriations Chart](#)

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Information on Texas Judges

- [Judge Qualifications Chart](#)
- [Profile of Appellate and Trial Judges](#)
- [Report on Judicial Salaries and Turnover](#)
- [Salaries of Appellate and District Judges](#)
- [Supplemental Compensation: Appellate Courts](#)
- [Supplemental Compensation: District Judges](#)
- [Judicial Service Handbook](#)

Legislative Responses and Reports about the Courts and the Judiciary

- Annual Reports of the Judicial Council's Activities and Recommendations
[1997 - 2004](#) | [2005 - present](#) (in Annual Reports of the Judicial Agencies, Boards and Commissions)
- [Courts and the Legal Profession in Texas - A Survey of Judges, Court Personnel, and Attorneys](#)
- [Legislative Updates](#)
- [Public Trust & Confidence in Texas Courts](#)
- [Resolutions](#)
- [Trial Court Technology Report](#)

Comparative Policy Studies and Recommendations

- [Assessing Judicial Workload in Texas' District Courts](#)
- [Computing and Telecommunication Needs in Texas Rural Courts](#)
- [Evaluating the Impact of Direct Electronic Filing in Criminal Cases](#)
- [Indigent Defense](#)
- [Jury Service, Participation and Pay](#)
- [Performance Measures for District Courts and Courts of Appeals](#)
- [Public Defender Offices](#)
- [Problems and Opportunities in the Administration of Texas Courts](#)
- [Public Access to Court Records in Texas](#)
- [Recommendations for Reform](#)
- [State Funding in Texas' Appellate Courts](#)



[TCO Encyclopedia](#)

Access to Court Records	Court Interpreters	Judicial Directory	Open Records
Activity Reports	Court of Criminal Appeals	Judicial Education	Presiding Judges
Administrative Judicial	Court Reporters	Judicial Elections	Privacy Policy
Regions	Courts of Appeals	Judicial Ethics & Conduct	Probate & Probate Courts
ADR	Court Structure	Judicial Ethics Opinions	Process Servers
Alternative Dispute	District Clerk	Judicial Regions	Procurements
Resolution	Appointments & Fees	Judgment Forms	Projects & Programs
Annual Reports	Report	Jurisdiction by County	Pro Se Litigants
Appellate Courts	District Clerk Civil Filing	Jurisdiction by Court Type	Public Access
Appellate Statistics	Fees	Juror Information	Publications
Associate Judges	District Courts	Jury Summons &	Regional Presiding Judges
Candidacy for Judicial	District Court Civil Suits	Questionnaire	Regions
Office	Electronic Filing	Justices of the Peace	Required Reporting
Case Management	Electoral Information	Law Related Education	Rule 12
Child Protection Courts	Ethics	Legal Assistance	Rules & Standards
Child Support	FAQs	Legal Research Contracts	Site Tools
Child Support Courts	Fees, Fines & Costs	Links	Software
City Courts	Collection Program	Low Income Legal	Specialty Courts
Code of Judicial Conduct	Felony Judgment Forms	Assistance	Standards
Collection of Fees, Fines &	Forms	Manuals	Statistics
Costs	Frequently Asked	Mass Torts/Multi-District	Supreme Court of Texas
Collections Software	Questions	Litigation	Task Forces
Committees	Guardianship	Monthly Reports	Texas Constitution
Complaints	Handbooks	Municipal Court Records	Texas Data-Enabled
Contracts for Computer-	Hate Crimes	Municipal Courts & Judges	Courts for Kids
Assisted Legal	Indigent Defense	News	TexDECK
Research	Integrated Justice	OCA	Texas Statutes
County Clerk	IOLTA	Office of Attorney General	Trial Court Jurisdiction
Appointments & Fees	JP Courts	- Child Support	Upcoming Judicial Events
Report	Judicial Calendar	Office of Court	Vexatious Litigants
County Courts	Judicial Complaints	Administration	
Court Administration,	Judicial Conduct		
Office of	Commission		
CourTex Newsletter	Judicial Council		
Court Improvement	Judicial Council Statistical		
Project	Reports		

Judicial Calendar

SEPTEMBER

5-7			CPS Judicial Conference Gunter Hotel, San Antonio
13	1:30 p.m.	- 4:30	Data Grant Task Force Supreme Court Courtroom, Austin
14	9:00 a.m.	- 2:00 p.m.	Task Force on Foster Care Supreme Court Courtroom, Austin
16	2:00 p.m.		Presiding Judges Meeting The San Luis, Galveston
16-19			Judicial Section Annual Conference The San Luis, Galveston
27-30			2007 Summit for Appellate Judges, Lawyers and Staff Attorneys, Washington, D.C http://www.law.smu.edu/AJEL/
29			Court Reporters Certification Board (location to be announced) - Austin

OCTOBER

9-12			Texas Association for Court Administration 31st Annual Education Conference Omni, San Antonio www.mytaca.org
12	9:30 a.m.		Presiding Judges Meeting Tom C. Clark Building, 6th Floor, Austin
19-20			Supreme Court Advisory Committee State Bar Building, Austin
26	10:00 a.m.		Texas Judicial Council Supreme Court of Texas, Austin

About [OCA](#)

Resources & Information for the Efficient Administration of the Judicial Branch of Texas

OCA provides **resources** for the judicial branch:

- [technical assistance](#), training, and research on court administration;
- staffing for judicial branch regulatory boards and policymaking bodies;
- information technology solutions, including [Texas Courts Online](#);
- funding and standards for [indigent defense](#) services;
- fiscal and legal consultation for [appellate courts](#); and
- staffing and administration for [specialty courts](#).

OCA provides [information](#) about the judicial branch:

- statistics and analysis of court information and case activity;
- descriptions of court system structure and jurisdiction;
- legislative responses and reports about the courts and judiciary; and
- comparative policy studies and recommendations.

[Programs & Projects](#)
[Organization Chart](#)
[Divisions and Contacts](#)
[Strategic Plan](#)



Please refer comments or questions about this newsletter or the
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