

GUARDIANSHIP CERTIFICATION BOARD

MINUTES OF MEETING

February 1, 2008

11:00 a.m.

Office of Court Administration

205 W. 14th St., Suite 605

Austin, Texas

COMMENCEMENT OF MEETING

Judge Gladys Burwell called the meeting of the Guardianship Certification Board (GCB or Board) to order on February 1, 2008 at 11:04 a.m. The meeting was held at the Office of Court Administration in Austin, Texas. Notice of this meeting was posted on the GCB's website and distributed to interested persons in accordance with the GCB's public meetings policy.

ATTENDANCE OF MEMBERS

Lesley Ondrechen, Guardianship Certification Program Director, called the roll. The following members of the GCB were present:

Judge Gladys Burwell, Chair

Barry Anderson

Jason Armstrong

Dr. Raymond Costello

Carol Patrice Dabner

Don Ford III

Philip A. Grant

Marlane Meyer

Gina Patterson

Patti Turner

Robert Warach

Dr. Raymond Costello, Marlane Meyer, Patti Turner and Robert Warach attended via telephone conference call. Leah Cohen, Garth Corbett, Susan Eason and Kathy Strong did not participate. Others present were Carl Reynolds, Administrative Director; Lesley Ondrechen, Guardianship Certification Program Director; Margaret Bennett, General Counsel; and Katie Bond, Assistant General Counsel, all of the OCA. Members of the public present at the meeting were Alex Jones and Rosa Black of the Texas Department of Aging and Disability Services (DADS), Amy Young of the Texas Council for Developmental Disabilities, and Jan McLaughlin of the Harris County Guardianship Program.

Judge Burwell welcomed Barry Anderson, who was appointed to replace Janis Thompson. She verified that Mr. Anderson had received the required training for new Board members.

MINUTES OF OCTOBER 26, 2007 MEETING

Upon motion by Ms. Meyer and second by Mr. Warach, the minutes of the Board's October 26, 2007 meeting were approved as submitted.

DIRECTORS' REPORTS

Mr. Reynolds reported to the Board on a national conference of court administrators he attended in December. Major points of interest were a presentation by Tarrant County Probate Court Judge King on court visitors and the use of software that allows guardians to file their reports online. He stated that there is enormous nationwide interest in child protection, foster care, guardianship and elder abuse.

Mr. Reynolds told the Board that the new court reporting form for probate cases has been mostly completed. It will be posted for public comment in March, and is scheduled to be implemented on September 1, 2009. OCA is also re-vamping the court reporting form on payment of court-appointed fees.

Ms. Ondrechen reported that as of January 30, 2008, 166 guardians are certified, and 51 are provisionally certified. Included in the 166 certified guardians are 13 provisionally certified guardians who moved to full certification. Six applications for certification are pending, including the one considered by the Application Review Committee, which will report later in the meeting. Five applications for provisional certification are pending, two of which will be discussed today.

Ms. Ondrechen reported on the results of the certification exams given in Fort Worth in December, and advised that the next exam has been scheduled for April 21, 2008 in Corpus Christi. She updated the Board on action taken regarding complaints alleging study materials for the Texas portion of the exam were inadequate. Ms. Ondrechen suggested that the Board may want to consider in the future whether to impose a limit on the number of times an applicant could take the exam.

Ms. Ondrechen advised the Board on training she had attended, and her speaking to the Elder Law Section of the San Antonio Bar. She told the Board that the NGA had asked for presenters at its annual conference in Nashville in October, and she believes Texas should be represented to discussion certification. She reported that the topic for the Travis County Probate Court's continuing legal education presentations in May and in June is guardianship certification.

Ms. Ondrechen addressed reports required from county clerks, private professional guardians, DADS and public guardians. There is still confusion about who needs to report what to whom, and when. She will analyze and compile data from the reports received, and will report to the Board at its next meeting. She also asked that the Board consider consistency in reporting requirements to the Board and to the county clerks as a legislative issue.

Ms. Ondrechen advised that the Judicial Council has formed a Legislative Committee; she plans to attend the next Judicial Council meeting on March 7. She asked the Board to consider any legislative proposals it may have for the 81st Legislative Session, and be ready to discuss them at the next meeting.

Ms. Ondrechen told the Board that a complaint had been filed against a certified guardian, and that notice has gone out according to the rules. The Disciplinary Review Committee will convene following the expiration of the response period.

Finally, Ms. Ondrechen informed the Board about two administrative matters: the possibility of having a search function for certified guardians on the website and OCA's customer service survey, which will include questions on the regulatory boards OCA supports.

COMMITTEE REPORTS

A. Application Review Committee

Ms. Patterson, chair, reported that the Application Review Committee had reviewed an application for certification by Kathy Mims. The Committee considered her experience to be sufficient, and voted to approve her certification.

B. Rules Committee

Mr. Ford, chair, advised the Rules Committee met in November and discussed the Alternative Dispute Resolution rule. He will report in more detail when Policies and Rules are considered.

REVIEW OF APPLICATIONS FOR CERTIFICATION

The Board went into closed session at 11:24 a.m. to discuss agenda item V - Review of Applications for Certification, in accordance with sections 7(f) of its Public Meetings Policy. No vote was taken during closed session. The Board reconvened in public session at 11:59 a.m.

Mr. Grant moved, and Ms. Meyer seconded, to table consideration of Latorya Williams' application for provisional certification, pending receipt of confirmation that she is no longer employed by the Harris County Guardianship Program, and whether her designated certified guardian supervisor will continue to act in that capacity. The motion carried.

Mr. Grant moved to deny the application for provisional certification by Shenetha Harrison-Toliver, and Mr. Anderson seconded. The motion failed. Dr. Costello moved, and Ms. Meyer seconded, to approve provisional certification for Ms. Harrison-Toliver. The motion carried.

The Board recessed at 12:05 p.m. and reconvened at 12:36 p.m.

POLICIES AND RULES

A. Proposed Rule XV, Alternative Dispute Resolution

Mr. Ford reported on the Rule Committee's review of the proposed Alternative Dispute Resolution rule at its November 13, 2007 meeting; the Committee's recommendations are incorporated in the proposed rule the Board is considering. Ms. Bond summarized the rule's provisions, noting it allows for flexibility while encouraging the use of ADR to resolve disputes. Ms. Meyer noted potential conflicting language in section (j) and (l); Ms. Bond suggested removing a phrase from section (j) to resolve this issue. Mr. Grant moved to publish the proposed rule for comment as amended, and Ms. Meyer seconded. The motion carried.

B. Proposed Amendment of Rule XI(a), Grounds for Denial of Certification

Mr. Ford noted the rule had been posted for public comment. The proposed rule as posted, and incorporating public comment, was presented to the Board for consideration. Mr. Ford moved, and Ms. Meyer seconded, to adopt the rule incorporating the public comment. The motion carried. Ms. Bond will submit the rule to the Supreme Court for approval.

C. Proposed Amendment to Ethics Policy

Ms. Bond summarized the sections being amended. She noted the changes are mostly clean-up and to make the policy consistent with applicable laws. Upon motion by Mr. Grant and second by Mr. Warach, the amendments were adopted.

REQUEST FOR EXTENSION OF PROVISIONAL CERTIFICATION PERIOD

Ms. Ondrechen told the Board that a provisionally certified guardian has asked the Board to extend his provisional certification period for the amount of time he will be on active military duty. Mr. Grant so moved, and Ms. Patterson seconded. The motion carried.

ENFORCEMENT OF CERTIFICATION REQUIREMENTS

Ms. Ondrechen directed the Board's attention to a proposed "letter of caution." These letters would be sent when the director becomes aware of an individual who is providing guardianship services, and is required to be certified by the Board, but is not certified. The Board discussed various enforcement issues. Mr. Jones commented on notification to the court when a complaint is filed against a guardian and the duty of Adult Protective Services to investigate allegations of abuse, neglect and exploitation against a guardian.

Ms. Dabner moved, and Mr. Grant seconded, to authorize the director to use the proposed letter of caution, with a copy to the judge with probate jurisdiction in the addressee's county. The motion carried.

In the future, the Board will determine if a rule change is needed to permit notification to the court at the time a formal complaint is filed with the Board, and will pursue it if that is the case. The director also suggested the Board may want to consider the definition of "volunteer" and a *de minimus* provision regarding compensation as possible rule and legislative changes.

The Board reviewed correspondence from John Caldwell, director of the Guardianship Alliance of the Concho Valley, regarding fees for criminal history searches by guardians in each county in which the guardian serves. The consensus of the Board was this is an appropriate topic for the Judicial Council's Legislative Committee.

PUBLIC COMMENT

Mr. Jones commented during the discussion of Enforcement of Certification Requirements. No other public comment was made.

FUTURE BOARD MEETINGS

Ms. Ondrechen reminded the Board that its remaining 2008 quarterly meetings are scheduled for May 2, July 25 and October 24.

ADJOURNMENT

On motion by Ms. Dabner and second by Mr. Grant, the meeting was adjourned at 1:45 p.m.

Legend - Private Professional Guardians, Programs and County Clerks

Private Professional Guardians

- 1 PPG reported wards in county
- 2 county reported PPG registered
- 3 1 + 2

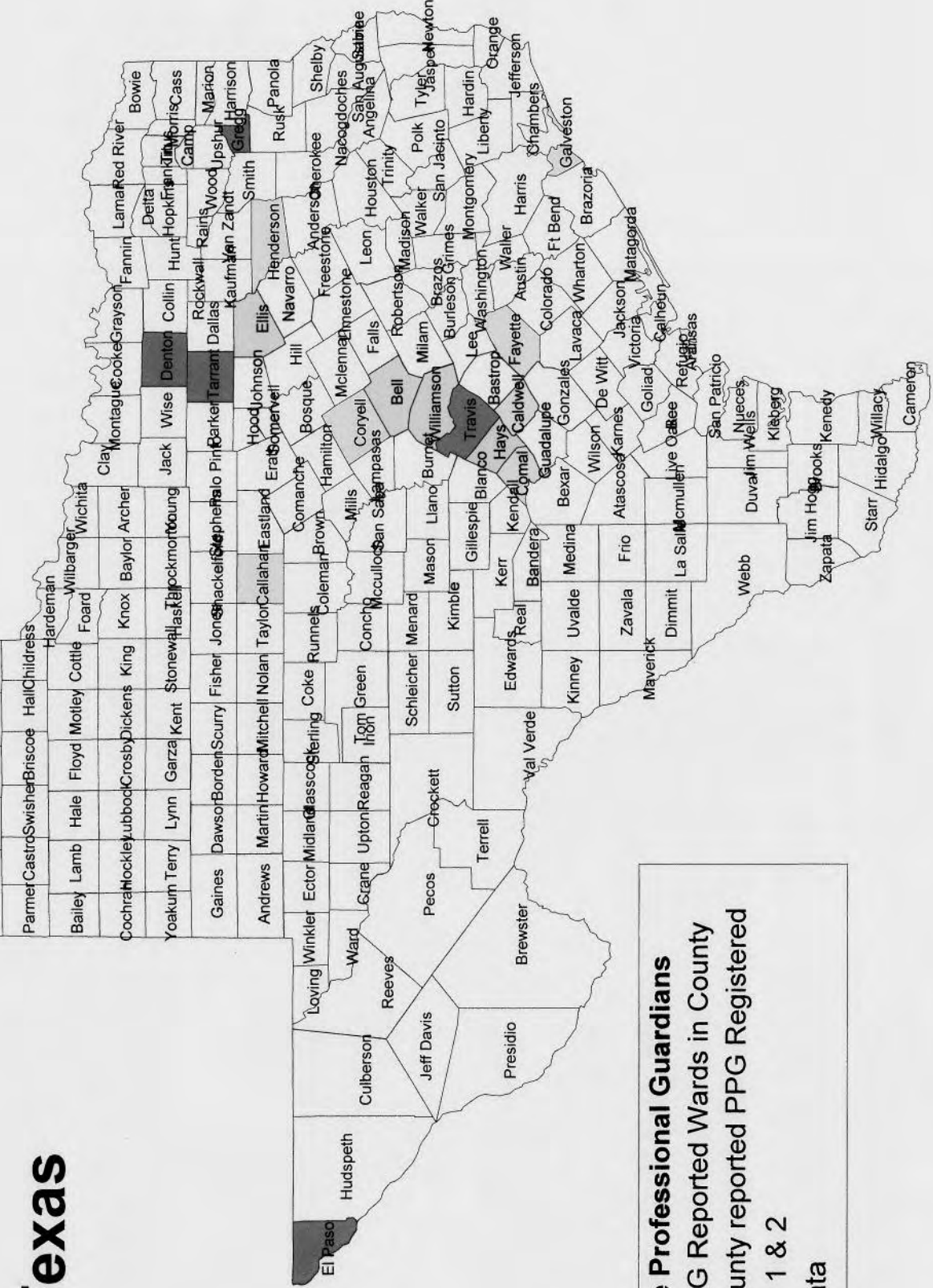
Guardianship Programs

HHSC county = county identified by the Department of Health and Human Services as being served by guardianship program

- 1 HHSC county, no reports received
- 2 HHSC county, program reported wards in that county
- 3 HHSC county, county reported program filed annual statement
- 4 HHSC county, program reported, no wards in HHSC county
- 5 program reported, county not HHSC county
- 6 county reported, county not HHSC county
- 7 2 + 3
- 8 3 + 4
- 9 5 + 6

Texas

Dallam	Sherman	Sanford	Dickinson	Stephens	Combs
Hartley	Moore	Clutchins	Roberts	Stemphill	
Oldham	Potter	Carson	Gray	Wheeler	
Deaf Smith	Randall	Armstrong	Condon	Phillips	Worth

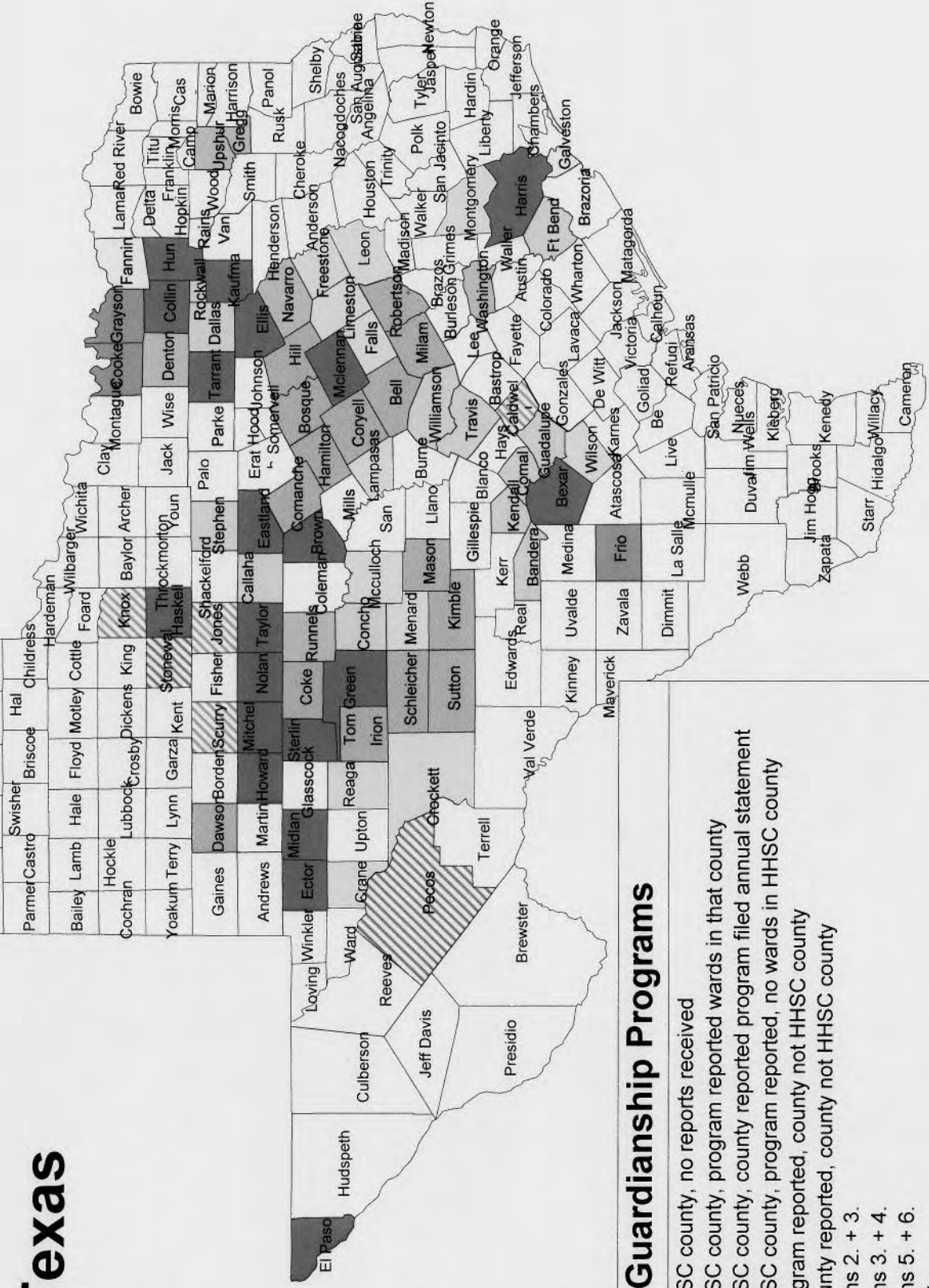


Private Professional Guardians

- 1. PPG Reported Wards in County
- 2. County reported PPG Registered
- Items 1 & 2
- No data

Texas

Dallam	Sherman	Stansbury	Chilton	Stephens	Combs
Hartley	Moore	Clutchins	Roberts	Stemphill	
Oldham	Potter	Carson	Gray	Wheeler	
Deaf Smith	Randall	Armstrong	Donnell	Billingsworth	
Parmer	Castro	Swisher	Briscoe	Hal	Childress
Bailey	Lamb	Hale	Floyd	Motley	Cottle
Hockley	Lubbock	Crosby	Dickens	King	
Yoakum	Terry	Lynn	Garza	Kent	Stonewall
Gaines	Dawson	Borden	Scurry	Fisher	Jones
Andrews	Martin	Howard	Mitchel	Nolan	Taylor
Milam	Ector	Glasscock	Sterlin	Coke	Runnels
Ward	Stam	Upton	Reaga	Tom Green	Concho
Culberson	Reeves	McCulloch	San	Mason	Llano
Jeff Davis	Presidio	Terrell	Edwards	Real	Kerr
Brewster	Val Verde	Kinney	Maverick	Uvalde	Zavala
				Dimmit	La Salle
				Webb	McMulle
				Zapata	Jim Hogg
				Brooks	Kenedy
				Starr	Hidalgo
				Willacy	Cameron



Guardianship Programs

1. HHSC county, no reports received
2. HHSC county, program reported wards in that county
3. HHSC county, county reported program filed annual statement
4. HHSC county, program reported, no wards in HHSC county
5. Program reported, county not HHSC county
6. County reported, county not HHSC county
7. Items 2. + 3.
8. Items 3. + 4.
9. Items 5. + 6.
- No data



TEXAS GUARDIANSHIP CERTIFICATION BOARD

205 WEST 14TH STREET, SUITE 600 • TOM C. CLARK BUILDING • (512) 463-1625 • FAX (512) 463-1648
P. O. BOX 12066 • AUSTIN, TEXAS 78711-2066

CHAIR
JUDGE GLADYS BURWELL, Galveston
VICE CHAIR
LEAH COHEN, Austin

PROGRAM DIRECTOR
LESEY MARTIN ONDRECHEN

[date]

Petition to Initiate Disciplinary Procedures

This petition is being filed in accordance with Rule XII of the Rules Governing Guardianship Certification.

1. Petitioner:
name, address, phone, e-mail of person filing the complaint
2. Respondent:
name, address, phone, e-mail of the certified guardian
3. Disciplinary Criteria:
cite Rule or Minimum Standard the guardian is alleged to have violated. Rules Governing Guardianship Certification and the Minimum Standards for Guardianship Services are available from the Board's website, <http://www.courts.state.tx.us/gcb/rules.asp>
4. Facts:
briefly describe fact situation leading to alleged violation
5. Documents:
list supporting documents attached

I understand that the Program Director will review this petition for compliance with Rule XII(b) of the Rules Governing Guardianship Certification. If the petition is not in compliance, I will be notified. After review, the Program Director will submit the petition, along with any supporting documents, to the Board's chair with a copy to the respondent. The petition will be considered by a Disciplinary Review Committee, which will make a recommendation to the Board.

Respectfully submitted,

[name]
[title, if applicable]

Instructions
Petition to Initiate Disciplinary Procedures

1. Name and contact information for the person filing the petition.
2. Name and contact information for the certified guardian about whom you are complaining.
3. Describe the nature of the violation, and cite the Rule and/or Minimum Standard you allege was violated. For example:
 The guardian failed to comply with Rule X(c), which requires a guardian to report a change in address to the Board.
4. Describe the situation leading to the alleged violation.
5. A brief description of each document attached. For example:
 Letter to guardian dated October 15, 2007
 Motion to modify guardianship filed with the court on November 1, 2007

Please submit the completed form, along with any supporting documents to
Guardianship Certification Board
c/o Office of Court Administration
P.O. Box 12066
Austin, Texas 78711-2066
attn: Lesley Martin Ondrechen, Program Director



TEXAS GUARDIANSHIP CERTIFICATION BOARD

205 WEST 14TH STREET, SUITE 600 • TOM C. CLARK BUILDING • AUSTIN, TEXAS 78701
P. O. BOX 12066 • AUSTIN, TEXAS 78711-2066
512/463-1625 • FAX 512/463-1648

CHAIR
JUDGE GLADYS BURWELL, Galveston
VICE CHAIR
LEAH COHEN, Austin

PROGRAM DIRECTOR
LESLEY MARTIN ONDRECHEN

April 17, 2008

By Certified Mail 7007 0220 0004 5095 [REDACTED] and by Regular First Class Mail

Olga Levario
[REDACTED]
[REDACTED]

Dear Ms. Levario:

At its meeting on April 16, the Disciplinary Review Committee of the Guardianship Certification Board considered the Petition for Disciplinary Action filed on March 14, 2008. I sent you a copy of the petition and notice of the Committee meeting. You were given the opportunity to respond, but you did not file an answer to the petition nor attend the meeting. The Committee recommended that your certification be suspended until such time as you comply with Rule X(c) of the Rules Governing Guardianship Certification and provide the Board with your current business name, address and phone number.

On behalf of the Committee, I am sending this letter to notify you of the Committee's recommendation. By copy of this letter, I am notifying the Guardianship Certification Board of the Committee's recommendation, as required by Rule XII(f)(2).

Because the Committee has recommended disciplinary action, you have the right to request a hearing. The request must be made no later than fifteen days after you receive this notice of the Committee's recommendation. (Rule XII(g))

Please contact me if you have any questions. My direct phone number is 512/475-2873.

Sincerely,

L. M. Ondrechen

Lesley Martin Ondrechen
Director, Guardianship Certification Program

cc: Guardianship Certification Board



TEXAS GUARDIANSHIP CERTIFICATION BOARD

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CHAIR
JUDGE GLADYS BURWELL, Galveston
VICE CHAIR
LEAH COHEN, Austin

PROGRAM DIRECTOR
LESLEY MARTIN ONDRECHEN

April 17, 2008

By Certified Mail 7007 0220 0004 5095 6951 and by Regular First Class Mail

Rodney Pat Ramsey
Attorney at Law
201 E. Main, Suite 201
Waxahachie, Texas 75165

Re: Ronald A. Wegscheid

Dear Mr. Ramsey:

At its meeting on April 16, the Disciplinary Review Committee of the Guardianship Certification Board considered the Petition for Disciplinary Action filed by Glenda Pinkston against your client, Ronald A. Wegscheid. The Committee recommended that the petition be dismissed and that an advisory letter be sent by the Board to Mr. Wegscheid.

On behalf of the Committee, I am sending this letter to notify you in writing of the Committee's recommendation. By copy of this letter, I am notifying the Guardianship Certification Board of the Committee's recommendation, as required by Rule XII(f)(2).

The Board will consider the Committee's recommendation at its May 2 meeting. You are welcome to attend the Board meeting. If the Board does not adopt the Committee's recommendation, you will then have the opportunity to request a hearing (Rule XII(g)). You will be advised in writing of the Board's decision.

Please contact me if you have any questions. My direct phone number is 512/475-2873.

Sincerely,

A handwritten signature in cursive script that reads "L. M. Ondrechen".

Lesley Martin Ondrechen
Director, Guardianship Certification Program

cc: Guardianship Certification Board

Ronald Wegscheid, by certified mail 7007 0220 0004 5095 6968 and by regular first class mail
Glenda Pinkston, by certified mail 7007 0220 0004 5095 6975 and by regular first class mail

**Request for Comments on Proposed Amendments of the
Rules Governing Guardianship Certification**

The Guardianship Certification Board (Board) requests comments on the following amendment to the Rules Governing Guardianship Certification. The proposed amendment adds Rule XV, Alternative Dispute Resolution. The purpose of the rule is to encourage the use of appropriate alternative dispute resolution procedures to assist in the resolution of internal and external disputes under the Board's jurisdiction, particularly contested disciplinary matters.

Comments must be submitted in writing by 5:00 p.m. on March 7, 2008 to Lesley Ondrechen, Office of Court Administration, P.O. Box 12066, Austin, Texas 78711-2066, or lesley.ondrechen@courts.state.tx.us. The Board will consider the proposed amendment and any comments received at a meeting on May 2, 2008.

Proposed Amendment

Proposed new Section XV sets out the Board's policy concerning and procedures for using alternative dispute resolution in resolving contested disciplinary matters. Alternative dispute resolution is not mandatory; all parties must agree to participate in the process. Any settlement agreement reached by the parties must be approved by the Board. A mediator may be appointed to assist in the settlement of the dispute. Confidentiality of communications among the parties and any mediator will be maintained. When possible, alternative dispute resolution will be used in lieu of litigation to resolve other disputes to which the Board is a party.

XV. ALTERNATIVE DISPUTE RESOLUTION

(a) Policy. The Board encourages the resolution and early settlement of all contested disciplinary matters through voluntary settlement procedures. By

doing so, the Board does not waive immunity from suit or sovereign immunity under the Eleventh Amendment to the United States Constitution.

- (b) Initiation of Settlement Conference. At any time after the filing of a complaint against a certified guardian or provisionally certified guardian, and before the Board has conducted a hearing on the complaint, the Director may initiate a Settlement Conference. The Director may initiate the Settlement Conference on the Director's own motion or on the request of any party; however, Settlement Conferences are completely voluntary. All parties must agree before a Settlement Conference can be convened.
- (c) Parties to Settlement Conference. The Complainant and Respondent are the parties in a Settlement Conference. The Board (through one or more Board members, staff, or counsel) may also participate as a party in a Settlement Conference at the sole option of the Board Chair.
- (d) Purpose of Settlement Conference. A Settlement Conference may be used to reach agreement about all or a portion of the ultimate issues in a disciplinary proceeding or to reach agreement about how to handle disputed matters. The parties may use a mediator for the Settlement Conference pursuant to (f) below or conduct the Settlement Conference without a mediator.
- (e) Power to Settle in Settlement Conference.
 - 1) Does Not Bind Board. The Complainant and the Respondent may not bind the Board to any resolution of a complaint pending before the Board. If the Complainant and the Respondent are able to resolve some or all of the issues, the Board may consider this fact, and the terms of the agreement, in determining what action, if any, to take on the complaint.
 - 2) Participation of Board Member. The Board Chair may appoint one or more Board members or staff to attend the Settlement Conference. The Board representative shall attend the Settlement Conference and participate in the proceedings in good faith and in an effort to resolve the dispute within the parameters of any instructions received from the Board.
 - 3) Review of Settlement by Board. In the event a settlement of some or all of the disputed issues is reached during the Settlement Conference, the Board shall review the terms of the settlement at the next regularly-scheduled Board meeting.
 - (A) Upon review of the settlement, the Board may:
 - (i) Accept the settlement terms;
 - (ii) Reject the settlement terms and restore all proceedings on the complaint to the status quo as it existed immediately prior to the Settlement Conference; or
 - (iii) Refer the matter for further negotiation.
 - (B) The Director shall notify all parties of any action taken by the Board.
- (f) Use of Mediator in Settlement Conference.
 - 1) Agreement of Parties. The parties may agree to retain a mediator to assist with the Settlement Conference. Parties who wish to explore this option will be given a reasonable time to do so by the Chair.
 - (A) The parties shall notify the Chair in writing of their agreement to retain a mediator. That notice must include: the name, address, and

telephone number of the mediator selected, a statement that the parties have entered into an agreement with the mediator as to the rate and method of his or her compensation, and an affirmation that the mediator is qualified to serve as described herein.

(B) Upon receipt of a properly-filed notice that complies with this section, the Chair will enter an order referring the case to the mediator.

- 2) Appointment if No Agreement. If the parties do not agree to a mediator, the Chair may appoint an individual to serve as mediator in the Settlement Conference. If any party objects promptly and with good cause to the mediator appointed, the Chair will appoint another qualified individual to serve as mediator. An objection will be considered prompt if it is received by the Director within ten (10) days of the date of the order appointing the mediator.
 - 3) Qualifications of Mediator. An individual appointed to serve as a mediator under (1) or (2) above must meet the qualifications set forth in Section 154.052, Texas Civil Practice and Remedies Code. Pursuant to Section 154.052(c), an individual who has served as a probate judge in Texas may be appointed to serve as a mediator.
- (g) Payment of Costs. The Board shall not pay any fees or costs associated with the Settlement Conference unless good cause is shown and the Board and the Office of Court Administration agree to do so prior to the Settlement Conference.
- (h) Confidentiality of Communications. All communications in the Settlement Conference between or among the parties, and between each party and the mediator, if any, are confidential under the same terms as provided in Section 154.053(b) and (c) of the Civil Practice and Remedies Code. Information shared with the mediator in separate meetings will not be given to any other party unless the party sharing the information explicitly gives the mediator permission to do so. Material provided to the mediator is not required to be provided to the other parties and will not be filed or become a record in the disciplinary proceeding. Notes taken during the Settlement Conference by the parties and the mediator shall be destroyed at the end of the process.
- (i) Time Frame for Settlement Conference and Schedule for Disciplinary Action. A Settlement Conference is not intended to delay the process, including the hearing of the action, except by order of the Chair. Deadlines and settings in the disciplinary action may be extended only by motion to, and order of, the Chair.
- (j) Agreement to be Memorialized.
- 1) Any agreement reached by the parties will be reduced to writing and signed by the parties before the end of the Settlement Conference. These writings may be informal in nature. The parties may agree that the written agreement remain confidential if there is no requirement of law to the contrary.
 - 2) Any part of an agreement that may affect the disposition of the disciplinary action (such as agreements concerning relevant facts) must be filed in the record of the disciplinary action.

- 3) Whether a final written agreement reached through a Settlement Conference is subject to or excepted from required disclosure, or is confidential, will be determined in accordance with applicable law.
- (k) Conduct of Mediator. If the parties use a mediator for the Settlement Conference, the mediator must maintain confidentiality in accordance with Section 2009.054 of the Government Code. The mediator may not communicate to the Board matters discussed with the parties in the Settlement Conference. The mediator will report to the Board in writing whether the Settlement Conference resulted in a settlement of the matter in dispute, or other stipulations or matters that the parties agreed be reported.
- (l) Required Filings. Any request for the appointment of a mediator, any objection to the referral of the matter to a Settlement Conference, any objection to the appointment of a mediator, any notice required to be given, any settlement agreement, any report prepared by the mediator, and any similar documents as may become necessary or appropriate in the course of the Settlement Conference must be filed with the GCB.
- (m) Other Disputes. Where appropriate and feasible, the Board will attempt to resolve other disputes in which the Board is a party using alternative dispute resolution procedures in lieu of litigation.

Lesley Ondrechen

From: Lesley Ondrechen
Sent: Thursday, February 07, 2008 10:13 AM
To: 'Terry'
Subject: RE: GCB - Request for Comments

Terry,

The way I read the proposed rule, an attorney for the guardian against whom the complaint is filed or for the person who filed the complaint may attend the settlement conference, because there is nothing saying they cannot. However, I cannot speak for the Board. I will pass along your question to the Board when they are considering any comments filed. -Lesley

-----Original Message-----

From: Terry [mailto:terry@hammondlaw.net]
Sent: Thursday, February 07, 2008 6:21 AM
To: Lesley Ondrechen
Subject: Re: GCB - Request for Comments

Lesley,

Perhaps I missed it, but is the Guardian allowed to have legal counsel present during the settlement conference/mediation?

Thanks

Terry

-----Original message-----

From: "Lesley Ondrechen" Lesley.Ondrechen@courts.state.tx.us
Date: Wed, 06 Feb 2008 14:20:23 -0700
To: "Aaryce Hayes" ahayes@Advocacyinc.org, "Alex Jones" alex.jones@dads.state.tx.us, "Alex Melis" alexander.melis@house.state.tx.us, "Alice McAfee" Alice.McAfee@courts.state.tx.us, "Amy Gleason" Amy.Gleason@prob.hctx.net, "Amy Young" amy.young@tcdd.state.tx.us, "Barb Scobey" barb.scobey@dads.state.tx.us, "Beverly McClure" beverly@dentonguardianship.org, "Carl Reynolds" Carl.Reynolds@courts.state.tx.us, "Carolyn Hill" CHill5972@aol.com, "Charlotte Breen" charlotte.breen@dads.state.tx.us, "Chris Larson" clarson@familyeldercare.org, "Clifford Walker" clifford.walker@dads.state.tx.us, "Colin Coe" colin.coe@senate.state.tx.us, "Colleen Colton" ccolton@guardianshipservices.org, "Cory Pomeroy" cory.pomeroy@senate.state.tx.us, "Cynthia Mitchell" Cynthia.Mitchell@dentoncounty.com, "Dianne Wilson" wilsondh@co.fort-bend.tx.us, "Donna Baugh" dbaugh@texasguardianship.org, "Ellen Eidelbach Pitluk" epitluk@texasbar.com, "Erica Wood" ericawood@staff.abanet.org, "Jan McLaughlin" Jan_McLaughlin@itc.co.harris.tx.us, "Jody Hughes" Jody.Hughes@courts.state.tx.us, "Judge Guy Herman" Guy.Herman@co.travis.tx.us, "Judge Mike Wood" mike.wood@prob.hctx.net, "Judge Steve King" smking@tarrantcounty.com, "Karen Ellert Pena" karen.pena@sbcglobal.net, "Katherine Yoder" Katherine.Yoder@senate.state.tx.us, "Kathleen Anderson" kathleen.anderson@hhsc.state.tx.us, "Katie Bond" Katie.Bond@courts.state.tx.us, "Ken Owens" kenneth.owens@dads.state.tx.us, "Margaret Bennett" Margaret.Bennett@courts.state.tx.us, "Melvin Johnson" melvin.johnson@tcdd.state.tx.us, "Patrick Ferchill" PFerchill@TarrantCounty.com, "Phil Johnson" Phil.Johnson@courts.state.tx.us, "Ryan Sullivan" ryan.sullivan@senate.state.tx.us, "Sally Hurme" SHurme@aarp.org, "Shawn Hughes" shawnphughes@aol.com, "Steve Fields"

SFields@TarrantCounty.com, "Suzanne Cobb" SCobb@theseniorsource.org, "Terry Hammond" executivedirector@guardianship.org, "Timothy McGinnis" timothy.mcginis@dads.state.tx.us
Subject: GCB - Request for Comments

- > The Guardianship Certification Board (Board) requests comments on a
- > proposed amendment to the Rules Governing Guardianship Certification.
- > The proposed amendment adds Rule XIV, Alternative Dispute Resolution.
- > The purpose of the rule is to encourage the use of appropriate
- > alternative dispute resolution procedures to assist in the resolution
- > of internal and external disputes under the Board's jurisdiction,
- > particularly contested disciplinary matters. The attached document
- > contains the proposed amendment.
- >
- > Comments must be submitted in writing by 5:00 p.m. on March 7, 2008 to
- > Lesley Ondrechen, Office of Court Administration, P.O. Box 12066,
- > Austin, Texas 78711-2066 or to lesley.ondrechen@courts.state.tx.us.
- > The Board will consider the proposed amendment and any comments
- > received at a meeting on May 2, 2008.
- >
- >
- > Lesley Martin Ondrechen
- > Director, Guardianship Certification Program Office of Court
- > Administration
- > 512/475-2873
- > lesley.ondrechen@courts.state.tx.us
- >
- >

Terry W. Hammond
Executive Director
National Guardianship Association
2207 Hancock Drive
Austin, Texas 78756
512-459-3000 (tel)
915-203-2520 (mobile)
512-459-3006 (fax)
executivedirector@guardianship.org
www.guardianship.org

Lesley Ondrechen

From: Lesley Ondrechen
Sent: Tuesday, February 26, 2008 4:33 PM
To: 'Barry Anderson'
Subject: RE: Request for Comments on "Proposed New Section XV"

Thank you for your input. I will present this with any other comments received to the Board. -Lesley

-----Original Message-----

From: Barry Anderson [mailto:andersb_us@yahoo.com]
Sent: Tuesday, February 26, 2008 2:29 PM
To: Lesley Ondrechen
Subject: Request for Comments on "Proposed New Section XV"

Lesley; I have reviewed the above named caption. Based on my limited knowledge of the current rule(s), I find no conflicts with the Eleventh Amendment to the US Constitution, and therefore agree with the language outlined in the "Proposed Amendment."

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Lesley Ondrechen

From: Lesley Ondrechen
Sent: Friday, March 28, 2008 2:21 PM
To: 'pspencer@bexar.org'; Barry Anderson; Carol Patrice Dabner; Don D. Ford III; Dr. Raymond Costello; Dr. Raymond Costello; Garth Corbett; Gina D. Patterson; Jason Armstrong; Judge Gladys Burwell; Kathy S. Strong; Leah Cohen; Marlane Meyer; Patti Turner; Philip A. Grant; Robert Warach; Susan Eason
Cc: Katie Bond
Subject: Judicial Council Legislative Committee

Attachments: TJC Legislative Committee Process.doc; Legislative tracking TJC 3-24-08.doc; Judicial Council Blank Leg Review Proposal Form.doc



TJC Legislative
Committee Proc...



Legislative tracking
TJC 3-24-...



Judicial Council
Blank Leg Rev...

Dear Judge Spencer and Guardianship Certification Board

Members,

I am sending this e-mail to let you know you about the process we are working on with the Judicial Council to prepare for the 81st Legislative Session. I will be your Judicial Council/OCA staff person.

We at OCA are already working to identify many legislative topics of interest to the judiciary and to the regulatory boards the agency supports. We are forming workgroups composed of Judicial Council members, Board members, and other stakeholders to meet, discuss the topic of Guardians, identify topics for legislative change, draft legislation, achieve buy-in from the group, and forward legislation ideas to the Judicial Council Legislative Committee. Judge Spencer is a member of this committee, along with Judges Linda Thomas, Kelly Moore, Alfonso Charles and Monica Gonzalez.

After the Committee has received and "vetted" suggested legislative changes from all workgroups, it will in turn forward recommendations to the full Judicial Council. The Council will meet in late September or early October to consider and vote on which recommendations become those of the Council as a whole.

Board members have been informed that ideas for legislative changes will be discussed at the Board's May 2 meeting. At that time, Judge Burwell, the Board's chair, may wish to appoint members to serve on the Guardians workgroup. I would suggest having a representative from DADS, from a guardianship program, from the Texas Guardianship Association, from the Guardianship Advisory Board, and possibly a private professional guardian as part of the workgroup. If any of you have suggestions for members for our Guardians workgroup, I would appreciate it if you would let me know. The workgroup should probably consist of between five and ten people.

After the Board members who will serve on the workgroup and the stakeholders have been identified, we should begin meeting (in person or by telephone conference) and discussing legislative issues. I anticipate our first meeting would be in mid to late May. The proposals will need to be ready for forwarding to the Judicial Council's Legislative Committee by early August.

The third attachment to this e-mail is the format the workgroup will use to submit its suggestions. The other two attachments are for your information only.

Because I am sending this message to the entire Board, please do not "Reply All." (Judge Spencer, the GCB is not subject to the Open Meetings Act, but it does have a policy that prohibits deliberations

by e-mail. Please contact me if you have any questions about that.) I look forward to working with you on this workgroup.

Lesley Martin Ondrechen
Director, Guardianship Certification Program Office of Court Administration
512/475-2873
lesley.ondrechen@courts.state.tx.us

Legislative Committee - Texas Judicial Council

Members and Process for 81st Legislature

Members of Committee

Hon. Linda Thomas, Chair
 Hon. Kelly Moore
 Hon. F. Alfonso Charles
 Hon. Polly Spencer
 Hon. Monica A. Gonzalez

Timeline

March	Formation of Committee and workgroups
March-August	Workgroups meet and develop proposals
Early August or September (possibly with Judicial Conference)	Legislative Committee meets to consider proposals
Late September or October	Legislative Committee meets to finalize proposals for recommendation to Texas Judicial Council
Late September or October	Texas Judicial Council meets to consider and ratify proposals

Workgroups

Topic Area	Members & Collaborators	Staff Support
Appellate Courts and Judicial Compensation	Hon. Linda Thomas	Margaret Bennett Glenna Bowman Alice McAfee Mena Ramon
Emergency Preparedness	Hon. Kelly Moore	Mena Ramon
Civil and Family Law	Hon. Alfonso Charles Hon. Linda Thomas	Tina Amberboy Bryan Wilson
Criminal Law and Indigent Defense	Hon. Alfonso Charles	Wesley Shackelford
Justice and Municipal Courts	Hon. Monica A. Gonzalez Hon. Russell B. Casey Hon. Beatriz Q. Gonzalez Hon. Glenn D. Phillips	Ted Wood

Judicial Administration/OCA		Ted Wood
Information Technology	Judicial Committee on Information Technology	Bruce Hermes
Process Servers	Process Server Review Board	Katie Bond Jody Hughes Meredith Musick
Court Reporters	Court Reporter Certification Board	Michele Henricks
Guardians	Hon. Polly Spencer Guardianship Certification Bd.	Lesley Ondrechen
Judicial Conduct	Hon. Monica A. Gonzalez Hon. Polly Spencer Hon. Kelly Moore Seana Willing	Margaret Bennett
Mental Health/Probate	Hon. Polly Spencer	Ted Wood Jim Bethke Bruce Hermes
Court Cost Collections/Fees	Hon. Linda Thomas	Ted Wood Jim Lehman Glenna Bowman
Associate Judges/Specialty Courts	Hon. Kelly Moore	Mena Ramon Frankie Teel
New Courts/Weighted Caseload Study	Hon. Orlinda Naranjo	Mary Cowherd Andy Barbee Mena Ramon
Judicial Administration/Court Clerks/ Juries/Access to Justice/SBOT Court Administration Task Force/Court Security	Hon. Linda Thomas Hon. Alfonso Charles	Ted Wood Mary Cowherd Carl Reynolds

Legislative Proposals for Consideration by Texas Judicial Council for the 81st Legislature (03/26/08)

#	Description	Workgroup	Other Parties	Legislation (80 th)	Senate Sponsor (80 th)	House Sponsor (80 th)
1.	Appellate Court Filing Fees – Revise statute to reflect TRAP	Appellate Courts/Judicial Compensation	Council of Chief Justices	HB 367	none	Hartnett
2.	OCA Certification Division & Fees for Process Server Certification	Process Servers		SB 1305	Wentworth	Hartnett
3.	Reduce Criminal History Background Check Requirements for Guardianship Programs	Guardians	Guardianship Programs			
4.	Amend Family Code §232.002 to give notice of child support delinquency to GCR.	Guardians	Katie Bond			
5.	Create mechanism to compel the appointment of certified guardians when required	Guardians				
6.	Commercial Driver's License Masking Problem	Justice & Municipal Courts	TMCEC			
7.	Class C Misdemeanors – 2-year Statute of Limitations	Justice & Municipal Courts	TMCEC	SB 463	Harris	Peña
8.	Class C Misdemeanors – Require Complaint when Defendant Fails to Appear	Justice & Municipal Courts	TMCEC			
9.	Repeal Article 45.014, CCP (Special Arrest Warrant Statute for JP's and municipal judges)	Justice & Municipal Courts	TMCEC			
10.	Repeal Article 15.18, CCP (permitting magistrates to take guilty pleas from persons arrested on Class C misdemeanor warrants issued from other counties)	Justice & Municipal Courts	TMCEC			
11.	Allow hearing on Capias Pro Fine to be conducted electronically	Justice & Municipal Courts	TMCEC			
12.	Reduce time period for which evidence of financial responsibility is required to obtain release of impounded vehicle	Justice & Municipal Courts				
13.	Clarification of proper handling of appeal bond in justice court civil case when appeal fee is not paid in county court	Justice & Municipal Courts				
14.	Residency Requirements for Specialty Courts Associate Judges	Associate Judges/ Specialty Courts				
15.	Automated Registry placeholder	Information Technology				

#	Description	Workgroup	Other Parties	Legislation (80 th)	Senate Sponsor (80 th)	House Sponsor (80 th)
16.	Permanent Judicial Commission for Children, Youth & Families legislation	Civil & Family Law				
17.	"Repaying Debts" placeholder, see report at http://justicecenter.esg.org/media/press_releases/	Court Cost Collections/Fees	Tony Fabelo Andy Barbee			
18.	Collections Program clean-up legislation	Court Cost Collections/Fees				
19.	Make refusal to register motor vehicle mandatory if defendant fails to appear or pay court costs and fines	Court Cost Collections/Fees				
20.	Specify in the judgment the manner in which a defendant is to pay fines and court costs	Court Cost Collections/Fees				
21.	Local Retention of portion of State money for compliant Collections Programs	Court Cost Collections/Fees				
22.	Clarification of Court Cost Assessment Issue in Cases with Multiple Convictions arising out of same Criminal Transaction	Court Cost Collections/Fees				
23.	Make refusal to register vehicle for failure to appear or pay fines and court costs applicable to all Transportation Code offenses	Court Cost Collections/Fees				
24.	Clarify ADR filing fee applicability in small claims court cases	Court Cost Collections/Fees				
25.	Court Case Records Access Issues	Judicial Administration	Alice McAfee			
26.	Crime Victim Information in Criminal Judgments	Judicial Administration	Court Clerks Victim Groups OAG			
27.	Take OCA out of constitutional county judge salary supplement process	Judicial Administration	Comptroller Mena Ramon			
28.	Multi-District Litigation placeholder	Judicial Administration	Comptroller Mena Ramon			
29.	Petition for Non-Disclosure Clarification	Judicial Administration				
30.	Chief Justice to appoint regional presiding judges	Judicial Administration	Alice McAfee	SB 1566	Hinojosa	
31.	Implement Supreme Court Jury Task Force recommendations	Judicial Administration	Judge David Peoples	HB 3413		Gattis
32.	Address concerns regarding personal identifiers in initial civil pleadings	Judicial Administration	Jody Hughes Alice McAfee	SB 699	Carona	

#	Description	Workgroup	Other Parties	Legislation (80 th)	Senate Sponsor (80 th)	House Sponsor (80 th)
33.	Jury note-taking and written question submission	Judicial Administration		SB 1300	Wentworth	
34.	New Filing Fee to Offset cost to counties of complying with new reporting requirements	Judicial Administration	County and District Clerks Association of Texas			
35.	District Court Minimum Jurisdiction	Judicial Administration	State Bar Court Administration Task Force			
36.	Give District and CCL Judges authorization to hear matters not assigned to their courts with consent of parties and assigned judge	Judicial Administration	State Bar Court Administration Task Force			
37.	Eliminate statutory provisions directing district courts to give preference to certain categories of cases (make this a local court administration decision)	Judicial Administration	State Bar Court Administration Task Force			
38.	Uniform Definitions of Subject Matter Jurisdiction for County Courts at Law	Judicial Administration	State Bar Court Administration Task Force			
39.	Uniform Definitions of Powers and Duties of Chapter 54 Associate Judges	Judicial Administration	State Bar Court Administration Task Force			
40.	Uniform Maximum Jurisdictional Limits for County Courts at Law	Judicial Administration	State Bar Court Administration Task Force			
41.	Convert CCL's that exceed Uniform Maximum Jurisdictional Limit into District Courts	Judicial Administration	State Bar Court Administration Task Force			
42.	Uniform Appeals from Justice Court and Small Claims Courts to the Courts of Appeals	Judicial Administration	State Bar Court Administration Task Force	HB 196		Gonzalez Toureilles
43.	Establish uniform criteria to determine need for new District Courts and CCL's	New Courts/Weighted Caseload Study	Carl Reynolds			

#	Description	Workgroup	Other Parties	Legislation (80 th)	Senate Sponsor (80 th)	House Sponsor (80 th)
44.	Indigent Inmates – Finish fixing payment process for indigent inmate defense – HB 1267 - by creating appropriations line item, rather than by making payments via miscellaneous claims or Fair Defense Account - Amend Art. 26.05 to delete references to the indigent defense representation fund that was not created by HB 1267	Criminal Law and Indigent Defense	TFID Susan Hays Comptroller	HB 1267 (passed)	Hinojosa	Turner
45.	Public Defenders- Clarify Process of Creating Public Defender Offices	Criminal Law and Indigent Defense	TFID	SB 159	Wentworth	Escobar
46.	Death Penalty Representation- Establish new defense attorney qualifications for appellate representation of defendants receiving a death sentence at trial and alter standard related to ineffective assistance of counsel findings	Criminal Law and Indigent Defense	Regional Presiding Judges TFID	SB 528/ HB 1266	Seliger	Peña
47.	Capital Writs Office- Establish new public defender to represent indigent defendants in writs of habeas corpus following death sentences	Criminal Law and Indigent Defense	TFID State Bar of Texas	SB 1655	Ellis	Gallego
48.	Electronic Signatures- Amendment to authorize electronic signatures for submission of vouchers from attorneys for indigent defense services. It could include a certification attorney agrees to when they submit.	Criminal Law and Indigent Defense	TFID			
49.	Change Name of Task Force on Indigent Defense- Propose changing name of Task Force on Indigent Defense to more permanent name to be determined	Criminal Law and Indigent Defense	TFID			
50.	Task Force on Indigent Defense board composition-Recommend the composition of the board be changed and for legislative members not be counted towards a quorum.	Criminal Law and Indigent Defense	TFID Judge Glen Whitley			

#	Description	Workgroup	Other Parties	Legislation (80 th)	Senate Sponsor (80 th)	House Sponsor (80 th)
51.	Additional Staff for Task Force- Request additional grant/program staff to more effectively administer increased appropriations and to work with local jurisdictions to help improve indigent systems. Rationale is to provide incentives and solutions to local government to improve.	Criminal Law and Indigent Defense	TFID			
52.	Consider clarifying statutory language restricting the way legal services fee revenue may be expended by the Task Force	Criminal Law and Indigent Defense	TFID Andrea Marsh			
53.	Consider clarifying statutory language related to supplanting of county funds with state funds from the Task Force	Criminal Law and Indigent Defense	TFID Andrea Marsh			
54.	Change Offense Classifications/Prosecutorial Options- Consider "re-classifying" certain non-violent jailable misdemeanors to non-jailable misdemeanors. (Review Massachusetts' legislation)	Criminal Law and Indigent Defense	TFID Judge Gary Harger			
55.	Pretrial Release Study- Study of pretrial release from custody laws in criminal cases.	Criminal Law and Indigent Defense	TFID			
56.	Crime Labs- Study crime lab laws and funding as it relates to the incarceration of indigent defendants awaiting lab results.	Criminal Law and Indigent Defense	TFID			

**Texas Judicial Council Legislative Review
Sample form**

#	Short name, concept, statutes or S	TJC Member & Staff	Other Parties	Legislation (80 th)

Texas Judicial Council Legislative Review

#	Short name, concept, statutes or S	TJC Member & Staff	Other Parties	Legislation (80 th)
1	<p>Add the Guardianship Certification Board to the list of agencies who may receive criminal history reports even if the incident is subject to non-disclosure.</p> <p>Government Code §411.081(i)</p>	<p>The Honorable Polly Spencer Lesley Ondrechen</p>	<p>GCB</p>	<p>HB 2426 names changed to Texas Medical Board and Texas Board of Nursing</p> <p>HB 3167 added commissioner of mortgage lending</p> <p>SB 9 added Texas Education Agency</p>

Government Code §411.081(i)

(i) A criminal justice agency may disclose criminal history record information that is the subject of an order of nondisclosure to the following noncriminal justice agencies or entities only:

- (1) the State Board for Educator Certification;
- (2) a school district, charter school, private school, regional education service center, commercial transportation company, or education shared service arrangement;
- (3) the Texas Medical Board;
- (4) the Texas School for the Blind and Visually Impaired;
- (5) the Board of Law Examiners;
- (6) the State Bar of Texas;
- (7) a district court regarding a petition for name change under Subchapter B, Chapter 45, Family Code;
- (8) the Texas School for the Deaf;
- (9) the Department of Family and Protective Services;
- (10) the Texas Youth Commission;
- (11) the Department of Assistive and Rehabilitative Services;
- (12) the Department of State Health Services, a local mental health service, a local mental retardation authority, or a community center providing services to persons with mental illness or retardation;
- (13) the Texas Private Security Board;
- (14) a municipal or volunteer fire department;
- (15) the Texas Board of Nursing;
- (16) a safe house providing shelter to children in harmful situations;
- (17) a public or nonprofit hospital or hospital district;
- (18) the Texas Juvenile Probation Commission;
- (19) the securities commissioner, the banking commissioner, the savings and mortgage lending commissioner, or the credit union commissioner;
- (20) the Texas State Board of Public Accountancy;
- (21) the Texas Department of Licensing and Regulation;
- (22) the Health and Human Services Commission;
- (23) the Department of Aging and Disability Services;
- and
- (24) the Texas Education Agency.

Interim Charges

		<p>child abuse and neglect. Consider if higher priority for selection should be given to child or family mentoring or other support services, such as foster grandparents and efforts that assist mothers.</p> <ul style="list-style-type: none"> ➤ Evaluate existing and past efforts by the state for Youth Transitions in Independent Living. Recommend improvements to educational, occupational, health, and life skills components of preparation of foster children for adult living.
<p>Criminal Law and Indigent Defense</p>	<p>Senate Criminal Justice</p>	<ul style="list-style-type: none"> ➤ Study the issue of criminal asset seizure and the use of seized and forfeiture funds by district attorneys and law enforcement agencies. Review the oversight of these matters by the Texas Attorney General and provide recommendations to improve the dissemination of information concerning these funds. Ensure that these funds have the appropriate accountability and fiscal controls required for public funds. ➤ Study the system of deferred adjudication in Texas courts and make recommendations for resolving any problems and reducing the potential for release of dangerous criminals. ➤ Monitor the implementation of Senate Bill 103 and the continuing reforms to the Texas Youth Commission and the juvenile criminal justice system. ➤ Monitor the implementation of the new and expanded programs provided to the Texas Department of Criminal Justice (TDCJ) within the Fiscal Year 2008 and 2009 budget, and identify their impact on the criminal justice populations. ➤ Review the processes for re-entry of criminal offenders into communities. Identify barriers to the successful return to law-abiding behavior, including the absence of employment opportunities created by restriction on obtaining certain state occupational licenses. Provide recommendations for improvements to our current statutes governing this matter. ➤ Study whether Articles 36.09 (relating to trying multiple defendants from the same transaction either separately or jointly) and 36.10 (relating to severing defendants that show prejudice from a joint trial) of the Texas Code of Criminal Procedure provide sufficient safeguards to ensure fair and reliable trial results in capital cases with multiple defendants. Determine whether the articles provide trial judges with sufficient instruction regarding joinder or severance of defendants and, if not, make recommendations to improve procedures.
	<p>Senate Government Organization</p>	<ul style="list-style-type: none"> ➤ Examine criminal background check requirements across Texas health and human service, law enforcement, and education agencies, as well as other licensed professionals. Determine best practices, develop cross-agency standards, and make recommendations

for reducing costs and streamlining the process.

Senate Transportation and Homeland Security

- Evaluate the state's homeland security efforts and the state's recent \$140 million investment in law enforcement to help secure the border and study and make recommendations to deter transnational and drug-related gang violence and crime, including the use of injunctions and any possible improvements to Chapter 125 of the Civil Practices and Remedies Code, relating to membership in street gangs.
- Monitor urban crime laboratories and their compliance with state laws regulating their functions and make recommendations to restore public trust in their functions and to ensure full compliance with federal Homeland Security reporting requirements. Specifically, review the report issued by the Independent Investigator for the Houston Police Department Crime Laboratory and Property Room, the independent panel review of certain criminal convictions prompted by the conclusions of this report, and the implementation by the City of Houston of any reforms recommended in this report.

House Appropriations

- Monitor and examine the implementation of funding appropriated during the 80th Legislature to the Texas Youth Commission, Juvenile Probation Commission, Texas Department of Criminal Justice (TDCJ), and Correctional Managed Health Care Committee.
- Review and research the availability, coordination, efficiency, and allocation of substance abuse treatment resources for probationers, pretrial defendants, people in the custody of the TDCJ, and parolees. This review should include methods to reduce and improve current assessments, training, and referring protocols and the identification of any barriers that may be impeding all of the above. (Joint Interim Charge with the House Committee on Corrections)

House Corrections

- Consider new strategies for meeting prisoner reentry challenges in Texas, including the evaluation of programs with documented success. This review should include the availability of housing and occupational barriers.
- Study the organizational structure of the Texas Youth Commission and the Texas Juvenile Probation Commission to determine if the current system is effectively and efficiently addressing the needs of the juvenile justice system in conjunction with the sunset review of these agencies. (Joint Interim Charge with the House Committee on Juvenile Justice and Family Issues)

Process Servers	House Government Reform	<ul style="list-style-type: none"> ➤ Study and review current laws regarding licensing and regulation of professionals, as well as current laws regarding practice acts, and make recommendations on creating limitations and streamlining of licensure requirements, such as the public policy implications of decriminalization of license-related violations.
Court Reporters	House Government Reform	<ul style="list-style-type: none"> ➤ Study and review current laws regarding licensing and regulation of professionals, as well as current laws regarding practice acts, and make recommendations on creating limitations and streamlining of licensure requirements, such as the public policy implications of decriminalization of license-related violations.
Guardians	House Government Reform	<ul style="list-style-type: none"> ➤ Study and review current laws regarding licensing and regulation of professionals, as well as current laws regarding practice acts, and make recommendations on creating limitations and streamlining of licensure requirements, such as the public policy implications of decriminalization of license-related violations.
Judicial Conduct		
Mental Health & Probate	Senate Criminal Justice	<ul style="list-style-type: none"> ➤ Study the relationship between the public mental health system and the criminal justice and civil courts systems, including the identification and sharing of information regarding mentally ill offenders, including minors, among criminal justice and mental health agencies, the courts, state hospitals, and the Veterans Administration. Study how current confidentiality laws impact the exchange of information among groups described above. Study the sentencing of mentally ill offenders compared to non-mentally ill offenders, including minors, and the affect that has on statewide prison capacity and on the health care provided to mentally ill offenders. (Joint Charge with Senate State Affairs Committee)
	Senate Health and Human Services	<ul style="list-style-type: none"> ➤ Monitor the Department of Aging and Disability Services' improvement plan for the system of care for individuals with developmental disabilities, focusing on efforts to improve state schools and provide more community care options... ➤ Study the effectiveness of the Resiliency and Disease Management (RDM) program in the mental health service delivery system, implementation of changes to the crisis care program, and recommendations for appropriate use of the mental health transformation grant. Identify strategies to increase access to services and meet future demand for services. Examine resource allocation and opportunities to maximize funding. Policy

Guardianship Certification Board Legislative Workgroup

Individuals Interested in Participating

Guardianship Certification Board

Leah Cohen private professional guardian
Case Management and Guardianship Services
Austin

Don D. Ford, III attorney
Ford & Mathiason, LLP
Houston

Guardianship Advisory Board

Aaryce Hayes social worker/advocate
Advocacy, Inc.
Austin

Guardianship Programs

Suzanne Cobb manager of local guardianship program
The Senior Source, Inc.
Dallas

Other Guardianship Services

Monica Bonilla manager, guardianship services
Catholic Charities, Archdiocese of San Antonio, Inc.
San Antonio