

Legislative Proposals for Consideration by Texas Judicial Council for the 81st Legislature (08/05/08)

#	Description	Workgroup	Other Parties	Legislation (80 th)	Senate Sponsor (80 th)	House Sponsor (80 th)	OCA Staff
1.	Appellate court filing fees – Revise statute to reflect current appellate terminology	Appellate Courts/Judicial Compensation	Council of Chief Justices	HB 367	none	Hartnett	Ted Wood
2.	Explicitly direct that longevity payments do not count toward judicial salary caps	Appellate Courts/Judicial Compensation	Comptroller’s Judiciary Section (Leonard Higgins)				Mena Ramon
3.	Authorize presiding judge to appoint former district judges and statutory county court judges as visiting associate judges	Associate Judges/Specialty Courts					Mena Ramon
4.	Repeal pre-appointment regional residency requirement for child protection associate judges and clarify that persons on list of eligible to serve on assignment are qualified to be appointed as associate judges	Associate Judges/Specialty Courts					Mena Ramon
5.	Permanent Judicial Commission for Children, Youth & Families legislation	Civil & Family Law					Mena Ramon
6.	Make refusal to register motor vehicle mandatory if defendant fails to appear or pay court costs and fines	Court Cost Collections					Ted Wood
7.	Continuing education requirements for court reporting firms	Court Reporter Certification Board					Katie Bond
8.	Evidence in hearings of CRCB and time for appealing bond orders	Court Reporter Certification Board					Katie Bond
9.	Receipt of criminal history record information by CRCB	Court Reporter Certification Board					Katie Bond
10.	Staggering terms of CRCB members	Court Reporter Certification Board					Katie Bond

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11.	Technical corrections and changes to Government Code, Chapter 52	Court Reporter Certification Board					Katie Bond
12.	Allow a court to appoint an attorney from anywhere in the state	Criminal Law & Indigent Defense	Judge Olen Underwood				Wesley Shackelford
13.	Amend Code of Criminal Procedure (CCP) to better enable local jurisdictions to establish independent assigned counsel programs	Criminal Law & Indigent Defense	TFID Andrea Marsh				Wesley Shackelford
14.	Capital Writs Office – Establish new public defender to represent indigent defendants in writs of habeas corpus following death sentences	Criminal Law & Indigent Defense	TFID State Bar of Texas	SB 1655	Ellis	Gallego	Wesley Shackelford
15.	Change name of Task Force on Indigent Defense to Texas Indigent Defense Council	Criminal Law & Indigent Defense	TFID				Wesley Shackelford
16.	Clarify procedures for writs of habeas corpus in death penalty cases	Criminal Law & Indigent Defense	Judge Sharon Keller				
17.	Death penalty representation – Establish new defense attorney qualifications for appellate representation of defendants receiving a death sentence at trial	Criminal Law & Indigent Defense	Regional Presiding Judges TFID	SB 528/ HB 1266	Seliger	Peña	Wesley Shackelford
18.	Have judgment specify way defendant must pay fines and court costs	Criminal Law & Indigent Defense					Ted Wood
19.	Increase state funding available for discretionary grants and/or model program development	Criminal Law & Indigent Defense	Sen. Rodney Ellis TFID				Wesley Shackelford

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20.	Indigent inmates – Creating appropriations line item, rather than by making payments via miscellaneous claims or Fair Defense Account to fully implement HB 1267 – Amend Art. 26.05 to delete references to the indigent defense representation fund that was not created by HB 1267	Criminal Law & Indigent Defense	TFID Susan Hays Comptroller	HB 1267 (passed)	Hinojosa	Turner	Wesley Shackelford
21.	Legislation to authorize and provide longevity pay for public defenders in the state	Criminal Law & Indigent Defense	Angela Moore				
22.	Parole finding issue	Criminal Law & Indigent Defense	Keith Hampton				Carl Reynolds Ted Wood
23.	Public defenders – Streamline and clarify process of creating public defender offices	Criminal Law & Indigent Defense	TFID	SB 159	Wentworth	Escobar	Wesley Shackelford
24.	Study of pretrial release from custody laws in criminal cases	Criminal Law & Indigent Defense	TFID Bexar Judges Harle and Angelina				Wesley Shackelford
25.	Amend Probate Code § 681 to make lack of GCB certification a basis for disqualification as a guardian	Guardian Certification					Katie Bond Lesley Ondrechen
26.	Amend Probate Code § 696 to require private professional guardians to be both registered and certified	Guardian Certification					Katie Bond Lesley Ondrechen
27.	Authorize GCB to receive criminal history reports even when incidents are subject to nondisclosure	Guardian Certification					Katie Bond Lesley Ondrechen
28.	Reduce criminal history background check requirements for guardianship programs, private professional guardians and DADS	Guardian Certification	Guardianship Programs				Katie Bond Lesley Ondrechen

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29.	Streamline reporting requirements for DADS and others to eliminate duplicate reporting	Guardian Certification					Katie Bond Lesley Ondrechen
30.	Address concerns regarding personal identifiers in initial civil pleadings	Judicial Administration	Blake Hawthorne Alice McAfee Kennon Peterson	SB 699	Carona		Carl Reynolds
31.	Authorize justice courts to adopt local rules and authorize transfer of cases from one justice precinct to another by local rules	Judicial Administration	State Bar Court Administration Task Force				Carl Reynolds
32.	Chief Justice to appoint regional presiding judges	Judicial Administration		SB 1566	Hinojosa		Carl Reynolds
33.	Convert CCL's that exceed uniform maximum jurisdictional limit into district courts	Judicial Administration	State Bar Court Administration Task Force				Carl Reynolds
34.	Court case records access issues	Judicial Administration					Carl Reynolds
35.	Crime victim information in criminal judgments	Judicial Administration	Court Clerks Victim Groups OAG				Ted Wood
36.	District Court minimum jurisdiction	Judicial Administration	State Bar Court Administration Task Force				Carl Reynolds
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				Carl Reynolds
38.	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				Carl Reynolds
39.	Implement Supreme Court Jury Task Force recommendations	Judicial Administration	Judge David Peebles	HB 3413		Gattis	Ted Wood
40.	Jury note-taking and discussion of evidence during recesses	Judicial Administration		SB 1300	Wentworth		Ted Wood

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41.	New filing fee to offset cost to counties of complying with new Texas Judicial Council (TJC) reporting requirements	Judicial Administration	County and District Clerks Association of Texas				Mary Cowherd
42.	Repeal Gov't Code, Chapter 28 which establishes small claims courts and authorize Supreme Court to promulgate new rules for justice courts to exercise jurisdiction over small claims	Judicial Administration	State Bar Court Administration Task Force				Carl Reynolds
43.	Salary for district judges presiding over multi-district litigation (MDL)	Judicial Administration	Comptroller				Mena Ramon
44.	Streamline constitutional county judge salary supplement process	Judicial Administration	Comptroller				Mena Ramon
45.	Uniform definitions of powers and duties of Chapter 54 associate judges	Judicial Administration	State Bar Court Administration Task Force				Carl Reynolds
46.	Uniform definitions of subject matter jurisdiction for county courts at law	Judicial Administration	State Bar Court Administration Task Force				Carl Reynolds
47.	Amend CCP and direct Supreme Court or CCA to revise rules of civil procedure, evidence, and judicial conduct to facilitate courts' use of automated registry	Judicial Conduct Commission Workgroup					Katie Bond Margaret Bennett
48.	Amend Constitution to reduce size of SCJC and allow statutory probate judges to serve	Judicial Conduct Commission Workgroup					Margaret Bennett
49.	Authorize reimbursement of additional types of expenses in matters involving SCJC	Judicial Conduct Commission Workgroup					Margaret Bennett
50.	Correct citations in Gov't Code, Chapter 34 from Canon 7 to Canon 5	Judicial Conduct Commission Workgroup					Margaret Bennett

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51.	Delete Gov't Code, Chapter 33's procedural requirements for judicial retirement and removal and direct Supreme Court to promulgate new procedural rules	Judicial Conduct Commission Workgroup					Margaret Bennett
52.	Harmonize SCJC confidentiality provisions for trials and non-trial situations	Judicial Conduct Commission Workgroup					Margaret Bennett
53.	Move Gov't Code, Section 33.051 to Penal Code because the statute provides for criminal penalty for judges accepting referral fees or gifts and SCJC has no criminal jurisdiction	Judicial Conduct Commission Workgroup					Margaret Bennett
54.	Require convicting court rather than SCJC to enter order of removal after conviction of a judge	Judicial Conduct Commission Workgroup					Margaret Bennett
55.	Adjust insurance needed to obtain release of impounded vehicle	Justice & Municipal Courts					Ted Wood
56.	Allow capias pro fine hearings by video teleconference	Justice & Municipal Courts					Ted Wood
57.	Allow courts of appeals to hear appeals that originated in small claims court	Justice & Municipal Courts		HB 196		Gonzalez-Tourelles	Ted Wood
58.	Allow posting of bond to secure payment of special expense	Justice & Municipal Courts					Ted Wood
59.	Correction of court identification language in magistration statute	Justice & Municipal Courts					Ted Wood
60.	Eliminate requirement that defendants and prosecutors be charged for copies	Justice & Municipal Courts					Ted Wood
61.	Expand the State's restitution lien to include misdemeanors	Justice & Municipal Courts					Ted Wood

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62.	Prohibit evaluation of municipal judges on basis of money collected	Justice & Municipal Courts					Ted Wood
63.	Require complaint to be filed if defendant fails to appear	Justice & Municipal Courts					Ted Wood
64.	Require four-year terms for all municipal judges	Justice & Municipal Courts					
65.	Set statute of limitations in Class C misdemeanor cases	Justice & Municipal Courts		SB 463	Harris	Peña	Ted Wood
66.	Address 2007 addition to Probate Code authorizing proof of lost will by means of identification of copy of will	Probate, Guardianship & Mental Health		HB 391 (passed)	Wentworth	Hartnett	Ted Wood
67.	Address provision prohibiting adopted adult from inheriting from biological parent	Probate, Guardianship & Mental Health		HB 204 (79 th)	Harris	Goodman	Ted Wood
68.	Clarify notice provisions upon filing of final accounting of estate	Probate, Guardianship & Mental Health					Ted Wood
69.	Empower county clerk to deny issuance of letters to executors and administrators who are not in compliance with Sections 128A and 250, Probate Code	Probate, Guardianship & Mental Health					Ted Wood
70.	Require courts to report mental commitment and guardianship information to DPS for use in federal data base to prevent certain people from purchasing guns	Probate, Guardianship & Mental Health		SB 1755	Ellis		Ted Wood
71.	Set time period within which child born through alternative reproduction techniques (ART) must be born to claim share of intestate's estate	Probate, Guardianship & Mental Health					Ted Wood

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72.	OCA Certification Division & fees for process server certification	Process Servers		SB 1305	Wentworth	Hartnett	Katie Bond Glenna Bowman