Supreme Court of Texas
Summary of Recommendations - House

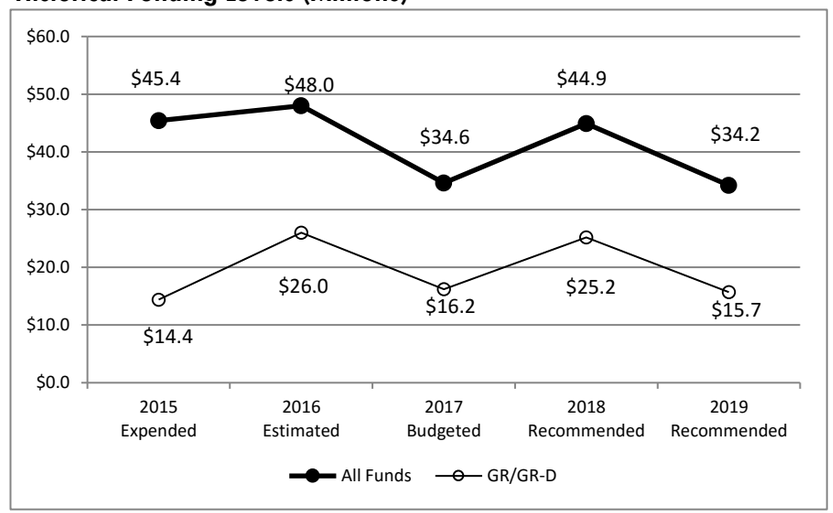
Page IV-1
The Honorable Nathan Hecht, Chief Justice
George Dziuk, LBB Analyst

Method of Financing	2016-17 Base	2018-19 Recommended	Biennial Change ($)	Biennial Change (%)
General Revenue Funds	$32,157,717	$31,223,254	($934,463)	(2.9%)
GR Dedicated Funds	$10,000,000	$9,600,000	($400,000)	(4.0%)
Total GR-Related Funds	*$42,157,717*	*$40,823,254*	*($1,334,463)*	*(3.2%)*
Federal Funds	$3,231,890	$3,193,938	($37,952)	(1.2%)
Other	$37,203,943	$35,125,904	($2,078,039)	(5.6%)
All Funds	**$82,593,550**	**$79,143,096**	**($3,450,454)**	**(4.2%)**

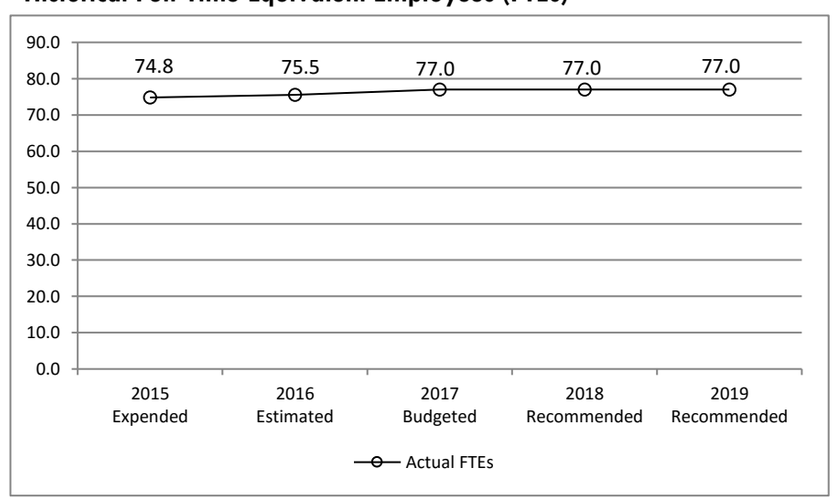
	FY 2017 Budgeted	FY 2019 Recommended	Biennial Change	Percent Change
FTEs	77.0	77.0	0.0	0.0%

The bill pattern for this agency (2018-19 Recommended) represents an estimated 69.3% of the agency's estimated total available funds for the 2018-19 biennium.

Historical Funding Levels (Millions)



Historical Full-Time-Equivalent Employees (FTEs)



Supreme Court of Texas
Summary of Funding Changes and Recommendations - House

	Funding Changes and Recommendations for the 2018-19 Biennium compared to the 2016-17 Base Spending Level (in millions)	General Revenue	GR-Dedicated	Federal Funds	Other Funds	All Funds	Strategy in Appendix A
	SIGNIFICANT Funding Changes and Recommendations (each issue is explained in Section 3 and additional details are provided in Appendix A):						
A)	Maintain $0.5 million in General Revenue and 3.0 FTEs for Appellate Court Operations that were included in the court's 4 percent reduction to enable the court to continue to process cases and pending matters at 2016-17 rates.	$0.0	$0.0	$0.0	$0.0	$0.0	A.1.1
B)	Decrease in General Revenue and General Revenue-Dedicated funding that the court included in its 4 percent reduction. A $8.3 million decrease in Judicial Fund 573 (Other Funds) civil penalties funding due to one-time awards not being continued into the 2018-19 biennium offset with a $1.2 million increase anticipated to be available from the Volkswagen lawsuit settlement. This funding is used for grants to legal aid organizations that provide basic civil legal services to low-income populations including basic civil legal services to veterans and their families and to victims of sexual assault.	($0.8)	($0.4)	$0.0	($2.1)	($3.3)	B.1.1
	OTHER Funding Changes and Recommendations (these issues are not addressed in Section 3 but details are provided in Appendix A):						
C)	Maintain Multi-District Litigation Strategy at 2016-17 base levels through $8,625 in General Revenue.	$0.0	$0.0	$0.0	$0.0	$0.0	B.1.3
D)	Decrease in General Revenue for a one-time building security renovation expenditure.	($0.1)	$0.0	$0.0	$0.0	($0.1)	A.1.1
E)	Decrease in Federal Funds for Court Improvement Projects due to one-time expenses for video conferencing equipment and software not anticipated to be available in 2018-19.	$0.0	$0.0	($0.1)	$0.0	($0.1)	B.1.2
	TOTAL SIGNIFICANT & OTHER Funding Changes and Recommendations (in millions)	**($0.9)**	**($0.4)**	**($0.1)**	**($2.1)**	**($3.5)**	As Listed
	SIGNIFICANT & OTHER Funding Increases	$0.0	$0.0	$0.0	$0.0	$0.0	As Listed
	SIGNIFICANT & OTHER Funding Decreases	($0.9)	($0.4)	($0.1)	($2.1)	($3.5)	As Listed

NOTE: Totals may not sum due to rounding.

Supreme Court of Texas
Selected Fiscal and Policy Issues - House

1. **Appellate Court Operations:** Recommendations continue funding and FTE levels for Appellate Court Operations at 2016–17 levels to maintain the court's disposition rate at 100 percent. The court included $0.5 million in General Revenue and authority for 4.0 FTEs for the following in its 4 percent reduction:
   - three law clerk positions (3.0 FTEs) for $338,250;
   - one deputy clerk position (1.0 FTE) for $94,296;
   - an increase of $20,000 for the Supreme Court Advisory Committee travel budget; and
   - an increase of $2,674 for consumable supplies.

2. **Basic Civil Legal Services:** Recommendations include $63.0 million in All Funds, which is a $3.3 million decrease, to provide basic civil legal services to low-income populations through grants to legal aid organizations. This also includes basic civil legal services to veterans and their families and victims of sexual assault.

   In fiscal year 2017 (December 2016), the Court received one-time civil penalties totaling $4.8 million deposited to Judicial Fund No. 573. Of this amount, $2.9 million was awarded to the State of Texas through civil penalties collected from the State of Texas vs. Amgen, Inc. and $1.0 million through civil penalties collected from the State of Texas vs Penguin, et al. Recommendations for 2018–19 do not continue these one-time civil penalties. This decrease is anticipated to be offset by a corresponding increase in other revenues deposited to Judicial Fund No. 573 for Basic Civil Legal Services in the 2018–19 biennium, such as Pro Hoc Vice and other filing fees and state bar membership dues, for a total decrease of $3.3 million from 2016–17 levels.

   In December 2016, the Court received $42.5 million in one-time civil penalties deposited to Judicial Fund No. 573 from a settlement between the State of Texas and Volkswagen. Of this amount, $1.2 million is appropriated to maintain Basic Civil Legal Services at 2016–17 levels which offsets decreases of $0.8 million in General Revenue and $0.4 million in General Revenue–Dedicated Sexual Assault Program No. 5010 for grant funding submitted by the Court as part of the 4 percent reduction. The Court is still determining how much of the remaining $41.3 million will be spent in fiscal year 2017 and will be available in the 2018–19 biennium.

   Recommendations include a new rider that makes $1.2 million appropriated from Judicial Fund No. 573 contingent on balances from the Volkswagen lawsuit being available. In the event that civil penalties from this settlement are not available in an amount sufficient to cover the full $1.2 million, the rider reduces the appropriation from Judicial Fund No. 573 by the amount that the balance is less than the $1.2 million and increases the appropriation from General Revenue by a commensurate amount. (See also, Rider Highlights – House #11 and Items not Included in Recommendations - House #3)

3. **Judicial Compensation Commission**: The Judicial Compensation Commission is recommending a 10.2 percent increase in judicial salaries for the 2018–19 biennium. This would increase the state salary of a Supreme Court Justice from $168,000 to $185,136 and the Chief Justice of the Supreme Court from $170,500 to $187,636. The most recent judicial salary adjustment was a 12 percent increase in the 2014–15 biennium for judge and prosecutor positions linked to district judge pay totaling $34.8 million across the 2014–15 biennium.

4. **Court Improvement Projects:** The Court anticipates that $2.0 million in Federal Funds will not be available during the 2018–19 biennium that funds the Supreme Court of Texas Children's Commission due to anticipated passage of Congressional legislation that would reduce Court Improvement Project federal funding by approximately two-thirds of the currently appropriated amount ($3.2 million for the 2016–17 biennium). Recommendations do not include this reduction because the Court became aware of this issue in December 2016. This commission was established in 2007 to improve the child welfare system through increasing public awareness of challenges facing children and families involved in the child welfare system and bringing attention to this issue through judicial leadership, reforming judicial practice, and informing policy affecting child welfare (See also, Items Not Included in Recommendations - House #1).

Supreme Court of Texas
All Funding Sources for Basic Civil Legal Services - House

Funds Within the GAA - Basic Civil Legal Services (Fiscal Year)

	2015	2016	2017	2016-17 Base	2018 Recommended	2019 Recommended	2018-19 Recommended	Recommended Over/(Under) 2016-17 Base	Percent Difference
General Revenue	$ 8,783,783	$ 10,280,783	$ 10,280,784	**$ 20,561,567**	$ 9,869,551	$ 9,869,553	**$ 19,739,104**	$ (822,463)	-4.0%
General Revenue–Dedicated Sexual Assault Program No. 5010	$ -	$ 10,000,000	$ -	**$ 10,000,000**	$ 9,600,000	$ -	**$ 9,600,000**	$ (400,000)	-4.0%
Judicial Fund No. 573	$ 26,775,108	$17,044,289	$ 13,672,839	**$ 30,717,128**	$ 14,930,776	$ 13,708,312	**$ 28,639,088**	$ (2,078,040)	-6.8%
IAC with Attorney General (Crime Victims Compensation Fund No. 469)	$ 2,496,765	$ 2,500,000	$ 2,500,000	**$ 5,000,000**	$ 2,500,000	$ 2,500,000	**$ 5,000,000**	$ -	0.0%
Total State BCLS Contribution	**$ 38,055,656**	**$ 39,825,072**	**$ 26,453,623**	**$ 66,278,695**	**$ 36,900,327**	**$ 26,077,865**	**$ 62,978,192**	**$ (3,300,503)**	**-5.0%**

Funds Outside the GAA - Basic Civil Legal Services (Calendar Year)

	2015	2016	2017	2016-17	2018	2019	2018-19	Over/(Under) 2016-17 Levels	Percent Difference
Interest on Lawyers Trust Accounts (IOLTA)	$ 4,936,975	$ 4,936,975	$ 5,090,000	**$ 10,026,975**	$ 5,280,000	$ 5,470,000	**$ 10,750,000**	$ 723,025	7.2%
Legal Services Corporation and Other Federal Funding	$ 55,125,679	$ 55,125,679	$ 55,125,679	**$ 110,251,358**	$ 55,125,679	$ 55,125,679	**$ 110,251,358**	$ -	0.0%
Other (Donations and Grants from Foundations)	$ 30,260,579	$ 62,643,279	$ 30,830,476	**$ 93,473,755**	$ 30,830,476	$ 30,830,476	**$ 61,660,952**	$ (31,812,803)	-34.0%
Total BCLS Funding Outside GAA	**$ 90,323,233**	**$ 122,705,933**	**$ 91,046,155**	**$ 213,752,088**	**$ 91,236,155**	**$ 91,426,155**	**$ 182,662,309**	**$ (31,089,778)**	**-14.5%**
Estimate of Total BCLS Funding from All Revenue Sources	**$ 128,378,889**	**$ 162,531,005**	**$ 117,499,778**	**$ 280,030,783**	**$ 128,136,482**	**$ 117,504,020**	**$ 245,640,501**	**$ (34,390,281)**	**-12.3%**

Source: Texas Access to Justice Foundation, Supreme Court

Notes:

(1) Judicial Fund No. 573: Fiscal Year 2017 amounts do not include $42.5 million in civil penalties awarded to the Court through a settlement between the State of Texas and Volkswagen because the Cout has yet to make a decision on how much of the settlement amount will be used in fiscal year 2017 and during the 2018-19 biennium. Fiscal year 2018 amounts include $1.2 million of the settlement amount to offset amounts included by the Court in the 4 percent reduction for basic civil legal services to veterans and their families and victims of sexual assault.

(2) Legal Services Corporation and Other Federal Funding: Amounts include significant grants to non-BCLS funded legal aid organizations that provide civil legal services to unaccompanied minors.

(3) Interest on Lawyers Trust Accounts: Amounts for 2017, 2018, and 2019 assume an increase in interest rates by the Federal Reserve.

(4) Other (Donations and Grants from Foundations): Amount for 2016 includes a one-time $32.4 million donation, which is restricted to foreclosure and community redevelopment cases. In addition, $2.3 million will be used for disaster relief with the remainder will be awarded over 4 years ($7.5 million per year).

(5) Totals may not sum due to rounding.

Supreme Court of Texas
Rider Highlights - House

Addition of New Riders

11. **Basic Civil Legal Services: Contingency Appropriation:** Recommendations add a new rider that makes the appropriation of $1,222,463 in Judicial Fund No. 573 funding in fiscal year 2018 contingent upon the balance of civil penalties remaining from a settlement with Volkswagen deposited to Judicial Fund No. 573 in fiscal year 2017 being sufficient to cover the appropriation. In the event that civil penalties from this settlement are not available in an amount sufficient to cover the full $1,222,463 appropriation from Judicial Fund No. 573, the rider reduces the appropriation from Judicial Fund No. 573 by the amount that the balance is less than $1,222,463 and increases the appropriation from General Revenue by a commensurate amount. (See also, Selected Fiscal and Policy Issues – House #2 and Items not Included in Recommendations - House #3)

Modification of Existing Riders

8. **Appropriation: Supreme Court Support Fee, Unexpended Balance Authority Between Biennia:** Recommendations remove unexpended balance authority between biennia and retitle the rider. Recommendations continue estimated appropriation authority for these funds and unexpended balance authority within the biennium for Appellate Court Operations. (See also, Items Not Included in Recommendations – House #2)

Deleted Riders

9. **Interagency Contract with Texas Veterans Commission:** Recommendations delete this rider. Actions of the Eighty-fourth Legislature through Article IX, Section 18.05 (d) Texas Veterans Commission and Texas Supreme Court (2016–17 GAA) resulted in the rider having no effect by moving appropriations of $750,000 in General Revenue each fiscal year from the Texas Supreme Court to the Texas Veterans Commission for Veterans Treatment Court Programs.

Supreme Court of Texas
Items Not Included in Recommendations - House

		2018-19 Biennial Total					
		GR & GR-D	All Funds	FTEs	Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2020-21
Court Exceptional Items - In Court Priority Order							
1)	General Revenue funding for the Children's Commission to offset an anticipated decrease of $2,000,000 in Federal Funds during the 2018-19 biennium. (See Also, Selected Fiscal and Policy Issues - House #4)	$2,000,000	$0	0	No	No	$2,000,000
2)	Request for unexpended balance authority in Strategy A.1.1 Appellate Court Operations for revenue credited to Judicial Fund 573 (Other Fund) in fiscal year 2017 from the Supreme Court Support Fee administered by the Court and used for operational purposes through an updated Rider 8. Surpeme Court Support Fee. (See also, Rider Highlights - House #8)	$0	$100,000	0	No	No	$100,000
3)	Grant funding included in required reductions for Basic Civil Legal Services to an estimated 1,325 households in the following amounts: 1) $702,463 in General Revenue funding for general Basic Civil Legal Services. 2) $120,000 in General Revenue funding for Basic Civil Legal Services for veterans and their families. 3) $400,000 in General Revenue-Dedicated Sexual Assault Program Account No. 5010 funding for Basic Civil Legal Services for victims of sexual assault. (See also, Selected Fiscal and Policy Issues - House #2)	$1,222,463	$1,222,463	0	No	No	$1,222,463
4)	General Revenue funding and Capital Budget authority to establish a Judicial Civics and Education Center to provide visitors with information on Texas legal history and the third branch of government.	$2,500,000	$2,500,000	0	No	No	$0
TOTAL Items Not Included in Recommendations		**$5,722,463**	**$3,822,463**	**0**			**$3,322,463**

Supreme Court of Texas
Appendices - House

Table of Contents		
Appendix	**Appendix Title**	**Page**
A	Funding Changes and Recommendations by Strategy	8
B	Summary of Federal Funds	*
C	FTE Highlights	10
D	Performance Measure Highlights	*
E	Summary of Ten Percent Biennial Base Reduction Options	11

* Appendix is not included - no significant information to report

** Information is included in the presentation section of the packet

Supreme Court of Texas
Funding Changes and Recommendations - House by Strategy -- ALL FUNDS

Strategy/Goal	2016-17 Base	2018-19 Recommended	Biennial Change	% Change	Comments
APPELLATE COURT OPERATIONS A.1.1	$12,867,344	$12,755,345	($111,999)	(0.9%)	Recommendations continue appropriations at 2016-17 levels with two changes: 1. a decrease of $112,000 in General Revenue funding due to funding provided for a one-time expense of building security upgrades for the 2016-17 biennium that is not continued into the 2018-19 biennium. 2. a $1 increase in Appropriated Receipts. (See also, Selected Fiscal and Policy Issues - House #1)
Total, Goal A, APPELLATE COURT OPERATIONS	**$12,867,344**	**$12,755,345**	**($111,999)**	**(0.9%)**	

Supreme Court of Texas
Funding Changes and Recommendations - House by Strategy -- ALL FUNDS

Strategy/Goal	2016-17 Base	2018-19 Recommended	Biennial Change	% Change	Comments
BASIC CIVIL LEGAL SERVICES B.1.1	$66,278,695	$62,978,192	($3,300,503)	(5.0%)	Recommendations reflect: 1. a $3,300,503 decrease in Judicial Fund 573 due to one-time windfalls of Civil Penalties in the 2016-17 biennium not continued in the 2018-19 biennium offset by an increase of $1,222,463 due to civil penalties awarded to the Court from the Volkswagen settlement (See also, Selected Fiscal and Policy Issues - House #2 and Rider Highlights - House #11). 2. a $702,463 decrease in General Revenue funding for Basic Civil Legal Services due to the 4 percent baseline reduction. 3. a $120,000 decrease in General Revenue funding for Basic Civil Legal Services for veterans and their families due to the 4 percent baseline reduction. 4. a $400,000 decrease in General Revenue-Dedicated Sexual Assault Program Account No. 5010 funding for Basic Civil Legal Services for victims of sexual assault due to the 4 percent baseline reduction. (See also, Selected Fiscal and Policy Issues - House #2, Rider Highlights - House #11, and Items Not Included in Recommendations - House #3)
COURT IMPROVEMENT PROJECTS B.1.2	$3,231,890	$3,193,938	($37,952)	(1.2%)	Recommendations reflect a decrease in Federal Funds due to one-time expenses in the 2016-17 biennium for video conferencing equipment and software. (See also, Selected Fiscal and Policy Issues #4)
MULTI-DISTRICT LITIGATION B.1.3	$215,621	$215,621	$0	0.0%	Recommendations continue Multi-District Litigation at 2016-17 levels.
Total, Goal B, COURT PROGRAMS	**$69,726,206**	**$66,387,751**	**($3,338,455)**	**(4.8%)**	
Grand Total, All Strategies	**$82,593,550**	**$79,143,096**	**($3,450,454)**	**(4.2%)**	

Supreme Court of Texas
FTE Highlights - House

Full-Time-Equivalent Positions	Expended 2015	Estimated 2016	Budgeted 2017	Recommended 2018	Recommended 2019
Cap	77.0	77.0	77.0	77.0	77.0
Actual/Budgeted	74.8	75.5	77.0	NA	NA

Schedule of Exempt Positions (Cap)					
Chief Justice (1)	$170,500	$170,500	$170,500	$170,500	$170,500
Justice (8)	$168,000	$168,000	$168,000	$168,000	$168,000

Notes:
a) The Supreme Court of Texas is exempted from Article IX, Section 6.10, which limits the number of FTEs paid from appropriated funds to the amounts specified in the General Appropriations Act.

Supreme Court of Texas
Summary of Ten Percent Biennial Base Reduction Options - House

			Biennial Reduction Amounts					
Priority	Item	**Description/Impact**	**GR & GR-D**	**All Funds**	**FTEs**	**Potential Revenue Loss**	**Reduction as % of Program GR/GR-D Total**	**Included in Introduced Bill?**
1)	**Reduce Law Clerk Program**	The reduction would eliminate 6 law clerks. Reduction would impact the Court's case processing and would reduce a program through which newly licensed attorneys can be mentored and trained to practice in Texas.	$676,500	$676,500	6.0	$0	2%	No
2)	**Reduce Additional Staff**	The reduction would eliminate two deputy clerks and two administrative support positions. Reduction would impact case processing and the administrative staff that provide support for this court responsibility.	$416,031	$416,031	10.0	$0	1%	No
3)	**Reduce Legal Services to the Indigent**	The reduction would impact grant funding to legal aid organizations providing basic civil legal services and would reduce the number of clients served by 3,182 fewer individuals.	$1,685,910	$1,685,910		$0	4%	No
4)	**Reduce Legal Services to Victims of Sexual Assault**	The reduction would impact grant funding to legal aid organizations providing basic civil legal services for survivors of sexual assault and would reduce the number of clients served by 738 fewer individuals.	$960,000	$960,000		$0	2%	No
5)	**Reduce Legal Services to Veterans**	The reduction would impact grant funding to legal aid organizations providing basic civil legal services for veterans and their families and would reduce the number of clients served by 312 fewer individuals.	$288,000	$288,000		$0	1%	No
6)	**Eliminate Multi-District Litigation Program**	The reduction would eliminate the Multi-Disrict Litigation Program that provides grants to counties to pay court personnel costs associated with large-party cases that cross multiple jurisdictions.	$20,700	$20,700		$0	0%	No
TOTAL, 10% Reduction Options			**$4,047,141**	**$4,047,141**	**16.0**	**$0**		

SUPREME COURT OF TEXAS
EXCEPTIONAL ITEMS

FY18-FY19

Chief Justice Nathan L. Hecht

EXCEPTIONAL ITEMS

1. Priority 1: Court Improvement Project/ Children's Commission – restore lapsed federal funding ($2M for the biennium, New Item 1)
2. Priority 2: Rider Request – restore unexpended balance authority between biennia for the Supreme Court Support Fee in Fund 573 (No new cost, New Item 2)
3. Priority 3: Restore 4% Reduction to Basic Civil Legal Services ($822,463 for BCLS GR and $400,000 Sexual Assault Dedicated Funds for the biennium, Item 3)
4. Priority 4: Judicial Civics and Education Center in the Tom C. Clark Building ($2.5M one time expense FY18, Item 4)

SUPPORT FOR OTHER AGENCIES

1. **OCA** – We support all of their requests, and specifically call to your attention:
    - Expanding the Guardianship Compliance Program Statewide ($6.6M biennium)
    - Salary Increases to Support Core Services ($634,000 biennium)
    - Four new Child Protection Courts ($742,484 per year)
2. **State Law Library**: We support all of their requests and their exceptional items. Their remote access program is crucial and should be continued. Their work increases access to justice for citizens statewide and eases the burden on the justice system.

Court of Criminal Appeals
Summary of Recommendations - House

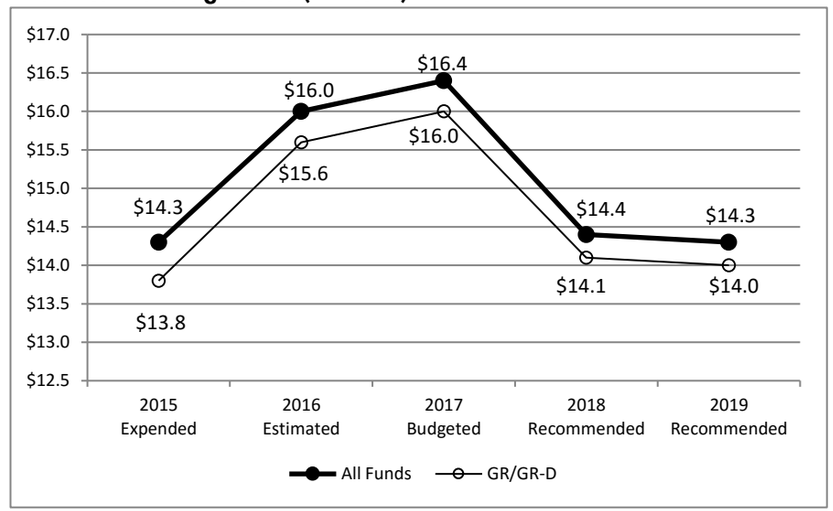
Page IV-4
The Honorable Sharon Keller, Presiding Judge
George Dziuk, LBB Analyst

Method of Financing	2016-17 Base	2018-19 Recommended	Biennial Change ($)	Biennial Change (%)
General Revenue Funds	$12,100,361	$12,475,361	$375,000	3.1%
GR Dedicated Funds	$19,566,009	$15,553,257	($4,012,752)	(20.5%)
Total GR-Related Funds	*$31,666,370*	*$28,028,618*	*($3,637,752)*	*(11.5%)*
Federal Funds	$0	$0	$0	0.0%
Other	$735,502	$735,502	$0	0.0%
All Funds	**$32,401,872**	**$28,764,120**	**($3,637,752)**	**(11.2%)**

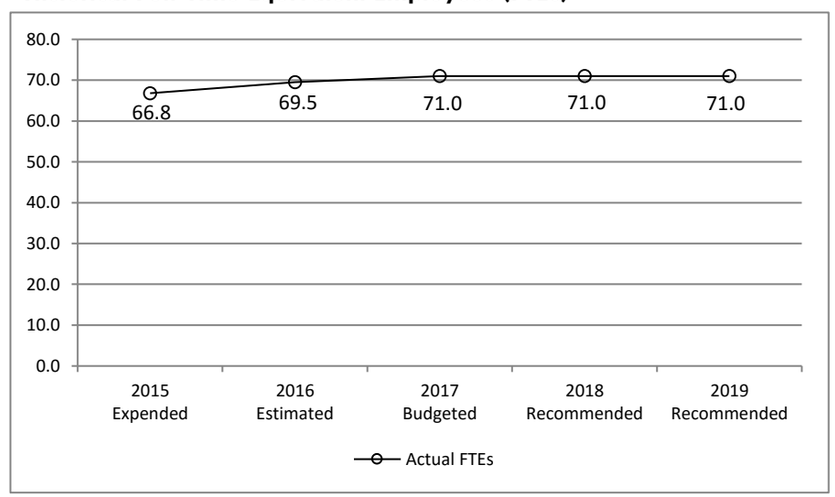
	FY 2017 Budgeted	FY 2019 Recommended	Biennial Change	Percent Change
FTEs	71.0	71.0	0.0	0.0%

The bill pattern for this agency (2018-19 Recommended) represents an estimated 100% of the agency's estimated total available funds for the 2018-19 biennium.

Historical Funding Levels (Millions)



Historical Full-Time-Equivalent Employees (FTEs)



Court of Criminal Appeals
Summary of Funding Changes and Recommendations - House

	Funding Changes and Recommendations for the 2018-19 Biennium compared to the 2016-17 Base Spending Level (in millions)	General Revenue	GR-Dedicated	Federal Funds	Other Funds	All Funds	Strategy in Appendix A
Funding Changes and Recommendations:							
A)	Maintain $0.5 million in General Revenue and 4.0 FTEs for Appellate Court Operations that were included in the court's 4 percent reduction to enable the court to continue to process cases and to maintain average time to disposition for cases at 2016-17 rates.	$0	$0	$0	$0	$0	A.1.1
B)	Decrease Judicial Education funding to align with estimated revenues and available fund balances in the General Revenue-Dedicated Judicial and Court Personnel Training Fund No. 540 slightly offset by an increase in General Revenue for the Court to contract with statewide professional associations and other entities for the purpose of providing continuing legal education, courses, and programs for judges and court staff on mental health issues and pre-trial diversion.	$0.4	($4.0)	$0	$0	($3.6)	B.1.1
Funding Changes and Recommendations (in millions)		**$0.4**	**($4.0)**	**$0.0**	**$0.0**	**($3.6)**	As Listed
	Funding Increases	$0.4	$0	$0	$0	$0.4	As Listed
	Funding Decreases	$0.0	($4.0)	$0.0	$0.0	($4.0)	As Listed

Court of Criminal Appeals
Selected Fiscal and Policy Issues - House

1. **Appellate Court Operations:** Recommendations continue funding and FTE levels for Appellate Court Operations at 2016–17 levels to enable the court to continue to process cases and to maintain average time to disposition for cases at 2016-17 rates. The court included $0.5 million in General Revenue and authority for 4.0 FTEs for four law clerk positions in its 4 percent reduction.

2. **Judicial Education:** Recommendations provide $15.6 million in All Funds for Judicial Education. This reflects a $4.0 million, or 20.5 percent decrease, in General Revenue–Dedicated Judicial and Court Personnel Training Fund No. 540 funds for Judicial Education from 2016–17 levels, court estimated available fund balances, and an annual 2.5 percent decrease in revenues each fiscal year. Recommendations also provide $0.4 million in General Revenue for the Court to contract with statewide professional associations and other entities for the purpose of providing continuing legal education, courses, and programs for judges and court staff on mental health issues and pre-trial diversion.

   The Comptroller's Biennial Revenue Estimate (BRE) anticipates $16.4 million in revenues and available fund balances for the 2018-19 biennium, which leaves $0.8 million available for appropriation. Account revenues are drawn from a portion of a court cost assessed upon conviction and a portion of filing fees collected by the 14 Courts of Appeals. Revenues to the account have declined in most fiscal years in amounts ranging from 1.3 to 5.6 percent since fiscal year 2008. (See also, Rider Highlights - House #2, #7, and #8, and Items Not Included in Recommendations - House #1, #3, and #4).

3. **Judicial Compensation Commission**: The Judicial Compensation Commission is recommending a 10.2 percent increase in judicial salaries for the 2018–19 biennium. This would increase the state salary of a Court of Criminal Appeals Judge Justice from $168,000 to $185,136 and the Presiding Judge of the Court of Criminal Appeals from $170,500 to $187,636. The most recent judicial salary adjustment was a 12.0 percent increase in the 2014–15 biennium for judge and prosecutor positions linked to district judge pay totaling $34.8 million across the 2014–15 biennium.

Court of Criminal Appeals
Rider Highlights - House

New Riders

7. **Judicial Education: Mental Health.** Recommendations add a rider appropriating $187,500 in General Revenue each year to the Court to contract with statewide professional associations and other entities for the purpose of providing continuing legal education, courses, and programs for judges and court staff on mental health issues and pre-trial diversion (See also, Selected Fiscal and Policy Issues – House #2)

8. **Contingency for Behavioral Health Funds.** Recommendations add a rider requiring the Comptroller of Public Accounts to not allow expenditures of General Revenue-Related behavioral health funds for the Court if the planned expenditure of those funds does not satisfy the requirements of Art. IX, Sec. 10.04 Statewide Behavioral Health Strategic Plan and Coordinated Expenditures.

Modification of Existing Riders

2. **Judicial Education:** Recommendations revise the rider to eliminate redundancy within the bill pattern. Recommendations continue strategy-level unexpended balance authority within the biennium for the Judicial Education strategy and delete text providing this same authority in the rider.

		2018-19 Biennial Total					
		GR & GR-D	All Funds	FTEs	Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2020-21
Court Exceptional Items - In Court Priority Order							
1)	General Revenue funding contingent upon a revenue shortfall in General Revenue–Dedicated Judicial and Court Personnel Training Account No. 540 court cost collections for grants to judicial training entities for additional training events and to provide funding for associated travel expenses. This includes updating Rider 3, Judicial Education: Appropriations for Certain Types of Legal Education, to align with new funding levels. (See also, Selected Fiscal and Policy Issues - House #2)	$3,994,451	$3,994,451	0.0	No	No	$3,994,451
2)	General Revenue funding to provide salary increases to non-legal court staff for salary parity with similar positions in the Supreme Court of Texas.	$377,330	$377,330	0.0	No	No	$371,754
3)	General Revenue–Dedicated Judicial and Court Personnel Training Fund No. 540 funding for grants to judicial training entities for additional training events and to provide funding for associated travel expenses using available balances in this account. This includes updating Rider 3, Judicial Education: Appropriations for Certain Types of Legal Education, to align with new funding levels. (See also, Selected Fiscal and Policy Issues - House #2)	$639,000	$639,000	0.0	No	No	$0

		2018-19 Biennial Total					
		GR & GR-D	All Funds	FTEs	Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2020-21
4)	$480,260 in General Revenue and $194,740 in General Revenue-Dedicated Judicial and Court Personnel Training Fund No. 540 funding for: 1) $262,000 to provide a grant to the Texas Justice Court Training Center to fund a staff attorney position to support judicial education services and to provide training on indigent defendants and mental health. 2) $413,000 to provide a grant to the Texas Municipal Courts Education Center to fund a part-time administrative assistant position to support expanding the center's judicial education services and for direct training costs for clinics for judges and court personnel regarding bail, fines, fees, requests for community service, jail commitments, and jaily credit in cases involving indigents, and for development of a mentor program for new municipal court judges and webinars on legislative reform, bail, indigence, compliance, collections improvement programs, alternative sentencing, case flow management, and jail commitments.	$675,000	$675,000	0.0	No	No	$675,000
TOTAL Items Not Included in Recommendations		**$1,691,330**	**$1,691,330**	**0.0**			**$1,046,754**

Court of Criminal Appeals
Appendices - House

Table of Contents		
Appendix	**Appendix Title**	**Page**
A	Funding Changes and Recommendations by Strategy	8
B	Summary of Federal Funds	*
C	FTE Highlights	9
D	Performance Measure Highlights	*
E	Summary of Ten Percent Biennial Base Reduction Options	10

* Appendix is not included - no significant information to report

** Information is included in the presentation section of the packet

Court of Criminal Appeals
Funding Changes and Recommendations - House, by Strategy -- ALL FUNDS

Strategy/Goal	2016-17 Base	2018-19 Recommended	Biennial Change	% Change	Comments
APPELLATE COURT OPERATIONS A.1.1	$12,835,863	$12,835,863	$0	0.0%	Recommendations continue funding for court operations at 2016-17 levels (See also, Selected Fiscal and Policy Issues - House #1 and Items Not Included in Recommendations - House #2).
Total, Goal A, APPELLATE COURT OPERATIONS	**$12,835,863**	**$12,835,863**	**$0**	**0.0%**	
JUDICIAL EDUCATION B.1.1	$19,566,009	$15,928,257	($3,637,752)	(18.6%)	Recommendations reflect a 20.5 percent decrease in General Revenue–Dedicated Judicial and Court Personnel Training Account No. 540 due to court esimated available fund balances and an annual 2.5 percent decrease in revenues each fiscal year. Recommendations include a court-estimated annual 2.5 percent decrease to each year of the 2018-19 biennium due to anticipated decreases in Court Cost revenue to the account (See also, Selected Fiscal and Policy Issues - House #2 and Items Not Included in Recommendations - House #1, #2, and #4). Recommendations include $187,500 in General Revenue each year, or $375,000 for the 2018-19 biennium, for the Court to contract with statewide professional associations and other entities for the purpose of providing continuing legal education, courses, and programs for judges and court staff on mental health issues and pre-trial diversion.
Total, Goal B, JUDICIAL EDUCATION	**$19,566,009**	**$15,928,257**	**($3,637,752)**	**(18.6%)**	
Grand Total, All Strategies	**$32,401,872**	**$28,764,120**	**($3,637,752)**	**(11.2%)**	

Court of Criminal Appeals
FTE Highlights - House

Full-Time-Equivalent Positions	Expended 2015	Estimated 2016	Budgeted 2017	Recommended 2018	Recommended 2019
Cap	71.0	71.0	71.0	71.0	71.0
Actual/Budgeted	66.8	69.5	71.0	NA	NA

Schedule of Exempt Positions (Cap)					
Presiding Judge (1)	$170,500	$170,500	$170,500	$170,500	$170,500
Judge (8)	$168,000	$168,000	$168,000	$168,000	$168,000

Notes:
a) The Court of Criminal Appeals is exempted from Article IX, Section 6.10, which limits the number of FTEs paid from appropriated funds to the amounts specified in the General Appropriations Act.

Court of Criminal Appeals
Summary of Ten Percent Biennial Base Reduction Options - House

Appendix E

			Biennial Reduction Amounts					
Priority	**Item**	**Description/Impact**	**GR & GR-D**	**All Funds**	**FTEs**	**Potential Revenue Loss**	**Reduction as % of Program GR/GR-D Total**	**Included in Introduced Bill?**
1)	Reduce Legal and Non-legal Salaries	A 12.7% reduction in staff pay (excluding Judges)	$1,161,635	$1,161,635		$0	10%	No
TOTAL, 10% Reduction Options			**$1,161,635**	**$1,161,635**		**$0**		

Judicial and Court Personnel Training Fund

COURT OF CRIMINAL APPEALS
P.O. BOX 12308, CAPITOL STATION
AUSTIN, TEXAS 78711

Dear Honorable Members of the House Appropriation Committee,

The Court of Criminal Appeals oversees three separate grants. The first grant is the multi-million dollar education grant for the education of judges, prosecutors, and defense attorneys and their respective staff. The second grant is for training on the topic of innocence exclusively. The innocence grant allows training for judges, prosecutors, defense attorneys, law-enforcement personnel, and law students. The Court's third grant is for the training of public defenders. The Court also hosts its own training initiatives and co-hosts training events with entities such as the Texas Forensic Science Commission and the State Bar. The Court not only audits the funds that are awarded to the various training entities but also plays a large role in overseeing the educational programs offered by our grantees.

While our grantees systematically offer exceptional in-depth training on topics crucial to our system of justice, the Court's oversight of the three state grants extends beyond monitoring programs proposed by the training organizations. Through it's unique role as the Supreme Court for criminal cases it is able to address problem areas in the criminal-justice system. The Court works with the grantees to produce an across-the-board approach to educating all participants on issues crucial to the improvement of our criminal-justice system. The Court channels specific educational topics for the improvement of the criminal-justice system to our grantees who in turn educate our constituents through a series of lectures and presentations from state and national experts in fields such as forensic science, eyewitness identification, mental health, discovery, and interrogations.

All of us should take great pride in the knowledge that Texas leads the nation in many of our reforms, particularly in the area of education and training. Other states and several federal organizations have recognized our progress and have asked for our help in

developing their own programs, using Texas as a model. Just a few examples of the national attention we have received has come with invitations from groups such as the Uniform Law Commission, the United States Senate Committee on the Judiciary, the International Association of Chiefs of Police, the White House Subcommittee on Forensics Sciences, the American Law Institute, the American Academy of Forensic Sciences, the Innocence Project of New York, the National Commission for Forensic Science, and the Center for Statistics and Applications in Forensic Evidence. Other organizations interested in the Texas training model include the American Association for the Advancement of Science and the Arnold Foundation. Also, Judge Hervey's status as a Commissioner on the National Commission for Forensic Science has allowed for a great exchange of ideas regarding training taking place around the country or those planned for the future.

Some of our educational efforts include a 2009 project the Court worked with the Texas Commission on Law Enforcement Office Standards and Education (now TCOLE) to add eyewitness evidence training to the Basic Peace Office Course curriculum and assisting TCOLE in developing a training course on eyewitness identification procedures modeled after the National Institute of Justice's Eyewitness Evidence Guide. During the 82nd Texas legislative session, a bill was passed that required police departments to adopt and implement written policies for the administration of photograph and live lineup identification procedures that follow best practices. *See* TEX. CODE CRIM. PROC. art. 38.20 (enacted by Acts 82nd Leg., ch. 219 (H.B. 215), § 1, effective September 1, 2011). All law enforcement agencies were required to have their policies in place by September 1, 2012.

The Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT) was charged with the development and dissemination of a model policy and procedure. Those law enforcement departments that have chosen not to adopt the LEMIT model policy were nonetheless charged with drafting their own, which must adhere to the minimum requirements of the statute. All law enforcement groups will be trained on the new eyewitness identification requirements. Because LEMIT was not given specific funding for the educational segment of its work, the Texas Court of Criminal Appeals gave it $40,000 from grant funds while also awarding $7,000 to the Texas Police Chiefs Association for law enforcement training. Judges, prosecutors, and defense attorneys have also received training related to the new policy.

As a result of a focused concern of the Legislature two sessions ago, we worked with Senator Carona's office to put on an intensive two-day seminar on mental health and substance abuse. We have also presented two forensic science seminars, one of which we co-sponsored with the Forensic Science Commission. Seminars were taught by state and national experts in various fields, and we educated hundreds of practitioners in key areas. Our grantees not only co-sponsored and advertised these programs, but they have followed up on this training, delivering many more hours of education on these crucial topics across the state.

Most recently the Court engaged in a joint project with the State Bar to begin a "Writ Academy" whereby attorneys could be specially trained to properly handle habeas claims. This is of particular importance due to the woefully inadequate supply of attorneys

knowledgeable in this area of the law, while the bulk of the work at the Court of Criminal Appeals involves habeas claims. With as many as 400 plus attorneys at a live or simultaneous webinar, the cost was only $5,000. This is a program we plan to update and continue.

In an ongoing collaboration to address other issued implicated by wrongful convictions, the Court has been working with the Forensic Science Commission to create model discovery orders in cases involving forensic science to reduce the burden on the criminal-justice system (i.e., defense attorneys, prosecutors, and crime-laboratory analysts). The Court has also assisted in the development of a notification system whereby defendants adversely affected by mistakes or other flaws in the forensic science world will have the ability to challenge errors when applicable. The Court has also been working with members of the Legislature and their staff on other ideas and potential bills to strengthen weaknesses in the criminal-justice system.

In the future, the Court plans to further survey prosecutors, defense attorneys, and judges regarding training needs in forensic science and plans on developing a program on the intersection of science and the law.

The grants are well placed within the Court of Criminal Appeals because the Court is in the best position to see the problem areas within the criminal-justice system and areas that may become problematic. And our grantees do not hesitate to deliver training to their respective constituents on topics crucial to the betterment of our system. More training is needed. But sufficient funding is the key to all of this. Therefore, we ask you to seriously consider our requests, share our pride in being national leaders in education, and allow us to continue to further our work.

Thank you,

Barbara P. Hervey

Overview

For a quick overview, the state appropriation for our program was established by the Texas Legislature in fiscal year 1986 under Chapter 56 of the Texas Government Code. Those provisions allow us to award funding in the form of grants to statewide training entities. At this time most training entities receiving grants are private non-profit organizations rather than governmental entities. We believe this is the only state funded judicial education grant program in the nation, so in that regard we are unique.

Our current grantees:
Texas Center for the Judiciary
Texas Municipal Courts Education Center
Texas Justice Court Training Center
Texas District & County Attorneys Association
Texas Criminal Defense Lawyers Association
Texas Association of Counties
Center for American & International Law
Texas District Court Alliance

Our appropriations run for two years and currently we are in the first year of the FY 2017-18 biennium. The FY 2017 appropriation is in the amount of $9,779,755, of which $463,162 is for administration of the program and $9,316,593 for grant allocations. The grant allocation funds are allocated to the following constituencies:

- $1,935,938 for appellate, district, and county judges and their court personnel.
- $1,935,938 for municipal judges and their court personnel.
- $1,935,937 for justices of the peace and their court personnel, and constables.
- $438,736 for constitutional county judges.
- $1,362,392 for prosecuting attorneys and their staff.
- $1,325,934 for criminal defense lawyers and their staff.
- $340,385 for specialized training in Actual Innocence.
- $41,333 for public defender training.

The amount of $245,000 allocated for Court administration of the program (estimated based on 2016 actual expenses) is used to cover the salaries of a staff attorney (Megan Molleur) and an auditor (Bill Hill), general office expenses and travel expenses. The amount of $368,000 (also estimated based on 2016 actual expenses) is allocated for supplemental grants to training entities and other training providers.

Court of Criminal Appeals
Judicial and Court Personnel Training Program

Budgeted Participants To Be Trained FY 2017

Source: Grantee Participant Reports

General Program:

	Total	TX Cntr For The Judiciary	TX Municipal Cts. Ed Center	TX Justice Ct. Training Cntr	TX Association of Counties	Cntr for American & Intnl Law	TX District & Cnty Attnys Assoc.	TX Criminal Def Lawyers Assoc.	TX District Clerk Alliance
Judges	5,330	930	1,958	1,922	520				
Court Personnel	6,438	760	2,863	2,289	226				300
Constables	970			970					
Prosecutors & Staff	2,492					95	2,397		
Crim. D Lwyrs & Staff	3,982					435		3,547	
Public Defenders	0								
Law Enforc Offcrs	0								
Students	150							150	
Total	19,362	1,690	4,821	5,181	746	530	2,397	3,547	300

Innocence Program:

		Cntr for American & Intnl Law	TX Criminal Def Lawyers Assoc.	TX Cntr For The Judiciary
Judges	229	29		200
Court Personnel	53	53		
Constables	0			
Prosecutors & Staff	168	168		
Crim. D Lwyrs & Staff	1042	307	735	
Public Defenders	0			
Law Enforc Offcrs	138	138		
Students	260		260	
Total	1890	695	995	200

Public Defender Program:

		Cntr for American & Intnl Law	TX Criminal Def Lawyers Assoc.
Judges	N/A		
Court Personnel	N/A		
Constables	N/A		
Prosecutors & Staff	N/A		
Crim. D Lwyrs & Staff	N/A		
Public Defenders	179	14	165
Law Enforc Offcrs	N/A		
Students	N/A		
Total	179	14	165

Combined:

Judges	5,559
Court Personnel	6,491
Constables	970
Prosecutors & Staff	2,660
Crim. D Lwyrs & Staff	5,024
Students	410
Law Enforc Offcrs	138
Public Defenders	179
Total	21,431

21,431 verification total

Court of Criminal Appeals
Judicial and Court Personnel Training Program

Actual Participants Trained FY 2016

Source: Grantee Participant Reports as of 9-30-16

General Program:

	Total	TX Cntr For The Judiciary	TX Municipal Cts. Ed Center	TX Justice Ct. Training Cntr	TX Association of Counties	Cntr for American & Intnl Law	TX District & Cnty Attnys Assoc.	TX Criminal Def Lawyers Assoc.	TX District Clerk Alliance
Judges	5,101	992	1,965	1,575	569				
Court Personnel	6,372	628	3,362	1,826	258				298
Constables	860			860					
Prosecutors & Staff	2,531					105	2,426		
Crim. D Lwyrs & Staff	2,980					454		2,526	
Public Defenders	0								
Law Enforc Offcrs	0								
Students	0								
Total	17,844	1,620	5,327	4,261	827	559	2,426	2,526	298

Innocence Program:

		Cntr for American & Intnl Law	TX Criminal Def Lawyers Assoc.	TX Cntr For The Judiciary
Judges	234	4		230
Court Personnel	22	22		
Constables	0			
Prosecutors & Staff	677	677		
Crim. D Lwyrs & Staff	606	185	421	
Public Defenders	0			
Law Enforc Offcrs	100	100		
Students	162		162	
Total	1801	988	583	230

Public Defender Program:

		Cntr for American & Intnl Law	TX Criminal Def Lawyers Assoc.
Judges	N/A		
Court Personnel	N/A		
Constables	N/A		
Prosecutors & Staff	N/A		
Crim. D Lwyrs & Staff	N/A		
Public Defenders	153	65	88
Law Enforc Offcrs	N/A		
Students	N/A		
Total	153	65	88

Combined:

Judges	5,335
Court Personnel	6,394
Constables	860
Prosecutors & Staff	3,208
Crim. D Lwyrs & Staff	3,586
Students	162
Law Enforc Offcrs	100
Public Defenders	153
Total	19,798

19,798 verification total

LAR Summary

The Court requests the following exceptional items for the Judicial and Court Personnel Training (fund 540) for FY 2018-2019:

Exceptional Item 1:

General Revenue is requested to cover a potential shortfall in Fund 0540 revenues due to declining court fee collections. The trend in declining revenues has averaged 2.5% per year since FY 2007, the net result is an estimated deficit of $3.99M in total revenues which are necessary to cover the requested appropriation (based on FY 16-17 levels in addition to exceptional item 4 in the amount of $675k). Without the additional funding to cover the estimated deficit, judicial and court personnel training programs will have to be cut. This will result in less training, and in some cases, no training for judges, court personnel, constables, prosecutors and defense lawyers. It should also be noted that judges and constables have statutorily mandated training requirements at specific numbers of course hours each year. The Court of Criminal Appeals requests General Revenue funding in the amount of $3.99M (FY 2018 $1.90M FY 2019 $2.093M) to cover the estimated revenue shortfall in GR-Dedicated Fund 0540.

97.4% of Fund 0540 revenues are from court fees authorized by Gov't Code Sections 56.001 and 102.021(6), and Local Gov't Code Section 133.102. The trend of an approximate 2.5% decline each year since FY 2007 in said court fees is expected to continue and result in a dire situation whereby revenues are estimated to be insufficient to cover appropriation levels needed to continue Fund 0540 training for judges, court personnel, and attorneys at current levels (FYs 16-17). Without an additional revenue source to cover an estimated shortfall of $3.997M the Fund 0540 appropriation would have to be decreased by 19.6% [$3.99M/$20.38M] which would jeopardize the delivery of required training, much of which is statutorily mandated.

Exceptional Item 3:

Per the State Comptroller's Biennial Revenue Estimate report, at the end of FY 2017 there will be an estimated cash balance of $639K. The purpose of this exceptional item is to request that the cash balance be made available for funding the Fund 0540 appropriation for the FY 2018-2019 biennium (FY 2018 $319K FY 2019 $319K). This increase is particularly important for the funding of the Judicial and Court Personnel Training Program (Fund 0540) because of the anticipated revenue shortfall in the next biennium, which is further addressed in exceptional item 1.

Our estimates indicate a revenue shortfall in Fund 0540 at the end of FY 2019 in the amount of $3.99M assuming the same appropriation levels as were approved in the FY 2016-2017 biennium are approved for the FY 2018-2019 biennium (in addition to exceptional item 4 which amounts to $675k, FY 2018 $337.5k FY 2019 $337.5k). A shortfall of such magnitude would represent 19.6% [$3.99M/$20.38M] of the entire appropriation which would have a detrimental impact on the delivery of training to judges, court personnel, and attorneys, with regards to quantity and quality of training delivered, much of which is statutorily mandated.

Exceptional Item 4:

This exceptional item for $675k ($337.5k FY 2018 $337.5k FY 2019) would be allocated to two training entities. Texas Municipal Courts Education Center would receive $413k and Texas Justice Court Training Center $262k over the biennium.

The Texas Municipal Courts Education Center would use the funds to hire a part-time administrative assistant at an estimated cost of $100k over the biennium which includes salary and benefits, and $313k for direct training costs including clinics for judges and court personnel to discuss best practices regarding bail, fines, fees, requests for community service, jail commitments, and jail credit in cases involving indigents. Also included in the $313k is a mentor program for new municipal judges, and webinars on issues relating to legislative reform, bail, indigence, compliance, collections improvement programs, alternative sentencing, case flow management, and jail commitments.

The Texas Justice Court Training Center would use the funds allocated to them to hire a new staff attorney at $200k over the biennium which includes salary and benefits, and $62k for training on indigent defendants and mental health. The new staff attorney is needed due to a workload which is already high and increasing. For example, in addition to working with faculty on training programs the staff attorneys provide over 500 hours of judicial training to justices of the peace and their clerks each year, and provide answers to approximately 3,000 legal questions by phone and responses to written questions on the Legal Question Board annually. A new staff attorney would increase the full time equivalents (FTE's) for staff attorneys from 2.9 FTE's to 3.9.

Recent public scrutiny of courts of limited jurisdiction and issues related to bail, fines, fees, and indigence has created a need for additional training on these important issues. In addition, the number of municipal judges and court personnel that participated in training has increased from 4,140 in FY 14 to 5,098 in FY 15, and 5,258 in FY 16. The volume of work required to service the justice courts necessitates an additional staff attorney. Justice courts encompass a large number of judges and vast jurisdiction. This judicial population has approximately a 20% turnover every 4 year election cycle which means a continued need for high quality judicial education. Additional technology requested will help service rural jurisdictions.

The Texas Municipal Courts Education Center (TMCEC) seeks additional funding to expand its programs to respond to important issues facing our criminal justice system in Texas. Recent public scrutiny of courts of limited jurisdiction in terms of issues related to bail, fines, fees, and indigence has created a need for additional training on these important issues. In addition, the number of municipal judges and court support personnel that participate in training from this grant has increased from 4,120 in FY 14 up to 5,327 in FY 16. TMCEC is requesting an additional $413,000 in grant funding for FY 18-19 ($164,724.75 in FY 18 and $248,275.25 in FY 19).

With the current level of funding, in FY 16 the grant provided 65,601 hours of training to 5,327 participants. Using a blended model of live and online programming, annually 42 conferences or seminars are hosted and 20 webinars. A similar training program is planned for FY 17. While the program in the current biennium addresses issues related to mental health, procedural justice, and fines, fees, and costs, a more in-depth approach is in critical need.

The funds will be used for the following proposed activities:

1. Offer each year an additional 10 one-day clinics for judges and court support staff to meet in smaller groups of under 50 to discuss best practices in terms of bail, fines, fees, ordering community service, jail commitments, and jail credit in cases involving indigents. The smaller groups, as opposed to our regional conferences with 100-200 participants, will focus on fundamental court processes to ensure access and fair treatment under Texas laws. (Estimated cost: $62,695.25 per year)

2. Develop a mentor program for new municipal judges that especially focuses on post-judgment practices to ensure that the rights of all defendants are preserved during compliance with court-ordered fines, fees, and costs. (Estimated cost: $42,620 per year)

3. Add an additional 10 webinars on fundamental issues related to legislative reform, bail, indigence, compliance, collections improvement programs, alternative sentencing, community service options, case flow management, and jail commitments. (No additional cost)

4. Host a statewide summit in FY 19 to identify new strategies implemented in the courts to effectively meet issues related to bail, fines, fees, and indigence in Texas. Summit will showcase an Effective Practices video that will then be available for the entire TMCEC constituency to watch via the TMCEC website and online learning center. (Estimated cost: $101,640 only offered once in biennium)

5. Hire a part-time Administrative Assistant to help current TMCEC staff absorb the additional work involved in expanding the program as mentioned above. (Estimated cost: $50,364.75 per year)

The amount requested by the Texas Municipal Courts Education Center from general revenue for the biennium is $413,000.

FY18

(100) SALARY			
	Part-time Administrative Assistant ($35,021.16/year)	$	35,021.16
(200)FRINGE BENEFITS			
	Health Insurance ($752.38 x 12 months)	$	9,028.56
	Retirement (35,021.16 x 9.5%)	$	3,327.01
	FICA, SUTA, Workers Comp ($2,171.31 Soc Sec + $507.81 Mcare + $126.90 SUTA + $182 Workers Comp)	$	2,988.02
(300)LODGING			
(STAFF)	Lodging to coordinate Local Clinics by a total of 10 clinics x 2 staff ($120 hotel cost x 10 clinics x 2 staff x 2 days)	$	4,800.00
(300)PER DIEM			
(STAFF)	Per Diem to coordinate Local Clinics by a total of 10 clinics x 2 staff ($36 per diem x 10 clinics x 2 staff x 2 days)	$	1,440.00
(300)TRAVEL			
(STAFF)	Travel to coordinate Local Clinics by a total of 10 clinics x 2 staff ($300 travel cost x 10 clinics x 2 staff)	$	6,000.00
(700)LODGING			
FACULTY/PARTICIPANTS	Lodging for Mentors to Austin (1 meeting x 50 mentors x $120 hotel cost)	$	6,000.00
	Lodging to present at Local Clinics by a total of 5 faculty ($120 hotel cost x 5 faculty x 10 clinics)	$	6,000.00
	Lodging for Train the Trainer by a total of 10 faculty ($120 hotel cost x 10 faculty)	$	1,200.00
	Lodging for 15 participants ($120 hotel cost x 15 participants x 10 clinics)	$	18,000.00
(700)PER DIEM			
FACULTY/PARTICIPANTS	Per Diem for Mentors to Austin (1 meeting x 50 mentors x $36 per diem x 2 days)	$	3,600.00
	Per Diem to present at Local Clinics by a total of 5 faculty ($36 per diem x 5 faculty x 10 clinics x 2 days)	$	3,600.00
	Per Diem for Train the Trainer by a total of 10 faculty ($36 per diem x 10 faculty x 2 days)	$	720.00
(700)TRAVEL			
FACULTY/PARTICIPANTS	Travel for Mentors to Austin (50 mentors x $300 travel cost)	$	15,000.00
	Travel to present at Local Clinics by a total of 5 faculty ($300 travel cost x 5 faculty x 10 clinics)	$	15,000.00
	Mentor court visits travel stipend (50 mentors x $250 travel for court visits)	$	12,500.00
	Travel for Train the Trainer by a total of 10 faculty ($300 travel cost x 10 faculty)	$	3,000.00
(710)COURSE MATERIALS			
	10 Clinics x 50 participants x $15	$	7,500.00
(760)ROOM RENTAL			
	1 Room x 10 Clinics x $500	$	5,000.00
(770)SHIPPING			
	10 Clinics x 50 participants x $10	$	5,000.00
	SUBTOTAL	$	164,724.75

FY19

(100)SALARY			
	Part-time Administrative Assistant ($35,021.16/year)	$	35,021.16
(200)FRINGE BENEFITS			
	Health Insurance ($752.38 x 12 months)	$	9,028.56
	Retirement (35,021.16 x 9.5%)	$	3,327.01
	FICA, SUTA, Workers Comp ($2,171.31 Soc Sec + $507.81 Mcare + $126.90 SUTA + $182 Workers Comp)	$	2,988.02
(300)LODGING			
(STAFF)	Lodging to coordinate Local Clinics by a total of 10 clinics x 2 staff ($120 hotel cost x 10 clinics x 2 staff x 2 days)	$	4,800.00

	Lodging to Summit by a total of 5 staff ($120 hotel cost x 5 staff x 2 days)	$	1,200.00
(300)PER DIEM			
(STAFF)	Per Diem to coordinate Local Clinics by a total of 10 clinics x 2 staff ($36 per diem x 10 clinics x 2 staff)	$	720.00
	Per Diem to Summit by a total of 5 staff ($36 per diem x 5 staff x 2 days)	$	360.00
(300)TRAVEL			
(STAFF)	Travel to coordinate Local Clinics by a total of 10 clinics x 2 staff ($300 travel cost x 10 clinics x 2 staff)	$	6,000.00
	Travel to Summit by a total of 5 staff ($300 travel cost x 5 staff)	$	1,500.00
(700)LODGING			
FACULTY/PARTICIPANTS	Lodging to present at Local Clinics by a total of 5 faculty ($120 hotel cost x 5 faculty x 10 clinics)	$	6,000.00
	Lodging for Mentors to Austin (1 meeting x 50 mentors x $120 hotel cost)	$	6,000.00
	Lodging to Summit by a total of 15 faculty ($120 hotel cost x 15 faculty)	$	1,800.00
	Lodging for Train the Trainer by a total of 10 faculty ($120 hotel cost x 10 faculty x 2 days)	$	2,400.00
	Lodging to Summit by 200 constituents ($120 hotel cost x 200 constituents)	$	24,000.00
(700) PER DIEM			
FACULTY/PARTICIPANTS	Per Diem to present at Local Clinics by a total of 5 faculty ($36 per diem x 5 faculty x 10 clinics x 2 days)	$	3,600.00
	Per Diem for Mentors to Austin (1 meeting x 50 mentors x $36 per diem x 2 days)	$	3,600.00
	Per Diem to Summit by a total of 15 faculty ($36 per diem x 15 faculty x 2 days)	$	1,080.00
	Per Diem for Train the Trainer by a total of 10 faculty ($36 per diem x 10 faculty x 2 days)	$	720.00
	Per Diem to Summit by 200 constituents ($36 per diem x 200 constituents)	$	7,200.00
(700)TRAVEL			
FACULTY/PARTICIPANTS	Travel to present at Local Clinics by a total of 5 faculty ($300 travel cost x 5 faculty x 10 clinics)	$	15,000.00
	Travel for Mentors to Austin ($300 travel cost x 50 mentors)	$	15,000.00
	Travel to Summit by a total of 15 faculty ($300 travel cost x 15 faculty)	$	4,500.00
	Mentor court visits travel stipend (50 mentors x $250 travel for court visits)	$	12,500.00
	Travel for Train the Trainer by a total of 10 faculty ($300 travel cost x 10 faculty)	$	3,000.00
	Travel to Summit by 200 constituents ($300 travel cost x 200 constituents)	$	60,000.00
(710)COURSE MATERIALS			
	10 Clinics x 50 participants x $15	$	7,500.00
(760)ROOM RENTAL			
	1 Room x 10 Clinics x $500	$	5,000.00
(770)SHIPPING			
	10 Clinics x 50 participants x $8.86 + $.50	$	4,430.50
	SUBTOTAL	$	248,275.25
	TOTAL	$	413,000.00

1	$	125,390.50
2	$	85,240.00
3	$	-
4	$	101,640.00
5	$	100,729.50
Total	$	413,000.00

The Texas Justice Court Training Center has three needs that are not able to be met under current funding: an additional staff attorney, an upgraded webinar system, and additional training in key areas.

Staff Attorney

The legal department provides over 500 hours of judicial education to justices of the peace and their clerks every year. The attorneys answer approximately 3000 legal questions through phone calls and in response to written questions on the Legal Question Board annually. They present or create 61 unique courses at the major training events (five 20-hour judges programs and six 16-hour clerks programs) and provide an additional 120 hours of supplemental education through eight 10-hour workshops on specific topics and at least 21 webinars. They prepare resource books on subjects within the justice courts' jurisdiction (e.g. evictions, truancy and juvenile law, magistration). They work with judges and clerks who serve as faculty to ensure they are effective and prepare or assist in the preparation of their presentations. During legislative years, TJCTC provides a comprehensive overview of the legislation affecting justice courts, including a legislative resource book and eight additional training events. TJCTC provides 80 hours of required new judge training annually. Every four years, the election cycle adds approximately 170 new justices of the peace, which means the judiciary has an ongoing need for continuing judicial education.

TJCTC needs an additional staff attorney to maintain this high level of judicial education and responsiveness to important issues, including indigent defendants, mental health issues, inquests, and courtroom security.

With an additional attorney, the Texas Justice Court Training Center will be able to:

1. Increase our ability to respond to numerous legal questions posed by judges, court personnel and constables by phone and on the Center's Legal Question Board (approximately 3000 answered in the last year);
2. Significantly increase participation in supplemental judicial education events by holding additional seminars in rural jurisdictions for judges, court personnel and constables who would otherwise not be able to attend due to travel budgets or distance;
3. Provide additional webinars to supplement the judicial education at our seminars (we conducted 22 webinars in the past year);
4. Greater flexibility and response time to important new issues when and as they arise, such as the treatment of the indigent defendant, by creating resources and learning modules for immediate use by the courts and their staff;
5. Revise and update essential judicial education resources, including the judges' deskbooks covering all of the many substantive areas within the courts' jurisdiction (e.g. evictions, magistration, juvenile law, civil trials, criminal trials, inquests, office holding, administrative hearings) and forms for the courts and litigants.
6. Improve monitoring of changes in all of the laws affecting justice courts enacted by the legislature and promptly prepare and distribute Legislative Update materials and presentations so that the judges, court personnel and constables are aware of new laws and procedures before their effective date.

The total biennium cost for an additional staff attorney (with an annual salary no greater than $70,000.00 and including benefits) is $200,000.00

Upgraded Webinar Software

TJCTC provides 21 webinars free of charge every year reaching approximately 1200 users. The webinars would continue to be free for the users. The Training Center currently has the most basic of programs. This can lead to technical difficulties and limits the interactivity. We would like to increase the accessibility and participation, particularly for the more rural jurisdictions and those with financial challenges in obtaining judicial education.

An upgraded webinar program, such as Adobe Connect, would have a biennium cost of $ 13,000.00 for a subscription.

Additional Training Events

The topics of the indigent defendant and mental health are significant and necessary areas in need of additional judicial education. TJCTC proposes providing a 10 hour workshop devoted to each topic annually for a total of 20 hours of additional judicial education for justices of the peace.

The total biennium costs for these programs is $48,000.00.

In conclusion, the total requested from general revenue for the biennium needs of the Texas Justice Court Training Center is $261,000.00.

Administrative Funds Allocation

Administrative Funds – FY 2015-2016

Date	Grantee	Course/Need for Funds	Amount
9/4/2014	Texas Rangers	Shooting Reconstruction Course-address officer involved shootings	$15,350.00
12/9/2014	Texas Association of Counties	Court clerk training co-sponsored with Office of Court Administration	$3,409.00
1/27/2015	Texas Criminal Defense Lawyers Association	Annual Rusty Duncan Advanced Criminal Law Course (travel, meals & hotel stay for judges to attend)	$28,000.00
4/13/2015	Texas Criminal Defense Lawyers Association	Supplemental funding for Capital Case Litigation Initiative (federal grant could not pay for attendees meals)	$10,593.80
5/12/2015	Texas Municipal Courts Education Center	Planning Meeting on mental health training for municipal courts	$9,770.00
5/12/2015	Texas Criminal Defense Lawyers Association	Annual Rusty Duncan Advanced Criminal Law Course (travel, meals & hotel for public defenders to attend)	$20,000.00

Date	Grantee	Course/Need for Funds	Amount
5/12/2015	Texas Criminal Defense Lawyers Association	Miscellaneous Items	$44,416.00
5/12/2015	Texas Center for the Judiciary	Administrative funds to cover shortfall (several of their programs had significantly more attendance than anticipated)	$100,000.00
5/12/2015	Texas Association of Counties	Probate Academy	$45,000.00
5/12/2015	Center for American and International Law	Added a day to their Innocence program	$8,000.00
5/12/2015	Center for American and International Law	Travel funds for public defenders	$10,000.00
5/12/2015	Center for American and International Law	Supplemental program income for their criminal law grant	$23,000.00
6/29/2015	Texas Justice Court Training Center	New equipment	$28,543.00
7/2/2015	Texas Center for the Judiciary	Projectors and cases	$5,825.68
9/14/2015	National Association of Criminal Defense Lawyers	Travel funds for public defenders	$15,450.00

Date	Grantee	Course/Need for Funds	Amount
9/14/2015	Texas Criminal Defense Lawyers Association	Annual Rusty Duncan Advanced Criminal Law Course (travel, meals & hotel for judges to attend)	$35,000.00
12/1/2015	Texas Forensic Science Commission and Sam Houston State University	DNA Mixture	$21,000.00
2/11/2016	Texas Rangers	Shooting Reconstruction Course-address officer involved shootings	$4,740.00
3/7/2016	Texas Association of Counties	Fee to have legal expert Gerry Beyer speak at Probate Academy	$5,000.00
4/5/2016	Dallas County PD Office	Travel funds for public defenders to attend Trial Lawyers College	$5,946.50
5/12/2016	Texas District & County Attorneys Association	Help fund Use of Force seminar	$50,000.00
5/23/2016	Texas Criminal Defense Lawyers Association	Website Upgrade	$7,814.00
5/23/2016	Texas Criminal Defense Lawyers Association	Annual Rusty Duncan Advanced Criminal Law Course (travel, meals & hotel for judges to attend)	$1,596.93

Date	Grantee	Course/Need for Funds	Amount
5/23/2016	Texas Criminal Defense Lawyers Association	New Server	$5,280.00
5/23/2016	Texas Criminal Defense Lawyers Association	Laptops for travel to seminars	$3,250.70
5/23/2016	Texas Criminal Defense Lawyers Association	SSRS Report Training	$4,950.00
6/6/2016	Texas Municipal Courts Education Center	Materials and planning committee for curriculum and video series on court costs	$26,212.00
8/2/2016	Texas Criminal Defense Lawyers Association	Travel funds for Nuts and Bolts seminar	$998.92
8/23/2016	Texas Municipal Courts Education Center	Computer software, website training and equipment	$24,060.98
8/23/2016	Texas Justice Court Training Center	New computers	$7,095.24
10/25/2016	Texas District & County Attorneys Association	Travel for Ad Hoc Committees on CPS and also diversity in prosecutor Offices	$50,000.00

Date	Grantee	Course/Need for Funds	Amount
8/22/2016	Center for American and International Law	Writ Academy	$5,413.22
10/14/2016	Texas Justice Court Training Center	Poverty Seminar	$9,855.00
10/14/2016	Texas Municipal Courts Education Center	Poverty Seminar	$9,855.00
11/21/2016	Texas Criminal Defense Lawyers Association	Annual Rusty Duncan Advanced Criminal Law Course (travel, meals & hotel for judges to attend)	$30,000.00

About Our Grantees

Texas Center for the Judiciary
Member & Constituent Job Duties

List of Members and Constituents

Members:
Appellate judges, district judges, county court-at-law judges, former and retired district and county court-at-law judges who sit by assignment

Additional Constituents:
Family Code Chapter 201 Associate Judges, Government Code Chapter 54A Associate Judges, and Court Coordinators

Job Duties of Members and Constituents

Supreme Court of Texas Justices

- Review actions and decisions of the lower courts on questions of law or allegations of procedural error
- Determine whether to grant review of the final judgment of a court of appeals (i.e., to grant or not grant a petition for review)
- Disposition of regular causes (i.e., granted petitions for review, accepted petitions for writs of mandamus or habeas corpus, certified questions, accepted parental notification appeals, and direct appeals)
- Disposition of numerous motions related to petitions and regular causes answer questions of state law certified from a federal appellate court
- Issue writs and to conduct proceedings for the involuntary retirement or removal of judges
- Review cases involving attorney discipline upon appeal from the Board of Disciplinary Appeals of the State Bar of Texas

- Promulgates all rules of civil trial practice and procedure, evidence, and appellate procedure
- Promulgates rules of administration to provide for the efficient administration of justice in the state
- Monitors the caseloads of the courts of appeals and orders the transfer of cases between the courts in order to make the workloads more equal
- With the assistance of the Texas Equal Access to Justice Foundation, administers funds for the Basic Civil Legal Services Program, which provides basic civil legal services to the indigent
- Complete continuing education requirements as required by law

TEXAS COURT OF CRIMINAL APPEALS JUDGES

- Hear appeals of appealed death penalty cases
- Mandatory review of applications for post-conviction habeas corpus relief in felony cases without a death penalty
- Hear appeals from the intermediate courts of appeals in criminal cases by petition for discretionary review, which may be filed by the State, the defendant, both, or its own motion.
- Promulgates rules of appellate procedure and rules of evidence for criminal cases
- Administers public funds that are appropriated for the education of judges, prosecuting attorneys, criminal defense attorneys who regularly represent indigent defendants, clerks and other personnel of the state's appellate, district, county-level, justice, and municipal courts
- Complete continuing education requirements as required by law

INTERMEDIATE APPELLATE JUSTICES

- Hear appeals from the trial courts located in its respective district
- Review records from lower court cases that have been appealed to their court
- Hear oral arguments
- Draft opinions
- Complete continuing education requirements as required by law

District Court Judges (Generally)

- Adjudicate all criminal cases of the grade of felony and misdemeanors involving official misconduct; divorce cases; suits for title to land or enforcement of liens on land; contested elections; suits for slander or defamation; and suits on behalf of the State for penalties, forfeitures and escheat
- Adjudicate civil matters with a minimum monetary limit (typically $200,000) but no maximum limit
- May also adjudicate contested matters in probate cases and have general supervisory control over commissioners' courts
- May issue writs of habeas corpus, mandamus, injunction, certiorari, sequestration, attachment, garnishment, and all writs necessary to enforce their jurisdiction
- May appoint, together with other local district judges, county auditor and set auditor's pay
- May appoint purchasing agents in some counties
- If a vacancy occurs in the office of district clerk, may appoint a person to fill the office (with other local district judges)

County Court-at-Law Judge (Generally)

- Jurisdictions vary among CCLs
- Typical criminal jurisdiction includes Class A and B misdemeanors, as well as appeals from Justice of the Peace and Municipal Courts
- Typical civil jurisdiction ranges from controversies of $500-$200,000.
- CCLs may, depending on their creating statute, handle probate, juvenile, felony, and more, cases

Trial Judges – Both District Court Judges and County Court-at-Law Judges

- Adopt a plan for indigent representation in criminal and juvenile cases and adopt a fee schedule
- Submit security incident reports to OCA
- Select local administrative judge
- Implement local rules including assignment, docketing and transfer
- Supervise caseload movement
- Provide Supreme Court and Office of Court Administration (OCA) with statistics
- Set hours and place for holding court
- Supervise employment and performance of non-judicial personnel

- Supervise budget and fiscal matters of the local courts
- Coordinate with any other local administrative judges in efficient operation of concurrent cases
- Hire a court coordinator and determine pay; salary is subject to commissioners' approval
- Hire a bailiff
- The district judge or district judges trying criminal cases in each judicial district and the statutory county court judges trying criminal cases in the county or counties served by the judicial district shall establish a Community Supervision and Corrections Department. Tex. Gov't Code §76.002. These judges have authority to (1) approve the Department's budget (2) approve the Community Justice Plan, (3) adopt certain rules regarding contracts with other departments, and (4) appoint a department director.
- Complete continuing education requirements as required by law
- May be responsible for serving on local juvenile board
- May service on county bail bond board
- Hire court reporter and set pay; salary *may be* subject to approval of commissioners' court
- Manage jury procedures
- Appoint interpreters

ASSIGNED AND VISITING JUDGES

- Adjudicate a case or docket of an active judge in the region who is unable to preside or who needs assistance with a heavy docket or docket backlog
- Complete continuing education requirements as required by law

GOVERNMENT CODE CHAPTER 54A ASSOCIATE JUDGES

- Will perform, or assign to be performed, special projects or other duties referred by the District and the County Courts at Law Judges pursuant to 54A, Texas government Code, and Chapter 574, Texas Health and Safety Code.
- Hear cases referred by district and county-level judges
- Make recommendations to the referring court
- Complete continuing education requirements as required by law

Family Code, Chapter 201A Associate Judges

- Hear cases brought under Titles 1, 4 and 5 and referred by District Judge or County Court at Law Judge
- Complete continuing education requirements as required by law

Title IV-D Associate Judges

- Conduct hearings in Title IV-D child support cases
- Make findings of fact, formulates conclusions of law and recommends/renders orders in Title IV-D cases
- Ensure cases are completed within the time specified in Chapter 201, Subchapter B of the Texas Family Code
- Supervise and evaluates the performance of the Title IV -D court coordinator in the associate judge's office
- Adhere to Texas Disciplinary Rules of Professional Conduct and the Code of Judicial Conduct in performing duties
- Complete continuing education requirements as required by law

Child Protection Court Associate Judges

- Adjudicate child protection cases
- Complete continuing education requirements as required by law

Court Coordinator/Manager/Administrator

Jury Management (may be delegated to the district clerk by the judges)

- Plan and order each week the summons of jurors adequate for the courts from the standpoint of both economy and efficiency based on each court's schedule and docket
- Divide and assign individual panels to the various courts and plan the re-use and reassignment of jurors to meet each court's needs after qualification of the central panel
- Plan and provide for the comfort and convenience of jurors awaiting assignment.
- Determine answers to complex inquiries from respective jurors
- Plan and coordinate juror security during the trial of major criminal cases
- Maintain records and reports on juror usage for planning and recommended improvements

Docket Management — Criminal

- Maintain and control the master criminal docket for all courts. This includes the setting and preparation of weekly and monthly dockets for each court
- Attend and assist courts in calling dockets to get announcements and resetting cases for date and purpose certain
- Supervise notification to attorneys, defendants, and bondsmen on criminal case settings
- Initiate better and more efficient procedures on dockets and caseflow to enable fair and speedy disposition in all criminal cases
- Maintain statistical data and records on caseflow and time elements involved in criminal cases for planning and performance purposes
- Set and supervise special dockets for revocation of probation hearings, pleas of guilty, and all pre-trial matters
- Notify jail division of defendants in custody and their scheduled dates and times for appearances in court

Docket Management — Civil

- Supervise preparation, duplication and distribution of all civil dockets
- Keep the courts informed of any changes on status of weekly and monthly dockets
- Set and maintain complete ancillary docket for the courts
- Attend docket call to get trial settings for each court
- Check weekly with attorneys on status of trial cases set for trial

Trial Management

- Set trial dockets
- Plan and supervise the mechanics of notice to all connected with trials
- Coordinate the availability of lawyers, parties, and court personnel
- Reset all cases not reached for trial
- Coordinate the transfer of cases ready for trial among the courts
- Make recommendations for improvements and procedures

Personnel Management

- Assist the judges by screening, interviewing, and recommending persons for employment by the courts
- Plan and supervise initial and advanced training for court employees and prepare training manuals for their use

- Schedule employees to work for the various courts and arrange for extra per diem employees when required
- Supervise court employees
- Research and report on personnel policies and salaries

Liaison

- Represent the courts on various matters before commissioners' court, other county departments, the legislature, the governor's office, the judicial administrative districts and courts of other jurisdictions

Records and Reports

- Supervise record keeping of all court functions
- Prepare periodic reports to the judges, commissioners' court, and other departments.
- Prepare an annual report and analysis of court work
- Maintain schedules, statistics, and other matters for the bench, bar and general public

Professional Development

- Maintain awareness of developments in court administration
- Participate in continuing professional education programs
- Lecture to judicial conference and professional peer groups
- Write and publish materials on court administration

Public Relations

- Conduct regular news conferences with the media to provide details of court business within the Canons of Judicial Ethics
- Prepare press releases on general court business
- Reply to inquiries from the public on court business
- Plan and arrange "In court" tours for students and other groups
- Speak to school and civic groups on the Courts
- Represent the courts at various functions
- Make arrangements for media representatives who attend court trials and conferences

Research and Resources

- Acquire and maintain resource materials and contact with related professional disciplines
- Acquire and maintain resource materials on rehabilitation
- Maintain special legal resource files
- Obtain legal materials for all judges
- Research specialized topics as assigned by judges

General Administration

- Expedite all other non-routine administrative matters as they arise
- Prepare and recommend rule changes
- Plan and supervise attorney appointments
- Evaluate various court functions
- Prepare and coordinate court schedules
- Prepare non-routine correspondence for judges
- Plan and coordinate special judicial conferences
- Act as recording secretary for Judicial Boards

Fiscal

- Select and prepare specifications and acquire furniture, furnishings, and other capital equipment for the courts
- Supervise periodic inventories
- Plan the acquisition of operating supplies
- Inspect property and arrange repairs and maintenance
- Prepare court budgets and assist in budgeting for court related departments
- Control budget spending
- Prepare and present budget amendments
- Plan and assign space to courts and for court-related activities

Texas Criminal Defense Lawyers Association
6808 Hill Meadow Dr. ¤ Austin, Texas 78736 ¤ 512.478.2514 p ¤ 512.469.9107 f ¤ www.tcdla.com

TCDLA Constituent Roles

Criminal Defense Lawyers

- Many are attorneys in private practice attorneys
- 80% are solo practitioners, many with limited resources to attend continue education and have a network support system
- Represent individuals accused of violating the law in Texas in all stages of the proceedings at trial or on appeal, including case investigation, theory development, motions practice, and plea negotiations
- Zealously advocate for the protection and defense of clients' individual rights in criminal proceedings
- Advise clients
- Approximately 50% of Texas criminal defense attorneys accept some court-appointed cases

Public Defenders

- Employed by state or counties, most have limited resources (again, for what?)Represent indigent individuals accused of violating the law in Texas in all stages of the proceedings at trial or on appeal, including case investigation, theory development, motions practice, and plea negotiations
- Zealously advocate for the protection and defense of clients' individual rights in criminal proceedings
- Advise clients

Texas Judges

- Preside over criminal trials, pre-trial proceedings and appeals
- Manage typically large dockets of individuals accused of violating the law
- Rule on all relevant issues in criminal proceedings, including on motions, admissibility of evidence, jury instructions
- Approve and process plea agreements between the prosecution and defense

Paralegals/Legal Assistants

- Assist the attorney in the preparation of cases and office administration issues
- Conduct legal research and participate in case investigations
- File necessary documents related to case

Social Workers

- Have a master's degree in social work
- Serve clients and their families
- Assist in the identification of rehabilitative services available to assist clients in addressing some of the underlying causes of criminal activity and reduce likelihood of recidivism
- Promote alternatives to incarceration
- Gather documentation relating to the client's background and social history
- Interview witnesses and clients on a variety of issues, including a client's background and upbringing, mental health and intellectual information
- Gather records related to client's social history
- Assist attorneys in the development and presentation of social history evidence
- Many are mitigation specialists

Mitigation Specialists

- Develop the bio-psycho-social history of the client, including a client's background and upbringing, mental health and intellectual information, primarily for the purpose of developing information relative to the sentencing phase of a case or plea bargain negotiations
- Gather records related to client's social history
- Assist attorneys in the development and presentation of social history evidence
- Identify and Interview mitigation witnesses
- Assist in the development of mitigation narratives
- Develop trusting client relationships
- Many are social workers

Law Students

- Students enrolled in Law School
- Many are involved with criminal defense or innocence clinics in law school
- Conduct legal research
- Assist attorneys in case preparation for trial or on appeal through the drafting of motions and memorandum of law, reviewing discovery, identifying issues to be developed in the case.

Investigators

- Conduct investigation in cases, including identifying and interviewing witnesses, gathering relevant records, and serving subpoenas
- Thoroughly review records and assist in the organization of case information
- Review and analyze law enforcement practices
- Assist attorneys in case preparation
- Many have previous law enforcement experience

TEXAS DISTRICT AND COUNTY ATTORNEYS ASSOCIATION
505 W. 12th St., Ste. 100, Austin, TX 78701 • 512/474-2436 (ph) • 512/478-4112 (fx) • www. tdcaa.com

Texas District and County Attorneys Duties
November 14, 2016

Texas district attorneys, county attorneys, and criminal district attorneys are elected officers who have a constitutional duty to represent the state in all cases in district and inferior courts in their respective districts and counties.[1] Elected prosecutors have a statutory duty to represent the state in all criminal cases in Texas district, county and justice of the peace courts, and generally in the appeals that arise therefrom.[2] In Texas there are currently 334 elected prosecutors, 2,800 assistant prosecutors, and 2,000 office staff.

Prosecutors significant duties include:

- Prosecute felonies and misdemeanors in district court county court and JP court and appeals therefrom
- Handle juvenile cases
- Represent DFPS/CPS in all aspects of child protection
- Protective orders
- Mental health commitments
- Nuisance enforcement
- Environmental enforcement
- Forfeiture enforcement
- Hot check enforcement
- Civil work for counties

[1] Article v, Section 21, Texas Constitution
[2] Articles 2.01 and 2.02, Tex. Code Crim. Pro.

- Response to requests for legal opinions[3]
- Represent various officials in response to PIA requests
- Seek AG opinions
- Prosecute Medicaid fraud
- Handling civil commitment of sexually violent predators
- Prosecute public integrity crimes against state officials
- Prosecute insurance fraud
- Prosecute motor fuels fraud

[3] Sec. 41.007, Tex. Gov't. Code

TEXAS DISTRICT AND COUNTY ATTORNEYS ASSOCIATION
505 W. 12th St., Ste. 100, Austin, TX 78701 • 512/474-2436 (ph) • 512/478-4112 (fx) • www.tdcaa.com

Texas prosecutors also are required by statute to represent a multitude of state agencies. Here are just a few examples:

- Department of Agriculture
- Department of Health
- Department of Licensing and Regulation
- General Land Office
- Texas Board of Nursing
- Underground Facility Notification Corporation

CAIL

JOB DUTIES OF CCA GRANT CONSTITUENTS

PROSECUTORS & STAFF

The primary duty of all prosecuting attorneys, including special prosecutors, is not to convict, but to see that justice is done.

Texas District Attorneys & Assistant District Attorneys

- Represent the state in prosecuting felony criminal cases
- Work with law enforcement officers in the investigation of criminal cases
- Present cases to the grand jury
- Represent victims of violence in protective orders and represent the state in removing children from abusive households

Texas County Attorneys & Assistant County Attorneys

- Represent the state in prosecuting misdemeanor criminal cases
- Work with law enforcement officers in the investigation of criminal cases
- Provide legal advice to the Commissioners Court and to other elected officials
- Bring civil enforcement actions on behalf of the state or county
- Obtains protective orders for victims of domestic violence
- Represent the applicants in mental health commitments and guardianships

Prosecutors' Staff: Investigators

- Sworn peace officers who independently assist in gathering pertinent data, identifying significant factors and recognizing solutions for cases
- Locate and develop evidence for trial or plea negotiations, and work in planning and organizing work to prepare cases for disposition

- Assist in reconstructing events, sequences, and time elements in preparation of criminal cases
- Interview and notify witnesses of trial dates by means of serving subpoenas, summons and writs and/or making arrests
- Coordinate transportation and lodging of trial witnesses, and conduct background checks of witnesses that may be used during trial
- Collect and prepare evidence for trial, review various reports and other related documentation or evidence in reference to offenses
- Assist during the jury selection process and with trial presentations

Prosecutors' Staff: Interns

- Assist the prosecutors and investigators with: legal research and briefing, investigation of cases, preparation for trial, and taking notes in interviews or the courtroom
- Perform pre-trial tasks like discovery, redactions, filing motions, subpoenaing records

DEFENSE ATTORNEYS & STAFF

Constituents are licensed Texas criminal defense attorneys who regularly represent indigent defendants in criminal matters in Texas State Courts, and their paralegals, mitigation experts and investigators.

Criminal Defense Lawyers

- Represent individuals accused of violating the law in Texas in all stages of the proceedings at trial or on appeal, including case investigation, theory development, motions practice, and plea negotiations
- Zealously advocate for the protection and defense of clients' individual rights in criminal proceedings
- Advise clients

Public Defenders

- Employed by state or counties

- Represent indigent individuals accused of violating the law in Texas in all stages of the proceedings at trial or on appeal, including case investigation, theory development, motions practice, and plea negotiations
- Zealously advocate for the protection and defense of clients' individual rights in criminal proceedings
- Advise clients

Defense Staff: Paralegals

- Assist the attorney in the preparation of cases and office administration issues
- Conduct legal research and participate in case investigations
- File necessary documents related to case

Defense Staff: Mitigation Specialists

- Develop the bio-psycho-social history of the client, including a client's background and upbringing, mental health and intellectual information, primarily for the purpose of developing information relative to the sentencing phase of a case or plea bargain negotiations
- Gather records related to client's social history
- Assist attorneys in the development and presentation of social history evidence
- Identify and interview mitigation witnesses
- Assist in the development of mitigation narratives
- Develop trusting client relationships
- Many are social workers

Defense Staff: Investigators

- Conduct investigation in cases, including identifying and interviewing witnesses, gathering relevant records, and serving subpoenas
- Thoroughly review records and assist in the organization of case information
- Review and analyze law enforcement practices
- Assist attorneys in case preparation
- Many have previous law enforcement experience

LAW STUDENTS: STUDENTS ENROLLED IN A TEXAS LAW SCHOOL

- Working with a Texas Innocence program

- Conduct legal research
- Assist attorneys in case preparation for trial or on appeal through the drafting of motions and memorandum of law, reviewing discovery, identifying issues to be developed in the case

TEXAS JUDGES

- Preside over criminal trials, pre-trial proceedings and appeals
- Manage typically large dockets of individuals accused of violating the law
- Rule on all relevant issues in criminal proceedings, including on motions, admissibility of evidence, jury instructions
- Approve and process plea agreements between the prosecution and defense

JUDGES' STAFF: COURT COORDINATOR/MANAGER/ADMINISTRATOR

- Manage, direct, supervise, coordinate and plan the operations of all courts of record
- Assist the judiciary in certain decision-making except in those judicial decisions required by law to be made by judges

POLICE OFFICERS

Texas Peace Officers are also known as law enforcement officers.

- Enforce state and federal laws, focus on protecting people and property, and uphold the Constitution of the United States of America
- Patrol assigned areas, which may include municipal, county, state or special jurisdictions
- Respond to calls, enforce laws/codes, make arrests, issue citations, investigate crimes and testify in court cases

Texas Association of Counties
JUDICIAL EDUCATION
TEXAS JUDICIAL ACADEMY

Constitutional County Judges
Jurisdiction and Responsibilities

There are 254 Constitutional County Judges in Texas ("County Judges"), one per county.
32 County Judges are licensed attorneys
230 County Judges have judicial responsibilities.
All 254 County Judges have administrative responsibilities.

Judicial Responsibilities

- Probate hearings where decisions regarding Estates and Guardianship are made;
- Mental health commitments, including Emergency Detention Orders and Applications for Inpatient or Outpatient Mental Health Commitments;
- Original jurisdiction over misdemeanors with fines greater than $500 or jail sentence (Class A & B misdemeanors);
- Civil actions between $200 and $10,000;
- Juvenile criminal proceedings;
- Magistration;
- Appeals *de novo* from Justice of the Peace and Municipal Courts (civil and criminal);
- Emergency Orders of Protection (Adult Protective Services cases);
- Protective Orders in family violence cases;
- Applications for Occupational Drivers Licenses
- Determination of title in motor vehicle cases;
- Beer and wine license hearings; and
- Inquests;

Administrative Responsibilities

- Prepare agendas for Commissioners Court;
- Preside over all Commissioners Court meetings;
- Proposes the County Budget for each fiscal year;
- Serves as authorized signatory on contracts and agreements for the County;
- Receives and Canvasses elections;
- Director of Emergency Management for emergency preparedness and response within the county;
- Oversees county capital projects including infrastructure and community based projects;
- Represents and serves on boards and committees on behalf of the County;
- Serves in Dignitary capacities for county government;
- Oversees the day to day operations of the county; and
- Any other duties as necessary

TMCEC Constituent Members and Job Duties

TMCEC offers specialized training to the following constituency groups:

- Muncipal Judges
- Municpal Court Clerks and Court Administrators
- Municipal Prosecutors
- Bailiffs & Warrant Officers
- Juvenile Case Managers

The roles of each constituent group and required job duties are described in the TMCEC publication entitled "Role of the Court Clerk," from the *TMCEC Level I Study Guide*. An excerpt is shown below. This excerpt has been slightly modified to include information about the court administrator and juvenile case manager.

Municipal Judges

The judge is responsible for presiding over trials and other court proceedings, for performing certain magistrate functions, and for the general administration of the court. Municipal judges are public officials.

Judges have the authority to perform judicial, magistrate, and ministerial duties. Judicial duties require an exercise of judgment, a decision of a question of law or fact, or a choice of alternatives. A question of law is an issue involving the application or interpretation of a law. A question of fact is an issue involving resolution of a factual dispute. The choices made by judges must be lawfully available choices or alternatives.

Judicial duties involve the exercise of discretion. "Judicial discretion" is defined as the exercise of judgment by a judge based on what is fair under the circumstances and guided by the rules and principles of law. A judge's discretion to make decisions must be based on facts and guided by law. It is the power to determine what, under existing circumstances, is right or proper. Judicial discretion is not unrestrained, though, and must be exercised so as to give effect to the purpose of the law for the interest of justice.

In the capacity of a trial court judge, the judge must be impartial and ensure that justice is done. The judge is not an adversary and must decide questions only on the basis of law. He or she must never assume the role of prosecutor or of defense counsel nor act as a special advisor to the police or a rubber stamp for law enforcement. The judge must never be influenced by the city to produce revenue or to enforce laws selectively.

When cases proceed to trial, only the evidence presented and the applicable laws are legitimate bases for any judicial decision. Accordingly, the judge must allow the prosecution and the defense, as well as all other components of the system, to perform their duties vigorously, but always within the limits allowed by law.

All judges in Texas are magistrates. Art. 2.09, C.C.P. Magistrate authority is additional power granted by the Texas Legislature. Although magistrate duties are broad and scattered throughout various statutes and codes, the general duty of every magistrate is to preserve the peace within his or her jurisdiction by issuing process intended to help prevent and suppress crime and to initiate the arrest of offenders in order that they may be brought to punishment. Art. 2.10, C.C.P. Magistrates act as the gatekeeper to the criminal justice system.

Case law provides that a magistrate's authority is countywide. Gilbert *v. State*, 493 S.W.2d 783 (Tex. Crim. App. 1973). In the municipal setting, a mayor is also a magistrate, but a mayor who is not acting as an ex officio municipal judge can only perform magistrate duties and not judicial duties.

The judge will rely heavily on administrative support by the clerk, but may not delegate judicial duties to the clerk or allow the clerk to influence any judicial decisions. While the judge establishes judicial policy and general court procedures, the clerk helps to implement those policies and procedures. Despite the close working relationship between the judge and clerk, there must be a clear separation between judicial and administrative functions.

Judicial Duties that May Not Be Delegated

The list below, although not exhaustive, sets out judicial duties that may not be delegated to a clerk.

- Setting bail to secure the defendant's appearance after a case has been filed in municipal court (Article 45.016, C.C.P.)
- Issue arrest warrants for defendants whose cases are filed in municipal court (Article 45.014, C.C.P.)
- Issue a capias for a defendant after a charge has been filed in municipal court (Article 23.04, C.C.P.)
- Issue a summons for a defendant when requested by the prosecutor (Article 23.04, C.C.P.)
- Issue a summons for the parent of a person under 17 (Articles 45.0215 and 45.054, C.C.P.)
- Forfeit bail (Articles 4.14 and 45.044, C.C.P.; Section 29.003(e), G.C.)
- Take and accept pleas of guilty, nolo contendere, or not guilty (Articles 27.14, 27.16, 45.021, 45.0215, 45.022, and 45.024, C.C.P.; Attorney General Opinion H-386)
- Enter a plea of not guilty for a defendant who refuses to plead (Article 45.024, C.C.P.)
- Grant a motion for new trial made after a defendant entered a plea while detained in jail (Article 45.023, C.C.P.)

- Conduct pre-trial hearings (Article 28.01, C.C.P.)
- Grant continuances (Chapter 29, C.C.P.)
- Conduct trials (Article 45.025, C.C.P.)
- Issue a writ to summon a venire (jury panel) (Article 45.027, C.C.P.)
- Rule on challenges to the array (membership) of the jury pool (Article 36.07, C.C.P.)
- Form the jury and administer the oath (Article 45.030, C.C.P.)
- Charge the jury (Article 45.033, C.C.P.)
- See that the verdict is in proper form and render judgment and sentence following a jury trial (Article 45.036, C.C.P.)
- Enter judgments (Article 45.041, C.C.P.)
- Setting fines (Article 45.041, C.C.P.; Attorney General Opinion H-386)
- Grant deferred disposition (Article 45.051, C.C.P.)
- Grant a driving safety course (Article 45.0511, C.C.P.)
- Grant teen court (Article 45.052, C.C.P.)
- Determine how a defendant pays fine and costs (time payment, extensions, community service) (Articles 45.041 and 45.049, C.C.P.)
- Grant community service or tutoring in satisfaction of fine or costs for juvenile defendants (Articles 45.049 and 45.0492, C.C.P.)
- Grant jail-time credit (Articles 42.03, 45.041, and 45.048, C.C.P.)
- Determine indigence (Articles 43.091, 45.046, 45.048, and 45.049, C.C.P.)
- Waive fine and court costs after a defendant defaults and the judge determines that the defendant is indigent and that performing community service would be an undue hardship (Article 43.091, C.C.P.)
- Rule on a motion for new trial (Article 45.038, C.C.P.; Section 30.00014, G.C.)
- Set and approve appeal bonds (Article 45.0425, C.C.P.)
- Issue a capias pro fine (Article 45.045, C.C.P.)
- Commit a defendant to jail for unpaid fines/costs (Article 45.046, C.C.P.)
- Conduct stolen or seized property hearings (Chapter 47, C.C.P.)
- Dismiss cases when required by law or upon prosecutor motion (Article 32.02, C.C.P.)
- Inform a juvenile and any parent in open court of the juvenile's expunction rights and provide them with a copy of the law (Article 45.0216, C.C.P.)
- Order convictions and records expunged (Articles 45.0216 and 45.055, C.C.P.; Section 106.12, A.B.C.; Section 161.255, H.S.C.)
- Hold a person in contempt (Article 45.050, C.C.P.; Section 21.002, G.C.)

Court Clerks and Court Administrators

Court clerks look to the judge for direction in matters pertaining to overall court policy and judicial procedures. The clerk's primary responsibilities include processing the clerical work of the court; administering daily operations of the court; maintaining court records; coordinating the scheduling of cases; and performing other duties as may be outlined in the city charter or ordinances. In the absence of more detailed, written administrative duties for a clerk by the governing body, the judge may assign various administrative duties. The court clerk is required to "keep minutes of the proceedings of the court, issue process and generally perform the duties for the municipal court that a county clerk performs for the county court." Sec. 29.010(c), G.C.

The court clerk can have a tremendous impact on participants' perceptions of the justice system. Each participant has a right to know and understand the court's procedures, thus the clerk should provide participants with information on court procedures while avoiding giving legal advice.

The responsibility of the court clerk's position and the scope of duties have greatly increased in recent years. The professionalism, timeliness, and accuracy of the court clerk's actions are important to the proper operation of the municipal court.

The court clerk must fulfill all duties impartially and competently. Within the role of administratively assisting the court as a whole, the court clerk is responsible for seeing that the court's papers are accurate, orderly, and complete. While the clerk's duty is to serve all participants equally in the legal system, the clerk must remain independent of any particular participant. This means that the clerk must be as courteous and helpful to defense lawyers as prosecutors and to defendants as police officers. The clerk must never attempt to influence the outcome of any case.

Some municipal courts in Texas utilize the term "court administrator" instead of court clerk. This usually applies to larger and medium size courts where there are multiple deputy court clerks, thus requirement more supervision and management.

Prosecutors

The Code of Criminal Procedure provides that it is the primary duty for municipal court prosecutors not to convict but to see that justice is done. Art. 45.201, C.C.P. In the broad view, the prosecutor represents the public's interest in enforcing the criminal laws of the state while acting in a manner that maintains public respect for the system. This is often a balancing act for prosecutors seeking to see justice fairly administered while operating within an adversarial system.

All prosecutions in municipal court shall be conducted by the city attorney or deputy city attorney. Some cities have in-house city attorneys and others contract with solo practitioners or law firms. In this regard, the municipal prosecutor is unique in the Texas justice system in that the prosecutor may practice an entirely different type of law, even criminal defense, when not acting in the role of the municipal court's prosecutor. The prosecutor may also be the county attorney of the county in which the municipality is situated if the county attorney so desires. In this case, the county attorney is not entitled to receive any compensation.

From a practical standpoint, prosecutors decide which cases to pursue, meet with opposing counsel or pro se defendants, and conduct trials. Article 45.201 of the Code of Criminal Procedure only requires an attorney representing the State to be present to conduct prosecutions at bench or jury trials. Tex. Atty. Gen. Op. GA-0067 (2003). Thus, interestingly, prosecutors may be present, but are not required when a defendant makes an appearance to enter a plea.

Just as municipal court clerks perform many of the same duties as their counterparts at the county and district levels, the city prosecutor performs a similar role as the prosecuting attorney in other criminal trial courts. A big difference is that county and district court prosecutors typically have distinct case intake protocols and may have staff and clerks of their own assisting in case preparation. In many Texas cities, the municipal prosecutor will not have as vast a support network. The prosecutor's time for case preparation and consultation with police officers, witnesses, and complainants is also usually more limited that their counterparts in the higher courts due in part to the greater case volume in municipal court.

The prosecutor ultimately represents the State of Texas when appearing in municipal court. To this end, the prosecutor's role is to seek justice, to screen out or to ask for dismissal of cases where there is insufficient evidence or evidence wrongfully gathered, and to seek convictions fairly and only of the guilty. It is solely the prosecutor's duty to decide when to file a complaint or advise peace officers in case preparation. Prosecutors, however, should be mindful that they cannot dismiss charges or cases, except upon written grounds and with the judge's approval. Arts. 45.201 and 32.02, C.C.P.

Duties of a municipal prosecutor include:

- investigate the facts surrounding alleged offenses and decide whether to file charges;
- prepare and draft complaints (the clerk may assist the prosecutor in preparing routine complaints where that preparation is a ministerial duty; however, the ultimate responsibility for the legal sufficiency and accuracy of complaints belongs to the prosecutor);
- administer oaths to persons filing complaints before the court (Art. 45.019(e), C.C.P.);

- prepare and present the State's case at trial;
- arrange for the appearance of the State's witnesses, including requests for subpoenas and attachments;
- file motions with the court that may be necessary to present cases;
- request dismissal of cases under proper circumstances;
- advise the police department in case preparation, legal procedures, and requirements, and other legal questions; and
- discuss pending cases with defendants or, if represented by counsel, with their attorneys prior to the courtroom hearing.

With the county attorney's consent or assistance, prosecutors are statutorily allowed to prosecute cases on appeal out of a municipal court. Art. 45.201, C.C.P. The prosecutor may make arrangements with the county attorney or criminal district attorney and the county judge to prosecute municipal court appeals.

Bailiffs

Ultimately, the judge has responsibility for maintaining order in his or her courtroom. Section 21.001(b) of the Government Code provides that "a court shall require that proceedings be conducted with dignity and in an orderly and expeditious manner and control the proceedings so that justice is done." It is, therefore, up to the judge to ensure that all users of the court are afforded safe and orderly proceedings. This is an impossible task to administer alone, however, so judges rely on the court bailiff to help.

The bailiff is directly responsible to the judge and has the duty of maintaining order, security, and decorum while the court is in session. The bailiff generally opens and closes court sessions. He or she may be assigned other duties, including maintaining custody of and escorting those convicted to the clerk to arrange payment. Bailiffs also administer oaths to witnesses (if directed and authorized by the judge); attend to the jury, keeping them together and separate from all other citizens during deliberations; carry written communications between the jury and the judge; and inform the judge when a verdict has been reached. Bailiffs may also assist defendants and other citizens present by explaining court procedures and answering questions.

Warrant Officers and Marshals

It is the duty of every peace officer to preserve the peace within the officer's jurisdiction through the use of all lawful means. Art. 2.13, C.C.P. Peace officers engage in various law enforcement duties when arresting offenders without a warrant (i.e., issuing a citation or making a custodial

arrest for an offense committed in view), applying to a magistrate for an arrest warrant when the officer has probable cause to believe a person has committed an arrest, and executing lawful process issued to the officer by a magistrate or a judge.

The primary role of the warrant officer is to serve all processes or papers issued by a municipal court; in other words, to make arrests on warrants or capias pro fines or deliver summonses to the parties to whom they are addressed. The Code of Criminal Procedure provides that all process issuing out of the municipal court shall be served by a police officer or city marshal under the same rules that apply to service by sheriffs and constables of process issuing out of justice court. Art. 45.202, C.C.P. Failure, neglect, or refusal to serve process may make the responsible officer liable for a fine of $10 to $200 for contempt of court. Art. 2.16, C.C.P.

Some cities have city marshal departments that work under the court; often, the court administrator is the chief administrator of the law enforcement agency that is the marshal's office. In most cities, the duty to serve process is often assigned to the police department and sometimes to those specially designated as warrant officers. As peace officers, warrant officers must comply with the minimum educational, training, physical, mental, and moral standards established by the Texas Commission on Law Enforcement (TCOLE).

Juvenile Case Managers

A juvenile case manager provides services in cases involving juvenile offenders before a court consistent with the court's statutory powers. Juvenile case managers assist the court in administering the court's juvenile docket and in supervising its orders in juvenile cases. Juvenile case managers timely report any information or recommendations relevant to assisting the judge in making decisions that are in the best interest of the child. Juvenile case managers guide juvenile offenders through the justice system by helping them obtain needed services in hopes that their intervention will deter young offenders from committing more crimes. Juvenile case managers often use case management plans to help identify the community services, such as drug and alcohol counseling, tutoring, crisis intervention, family counseling, parenting skills, youth coping skills training, and youth mentoring. Juvenile case managers serve as liaisons between young offenders, their families, the courts, the schools in truancy cases, and other agencies in a municipality's juvenile justice program.

TEXAS JUSTICE COURT

TRAINING CENTER

- **Criminal Law**
  - Pre judgment
    - Pleas
    - Indigent defendant
    - Warrants and Fail to Appear
    - Dismissals
    - Deferred disposition
    - Driver Safety Court
  - Post judgment
    - Non-compliant defendants
    - Capias pro- fines
    - Bond forfeiture proceedings (civil proceeding)
  - Traffic offenses
    - CMV and CDL laws
  - Non-traffic Penal Code Offenses
  - Parks and wildlife offenses
    - Fishing, hunting, boating
  - Appeals
- **Magistrate duties**
  - Jail Magistration
    - Providing rights
    - Appointment of counsel
    - Setting bond
      - DWI bond conditions
      - Family violence bond conditions
      - Child victim bond conditions
    - Emergency Protective Orders
      - Family violence issues
    - Mental health referrals
    - Search and arrest warrants
      - Bloods search warrants
    - Foreign consulate notification
- **Trials**
  - Criminal
  - Civil
  - Jury
  - Bench
- **Evidence**
  - Criminal use
  - Civil use
- **Civil Law**
  - Statement of inability to afford to pay court costs
  - Pretrial motions
    - Jurisdiction issues amounts
    - Pretrial writs (sequestration & attachment)
    - Pleadings
    - Default judgments
    - Discovery
  - Post judgment remedies
    - Writs of garnishment
    - Writs of execution
    - Turnover order and receivership
  - Debt Claim
  - Small Claims
  - Evictions and Landlord/Tenant Issues (*all eviction cases in Texas originate in JP court*)
    - Repair and remedy
    - Commercial evictions
    - Manufactured home evictions
    - Writs of reentry & Writs of restoration
    - Order of retrieval
  - Bankruptcy issues
  - Service members Civil Relief Act
  - Appeals

Administrative hearings
- Animal cruelty
- Handgun denial/suspension
- Driver license suspension hearings
- Dangerous dogs
- Disposition of stolen property
- Occupation Driver License
- Tow hearings
- Environmental hearings (public nuisance)

Inquests
- Procedures
- Ethics
- Cooperation with other state and federal agencies

Juvenile law
- Civil
  - Truancy
    - Fail to attend (still need some differentiation with former law)
- Criminal
  - Offenses:
    - Tobacco
    - Minor Alcohol charges
    - Traffic offenses as a juvenile
    - School offenses (non- Truancy)
  - Specific procedures for juvenile offenders
  - Specific required judgment conditions for juvenile offenders
  - Parent contributing to non-attendance

Mental Health warrants

Reporting requirements to DPS, OCA, OMNI systems

IDEA course

Records management

Staff and office management

Contempt

Ethics

Miscellaneous tasks (peripheral issues):

Legislative updates
Changes in rule of civil procedure
Changes to the administrative code
Changes modifications to agency requirements or rules – DPS, OCA
New Attorney General Opinions
Current case law effecting the jurisdiction
Dealing with death scenes – mental health for judiciary
Courtroom and judicial security
Judicial ethics: Issue dealing with pro se litigants
Changing demographics in Texas
Provide opportunity for judges to exchange ideas; particularly rural judges with fewer resource
Encourage technology and technological advances that lead to more efficient justice

CONSTITUENTS/MEMBER DUTIES

The membership of Texas District Court Alliance consists of District Clerks and County/District Clerks. The objective of our association is to provide training specifically needed by clerks who assist the District Courts or County-Courts-at-Law with concurrent jurisdiction in areas such as family or juvenile cases.

District Clerks or Combination Clerks will have jurisdiction generally of the following case types:

- Felony criminal, lesser-included offenses, misdemeanors handled in conjunction with a felony
- Divorce/Annulment
- Adoption/Termination
- Children's Protective Services
- Attorney General Child Support
- Appellate
- Expunctions/Nondisclosures
- Magistrate
- Juvenile
- Tax
- Bond forfeiture/Judgment Nisi
- Civil
- Custodial accounts
- Jury summonses and selection process
- Registration of foreign judgments (both civil and family)

General duties of our membership would include, but not be limited to:

- Custodian of records and testifying as required in court as to the official record
- Filing documents to create official records for the courts
- Passports
- Record retention
- Correspondence with courts, attorneys and parties
- Escheating assets/funds annually

- Responding to requests under Public Information Act and Open Meetings Act
- Responding to records requests
- Filing appellate records and submitting post-conviction writs
- Assisting the courts with hearings such as guilty pleas, trials, and any hearing where a court would require the attendance of a clerk or deputy clerk
- Preparing transfers, consolidations and severances as ordered by the courts
- Efiling
- Grand Jury – swearing out returns, subpoenas, record maintenance
- Jury – issuing summonses, overseeing the selection process through online reporting or reporting in person, shuffling jury panels, paying jurors, submitting reimbursement form for jury pay through the Comptroller, updating jury lists, obtaining permanent exemption orders from the courts, answering correspondence or phone calls from prospective jurors
- Completing the multitude of reports required by the Office of Court Administration
- Reporting criminal dispositions to DPS
- Certifying court records
- Preparing issuance documents, i.e. citations, precepts, subpoenas, writs (sequestration, scire facias, garnishment, attachment, execution, habeas corpus), notices on foreign judgments, protective orders, and abstracts of judgments
- Assessing and collecting fees per statute or rule
- Approving bonds
- Receiving funds to be placed into either interest-bearing or non-interest-bearing accounts as ordered by the courts
- Sending out 1099s to owners of custodial funds
- Daily "recap" or reconciliation of receipts
- Reviewing outstanding liability reports and returning funds to owners as ordered by the court
- Bank reconciliations
- Disbursement of excess funds/tax sales proceeds
- Disbursement of receipted funds to county treasurer/auditor weekly and quarterly for distribution to general fund of county or State funds
- Release of cash bonds upon final disposition of a case
- Preparing and managing budget of funds received in County's annual budget process
- Applying for grants to pay for unfunded mandates
- Attending requisite number of continuing education hours
- Human resource duties such as hiring, firing and training
- Office management duties such as personality conflicts, reassigning duties, payroll, leave requests, leave under FMLA
- Sealing of records
- Bulk sales of records
- Assisting *pro se* filers
- Researching applicable laws and statutes
- Working with legislature to address areas of concern for clerks
- Depending on county and the existence of a Judicial Compliance (collections) Department, clerks may be responsible for collection of past due court costs

Program Expansion v Shortfall

TEXAS CENTER FOR THE JUDICIARY

1210 San Antonio, Suite 800 – Austin, TX 78701
Phone (512) 482-8986 – Toll Free (888) 785-8986 – Fax (512) 469-7664

Judge Mark D. Atkinson, Chief Executive Officer

CCA Grant – Fund 540
FY2018 Proposed Grant Reduction

The Texas Center has a grant award totaling $1,920,938 from the CCA for FY2017. If the grant award for FY2018 were to be reduced by 19.6% then the total award amount would be $1,544,434.15, a reduction of $376,503.85.

The Texas Center's administrative expenses are not subject to change: salaries and other benefits are capped based, in large part, on a 2002 salary study and the office lease and other office expenses are fixed by contract. Cuts in expenses to accommodate a 19.6% budget reduction would more than likely come from cancelling educational conferences.

Based on the FY2017 budget the Texas Center would be able to reduce expenses in FY2018 by $355,820 by cancelling the Criminal Justice conference, the Civil Justice conference, the College for New Judges – Part II, and the Professional Development Program (PDP) conference for court personnel. The remaining cuts in expenses would come from a reduction in attendance at the College for New Judges conference held in December 2017.

TEXAS CENTER FOR THE JUDICIARY

1210 San Antonio, Suite 800 – Austin, TX 78701
Phone (512) 482-8986 – Toll Free (888) 785-8986 – Fax (512) 469-7664

Judge Mark D. Atkinson, Chief Executive Officer

If additional funds were available, TCJ would likely seek to enhance curriculum in a number of areas, including, but not limited to:

- Mental Health
- Forensic Science and the Courts
- Family Law Issues, including, self-represented litigants, child protection cases, same sex issues, and more

Priority Training Topics for TMCEC in FY 18-19

Indigence issues

Procedural due process and enforcement

Mental health issues

Effect of Reduction in Funding on TMCEC Programming in FY 18-19

On average, TMCEC trains 5,300 people per year. In FY 2016, TMCEC provided statewide 65,601 hours of instruction to court personnel. A reduction in funding means TMCEC will be forced to cut training by over 950 participants to an estimated 4,350 court and court related personnel (a total reduction of 17,264 hours) per year.

Currently, TMCEC creates specialized curriculum for each of its six municipal court workgroup constituencies: (1) judges, (2) clerks, (3) court administrators, (4) bailiffs, marshals & warrant officers, (5) juvenile case managers, and (6) prosecutors. The curriculum for each constituency also contains core curriculum which is critical to ensuring continuity and the proper, timely, and professional performance of court related duties and operation of the state's municipal courts.

The reduction in funding, detailed below, will negatively impact the fair and efficient administration of Texas municipal courts in the next biennium.

Subject to approval of the Board of Directors and the Court of Criminal Appeals, a 19.6 percent reduction in funding would result in the following:

1. Elimination of the Administrative Assistant position due to the reduction in programming (-$66,777.60).
2. Elimination of Temporary Support Services due to the reduction in programming (-$30,000).
3. Reduction of Committee Travel (-$20,485.74) including meals, transportation, lodging, and meeting room rentals.
4. Elimination of all Out of State Travel (-$5,620.72).
5. Elimination of specialized and core curriculum instruction for: (1) court administrators (-$102,487), (2) juvenile case managers (-$73,934), (3) bailiff & warrant officers (-$93,368). No other federal, state or local organization provides continuing education to these three municipal court workgroup constituencies.
6. Elimination of the 32-hour new clerk program for newly hired or inexperienced court clerks (-$324,395.62).
7. Elimination of all one-day clinics (clinics that offer more in-depth programs or reach non-metropolitan areas where court support personnel can attend at reduced local cost (-$36,819.02) (includes Local Clerk Clinics and One Day Clinics for all municipal court workgroup constituencies).
8. Elimination of scholarships for faculty and staff to attend judicial education programs from national groups that bring back new strategies and approaches for incorporation into the TMCEC program (-$5,000).

Total = -$758,887.70

TEXAS JUSTICE COURT

TRAINING CENTER

ECONOMIC IMPACT OF BUDGET CUTS ON JUSTICE COURT EDUCATION

Eliminations of court personnel education.
TJCTC provides live education to at least 1200 of the approximate 3500 justice court clerks every year. There is a waiting lists of over a hundred clerks attempting to get into our programs. These individuals are the first point of contact for the heavily pro se population that justice courts serve. Court clerks process most of the case and their knowledge of procedures is essential to fair and accurate justice. Six court personnel education seminars would be eliminated.

Elimination of at least one staff member.
TJCTC has a small, but efficient staff of 9 people. At least one of these people would lose their job with the reduction to the operating budget.

Partnerships with important organizations.
TJCTC takes the opportunity to work with groups, like the Texas Indigent Defense Commission, to provide education on important topics. With a cut in funds, these partnerships could not continue.

Supplemental education.
TJCTC provides workshops on targeted justice court issues, such as evictions and juvenile law. With a decrease in funds, TJCTC would be unable to provide these or any other specialized programs.

Texas District and County Attorneys Association

Top three TDCAA projects in need of funding in the future:

1. In response to our study of issue surrounding prosecutorial misconduct, we began an initiative to develop a whole new type of training on management and leadership. The purpose of this training is to develop a culture of the highest ethical standards in prosecutor offices. We have piloted one program and will pilot one more soon, but the demand is great and right now we don't have the funding needed to replicate this training on a larger scale.
2. We have long range goals to develop more distance learning opportunities for our members, but resources aren't there yet.
3. We anticipate a need to training/retrain our lawyers and DPFS lawyers on CPS cases. This could be a big commitment over and above our current training.

Services identified for reductions if needed:

1. TDCAA produces annual courses on subjects such as sexual assault of a child, child abuse, domestic violence, evidence, forensic science. A prospective reduction in funding would require us to delete two or more course from our rotation.

Texas Criminal Defense Lawyers Association

Dear Judge Hervey,

In response to your question about the impact to the Criminal Defense Lawyers Project if we took a loss of grant funds of approximately 19.6%, we estimate this would be approximately $256,000 in grant funds per year.

We currently have planned 48 CLE programs and 75 online CLE programs for the period inquired about. If we lost 19.6% of the grant, we would have to cut our training to 32 or fewer programs and no online cle's. We estimate that we would train 2,300 lawyers, approximately 700 fewer than the past year, including 100 less public defenders and less individuals trained in Innocence. We would also have 81 less faculty at our training events.

A $263,000 reduction in funding would cause the loss of at least two full time and three-part time staff.

We believe this would have a devastating impact on our ability to train criminal defense lawyers who take indigent cases. We believe it would have a negative impact on Justice in Texas.

On a far brighter note, we sincerely appreciate your asking us to submit a list of what additional items we would like to pursue in FY 2018-2019.

We would respectfully want to state that we would have concerns if these additional funds were paid for by increased court costs borne by our clients, especially indigent clients. We would hope the increase in fees would be on the civil side.

1) Immigration Consequences - which is more than just about deportation, but could include all the things that might negatively affect our clients like losing state benefits. There are dozens or more potential consequences for convictions and even deferred in some situations. This would help reduce instances of IAC. Cost $10,000

2) Expanded Mental Health training that is very needed. Cost $10,000

3) Additional Forensics having two programs a year or have a forensic topic where feasible in more CDLP CLE. Cost $20,000

4) Initiate "on your feet" training format, not long and complicated fact patterns like the Tim Evans Criminal Trial College, but perhaps a one-day or afternoon we work with lawyers on predicate questions and then get them up to try introducing something from Facebook, or a document, photo etc. Cost $10,000

Total additional funds request $50,000.

We appreciate all you have done for TCDLA. Our hope is that the deficit will be not occur.
We look forward to working with you for Justice in Texas.

Sincerely,

Joseph A. Martinez
Executive Director

Request for Program Expansion

The Texas Association of Counties (TAC) is respectfully requesting additional education funding for our County Judges Education Program. We can easily identify three areas of judicial education that need more intensive training for our county judges. These areas are:

1. **Guardianships** – much attention is being directed to the handling of guardianship cases by county judges in Texas. Last session a number of pieces of legislation were offered, aimed at revamping the way guardianship cases are granted and administered. This is one of the few areas of the law where a judge has indefinite continuing jurisdiction and oversight. The judge is responsible for annual accounts and reports for the remainder of the life of the person under guardianship unless the guardianship is discontinued. After the guardianship is terminated, the judge must ensure that proper final accountings are made. Some of the legislation from last session passed. We expect more to pass this session. The Office of Court Administration is also promoting multiple changes to the guardianship system. Addressing the needs of the county judges and county clerks affected by the previous and expected changes is requiring numerous additional small group trainings and hands on assistance.

2. **Mental Health** – the number of mental health cases our county judges handle each year continues to grow. County judges are often tasked with signing Emergency Detention Orders at all hours of the day and night. The county judge then also has original jurisdiction to hear Applications for Mental Services and Applications for the Administration of Psychotropic Medications. With the lack of hospital beds for these individuals and limited resources, county judges need more in depth training on the process for mental health commitments, how to handle inmates with mental health issues and any alternatives that might be available.

3. **Magistration** – county judges share magistration duties with Justices of the Peace in most Texas counties. As Texas looks to make changes to the magistration process, including looking at alternatives to traditional bonds and new possible conditions for bond, we need to be able to provide hands on training to our judges on not only the anticipated changes in the law, but also the implementation and application of these changes. Added to this is the new requirements for screening and identifying mental health issues during the magistration process.

Impact of Potential Funding Cuts

Historically, TAC has provided two 16 hour education sessions for county judges. These sessions were designed so a county judge could attend the one session and obtain all of their required hours on a variety of topics pertaining to their courtrooms for the year. We also host several smaller four hour sessions at different conferences and regional roundtables to provide more targeted education to groups of judges.

In 2015 TAC responded to the growing concerns expressed by county judges that they were not getting the information they needed from probate schools sponsored by other organizations. Only 10% of the county judges in Texas are trained attorneys. A large number of the judges felt other probate trainings were not practical for non-attorney judges; this concern was also reiterated by the county judges who are licensed to practice law. County judges are the court of original jurisdiction in Texas for probate and guardianship cases. Typically, probate and guardianships are also the most complicated cases most county judges hear. Understanding this, TAC developed our own Probate Academy, designed by county judges and county clerks to meet their specific needs.

The Probate Academy has been a great success, averaging 220 attendees each of the first two years it has been held. However, it is also an expensive venture due to its size and content. If we are faced with a funding cut, the Probate Academy would have to be discontinued. Cutting this program would not completely close the gap. The

remainder of the deficit would have to be addressed by ceasing reimbursements to county judges for attending any non-TAC sponsored program. This would mean that we only reimburse a county judge up to $750 per year for travel and meals to attend either our Spring or Fall 16 hour session and to allow us sufficient funding to host New Judges School every fourth year for the judges that are new to the office.

We have examined our budget closely. We only have three full-time employees working in Judicial Education (a Judicial Program Manager, a Project Manager and a Project Coordinator), cutting personnel would not be a viable option. Our budget is training intensive, meaning is where the cuts would unfortunately have to occur.

Thank you for considering the specific needs of county judges. We serve a very different audience than most other programs. County Judges in many cases are the only judge in their county with Probate and Class A and B misdemeanor jurisdiction. Combining that with their lack of legal background, the challenges and educational needs are great. We are happy to provide any additional information you might need.

County and District Clerks

For efficiency purposes, a request has been made for TAC to take over the administration of the County and District Clerk grant funds and provide training reimbursements to the county and district clerks. County and District Clerks have an extremely wide spectrum of mandated responsibilities, which are continuously changing. To effectively carry out their duties, they must attend multiple trainings each year. County budgets are more constrained than ever. The first item cut in most county budgets is training. County and District Clerks rely on the reimbursements from their grant to help them meet their training needs each year. A reduction of their reimbursement funds from $175,000 to $140,000 a year would severely limit the reimbursement program. This would mean that many clerks would not have access to the trainings they need. They would be further impacted by the elimination of the Probate Academy, which provides 16 hours of continuing education developed specifically for their needs.

THE CENTER FOR AMERICAN
AND INTERNATIONAL LAW

January 31, 2017

CAIL's Response discussing the impact of a 19.6% cut in our grant funds

As you know, we have a criminal law grant, an innocence grant, and a grant to support public defender attendance at programs. A 19.6% reduction would mean a loss of approximately $65,000 annually in the criminal grant, a loss of about $28,400 in the innocence grant, and a reduction of about $2,160 in public defender reimbursements. Assuming other numbers stay constant, cuts of this amount could mean:

For the criminal grant, we currently offer 8 programs during the grant year. To accommodate a 19.6% cut, we could drop our most expensive program (the Capital Defense College with a non-staff budget of about $35,500) and one of our important but smaller programs (Evidence Boot Camp, Cross-Examination and Impeachment, or Capital Trial Voir Dire, which have budgets ranging from about $12,900-$15,400). We might also need to make other small adjustments. Wendy Castellana directs our criminal grant programs, and this paragraph incorporates suggestions from her.

For the innocence grant, we could delete all participant meal functions or eliminate one of our larger programs (for example, our 2-day summer program that is budgeted at about $13,400). We currently offer 4 programs annually in Plano plus a series of webinars and on-the-road programs. Since our webinars are replays of some of our live programs, if we cut the 2-day summer program, that would also mean we would lose one of the webinars the following year.

In addition, our 2017 budget increases one staff assistant from part-time to full-time. That person works for both the criminal and innocence grants, in addition to some work for CAIL. A 19.6% budget reduction in our grants would mean a return to the part-time position and a reduction in time, rate of pay and benefits.

Finally, for our public defender (PD) grant, all monies are used to reimburse expenses for PDs who attend our grant programs, and we would need to reduce those reimbursements.

These are rough estimates and are examples of what might happen. If we were actually faced with a 20% cut, we would want to re-think our overall budget to determine how best to weather the cut.

THE CENTER FOR AMERICAN
AND INTERNATIONAL LAW

5201 Democracy Drive
Plano, Texas, 75024-3561
USA

☎ 1.972.244.3400

1.972.244.3401

☎ 1.800.409.1090

cailaw.org

THE CENTER FOR AMERICAN
AND INTERNATIONAL LAW

CAIL's Response identifying subjects which could benefit from additional training funds

In response to your request to identify the top three pressing subjects to which we would devote additional training funds, here is information from CAIL.

We are a somewhat unique grantee since we do separate criminal law programs for defense lawyers and prosecutors, in addition to innocence programs for a mixed audience. In general, we have identified one topic for defense lawyers, one for prosecutors and one for our innocence audience In the last paragraph, we mention a fourth topic that continues to be very important.

1. Severe mental illness. This program would be aimed at defense lawyers and would focus on how to handle clients who suffers from severe mental illness. It could also address the impact of mental illness on culpability.
2. Management/leadership training for prosecutors. This subject was mentioned by both prosecutors who responded to our survey. Prosecutors are often promoted based on trial skills and may enter supervisory positions without management training or well-developed management skills.
3. Advanced training on cognitive and implicit bias and tunnel vision (for our innocence audience).

In addition, Brady/Michael Morton Act training continues to be quite important, both for prosecutors (and their lab and law enforcement personnel) and for our actual innocence audiences.

Many thanks for the opportunity to be part of the grant network.

Respectfully,
Mark

Mark Smith
Vice President
The Center for American and International Law
1.972.244.3413 | msmith@cailaw.org

THE CENTER FOR AMERICAN
AND INTERNATIONAL LAW

Training on Critical Issues

TexasBarCLE

Criminal Writs Course

LIVE Austin • December 1-2, 2016 • Texas Law Center

-OR-

WATCH via **LIVE WEBCAST** from your computer or mobile device!

MCLE CREDIT
12.25 Hours (2.5 Ethics)

DOWNLOADABLE
Course Materials

TexasBarCLE.com
800 204.2222 x1574

Education by the Bar, for the Bar

TexasBarCLE Presents the

Criminal Writs Course

Hosted by the State Bar of Texas and the Texas Court of Criminal Appeals

The live program and live webcast are being provided free of charge as a joint project between the Texas Court of Criminal Appeals and the State Bar of Texas. There is no fee for this conference, but attendance at the live course is limited to the first 100 registrants. Reimbursement stipends will also be offered by the Court (see pg. 3).

LIVE Austin
December 1-2, 2016
Texas Law Center

-OR-

Watch from your computer or mobile device via

LIVE Webcast
December 1-2, 2016

#TBCLE

MCLE CREDIT

12.25 Hours (2.5 Ethics)

MCLE Course No: 901360164
Applies to the Texas Bar College and the Texas Board of Legal Specialization in Criminal Law and Criminal Appellate Law.

Thursday

6.25 hours including .25 ethics

8:15 **Registration**

8:55 **Welcoming Remarks**
Course Director
Hon. Barbara P. Hervey, *Austin*
Judge, Texas Court of Criminal Appeals

9:00 **What Is a Writ?** *.5 hr*
Sian R. Schilhab, *Austin*
Texas Court of Criminal Appeals

9:30 **11.07: Basic Claims and Filing Procedures** *1 hr*
Michael F. Stauffacher, *Austin*
Texas Court of Criminal Appeals

10:30 **Break**

10:45 **How to Get Started: Conducting a Post-Conviction Investigation** *.75 hr (.25 ethics)*
Kimberly Bacon, *Austin*
Office of Capital and Forensic Writs

Benjamin Wolff, *Austin*
Office of Capital and Forensic Writs

11:30 **After You File: Proceedings in the Trial Court** *.5 hr*
Baldwin D. Chin, *Houston*
Harris County District Attorney's Office

12:00 **Break – Lunch Provided**

12:15 **Luncheon Presentation: View from the CCA (Q&A)** *1 hr*
Alison Dahlberg, *Austin*
Texas Court of Criminal Appeals

Kelly Lynn Gatewood, *Austin*
Texas Court of Criminal Appeals

Lisa Andrea Rickenberg, *Austin*
Texas Court of Criminal Appeals

Michael F. Stauffacher, *Austin*
Texas Court of Criminal Appeals

1:15 **Break**

1:30 **Effective Findings of Facts** *1 hr*
Andrea Jacobs, *Fort Worth*
Tarrant County District Attorney's Office

2:30 **Proceedings in the Court of Criminal Appeals** *.5 hr*
Sian R. Schilhab, *Austin*
Texas Court of Criminal Appeals

3:00 **Pretrial, Extraordinary, and Other Writs** *1 hr*
Michael Falkenberg, *Austin*
Texas Court of Criminal Appeals

4:00 **Adjourn**

Friday

6 hours including 2.25 ethics

8:55 **Announcements**

9:00 **Actual Innocence** *1 hr*
Gary Udashen, *Dallas*
Sorrels, Udashen & Anton

10:00 **False Evidence Claims** *.75 hr ethics*
Josh B. Schaffer, *Houston*
Josh Schaffer, PLLC

10:45 **Break**

11:00 **Brady and Other Ethical Issues** *1 hr ethics*
Melissa Stryker, *Houston*
Harris County District Attorney's Office

12:00 **Break – Lunch Provided**

12:15 **Luncheon Presentation: Writ Jeopardy** *1 hr*
Hon. David Newell, *Austin*
Judge, Texas Court of Criminal Appeals

1:15 **Break**

1:30 **Conflicts of Interest** *.5 hr ethics*
Jay Brandon, *San Antonio*
Bexar County District Attorney

2:00 **Involuntary Pleas/Ineffective Assistance of Counsel** *1 hr*
Prof. Catherine G. Burnett, *Houston*
Houston College of Law

3:00 **Science Update** *.75 hr*
Lynn M. Garcia, *Austin*
Texas Forensic Science Commission

Robert S. Wicoff, *Houston*
Harris County Public Defender's Office

3:45 **Adjourn**

Cancellation Procedure
Seating at the Texas Law Center is extremely limited. If you register for the live event and are not able to attend, we ask that you cancel as soon as possible or by November 18.

Waitlist Information
If the course reaches capacity, you may sign up for our waitlist by calling 800-204-2222, x1574 Mon-Fri 8am-5pm CT. We will then contact you if a spot becomes available.

Stipends Available Through the CAIL
The Center for American and International Law is administering stipends from the CCA on a first-come first-served basis to assist with travel and lodging expenses. For additional information, or to apply for a stipend, please click on the link below: http://www.txcourts.gov/cca/judicial-court-personnel-training-fund/court-administered-funds/

If You Need Special Accommodations to Attend or Have a Food Allergy, please contact us as soon as possible at 800-204-2222 x1748.

FREE TO OUR REGISTRANTS! Online Videos and MP3s of the Topics will be available to registrants 6-8 weeks after the course. Provide your e-mail address when preregistering to be notified when and how these benefits may be accessed. (Note: Presentation lengths may vary from that which was advertised.) There's no extra charge; as a registrant, you're already entitled!

Interested in Sponsoring or Exhibiting at This Course or Others?
Contact Julie Marshall at 512-427-1797 or julie.marshall@texasbar.com.

Policy of Impartiality
The State Bar of Texas does not endorse political candidates. When a candidate for the public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.

Location & Hotel Information

LIVE Austin
Texas Law Center
1414 Colorado Street
Austin, TX 78701
(800) 204-2222, x1574
TexasBarCLE.com

Parking Information
The Moody Bank Building/ Deloitte Garage at 400 W. 15th Street has parking for $15/day maximum. The Capitol Visitors Parking Garage on San Jacinto between 12th and 13th Streets has public parking available for $12/day maximum.

Need a hotel room?
Hotel rooms have been blocked at a special rate at:

DoubleTree Suites by Hilton Hotel Austin
303 W. 15th Street
Austin, TX 78701
(512) 478-7000
$179 single/double
Deadline: November 9, 2016

Reservations also available online at:
http://tinyurl.com/sbot-criminalwrits16

The reserved block of rooms may fill up before the deadline indicated. **Act now!**

WEBCAST ONLINE REGISTRATION

How to Register for the Webcast
Webcast registration is only online. Go to TexasBarCLE.com and click on Webcasts. Then under the listing for **Criminal Writs Course**, click **Register for Webcast**. Mail, fax, or phone registrations will not be accepted.

Webcast Registration Fee and Course Material
The live webcast is free. Course materials are included as PDFs for viewing, downloading, or printing during and after the webcast.

Claiming MCLE Credit
For the webcast, the MCLE number will be provided to you online at the conclusion of your viewing, along with instructions on how to claim your MCLE credit while still online.

Replaying the Webcast on Your Computer
About a week after the webcast, webcast registrants will have 9-12 months to finish viewing or reviewing the program online.

IMPORTANT: Registration for this webcast admits only the registrant. Registrants are expressly prohibited from allowing non-registrants access to the program. For group viewings of a webcast, contact Firm & Group Sales Manager Laura Angle at 512-263-2802 or laura.angle@texasbar.com.

REGISTRATION FORM

WAYS TO REGISTER	ONLINE	PHONE	FAX	MAIL	REGISTERING FIVE OR MORE?
	TexasBarCLE.com credit card only	800-204-2222, x1574 during business hours credit card only	512-427-4443 credit card only	State Bar of Texas LB# 972298 P.O. Box 972298 Dallas, TX 75397-2298 check or credit card	E-mail Laura Angle at laura.angle@texasbar.com for group discount information

Seating is extremely limited!
Don't delay – register now!

Criminal Writs Course

1 **Criminal Writs Course** (8115)
Austin LIVE, December 1-2, 2016
O Course Registrant ..... FREE

LIVE WEBCAST FREE
To register for the webcast, please **do not use this form.** Instead, register online at TexasBarCLE.com (*See above for additional information.*)

Cancellation Information: Seating at the Texas Law Center is extremely limited. If you register for the live event and are not able to attend, we ask that you cancel **as soon as possible** or by November 18.

Stipends are available for travel and lodging; see page 3 for details.

2 **Written materials** will be provided as a PDF download only. Register in advance and we'll send you an email to download/print the materials when they become available. (You must be a registered user of TexasBarCLE.com to use this feature. Becoming a registered user is free and only takes a moment.) **NOTE:** Please download the materials *before* you arrive at the course, since internet access may be limited.

3 I can't attend, but would like the materials.
O PDF Download $45 (plus tax)

To order a PDF download of course materials, search **Publications** at TexasBarCLE.com (available 1-2 weeks after the course).

4 **PLEASE PRINT LEGIBLY**
State Bar Membership No. _ _ _ _ _ _ _ _
Registrant Name _____
Firm Name/Court _____
Address for Bar-Related Mail _____
City/State Zip _____
Phone ( ) _____ Fax ( ) _____
E-Mail (required for registrant's PDF download option): _____
A confirmation of your registration will be sent to the e-mail address you provide

For information on audio CDs of course topics, contact our Flash CLE service at 800-204-2222, x1575. MP3 files of topics will be downloadable from TexasBarCLE.com 6-8 weeks after the course.

QUESTIONS?
800-204-2222, x1574 • 512-427-1574

IKW

Criminal Writs - Austin - Dec 1-2, '16

Overall Course Averages: **Speaker:** 3.7 **Topic:** 3.7 **Written:** ####

(Scale: 4-Excellent, 3-Good, 2-Fair, 1-Poor)

(Score Ranges: Speaker: 3.9 - 2.2 Topic: 4.0 - 3.2 Written Materials: 4.0 - 3.3 # Eval Forms: 77)

Attendee Overall Ratings:	Spkr	Topic	Wrt
Program Rating	3.9	3.8	3.8
Similarity of Actual Content to Advertised Content	3.9	3.9	3.9
Activity Met Your Objectives	3.8	3.8	3.9
Information Presented Was of Genuine Value to Your Practice	3.7	3.6	3.9
Ease of Registration	3.9	4.0	4.0
Audibility of Seminar	3.9	4.0	4.0
Effectiveness of Seminar Format	3.8	4.0	4.0

Name of Speaker(s) you would like to see on future programs
<Michael Stauffacher and Judge David Newell.><Justice Haynes of the 5th circuit in Dallas. She was excellent at the Civil Appellate CLE.><Stauffacher, Udashen, Stryker, Brandon, Burnett, and Garcia.><Chin, Stauffacher, Stryker, and Brandon.><Mike Stauffacher><Baldwin Chin><Josh Schaffer><Ali Dahlberg><Mandy Miller><Pat McCann><Ambrosini><Schilhab><Stauffacher><Jacobs><M. Stauffacher, B. Chin – all speakers were great but these two were extraordinary presenters; effective, practical, concise and logical.><Randy Schaffer>

Topic(s) you would like to see on future programs
<Nuts & Bolts – How to avoid the non-comp white card.><Information regarding handling 11.071 Writs, especially for prosecutors.><Michael Morton Act changes to statutory/Brady laws.><Applicability of 11.07 (and other statutory writs) case law to constitutional writs filed in trial court (ie, cognizable issues).><Federal Writs!><More on misdemeanor case writs.><Writ hearing proceedings and rules that apply more on the basics of compliance and 11.07 form.><Innocence Fraud -- this is a rapidly growing problem that 1) risks making legitimate actual innocence claims harder to sustain and 2) increases the risk that truly guilty and dangerous people will be released back into the community.><Intro course more new lawyer friendly – more on misdemeanor habeas/pre-trial.><What is/isn't non-compliance.><Chronology/timeline of the life of a writ (including deadlines). The Anatomy of a Writ.><Would like to see Ambrosini's investigation presentation modified as a mitigation CLE for trial practitioners.><Specific Padilla based Writs><Info on how to obtain more training to become competent to do post-correction work. Also, how to find "undiscovered" or false evidence, etc.><A break out working group where young attorneys receive a fact packet in advance and work through this.>

Overall Course Comments
<The presentation was heavy weighted to material helpful for the defense. It would be preferable if the material was more balanced.><Great course! Very informative, great speakers, and good location. Wish parking was validated or discounted.><This was a great conference. Every single topic was excellently presented. Every topics was also applicable to the work I do. Highly helpful and valuable. I particularly enjoyed each presenter – they are top quality and know their "stuff".><Excellent view, always like hearing from the court staff about internal procedures.><Great course – convenient location and it's free. Just a suggestion – please have a vegetarian (or someone who is vegetarian-sensitive) order the vegetarian meals! Also, very cool that course director is Judge on Court of Criminal Appeals and that presenters were diverse – both prosecutors and defense lawyers, as well as non-profit lawyers.><Very good course. Need more

defense counsel in attendance. I hope they are "attending" the taped versions.><Lawyers will not do writs unless you tell them how to make money. If clients can't pay and courts don't appoint, people will not do them.><Good location and great room.><Fantastic! Very important material and very "under-addressed" in usual CLE courses.><Great course, but I would have like to see more of an intro section to writs – like with flow charts for lawyers new to this area. However, I learned a lot with this course.><Definitely need veggie option for lunch. Really liked the flow and very much appreciated Judge Hervey for keeping everything on time. Excellent venue, loved the facility and location.><More electrical outlets, availability of course materials 24 hours in advance for those traveling and prefer not to travel with tablet/computer. Appreciated the time management.><Excellent!><Great!><Excellent speakers and topics, thanks very much.><Was the purpose a writ school for attorneys who have never filed a writ? If so, most of the material was too advanced. If this was an "advanced" course – some were too simple. Good course, but if this is for new first time writ attorneys, theme should be small group breakouts with six new lawyers and 1-2

Participant	Chapter	Speaker	Topic	Written	#Evals	Comments (Scale: 4-Excellent, 3-Good, 2-Fair, 1-Poor)
Judge Robert C. Richardson						
Welcoming Remarks	0	3.8	3.8	4.0	53	
Ms. Sian Schilhab						
What Is a Writ	1	3.7	3.8	3.8	73	<Quick and dirty. Concise presentation and overview was a perfect introduction.><Super helpful to give us the "basics". Helped with the "big picture".><Good introduction to the course.><Excellent presentation. Very informative and a great way to start a writs training.>
Mr. Michael F. Stauffacher						
A Guide to Article 11.07 Writs of Habeas Corpus and Other State Writs	2	3.9	4.0	3.9	75	<Michael Stauffacher is the best! I have seen him several times and enjoy his presentations every time.><Excellent! Mr. Stauffacher was a great speaker. Perhaps he should be allotted more time. I was interested in hearing about the "Cases of Interest".><This was my favorite presentation. The information is extremely important and he is a terrific presenter.><Excellent, engaging, and funny presenter.><Excellent and vibrant speaker, which is especially important with a "dry" topic! Excellent information conveyed.><Best presentation by Michael I have ever seen.>

Participant	Chapter	Speaker	Topic	Written	#Evals	Comments (Scale: 4-Excellent, 3-Good, 2-Fair, 1-Poor)
Ms. Kimberly Ambrosini						
How to Get Started - Conducting a Post - Conviction Investigation	3	3.2	3.4	3.3	67	<Kim Ambrosini did a great job. Benjamin Wolff was hard to listen to. Very monotone and lots of "ums".><Why was there no presentation regarding investigation by the state?><Preferred Ms. Ambrosini as speaker.><Good explanation of how to conduct a thorough investigation.><Need to get better speakers for conducting post-conviction investigations.><Wolff - Difficult to be engaged by speaker's style. Topic and information were important, so that is unfortunate. PowerPoint font needed to be larger as well. Ambrosini – Engaging and informative. Speaker was very good at conveying the information. Both speakers should not assume audience knows the lingo (e.g., "wiggins claim").><Wolff was hard to listen to; lots of "umms" and monotone.><Speakers were simply reading; need someone who has experience.>
Mr. Benjamin Wolff						
How to Get Started - Conducting a Post - Conviction Investigation	3	2.2	3.2	3.4	64	<Kim Ambrosini did a great job. Benjamin Wolff was hard to listen to. Very monotone and lots of "ums".><Why was there no presentation regarding investigation by the state?><Preferred Ms. Ambrosini as speaker.><Good explanation of how to conduct a thorough investigation.><Need to get better speakers for conducting post-conviction investigations.><Wolff - Difficult to be engaged by speaker's style. Topic and information were important, so that is unfortunate. PowerPoint font needed to be larger as well. Ambrosini – Engaging and informative. Speaker was very good at conveying the information. Both speakers should not assume audience knows the lingo (e.g., "wiggins claim").><Wolff was hard to listen to; lots of "umms" and monotone.><Speakers were simply reading; need someone who has experience.>
Mr. Baldwin D. Chin						
A Practical Guide to Proceedings in the Trial Court for Writs of Habeas Corpus Filed Under Article 11.07	4	3.8	3.7	4.0	70	<Baldwin Chin is an excellent speaker. Very engaging. Good practical tips.><Excellent speaker.><Enjoyed tips and presentation style.><Excellent, engaging, and funny presenter.><Really enjoyed this presentation; very intelligent and engaging speaker.>
Ms. Alison Dahlberg						
View from the CCA - Q&A Panel	5	3.7	3.8	4.0	56	<I liked this format for lunch break.><Excellent! Very informative and a great format! All speakers did a fine job.>
Ms. Kelly Lynn Gatewood						
View from the CCA - Q&A Panel	5	3.7	3.8	4.0	56	<I liked this format for lunch break.><Excellent! Very informative and a great format! All speakers did a fine job.>
Ms. Lisa Andrea Rickenberg						
View from the CCA - Q&A Panel	5	3.7	3.8	4.0	56	<I liked this format for lunch break.><Excellent! Very informative and a great format! All speakers did a fine job.>

Participant	Chapter	Speaker	Topic	Written	#Evals	Comments (Scale: 4-Excellent, 3-Good, 2-Fair, 1-Poor)
Mr. Michael F. Stauffacher *View from the CCA - Q&A Panel*	5	3.8	3.8	4.0	57	<I liked this format for lunch break.><Excellent! Very informative and a great format! All speakers did a fine job.>
Ms. Andrea Jacobs *Effective Findings of Fact - Arguing Your Case One Fact at a Time*	6	3.6	3.7	3.9	66	<Andrea Jacobs is great! Liked her example findings. Great presentation.><This was EXTREMELY helpful.><I liked hearing their perspective.><Excellent speaker! Conveyed a lot of information in an interesting and enthusiastic way.><Jacobs did a good job with what could've been a very boring subject.>
Ms. Sian Schilhab *Proceedings in the Court of Criminal Appeals*	7	3.5	3.7	3.9	60	<Sian Schilhab is fabulous!! The discussion on the procedures of the Court of Criminal Appeals was very informative.><I liked hearing their perspective.><Previous speaker at this CLE. Still excellent!><Sian is very engaging and it was good to have a basic background of stuff. It was also good to have someone on her level at the court be able to be candid and answer what she could.>
Mr. Michael Staats Falkenberg *Extraoridinary Writs in the Court of Criminal Appeals*	8	3.8	3.7	3.8	72	<I think Michael Falkenberg is perhaps the most knowledgeable person on mandamus in the state! Fantastic presentation!><Excellent, engaging, and funny presenter.><Great speaker! Engaging and informative. Presentation was thorough and informative.>
Mr. Gary Udashen *Actual Innocence Writs*	9	3.9	3.9	3.9	77	<This area of law is very complex and I struggle with it. I enjoyed this presentation and it cleared up quite a bit of confusion for me.><Very interesting topic.><Gary Udashen is a great speaker. Always enjoy his presentations.><Excellent speaker. Clearly very knowledgeable and passionate about the subject matter.>
Mr. Josh Barrett Schaffer *False Evidence Claims*	10	3.7	3.7	3.8	65	<Speaker too bias for defense.><Excellent speaker.><Very cool to hear from a very smart and young lawyer who is well-versed in their respective field.><Schaffer's false evidence presentation was excellent. Good speaker. Good practical advice.><Engaging and highly knowledgeable. He was able to make the topic interesting and engaging.>
Ms. Melissa Stryker *The Constitutional Duty to Disclose v. the Ethical Duty to Disclose*	11	3.8	3.8	4.0	66	<Very cool to hear from a very smart and young lawyer who is well-versed in their respective field.><Melissa Stryker is a very impressive speaker. Great job! Good responses to tough questions.><Great speaker. Presented an engaging and thorough manner on a topic of critical importance!><Stryker's presentation was very good. I've never seen her speak before and am very impressed. Excellent presentation.>

Participant	Chapter	Speaker	Topic	Written	#Evals	Comments (Scale: 4-Excellent, 3-Good, 2-Fair, 1-Poor)
Hon. David Newell						
Writ Jeopardy	12	3.8	3.6	3.8	70	<So much fun. Enjoyed reviewing writ information in this way.><Entertaining and fun lunch presentation.><Judge Newell was great! Loved the fun format.><Fantastic! The Jeopardy format was great!><Jeopardy questions were confusing, maybe based on cases, but clean it up to be clearer and not so many variables – but fun concept.>
Mr. Jay Brandon						
Conflicts of Interest	13	3.8	3.7	3.8	65	<Engaging speaker.><Always enjoy presentations by Jay Brandon. He's funny and entertaining in an otherwise dry area of the law.><Great speaker! Informative and complete.>
Ms. Catherine G. Burnett						
Ineffective Assistance of Counsel and Involuntary Guilty Pleas	14	3.7	3.8	3.9	65	<Loved this presenter and her straight forward style. Plus – she provided much needed guidance on these ineffective assistance of counsel claims.><Good information.><Catherine Burnett was a really good speaker. Very valuable ineffective assistance of counsel information.><Good speaker. Well versed in this area of law and had an informative presentation.>
Ms. Lynn M. Garcia						
Changed Science in Post-Control Writs: Texas Code of Criminal Procedure, Article 11.073	15	3.8	3.7	3.8	54	<Favorite topic because very interesting with experts in this area.><Lynn Garcia gave a great presentation. Good speaker. Interesting topic. Bob Wicoff did a great job. Good presenter.><Incredible speakers! The ability to make science understandable and digestible to lawyers is a rare gift!>
Mr. Robert S. Wicoff						
Changed Science in Post-Control Writs: Texas Code of Criminal Procedure, Article 11.073	15	3.8	3.9	3.8	51	<Favorite topic because very interesting with experts in this area.><Lynn Garcia gave a great presentation. Good speaker. Interesting topic. Bob Wicoff did a great job. Good presenter.><Incredible speakers! The ability to make science understandable and digestible to lawyers is a rare gift!>

TMCEC Brady Judicial Education Summary

TMCEC has offered the following courses on the *Brady v. Maryland* case as indicated below:

- FY 13: Law, Ethics, Advocacy & *Brady* - offered two times to municipal prosecutors at their annual conferences.
- FY 13: Legislative Update - offered three times at legislative update programs in discussion of SB 825.
- FY 14: Discovering Discovery: The Wake of Michael Morton - offered nine times to municipal judge at their regional conferences.
- FY 14: What the Michael Morton Act Means to Municipal and Justice Courts - offered two times to municipal prosecutors at their annual conferences.

In TMCEC publications, we have covered the topic, as well:

- "The Michael Morton Act and Texas Municipal Courts," *The Recorder: The Journal of Texas Municipal Courts*, Volume 23, No. 2, January 2014.
- Updated the 2015 version of the *TMCEC Bench Book*, Chapter 6, Pre-Trial Proceedings.

Submitted by Hope Lochridge, Executive Director
November 28, 2016

TMCEC Mental Health Training Municipal Judges

Municipal judges encounter individuals with mental illness in their capacity as judges and as magistrates. As a manifestation of their illness, these individuals often commit non-violent Class C misdemeanors, sometimes repeatedly. Magistrates perform their duties for the growing number of mentally ill defendants entering Texas jails. While TMCEC has consistently offered training on mental health issues concerning defendants and the statutory duties of and resources available to municipal judges and magistrates, we gave special and expansive attention to the topic in fiscal years 2015 and 2016.

TMCEC held a one-day clinic on February 27, 2015 entitled *Mental Health Issues and Procedures in Municipal Courts*. The sessions were as follows:

- Behavioral Health Issues and Crisis Services for Adults and Juveniles
- Post Traumatic Stress Disorder
- Mental Health Warrants
- Hoarding

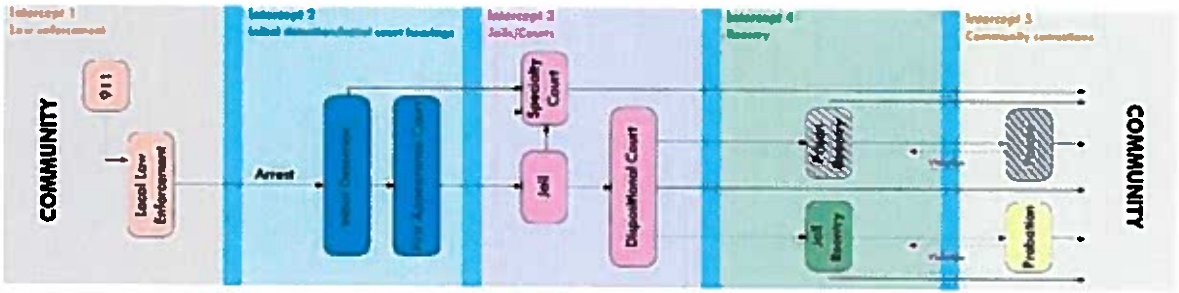
On August 20, 2015, TMCEC hosted a planning meeting attended by multiple stakeholders in the fields of mental health and criminal justice. The purpose of the planning meeting was to collect viewpoints, identify the roles and necessary collaboration involved as defendants with mental illness encounter and flow through the criminal justice system, and to plan a future mental health summit for municipal judges and prosecutors. Using the fruit of that planning meeting, we hosted our first *Mental Health Summit* on May 9-11, 2016. The intent of this summit was to generate judicial and prosecutorial leadership, equipping and inspiring participants to better serve individuals with mental illness and lead their communities in improving the quality of the administration of justice in Texas. The sessions were as follows:

- Stepping Up: National and Texas Momentum to Reduce the Number of Mentally Ill Persons in Jail

- Fundamentals of Mental Illness: Understanding Mental Health Issues and Their Impact on Court Proceedings
- Military Informed Care
- Realities and Myths of Cases with Mentally Ill Defendants
- Developing Criminal Justice-Mental Health Partnerships
- Crisis Intervention Teams
- Magistrate Decision-Making in Cases Involving Mental Health Issues: Duties, Liabilities, and Authorities
- Community Strategies for Responding to Individuals with Mental Illness
- Identifying, Screening, and Assessing Individuals with Co-Occurring Disorders in Municipal Courts
- Make the Connection: Mental Health Services and Support
- In Our Own Voice: A Presentation by the National Alliance on Mental Illness – Austin Affiliate

Building on the summit, we solicited applications for a *Sequential Intercept Model (SIM) Mapping Workshop,* facilitated by Policy Research Associates, and hosted by TMCEC, to be held on August 30, 2016. Policy Research Associates operate SAMHSA's GAINS Center for Behavioral Health and Justice Transformation. We selected Tarrant County, the point person being Ann Collins, a municipal judge in Fort Worth. That county has formed a core group of mental health and criminal justice representatives, the Tarrant County Criminal Justice Coordinating Committee. Representatives from that committee along with a peer representative who is in recovery and assists with peer recovery services will plan the workshop under the guidance of TMCEC and Policy Research Associates. The goal of the workshop is to develop a map that illustrates how people with behavioral health needs come in contact with and flow through the criminal justice system. Key stakeholders will learn how to create a local "systems map" utilizing the framework of the Sequential Intercept Model and establish priorities and opportunities through a strategic planning process.

The Sequential Intercept Model



During the SIM workshop, opportunities and resources will be identified for diverting people out of the criminal justice system at various intercepts along the Sequential Intercept Model and into appropriate behavioral health services. As part of the mapping process, critical gaps in services will be identified and summarized. Based on the mapping exercise and identified service gaps, opportunities for systems change and practice improvement will be identified. Participants will determine areas where immediate steps will result in a more cohesive, integrated approach to service delivery, and a local set of priorities for change will be established. The convening of this group will become a role model of what other courts and communities can do to address the needs of those with mental illness in the criminal justice system.

TMCEC also hosted a one-day mental health clinic on February 26, 2016: *Mental Health Tools and Community Models for Municipal Court Judges and Prosecutors*. The sessions were as follows:

- Behavioral Health Issues and Crisis Services for Adults and Juveniles
- Crisis Intervention Teams
- Community Models: Travis County
- Community Models: Collin County Judges' Regional Programs (FY 14 – 16)

Judicial education offered by TMCEC aims to prepare judges for interaction with the mentally ill by discussing the meaning of mental illness, insanity, and incompetency; exploring common indicators of mental illness; and reviewing duties of the judge and magistrate in those interactions. While TMCEC periodically offers classes with a specific mental health focus, more often mental health issues are covered in the context of a broader topic.

- Who's Got the Paddle Now: Juvenile Discipline on School Campuses (FY 14)
- The Neurological Effects of Alcohol on the Brain (FY 14)
- Implementing Juvenile Justice: Applicable Procedural and Substantive Law (FY 15)
- Disturbing Trends in Alcohol and Drug Abuse (FY 15)
- Posttraumatic Stress Disorder (FY 15)
- Child Welfare & the IDEA (FY 15)
- Surviving an Active Shooter (FY 16)
- Elder Abuse (FY 16)
- Duties of the Texas Magistrate (FY 16)
- Adjudicating Juveniles in Municipal Court (FY 16)

Clerks' Regional Programs (FY 14 – 16):

More people come into contact with municipal courts than all of the other courts in the Texas criminal justice system. As a result, court personnel have contact with an incredibly broad cross-section of the general public, some of which may have mental health issues. Court personnel must find ways to work with these individuals and process their cases while respecting due process and rights guaranteed by the Constitution. This is complicated by the fact that defendants at this level are majority pro se. Although there are provisions in the law for the appointment of counsel in municipal court proceedings, these provisions have very specific requirements and are not typically applied to defendants throughout the state.

- Mental Health and Substance Abuse Issues in the Courtroom (FY 15)
- Family Violence Cases: Mental Health Issues and Effects (FY 15)
- Working with an Aging Population (FY 16)

Juvenile Case Managers' Conference (FY 14 - 16):

Juvenile case managers assist judges in providing juveniles the resources to shape their future, connect with the community, and become law abiding citizens. This includes building community partnerships and diverting juveniles from court proceedings. Inherent to their job is identifying juveniles who suffer from mental illness and connecting them with mental health and substance abuse services.

- Assessments: Examples and Application (FY 14)
- The Adolescent Mind: What Were They Thinking (FY 14)
- Identifying Mental Health Issues in School Age Populations (FY 15)
- Adolescent Mental Health (FY 16)

Bailiffs/Warrant Officers/Marshals' Conferences (FY 14-15):

Officers tasked with keeping the peace and in contact with the general public are well served to be able to recognize the signs of mental illness and substance abuse and act to effectively and properly address the situation when faced with individuals with such problems.

- Mental Health and Substance Abuse Issues in the Courtroom (FY 14)
- Crisis Intervention: Individuals with Mental Health Issues (FY 15) Traffic Safety Conference (FY 16)

Mental health issues have been addressed in courses offered at the Traffic Safety Conference in relation to impaired driving.

- Women and Impaired Driving (CARS for screening co-occurring disorders) (FY16)
- Substance Abuse and the Court (TLAP) (FY 16) Prosecutors Conferences (FY 14 – 16)

The duty of a prosecutor is complicated in municipal courts, particularly in the context of pro se defendants with mental illness, because often the prosecutor does not file the complaint against the defendant. Rather, the prosecutor becomes aware of the case after the complaint has been filed. Furthermore, a prosecutor may have no opportunity to ascertain the existence of a mental illness or other psychiatric or psychological issue unless the defendant has previously entered a plea of not guilty. For the prosecutor programs, mental health issues are covered in the context of a broader topic, as listed below.

- Juvenile Justice Reform: From the School House to the Court House (FY 14)
- A Glimpse at the Horizon: Legislation of Interest in the 84th Texas Legislature: Procedural and Substantive Law Issues (FY 15)
- Elder Issues: Problems and Solutions (FY 15)
- Where the Sun Don't Shine: Disturbing Trends in Alcohol and Drug Abuse (FY 15)
- Dealing with Difficult Attorneys (FY 16)
- Don't be a Nuisance: Nuisance Abatement (FY 16)

Publications

- *The Recorder: The Journal of Texas Municipal Courts* (FY 14 – 16):
- Designer Drugs (January 2014)
- Self-Represented Defendant (April 2014)
- The 2015 Truancy Reform Bill - HB 2398 (July 2015)
- Legislative Update (August 2013, August 2015)
- Public Safety Assessment (August 2016)

2015 TMCEC Bench Book

- Chapter 1 – Magistrate Duties
- Mentally Ill Offenders
- Mental Impairments. Examination of Defendant is Custody Suspected of Having Mental Illness or Mental Retardation
- Chapter 3 – Pro Se Defendants and Defendants Represented by Counsel Chapter 8 – Sentencing, Deferred and Indigence
- Deferred Disposition (including discussion of psychosocial assessment)

2015 TMCEC Forms Book
Section on Mental Health Issues

- Application for Emergency Detention
- Order for Issuance of Mental Health Warrant
- Mental Health Warrant for Emergency Detention Sheriff's Notification – Person in Custody with Possible Mental Illness/Mental Retardation
- Magistrate's Order for Mental Illness/Mental Retardation Exam
- Order into Custody for Mental Illness/Mental Retardation Exam Warrant for Mental Health/Mental Retardation Exam – Person
- Failing to Submit Voluntarily

The Municipal Judges Book 5th Ed (2014)

- Mental Illness and Mental Retardation 4-25
- Psychosocial Assessment 2-13; 7-18

The Texas Truancy Court Resource Manual Online

- Adjudication Hearing Procedures
- Determination of Probable Cause – Child Alleged to be Mentally Ill
- Temporary Stay – Child Alleged to be Mentally Ill Webinars

TMCEC webinars offers both "live" and on demand (archived) webinars. All available for judges, clerks, prosecutors, bailiffs, warrant officers, and juvenile case managers to watch.

- Mental Health Issues in Municipal Courts (FY 15)
- Mental Health Warrants (FY 15)
- IDEA I: Special Education Services (FY 15)
- IDEA II: Child Welfare (FY 15)

Submitted by:
Hope Lochridge, TMCEC Executive Director
July 29, 2016

Texas Center for the Judiciary
FY 14, 15 &16 Trainings

MENTAL HEALTH

2013 Annual Judicial Education Conference, September 3-6, San Antonio

Juvenile Brain Science, 1 hr

Mr. Michael Nerney

Did you know the human brain is not fully developed until between the ages of 21-25? Come find out why risk-taking is hard-wired into the teen brain and the best ways to communicate with juveniles in your court as Michael Nerney leads a discussion on issues regarding substance abuse, juvenile justice and adolescent brain development.

2014 Family Violence Conference, March 27-28, Galveston

Creating a Trauma Informed Court, 1 hr

Dr. Karyn B. Purvis

Children and youth who come into the court system frequently have experienced not only chronic abuse and neglect, but also exposure to substance abuse, domestic violence, and violence in their communities. The psychological, emotional, and behavioral consequences of these experiences can be significant and far-reaching but may go unrecognized. This session will highlight some of the key issues related to child traumatic stress and its impact on human development across the lifespan. Dr. Purvis will also discuss some strategies and tools that can be implemented in the courtroom to promote a more trauma-informed justice system that will lead to better outcomes for the children and youth served.

2014 Texas College for Judicial Studies, May 5-9, Austin

Handling Defendants with Mental Health Issues: From Arrest to Disposition, 1 hr

Dr. Floyd Jennings

Management of criminal cases involving mentally ill defendants is more time consuming and procedurally complex than any other single group of cases. This session provide an overview of the procedural issues involving mentally ill defendants, from the point of arrest until disposition of the matter.

The Dynamics of Family Violence and PTSD, 2 hrs

Dr. Chrysanthe Parker

"PTSD" may now be four of the most familiar letters in the English language; despite this, what PTSD actually is, how it functions, and how it manifests itself in family and intimate relationships, is still the subject of many misconceptions and information "gaps". Part 1 of this session will provide attendees with a view of how the human brain, body and central nervous system responds to traumatic stimuli, how reflexive-reactive coping responses become imprinted and habituated, and finally, how these manifest as post-traumatic stress disorder. Part 2 will examine the ways in which families of origin frequently operate as the societal incubator for PTSD, how trauma-impacted patterns of behavior transmit from parent to child, and how children of trauma-impacted homes may ultimately become either victims or perpetrators of domestic/family violence.

2014 Mental Health & Forensic Science Issues for Trial Judges, October 23-24, Austin

Over-Representation of People with Mental Illnesses in the Criminal Justice System & Introduction to Mental Illnesses and Co-Occurring Substance Use Disorders, 1.25 hrs

Hon. Steve Leifman, Dr. Fred Osher

Discussions will include information on how behavioral health issues and criminogenic risk factors can impact an individual's interactions with the criminal justice system.

Factors Contributing to Over-Representation & What You Can Do as a Judge, 1.5 hrs

Hon. Steve Leifman, Dr. Fred Osher

In this session participants will learn effective strategies for collaborative treatment and supervision of defendants with mental illnesses. This session will offer tips on spotting potential behavioral health issues in the courtroom—and on interacting respectfully and productively with individuals with behavioral health issues.

Video Case Studies: Improving Interactions in the Courtroom, 1.5 hrs

Hon. Steve Leifman, Dr. Fred Osher

This interactive session will build on judges' practical skills for handling individuals with behavioral health needs by using video case studies illustrating issues that arise in the courtroom.

Texas Mental Health and Substance Abuse Services, 1 hr

Dr. Kenneth Minkoff

This presentation will help trial judges understand the types of routine MH and SA services that are available in each jurisdiction in Texas, as well as the types of diversion services that are available in some communities. Judges will learn some of the best strategies for accessing those services in a way that is practical and helpful. In addition, the participants will learn about state and local policy and implementation efforts that are currently being directed at improving the capacity of local communities and counties to organize services to facilitate safe diversion for individuals with behavioral health needs, and how local judges can be leaders and partners in those efforts.

PTSD & Criminal Justice, 1 hr

Dr. Charity Hammond

"PTSD" may now be four of the most familiar letters in the English language; despite this, what PTSD actually is, how it functions, and how it manifests itself is still the subject of many misconceptions. This session will examine the history and scientific basis of PTSD, its diagnostic criteria, biological changes connected to PTSD, and the best treatment protocols.

2015 Family Justice Conference, January 28-29, San Antonio

Parental Alienation, 1 hr

Dr. Richard Warshak

Dr. Warshak describes the characteristics of children who are severely and irrationally alienated from a parent, factors that help determine the extent to which the alienation is justified or unjustified, and interventions that help alleviate current and future impairments. He exposes common misunderstandings about parental alienation cases that lead to mismanagement by legal and mental health professionals, and presents practice tips for judges with a case that raises parental alienation issues.

New Neuropsychological Topics in Domestic Violence and Treatment, 1 hr

Dr. Kit Harrison

Advances in biological, genetic, and brain-based aspects of domestic violence explain why traditional models and treatment methods continue to produce poor outcome. Why many domestic abusers are refractory to anger management or other traditional psychosocial interventions, including Court directives, is examined from a biopsychosocial scientific perspective. Neuropsychological factors to consider in "likely to reoccur" issues are outlined. How violence can impact victim experiences and testimony is also addressed. New approaches and technologies are outlined, along with recent and radical changes in diagnosis and assessment in aggression and family violence, which mandate a need for improved assessment, treatment, and intervention strategies.

2016 Family Justice Conference, January 25-26, Bastrop

Examine the Diagnosis, 1 hr

Hon. Scott Beauchamp, Mr. Charlie Hodges, Dr. John Zervopoulos

Testimony based on DSM-5 diagnoses quickly catches a judge's or jury's ear and often raises significant concerns. Unfortunately, too many mental health experts substitute broad-brush diagnoses for clear, reliable testimony. How can judges identify the difference? This session will examine the makeup of a DSM-5 diagnosis and guide judges to recognize the proper uses and the misuses of diagnoses in family law cases.

Batterers Intervention & Prevention Programs: What They Are and What They Aren't, 1 hr

Ms. Marta Pelaèz, Hon. Peter Sakai

Explore the styles and theories of counseling an offender and examine how BIPP programs are designed enhance the safety of victims. It will also examine the resistance to treatment not only from the offender, but the community.

2016 Criminal Justice Conference, February 22-23, Austin

Addressing Veterans Issues in Criminal Cases, 1 hr

Dr. Brian Meyer

There has been a great deal of controversy in the media and in legal cases regarding the role of Veterans' experiences, particularly deployment and combat, in later criminal conduct. Much of the controversy has surrounded the questions about how much PTSD contributes to family violence and criminality, both directly and through intermediate factors such as substance abuse. This presentation explores what we know about those subjects. It will also address how post-traumatic stress and substance abuse affect the brain and the nervous system, and how those in turn may result in violent and criminal behavior. Finally, the presentation will discuss what courts can do to address these problems and reduce recidivism.

Treatment Options Under the Affordable Care Act, 1 hr

Ms. Maureen McDonnell

Most criminal court judges manage caseloads with untreated addiction cases and face challenges in finding effective treatment programs. The Affordable Care Act (ACA) may offer some solutions because it makes behavioral health care available to almost all individuals in the criminal justice system. Join the discussion regarding potential resources and treatment programs available to offenders in your area.

2016 Annual Judicial Education Conference, September 6-9, San Antonio

The Trauma-Competent Court, 1 hr

Dr. Brian Meyer

No matter the type of case - civil, family, or criminal - the people appearing before you have experienced some sort of trauma that has brought them into the courtroom. During this session, discuss how to recognize, design, and implement policies, practices, and strategies of trauma competent courts, allowing you to more effectively administer justice.

Juvenile Brain Science, 1 hr

Mr. Michael Nerney

Did you know the human brain is not fully developed until between the ages of 21-25? Come find out why risk-taking is hard-wired into the teen brain and the best ways to communicate with juveniles in your court as Michael Nerney leads a discussion on issues regarding substance abuse, juvenile justice and adolescent brain development.

The Complex Interactions of PTSD and Substance Abuse, 1 hr

Dr. Brian Meyer

Explore the complex interrelationships between PTSD, pain, and three of the most commonly abused substances: alcohol, marijuana, and prescribed opioids such as Oxycontin, Oxycodone, and Hydrocodone. This session will review what is known about these interrelationships and propose steps that can be taken to increase safety and the likelihood of treatment and case success.

ACTUAL INNOCENCE/FORENSIC SCIENCE TRAININGS

2014 Winter Regional Conferences, January 23-24 (Horseshoe Bay)
& February 20-21 (Galveston)

How to Satisfy the New Requirements of the Michael Morton Act, 1 hr

Hon. Alfonso Charles

The Morton Discovery Act took effect January 1, 2014, which means judges need to ensure their courtroom procedures are in compliance. Using lecture, as well as interactive discussions, judges will hear how the Act is being implemented in different counties across Texas. They will also hear how the law affects discovery procedures in felony, misdemeanor and juvenile cases. The format of the session will provide an open forum for judges to share their experiences and concerns with other judges throughout the state, and develop best practices to bring back to their courtrooms.

How to Assess a Brady Claim, 1 hr

Mr. Chip Wilkinson

Brady made it clear that evidence must be turned over to the defense when "there is a reasonable probability that had the evidence been disclosed to the defense, the result of the proceeding would be different." Chip Wilkinson, author of Brady Duties & The Pre-Trial Disclosure of Evidence, will share his insights into what judges can do to ensure that prosecutors are following the law.

2014 Texas College for Judicial Studies, May 5-9, Austin

The Michael Morton Act and Other Discovery Issues, 1 hr

Hon. Alfonso Charles

Join us for a discussion of how the Michael Morton Discovery Act affects discovery procedures in felony, misdemeanor and juvenile cases, and how Texas courts can adjust their courtroom practices to ensure compliance. While most of this session will focus on the Morton Act, it will also include a review of innovative practices being utilized for general discovery procedures in criminal courts.

"It Didn't Happen!" Post-Conviction Writs & Other Issues, 1 hr

Mr. Michael Stauffacher

Post-conviction writs usually require enormous investigation and research and analysis of complicated procedural and substantive issues. This session will examine the grounds, hurdles and procedures relating to post-conviction writs.

2014 Criminal Justice Conference, May 15-16, Rockwall

The Michael Morton Act: How It's Working 5 Months In, 1 hr

Mr. Steven Reis, Mr. Cary Faden

This session will utilize a team-teach approach - both a prosecutorial and defense perspective – to discuss the practicalities of dealing with the Morton Discovery Act requirements since it became effective on September 1. The speakers will address the difficulties facing both litigants and judges, as well as which practices seem to be working and which are not.

Forensic Science: A Perspective Outside of the Echo Chamber, 2 hrs

Dr. Jay Koehler

Forensic sciences play an increasingly important role in the criminal justice system; judges and juries alike now rely heavily on testimony from forensic experts during criminal trials. This session will provide an overview of the types of forensic science, as well as their methods and admissibility standards, with a focus on DNA and fingerprint evidence.

Why Avoiding *Daubert* at the Trial Level Makes Problems at the Appellate Level, 1 hr

Prof. David Faigman

Expert testimony is both pervasive and, very often, determinative, in modern adjudication. Trial courts have been charged with the responsibility to be "gatekeepers" to ensure that the underlying basis for proffered expert opinion is reliable and valid. However, this responsibility can be very complex and daunting for many trial judges, and they sometimes avoid the necessary analysis. Professor Faigman will lead the discussion on the relationship between the trial court's gatekeeping task and the responsibilities, explicit and implicit, for appellate courts in this area.

2014 Annual Judicial Education Conference, September 7-10, Fort Worth

The Michael Morton Act: 9 Months In, 1 hr

Mr. Steven Reis, Mr. Chris Ludwig

This session will utilize a team-teach approach - both a prosecutorial and defense perspective – to discuss the practicalities of dealing with the Morton Discovery Act requirements since it became effective on January 1, 2014.

Post-Conviction Writs, 1 hr

Hon. Michael Keasler

Post-conviction writs usually require enormous investigation and research and analysis of complicated procedural and substantive issues. This session will examine the grounds, hurdles and procedures relating to post-conviction writs.

2014 Mental Health & Forensic Science Issues for Trial Judges, October 23-24, Austin

Judicial Gatekeeping, 1 hr

Hon. Bud Kirkendall

Expert testimony is both pervasive and, very often, determinative, in modern adjudication. In *Daubert* and parallel State court decisions, trial courts have been charged with the responsibility to be "gatekeepers" to ensure that the underlying basis for proffered expert opinion is reliable and valid. This session will cover the latest case law and best practices for judges when determining whether forensic science evidence should make it past the "gate."

The Daubert Analysis of Child Abuse Injuries – Head & Body Trauma, 2 hrs

Dr. Christopher Greeley

Child abuses cases form one of the most contentious areas of medicolegal investigations. In the child abuse case in court, conflicting medical science will typically be offered by both parties to explain the etiology of an injury and courts are often asked to weigh complex, novel and controversial scientific evidence. This presentation will discuss appraisal of the published medical literature and evidence in the context of the rise in the denial in the field of Shaken Baby Syndrome. The broad strokes of Evidence-Based Medicine will be used to highlight the importance of medical literature appraisal. We will discuss the strengths and weaknesses of peer review and highlight some of the pitfalls and fallacies which can appear within the published reports. Specific examples of flawed studies and flawed analyses will be presented. The participant will learn how to critically read a paper and scrutinize the contents systematically. This session will also review work that is being done in Texas, as well as nationally, to improve the science and effective diagnosis of physical child abuse.

2015 Criminal Justice Conference, February 26-27, Austin

Freedom After 25 Years: Michael Morton's Story, 1 hr

Mr. Michael Morton

Michael Morton's story is familiar to all of us – told by the media, political leaders, and others trying to reform the criminal justice system. But most of you of have not heard it from the most important person: Michael Morton himself.

Further Conversation with Michael Morton, 1 hr

Mr. Michael Morton

This will be a moderated question and answer session with Mr. Morton in which he will discuss his case in further detail, and answer any questions you may have about his experience with the criminal justice system.

Forensic "Science": How to Determine When it Is Scientific and When it is Not, 1 hr
Prof. David Faigman
Do you have trouble identifying junk science from real science? Are all the scientific terms getting you confused? This session will provide you with tools for determining the validity of expert testimony. Although the focus will be on forensic identification expertise, the lessons will be generally applicable to all expert evidence. More generally, the course will also consider the principles underlying rules of admissibility – rules that are intended to manage the division of responsibility between the judge's job to determine admissibility and the jury's task to determine what weight to give admitted evidence.

What is Actual Innocence and What Isn't?, 1 hr
Mr. Michael Stauffacher
Learn about the two types of actual innocence writ claims, the grounds under each, and how the elements differ from an 11.07 writ. You will also learn what constitutes good findings of fact and conclusions of law for actual innocence habeas claims.

Actual Innocence: Where Are We? And Where Are We Going?, 1 hr
Hon. Barbara Hervey
Michael Morton was not the first exoneree in Texas nor will he be the last. Discuss the steps Texas has taken to prevent wrongful convictions, as well as future goals for addressing weaknesses in the criminal justice system.

2015 Spring Regional Conferences, April 23-24 & May 14-15, Dallas

The Reliability of Scientific Journals: Separating the Wheat from the Chaff, 1.5 hrs
Dr. Christopher Greeley

Conflicting science will typically be offered by both parties to explain the etiology of an injury and courts are often asked to weigh complex, novel and controversial scientific evidence. This presentation will discuss appraisal of published medical literature and evidence. Dr. Greeley will discuss the strengths and weaknesses of peer review and highlight some of the pitfalls and fallacies which can appear within the published reports. Specific examples of flawed studies and flawed analyses will be presented.

Forensic Science & Judicial Gate-Keeping, 1 hr

Hon. Todd Blomerth, Hon. Bud. Kirkendall

In *Daubert* and parallel State court decisions, trial courts have been charged with the responsibility to be "gatekeepers" to ensure that the underlying basis for proffered expert opinion is reliable and valid. This session will cover the latest case law and best practices for judges when determining whether forensic science evidence should make it past the "gate."

Writs, 1 hr

Mr. Michael Stauffacher

Learn about the two types of actual innocence writ claims, the grounds under each, and how the elements differ from an 11.07 writ. You will also learn what constitutes good findings of fact and conclusions of law for actual innocence habeas claims.

Psychology of False Identifications and False Confessions, 1 hr

Prof. Dan Simon

Examine the mental processes of key players in a criminal investigation and trial, such as police detectives, witnesses, suspects, and victims and the role each can play in wrongful convictions. How did a witness misidentify the perpetrator? How could anyone possibly confess to a crime they did not commit? Understanding the psychology behind these events will help you evaluate evidence more critically.

2016 Criminal Justice Conference, February 22-23, Austin

Presiding Over Child Abuse Cases: Some Aspects to Consider

Hon. Bill Hooks

The purpose of this session is to discuss some aspects of the broad issues which surface in the pre-trial and trial proceedings of child abuse matters in the criminal and civil courts. It will include an introduction to the terminology and the concepts discussed in these cases including evidentiary, forensic, and other trial matters.

The Current Landscape of Forensics in Texas: Microscopic Hair & DNA Mixture Analyses, 2 hrs

Ms. Lynn Garcia, Hon. Barbara Hervey, Mr. Bob Wicoff

As the landscape of forensic science evolves in Texas and around the country, stakeholders are forced to reevaluate the admissibility and reliability standards used in criminal cases on a regular basis. Twenty minutes of this two hour session will be devoted to hair microscopy, with the remaining time devoted to DNA mixture evidence. With each topic, faculty will explain the problem that has been discovered with each forensic discipline, what reviews have been initiated to investigate the issue in each instance, and how these issues will likely present themselves to trial judges (i.e., legal remedies).

2016 Spring Regional Conferences, April 18-19 & May 9-10, Houston

Reliance on Good & Bad Science: DNA Mixtures, 1 hr

Ms. Lynn Garcia

The recent news about DNA mixtures has demonstrated just how subjective and varied mixture interpretation can be. This session will delve into the complicated science behind DNA mixture testing in an effort to familiarize judges with the types of issues that will be coming before them - and what all that confusing scientific terminology really means.

Recent Developments in Actual Innocence, 1 hr

Ms. Dawn Boswell, Mr. Mike Ware

Learn about the role and current activities of various Texas organizations working in the area of actual innocence and how their work may affect your duties as the gatekeeper for forensic evidence admissibility. This session will also include a discussion of recent developments in the area of post-conviction writs of habeas corpus.

THE CENTER FOR AMERICAN
AND INTERNATIONAL LAW

January 30, 2017

Past Biennium Overview: CAIL Training Covering Mental Health & Forensics (including *Brady*)

In response to your request, here is information from CAIL. None of our trainings were solely focused on mental health or forensics, so the listing below shows particular sessions within a program. We have attempted to identify session in which mental health or forensic issues were at least part of the discussion. Please note that we included cognitive bias, tunnel vision and other sessions that you may not consider to be "forensic or mental health training". If you would like us to make any changes, please do not hesitate to let us know.

Thanks,
Mark Smith
Vice President
The Center for American and International Law
1.972.244.3413 | msmith@cailaw.org

FY2015 – Actual Innocence grant

Causes of and Solutions to Wrongful Convictions - February 18-20, 2015

- *McCollum* & *Brown* – A Case Study: From Crime Through Conviction
- *McCollum* & *Brown* – What Happened Post-Conviction
- Scientific Evidence
- Cognitive Bias and Criminal Law
- Tunnel Vision
- The New Crime Lab Model
- What Lawyers would like to get from Scientists

- Eyewitness experience (about the McGowan case)
- Forensic Science Commission
- National Institute For Standards & Technology; Organization Of Scientific Area Committees
- *Brady* Issues And The Crime Lab Expert – Implications Of The Michael Morton Act
- The Importance Of Experts And How To Use Them To Understand Scientific Evidence

"On the Road" Program (Austin - May 4, 2015) (Houston - May 5, 2015) (Lubbock - May 6, 2015)
- A Personal Story – The Thomas McGowan Case
- Follow-Up Discussion On The McGowan Case
- Legislative and Case Law Update – *Brady*, *Morton* and Exculpatory Evidence; Scientific Developments and More

Habeas Issues - August 21, 2015
- Discussion Of An 11.073 Forensic Writ

Establishing Innocence or Guilt - August 19-20, 2015
- Beyond *Willingham*: Recognizing Errors And Crafting Solutions In Fire Investigations
- Presenting Scientific Information To The Jury & Cognitive Bias In Forensic Labs
- Panel Discussion: Hair Analysis

Best Practices in Law Enforcement Investigations: *Brady* Issues in U.S. Policing – August 20-21, 2015
- Awareness of Mental Health Issues/Why CIT? (Crisis Intervention Team)
    - CIT; Why you need a CIT Team
- Introduction To Clinical States/Suicide Intervention Skills & PTSD
- Hearing Voices – Audio Exercise
- Introduction To Psychological Effects On War Veterans & PTSD
- *Brady* Issues In Law Enforcement

5201 Democracy Drive
Plano, Texas, 75024-3561
USA
☎ 1.972.244.3400
1.972.244.3401
☎ 1.800.409.1090
cailaw.org

FY2015 – Criminal Law grant

Capital Defense College – March 23-26, 2015

- Understanding & Using Psychological & Psychiatric Experts For The Defense
- Attorney Self Care
- Litigating *Briseno*
- Deconstructing *McCluskey*
- DNA, The New Statute
- The CSI Effect

Program on Mitigation, a Program for the Defense – July 22-24, 2015

- Human Development: The Effects Of Trauma, Poverty, and Life Experiences
- Interviewing Skills and Techniques: Mental Illness
- Interviewing Skills and Techniques: Intellectual Disability and Adaptive Behavior Investigations
- Client Competency Red Flags
- The DSM-5: Changes Of Importance

Capital & Non-Capital Training for the Prosecution – August 26-28, 2015

- Mental Health Issues
- Intellectual Disability Claims In Capital Cases

FY2016 – Actual Innocence grant

Establishing Innocence or Guilt: Practical Issues For Prosecutors – October 7–8, 2015

- The Neuroscience of Memory: Cognitive & Implicit Bias
- Prosecutor Ethics: *Brady* & The Michael Morton Act Discussion
- It Can Happen to You – The Anthony Graves Case

5201 Democracy Drive
Plano, Texas, 75024-3561
USA

☎ 1.972.244.3400

1.972.244.3401

☎ 1.800.409.1090

cailaw.org

Webinar: Annual Program on Establishing Innocence or Guilt (Recorded Aug. 19-20, 2015) – ONLINE: **October 12 – November 12, 2015**; for topics, see the August 19-20, 2015 program listed above.

Webinar: Habeas Issues (Recorded Aug. 21, 2015) – ONLINE: **October 12 – November 12, 2015**; for forensic topic, see the August 21, 2015 program listed above.

Webinar: Causes of and Solutions to Wrongful Convictions (Recorded Feb. 18-20, 2015) – ONLINE: **October 12 – November 12, 2015**; for topics, see February 18-20, 2015 program listed above.

Establishing Innocence or Guilt – August 29–30, 2016
- Identifying And Litigating Cognitive Bias In Forensic Science
- Forensic Testimony – With A Focus On DNA Mixtures
- Drug Cases – The Houston Experience
- Accreditation Of Forensic Labs And Licensing Of Forensic Scientists
- Case Studies
- The Richard Miles Case
- The Michael Morton Case
- *Brady* Issues – The Prosecution And Law Enforcement
- Ethics & Cognitive Bias

Discovery and *Brady*: Practical and Ethical Issues For Prosecutors – January 21, 2016 & January 22, 2016
- An Interview With Michael Morton
- Disclosure, Ethics, *Brady* & The Michael Morton Act: The Ethical Duties Of A Prosecutor
- Discussion Panel – Ethics from the Perspective of Exonerees

5201 Democracy Drive
Plano, Texas, 75024-3561
USA
☎ 1.972.244.3400
1.972.244.3401
☎ 1.800.409.1090
cailaw.org

Causes of and Solutions to Wrongful Convictions – February 17–18, 2016
- Cognitive Dissonance and Bias
- Richard Miles Case Study
- Bite-Marks and Ethics: Understanding The Limits Of Science and The Ethical Obligations Arising Therefrom

Regional DNA Training – February 19, 2016 (also provided online June 13 - July 13, 2016)
- DNA Basics
- DNA Mixture Interpretation Basics
- Probabilistic Genotyping

Webinar: Causes of and Solutions to Wrongful Convictions (Recorded Feb. 17-19, 2016) – ONLINE: **June 13 – July 13, 2016**; for topics related to forensics, see the February 17-18, 2016 and February 19, 2016 programs referenced above.

Best Practices In Law Enforcement Investigations: *Brady* Issues in U.S. Policing – July 20, 2016
- Allen Porter: Factors That Contribute To Tunnel Vision
- *Brady* Issues In Law Enforcement
- Michael Morton – The Story & The Act

Habeas Issues: What's Hot Including A Hard Look At DNA Mixture Issues – August 31, 2016
- Forensic Science & Writ Practice, What's Trending: DNA Mixtures & More
- Case Studies On Habeas Practice
- A DNA Mixture Case Study, An Ineffective Assistance Case Study, & An Actual
- Innocence Case Study

"On the Road" Program (Austin - May 2, 2016) (Houston - May 3, 2016) (Lubbock - May 4, 2016)

- *Brady* & The Michael Morton Act
- Other Hot Topics – DNA Mixture, Bite Marks, Hair Microscopy & New Cases

FY2016 – Criminal Law grant

Capital Defense College – April 25-28, 2016

- Competency & Sanity
- Neuro-Psych Testing Description & Uses
- Lawyer's Guide To Intellectual Disability
- Adaptive Deficits – Testing & Proving
- Communicating With The Challenged Client
- Ethics: Practicing Healthy

Neuroscience: The Mind & Criminal Defense – July 7-8, 2016

- Behavioral Neuroimaging Technology: What It Does & What It Can't
- Neuropsychological Testing & Assessment: Functional Testing Is Crucial
- Neuroscience, Behavioral Genetics, & The Courts

Capital & Non-Capital Training for the Prosecution – August 24-26, 2016

- Disclosure & The Michael Morton Act
- Intellectual Disability
- Brain Scans
- DNA Update
- Forensic Commission Issues Followed By A Q&A

5201 Democracy Drive
Plano, Texas, 75024-3561
USA

☎ 1.972.244.3400

1.972.244.3401

☎ 1.800.409.1090

cailaw.org

TEXAS DISTRICT AND COUNTY ATTORNEYS ASSOCIATION
505 W. 12th St., Ste. 100, Austin, TX 78701 • 512/474-2436 (ph) • 512/478-4112 (fx) • www.tdcaa.com

TDCAA Training Related to Mental Health, 2014-2016

Trends in Mental Health, Bradford Crockard, Asst. District Attorney, Harris County, Civil Law Seminar, San Luis Resort, Galveston, Texas, May 29th, 2014

Mental Health: Nuances of Competency, Bradford Crockard, Asst. District Attorney, Harris Co, 2014 Annual Criminal & Civil Law Update – South Padre Island, September 17, 2014

Mental Health Interventions and Diversions, David Escamilla, County Attorney, Travis County, Moderator, Jason Steans, Assistant County Attorney, Travis County, Jeanette Kindard, Director, Travis County Mental Health Public Defender, Phil Ritter, Chief Operating Officer, Meadows Mental Health Policy Institute, Dallas, Denise Oncken, Assistant District Attorney, Harris County, 2014 Elected Prosecutor Conference, Westin at the Domain, Austin, Texas, December 4th, 2014

Mental Health Initiatives – One Year Later, Dr. Tony Fabelo, CSG, Austin, Phil Ritter, Meadows Foundation, Dallas, 2015 Elected Prosecutor Seminar, La Cantera Resort, San Antonio, December 3rd, 2015

County Attorney and District Attorney Forums, Discussion on Mental Health Referrals and Resources, moderated by Eduardo "Eddie" Arredondo, County Attorney, Burnet County, and Jo Anne Bernal, County Attorney, El Paso County, Elected Prosecutor Seminar, La Cantera Resort, San Antonio
December 3rd, 2015

Mental Health Issues, Christopher Ponder, Asst. Criminal District Attorney, Tarrant County Civil Law Seminar, Omni Southpark, Austin, Texas, May 12, 2016

Mental Health Track at 2016 Annul Criminal and Civil Law Update, Galveston, September 22nd, 2016:

- **Criminal Prosecutors Guide to Competency**, Carmen White & Kendall McKinney, Asst. Criminal District Attorneys, Dallas County
- **Insanity: A Case Study**, Ronnie Dale Smith, Asst. District Attorney, Tarrant County District Attorney's Office
- **Civil Commitment: Sharing the Wealth**, Erin Faseler, Civil Division Chief, Special Prosecution Unit

Articles appearing in The Texas prosecutor related to mental health issues and cases:

Hoping to close the revolving door, The Texas Prosecutor, September-October 2012, Volume 42, No. 5
http://www.tdcaa.com/journal/hoping-close-revolving-door

Significant changes from the DSM-IV to the DSM-5, The Texas Prosecutor, November-December 2013, Volume 43, No. 6
http://www.tdcaa.com/journal/significant-changes-dsm-iv-dsm-5

A beginner's guide to involuntary commitments, The Texas Prosecutor, November-December 2013, Volume 43, No. 6
http://www.tdcaa.com/journal/beginner%E2%80%99s-guide-involuntary-commitments

Mental illness vs. malingering, The Texas Prosecutor, March-April 2014 issue, Volume 44, No. 2
http://www.tdcaa.com/journal/mental-illness-vs-malingering

A question of sanity, The Texas Prosecutor, March-April 2015, Volume 45, No. 2
http://www.tdcaa.com/journal/question-sanity

Handling mentally ill offenders, The Texas Prosecutor, January-February 2016, Volume 46, No. 1
http://www.tdcaa.com/journal/handling-mentally-ill-offenders

An updated flow chart on how incompetency works, The Texas Prosecutor, March-April 2016, Volume 46, No. 2
http://www.tdcaa.com/journal/updated-flow-chart-how-incompetency-works

Coming to a courtroom near you: sexually violent predators, The Texas Prosecutor, May-June 2016, Volume 46, No. 3
http://www.tdcaa.com/journal/coming-courtroom-near-you-sexually-violent-predators

Forensic evaluations for competency and sanity, coming in September-October 2016

TEXAS DISTRICT & COUNTY ATTORNEYS ASSOCIATION

1210 Nueces • Austin • Texas 78701 • 512/474-2436 • Fax: 512/478-4112 • http://www.tdcaa.com

TDCAA Training Relating to Wrongful Convictions and *Brady* 2012 – 2016

2012

Prosecutor Trial Skills Course, January 8 – 13, 2012

- Nine Things Every Prosecutor Should Know
- Brady and Other Ethical Issues for Prosecutors

Domestic Violence Seminar – April 11- 13, 2012

- Domestic Violence Ethics Scenarios

Brady Summer Regionals 2012 – Ethics and Eyewitness Identification

- Dallas, July 25th and 26th, 2012
- San Antonio – July 27th, 2012
- Houston – August 16th, 2012
- Lubbock – August 23rd, 2012

Prosecutor Trial Skills Course, July 15 – 20, 2012

- Nine Things Every Prosecutor Should Know
- Brady and Other Ethical Issues for Prosecutors

Advanced Trial Advocacy Course, August 6-10, 2012

- Ethical Issues in Intoxication Manslaughter Cases: Brady and Beyond

Annual Criminal and Civil Law Update, September 19-21, 2012

- Keynote: Justice, Mercy & Humility – Yes, But How?
- Brady Evidence for Prosecutors and Personnel: A Foundation for Justice
- Seeking Justice: A Prosecutor's Ethics Regarding Ineffective Assistance of Defense Counsel
- Increasing the Reliability of Eyewitness Testimony

Key Personnel and Victims Assistance Coordinators Conference, November 7-9, 2012

- Brady Evidence & the Prosecutor Office Personnel

Elected Prosecutor Seminar, December 5-7, 2012

- Keynote: The Independent Prosecutor
- The Ethical – Yet Still Human – Prosecutor
- Brady Gone Bad – The Oklahoma City Experience
- Brady and Discovery Forum: Policies and Practice

2013

Prosecutor Trial Skills Course, January 13 – 18, 2013

- Nine Things Every Prosecutor Should Know
- Brady and Other Ethical Issues for Prosecutors

Investigator School, February 4-8, 2013

- Law Enforcement: The Missing Link in the Brady Chain
- Eyewitness Identification
- Texas Division of International Assn. for Identification

Investigating & Prosecuting Crimes Against Children, April 16 – 19, 2013

- Brady Issues in Child Abuse Cases

Forensic Evidence Seminar, June 19-21, 2013

- The Feds and Forensic Evidence: Is a Paradigmatic Shift Coming?
- Trends and Traps in DNA Collection and Analysis
- Bite Marks – What they Can and Cannot Tell You
- Fingerprint Analysis after the NAS report
- Understanding Autopsy Reports
- Ethics and Forensic Evidence Scenarios

Prosecutor Trial Skills Course, July 14 – 19, 2013

- Nine Things Every Prosecutor Should Know
- Brady and Other Ethical Issues for Prosecutors

Matthew Paul Advanced Appellate Course, August 5-8, 2013

- Brady Evidence and other Ethical Appellate Issues

Annual Criminal and Civil Law Update, September 18-20, 2013

- Keynote Address by Michael Morton
- Brady and Ethics Post- Morton
- Brady for Administrative Staff

Elected Prosecutor Seminar, December 4-6, 2013

- The Dawn of a New Era in Texas Discovery
- The Evolving World of Forensic Science and What it Means to Prosecutors
- Mandatory Brady Training

2014

Online Brady Webinar, (Ongoing)

Prosecutor Trial Skills Course, January 12 – 17, 2014

- Nine Things Every Prosecutor Should Know
- Ethical Issues for Prosecutors
- Mandatory Brady Training

Investigator School, February 10-14, 2014

- The Michael Morton Story: From Tragedy to New Law
- Brady: What Is It, and What To Do With It?

Intoxication Manslaughter Seminar, April 28 – May 2, 2014

- Brady, Discovery and Ethics
- Brady and Discovery for Police

White Collar Seminar, June 18-20, 2014

- Mandatory Brady Training for Prosecutors

Brady & Ethics Summer Regionals, June – August, 2014

- Houston, June 5, 2014
- Amarillo, June 11, 2014
- El Paso, June 12, 2014
- Dallas, June 13, 2014
- San Antonio, June 20, 2014
- Austin, July 18, 2014
- Lubbock, August 27, 2014
- Beaumont, October 9, 2014

Prosecutor Trial Skills Course, July 13 – 18, 2014

- The Ideal Prosecutor
- Ethical Issues for Prosecutors
- Mandatory Brady Training

Advanced Trial Advocacy Course, April 4-8, 2014

- Ethical Issues in Domestic Violence/ Strangulation Cases: Brady and Beyond

Annual Criminal and Civil Law Update, September 17-19, 2014

- The Seven Habits of Highly Successful Prosecutors
- Crime Scene Integrity
- Emerging Trends in Forensic Science
- Mandatory Brady Training
- Michael Morton Act Panel Discussion
- The Role of the Prosecutor: Hollywood & Main

Key Personnel & Victims Assistance Coordinator's Seminar, November 5-7, 2014

- Understanding the Michael Morton Act
- Panel Discussion on Discovery

Elected Prosecutor Seminar, December 3-5, 2014

- Criminal Justice Leadership – The Texas Prosecutor
- Brady Training

2015

Prosecutor Trial Skills course, January 4-9, 2015

- The Ideal Prosecutor
- Other Ethical Issues for Prosecutors
- Optional Breakout for Required Brady Training

Investigation and Prosecution of Domestic Violence, June 24-24, 2015

- Domestic Violence Ethics Scenarios

Prosecutor Trial Skills Course, July 19-24, 2015

- The Ideal Prosecutor
- Other Ethical Issues for Prosecutors
- Optional Breakout for Required Brady Training

Advanced Trial Advocacy Course, August 3-7, 2015

- Ethical issues in Crimes Against Kids Cases – Brady and Beyond

Annual Criminal & Civil law Update, September 19-21, 2015

- The State of DNA in Texas
- The Ethical Obligations of a Court
- Ethical Obligations Under the Public Information Act &Open Meetings Act
- Keeping Your Law License: The Ten Things to Tell a Newly Elected Prosecutor

Elected Prosecutor Seminar, December 2-4, 2015

- Brady and Police Officer Conduct – Emerging Policies

2016

Prosecutor Trial Skills Course, January 10-15, 2016

- The Ethical Prosecutor

Investigator School, February 8-12, 2016

- Police Misconduct and *Brady*
- The Professional Investigator

Crimes Against Children, April 12-15, 2016

- Brady Issues in Child Abuse Cases

Civil Law Seminar, May 11-13, 2016

- Civil Implications of the Morton Act

Evidence Conference, June 15-17, 2016

- Ethics: Just Because You Can, Doesn't Mean You Should
- The State of DNA in our State

Prosecutor Trial Skills Course, July 10-15, 2016

- The Ethical Prosecutor

Advanced Trail Advocacy Course, August 8-12, 2016

- Ethical Issues in Intoxication Manslaughter Cases: *Brady* and Beyond

Key Personnel & Victim Assistance Coordinator Seminar, November 2-4, 2016

- Brady & Discovery Concerns for KP & VACs

Annual Criminal & Civil Law Update, September 20-22, 2016

- Recognizing and Combatting Cognitive Bias
- Brady & Discovery Concerns for KP & VACs
- In Regards to Officer Misconduct & Brady
- Conviction Integrity
- Over the Horizon Thinking: Avoiding Common Ethical Dilemmas

Elected Prosecutor Conference, November 30-December 2, 2016

- Keynote: The Evolution of Professional Prosecution
- The State of the DPS Crime Lab
- Trending Issues with Brady and Michael Morton Act

Recent Articles in The Texas Prosecutor:

Sequential v. Simultaneous Lineups: Have We Changed too Quickly? January -February, 2015

Just Disclose It, March – April, 2016

Schultz Eliminates Shades of Gray, May – June 2016

The Changing State of DNA Analysis, July – August 2016

TDCAA 2016 Mandatory Brady Compliance List

	BAR Number	Last Name	First Name	Employer	Brady Training Date
1	24089079	Aguilera	Linda	Tarrant County - CDA	7/11/2016
2	24069293	Almand	Justin	Rockwall County - CDA	11/15/2016
3	24089234	Alvarado	Michaela	Hill County - CA	2/12/2016
4	24097308	Anderson	Onzo	Orange County - CADA	5/5/2016
5	24094349	Anderson	Russell	Dallas County - CDA	1/13/2016
6	none	Armstrong	Andrew	Armstrong Forensic Laboratory	6/29/2016
7	24092058	Asher	Rashmin	Brazos County - DA	11/17/2016
8	24099660	Ashworth	Collin	Tarrant County - CDA	7/1/2016
9	24097336	Ballinger	Leslie	Denton County - CDA	4/17/2016
10	24091653	Banks	Jasmine	Tarrant County - CDA	12/14/2016
11	24094530	Batdorf	Melanie	Collin County - CDA	2/22/2016
12	24096869	Bonanno	Danielle	Tarrant County - CDA	12/21/2016
13	24099913	Bonifield	Aaron		10/7/2016
14	24053054	Booker	Leslie	Travis County - DA	12/08/2014, 03/07/2016
15	24084282	Bowen	Zachary	Bexar County - CDA	3/8/2016
16	24101545	Bramow	Jason	Lubbock County - CDA	12/5/2016
17	2921700	Bray	Brett	Blanco County	6/29/2016
18	24059493	Brooks	Matthew	Terry County - CADA	1/25/2016
19	24097423	Brown	Benjamin	Dallas County - CDA	3/23/2016
20	24087231	Buckalew	Christopher	Tarrant County - CDA	3/8/2016
21	24069449	Burt	John	Tarrant County - CDA	10/20/2016
22	24068418	Buss	Robert	Galveston County - CDA	12/01/2013, 12/21/2016

23	785743	Calderon	Gerard	Bexar County - CDA	9/2/2016
24	3636500	Caldwell	Sharon	Rockwall County - CDA	3/22/2016
25	24092212	Calhoun	Mitchell	Collin County - CDA	11/14/2016
26	24031791	Campbell	Robert	Bexar County - CDA	9/2/2016
27	24087252	Campbell	Logan	Jefferson County - CDA	12/01/2013, 10/18/2016
28	24080124	Campo	Jason	Cameron County - CADA	12/7/2016
29	24091237	Capetillo	Marcus	Dallas County - CDA	11/28/2016
30	24090027	Carter	Rosalyn	Collin County - CDA	10/19/2016
31	24000188	Castillo	Adrian	Potter County - DA	10/5/2016
32	24086119	Casturi	Neha	Bexar County - CDA	1/8/2016
33	24031923	Cavazos	David	The Cavazos Law Firm PC	11/16/2016
34	24075431	Christilles	Jacquelyn	Bexar County - CDA	3/23/2016
35	24066435	Clark	Kimberly	Special Prosecution Unit	8/8/2016
36	24094069	Cole	Jamie	Wichita County - CDA	7/21/2016
37	24007027	Colley	David	Titus County - DA	2/25/2016
38	24100161	Cornejo	Anthony	Cameron County - CADA	12/16/2016
39	24098867	Crawford	Brenda	Williamson County - CA	7/18/2016
40	24097548	Crisler	Justin	Walker County - CDA	9/29/2016
41	24087361	Crowley	Phillip	Taylor County - CDA	4/14/2016
42	24094608	Cuellar	Eric	Bexar County - CDA	6/1/2016
43	24061944	Darter	Renee	El Paso County - CA	9/8/2016
44	24097586	De La Cruz	Darren	Tarrant County - CDA	2/14/2016
45	24097582	Decker	Sarah	Hockley County - CA	1/14/2016
46	24088871	DeLuna	Jessica	Hidalgo County - CDA	9/22/2016
47	24078415	Denham	Bryan	Moore County - DA	8/18/2016
48	24084765	DePena	Barbara	McLennan County - CDA	2/2/2016
49	24097602	Dillard	Thomas	Victoria County - CDA	10/14/2016

50	24035922	Dillon	Amanda	McLennan County - CDA	09/18/2014, 11/15/2016
51	24094026	Doron	Emily	Collin County - CDA	12/19/2016
52	24092357	Dorsey	Elizabeth	Waller County - CDA	5/16/2016
53	24099806	Dotzel	Justin	Collin County - CDA	12/27/2016
54	24096064	Draper	Brandon	Fort Bend County - DA	5/9/2016
55	797533	Dusek	Carmen	Mason County - DA	7/23/2016
56	24096301	Ebersole	Miranda	Denton County - CDA	8/5/2016
57	6435100	Edwards	Frederick	Cameron County - CADA	9/14/2016
58	24082428	Ellis	Sarah	Jasper County - CDA	4/18/2016
59	24064574	Ellison	Carrie		1/4/2016
60	24082558	Enriquez	Meagan	Bexar County - CDA	8/4/2016
61	24077351	Erlandson	Eric	Cooke County - DA	10/11/2016
62	24065208	Escamilla	Monica	Hidalgo County - CDA	7/26/2016
63	24076376	Ewing	Robert	Williamson County - DA	06/20/2014, 05/23/2016
64	24093416	Fant	Samantha	Tarrant County - CDA	7/9/2016
65	24051971	Faseler	Erin	Special Prosecution Unit	1/8/2016
66	24089644	Feemster	William	Nueces County - DA	1/19/2016
67	24100087	Fisher	Valerie	Bexar County - CDA	6/14/2016
68	18403630	Fletcher	Melinda	Special Prosecution Unit	09/18/2014, 7/11/2016
69	788416	Flores	Margie	Jim Wells County - DA	6/20/2016
70	24093759	Floyd	Courtney	Collin County - CDA	4/1/2016
71	796565	Forlano	Sara		3/24/2016
72	24090892	Foster	Justin	Fort Bend County - DA	5/10/2016
73	24065246	Franklin	Tracy	Guadalupe County - CA	8/11/2016
74	24091754	Franklyn	Anthony	Montgomery County - DA	11/10/2016
75	24091269	Frey	Robert	Denton County - CDA	9/18/2016
76	7508500	Fulbright	Paul	Navarro County - CDA	5/27/2016

77	24087554	Galicia	Joshua	Williamson County - CA	7/18/2016
78	24097719	Gallagher	George	Tarrant County - CDA	2/16/2016
79	24096334	Garcia	Ashley	Bexar County - CDA	11/10/2016
80	24081765	Garcia	Irene	Tarrant County - CDA	2/16/2016
81	24101788	Gardner	Kate	Tarrant County - CDA	12/29/2016
82	24095805	Garnett	Whitney	Lubbock County - CDA	6/14/2016
83	793789	Gault	Marc	Special Prosecution Unit	1/26/2016
84	24097735	Gibson	Kyle	Tarrant County - CDA	7/1/2016
85	24098881	Gillman	Katherine	Collin County - CDA	9/7/2016
86	24045944	Gilpin	Timothy	Tarrant County - CDA	7/8/2016
87	24010657	Gonzalez	Roman	Jim Wells County - DA	11/3/2016
88	24074300	Good	Timothy	Johnson County - DA	11/4/2016
89	8172100	Goodwin	Angela		10/29/2016
90	24097752	Gove	Valaria		4/15/2016
91	24069138	Gray	Benjamin	Victoria County - CDA	5/18/2016
92	24098796	Green	Frederick	El Paso County - CA	9/2/2016
93	24099834	Gutierrez	Talisa	El Paso County - DA	11/15/2016
94	24052185	Guzman	Oscar	Cameron County - CADA	09/19/2014 08/01/2016
95	793807	Haby	Leslie	Bexar County - CDA	8/3/2016
96	8667150	Hackebeil	Anton	Bexar County - CDA	12/15/2016
97	24099170	Hagan	David	Gregg County - CDA	12/21/2016
98	24095252	Harrington	Stacy	Bexar County - CDA	9/6/2016
99	24098888	Hawkins	Amanda	Jefferson County - CDA	10/13/2016
100	24088776	Hayes	Diamond		3/3/2016
101	24099003	Haynes	Alexander	Tarrant County - CDA	12/9/2016
102	24086023	Henson	Raneca	Nueces County - DA	1/26/2016
103	24092509	Heston	Andrew	Brazoria County - CDA	6/7/2016

104	24081343	Hickman	Kelly	Special Prosecution Unit	2/5/2016
105	24096267	Hill	Ross	Galveston County - CDA	2/5/2016
106	24030764	Hinojosa	Annette	Willacy County - CADA	12/28/2016
107	24091881	Hinojosa	Santos	Fort Bend County - DA	12/21/2016
108	24089224	Hogue	Lara	Harris County - DA	1/21/2016
109	24090843	Holman	Ashley	Kaufman County - CDA	5/6/2016
110	24091094	Holsonback	Kayla	Nueces County - DA	1/26/2016
111	24087741	Holway	Andrew	Bexar County - CDA	11/28/2016
112	24090856	Honeycutt	Bryan	Fort Bend County - DA	11/2/2016
113	24097848	Howard	Morgan		3/14/2016
114	24048960	Hudson	Jeanine	Texas Department of Public Safety	9/23/2016
115	24095021	Hudspeth	Melissa	Bexar County - CDA	4/11/2016
116	24036814	Hunt	John	Travis County - DA	12/28/2016
117	24081895	Irwin	Donald		5/5/2016
118	24091042	Jackson	Kristen	Dallas County - CDA	10/7/2016
119	24099856	Jackson	Alexandra	Bexar County - CDA	6/22/2016
120	24069975	Jackson	Brandon	Bexar County - CDA	3/28/2016
121	24091333	Jackson	Kelsey	Johnson County - DA	2/1/2016
122	24090614	James	Alton	Victoria County - CDA	11/10/2016
123	24097895	Johnson	William	Denton County - CDA	2/22/2016
124	WA24437	Johnson	Trish	Skagit County Prosecutor's Office	1/18/2016
125	24097902	Jones	Veronica	Victoria County - CDA	5/20/2016
126	24094762	Jordan	Raul	Bexar County - CDA	1/20/2016
127	11098600	Karels	Hoagie		1/10/2016
128	24065538	Karger	Siobhan	Atascosa County - CA	1/10/2016
129	24089279	Kaspar	Jana	Coryell County - DA	1/13/2016
130	24090854	Kilday	Kiera	Comal County - CDA	4/1/2016

131	11436525	King	Charles	Mason County - DA	11/9/2016
132	24099863	King	Justin	Wichita County - CDA	9/6/2016
133	24095502	Kirby	Emily	Tarrant County - CDA	12/29/2016
134	24097100	Kleinwachter	John	Tarrant County - CDA	12/27/2016
135	24070068	Knight	Ashley	Tom Green County - DA	09/18/2014, 09/20/2016
136	791058	Kutnick	Lance	Office of the Attorney General of Texas	06/20/2014, 05/03/2016
137	24080995	Labruyere	Daniel	Wharton County - DA	12/01/2013, 05/19/2016
138	11826300	Laird	William	Jefferson County - CDA	10/13/2016
139	24094789	Lawrance	Nicholas	Collin County - CDA	7/26/2016
140	24091216	Le	Vykim	Collin County - CDA	7/26/2016
141	24097256	LePendu	Ivan	Williamson County - CA	7/22/2016
142	none	Lewis	Carrie	Llano County - CA	12/6/2016
143	24094098	Limbacher	Madison	Fort Bend County - DA	3/23/2016
144	24092721	Lopez	Raquel	El Paso County - DA	10/3/2016
145	24098015	Lovett	Holly	Bexar County - CDA	5/23/2016
146	24011858	Ludwig	Christian	Fort Bend County - DA	9/15/2016
147	24102122	Lyles	Samuel	Bexar County - CDA	12/30/2016
148	24048990	Marion	Michael	Orange County - CADA	2/18/2016
149	24090889	Martin	Ann	Collin County - CDA	2/7/2016
150	24072221	Martinez	Emanuel	El Paso County - CA	11/16/2016
151	24062875	Martinez	Michelle	El Paso County - CA	9/30/2016
152	24083448	Martinez	Alejandro	Williamson County - CA	7/18/2016
153	24098052	Mathew	Ann	Collin County - CDA	10/22/2016
154	24057984	Mathis	Ava	Arlington City Attorney's Office	5/12/2016
155	24058567	Matlak	Tara	Special Prosecution Unit	1/11/2016
156	24091418	Matlock	Erica	Nueces County - DA	3/14/2016
157	24065704	McCarthy	Michael	Hays County - CDA	08/08/2014, 04/07/2016

158	24094223	McDonald	Pharra	Tarrant County - CDA	12/29/2016
159	24099707	McDonald	Brian	Cameron County - CADA	12/12/2016
160	13612410	McGee	Aaron		8/16/2016
161	24060267	McLaughlin	Venisa		12/30/2016
162	24004813	Mee	Charles	Val Verde County - DA	4/15/2016
163	24091437	Melvin	Trevor	Hunt County - CA	12/12/2016
164	24096309	Mendoza	Michael	Victoria County - CDA	9/13/2016
165	24098096	Merchant	Rehaman	Cameron County - CADA	12/12/2016
166	24043641	Metz	Melinda	Galveston County - CDA	11/10/2016
167	24060282	Mills	Matthew	Hood County - CA	12/24/2016
168	24095404	Millsap	Kayla	Denton County - CDA	7/29/2016
169	24045031	Montelongo	Alejandro	Hidalgo County - CDA	8/2/2016
170	24085644	Morgan	Alice	Bexar County - CDA	12/30/2016
171	24099735	Morgan	Michael	Jefferson County - CDA	10/20/2016
172	24094858	Morris	Matthew	Hunt County - CA	11/23/2016
173	24102246	Morris	James	Bexar County - CDA	11/21/2016
174	24042261	Navarette	Amanda	Winkler/Crane	11/22/2016
175	24092894	Neumann	Christian	Bexar County - CDA	12/20/2016
176	24099750	Nevarez	Ruben	El Paso County - CA	9/30/2016
177	2071600	Nolen	Dana	Tom Green County - DA	3/29/2016
178	24091009	Norman	Adrianne	Fort Bend County - DA	9/18/2016
179	24037194	Northcutt	Michael	Harrison County - CDA	5/23/2016
180	15105800	Norton	Jay	Bexar County - CDA	11/3/2016
181	24082518	Nuttall	Kyle	Milam County - CADA	1/20/2016
182	24090881	Olson	Cynthia	Bexar County - CDA	5/11/2016
183	24086054	Owens	Kathryn	Tarrant County - CDA	5/18/2016
184	24060381	Panuthos	Brooke	Tarrant County - CDA	05/01/2014, 02/08/2016

185	24066190	Parker	Susan	Bell County - CA	12/20/2016
186	24098232	Patterson	Evan	Bexar County - CDA	5/11/2016
187	WA20015	Pedersen	Erik	Skagit County Prosecutor's Office	1/20/2016
188	24090620	Pender	Bailee	Taylor County - CDA	10/28/2016
189	24079923	Peoples	Aleana	Upshur County - CDA	2/25/2016
190	24085525	Petitta	Jonie	Hidalgo County - CDA	7/21/2016
191	24098258	Phillips	Nicole	Bexar County - CDA	2/15/2016
192	784086	Piechowiak	Kimberly	Office of Court Administration	8/22/2016
193	WA35729	Pinnell	Karen	Skagit County Prosecutor's Office	1/19/2016
194	24090993	Porterfield	Lynsi	Potter County - DA	11/4/2016
195	24085991	Prater	Brandon		2/24/2016
196	24090710	Priesmeyer	Craig	Fort Bend County - DA	5/9/2016
197	24076105	Prucka	Susannah	Brazos County - DA	4/24/2016
198	24081113	Ramirez	Mario	Bexar County - CDA	9/6/2016
199	24100525	Ramirez	Tania	Hidalgo County - CDA	7/29/2016
200	24066514	Ready	Paul	Galveston County Legal Department	4/25/2016
201	24091038	Rebescher	Leslie	Galveston County - CDA	4/22/2016
202	24069486	Redman	Rickie	Lamb County - CADA	5/11/2016
203	24099925	Reese	Taylor	Collin County - CDA	11/28/2016
204	24037220	Reyna	Laura	Bexar County - CDA	9/29/2016
205	24098320	Rhodes	Charles	Orange County - CADA	5/12/2016
206	24098321	Richards	Claire	Gregg County - CDA	1/28/2016
207	24098322	Richey	Jake		9/19/2016
208	24098323	Richmond	Markie	Fort Bend County - DA	3/16/2016
209	784847	Rizzo	Mike	Coryell County - CA	4/19/2016
210	24095330	Rogers	David		12/27/2016
211	24098342	Rogers	Michael	Bexar County - CDA	9/5/2016

212	24093067	Roque	Juan	Bexar County - CDA	7/19/2016
213	24076840	Rosales	Modesto	Rusk County - CADA	5/10/2016
214	24090852	Rosanne	Truitt	Hunt County - CA	12/21/2016
215	24085956	Rourke	Devin	Williamson County - CA	8/5/2016
216	17386820	Ruiz	Pedro	Fort Bend County - DA	12/28/2016
217	24100192	Russo	Kyle	Tarrant County - CDA	8/3/2016
218	none	Ryan	Mary	Skagit County Prosecuting Attorney's C	1/15/2016
219	24098364	Saenz	Marcela	Hidalgo County - CDA	8/8/2016
220	24090621	Salas	Alexandria	Cameron County - CADA	11/21/2016
221	50511582	Salinas	Roxanna	Hidalgo County - CDA	12/01/2013, 06/20/2014, 08/29/2016
222	24095745	Sanders	Katie	Harrison County - CDA	1/26/2016
223	24079302	Saunders	Rebekah	Fort Bend County - DA	08/08/2014, 05/12/2016
224	24097186	Schneider	Michael	Tarrant County - CDA	8/5/2016
225	24094096	Shearer	Laura	Orange County - CADA	12/27/2016
226	24083832	Shearer	Diana	El Paso County - CA	5/19/2016
227	24064408	Sheu	Ann	Collin County - CDA	11/17/2016
228	24075077	Simmons	Lindsey	Bastrop County - CDA	1/29/2016
229	24095861	Simonton	Eric		4/11/2016
230	24099965	Simpson	Kathleen	Tarrant County - CDA	7/19/2016
231	24098433	Singleterry	Brian	Tarrant County - CDA	12/21/2016
232	18682570	Smith	Samuel	San Patricio County - DA	12/02/2014, 02/09/2016
233	24099969	Smith	Brandon	Tarrant County - CDA	7/29/2016
234	24093644	Smith	Graham		3/4/2016
235	24063556	Snider	John	Lyon, Gorsky, Gilbert & Livingston, L.	2/1/2016
236	24081812	St. John	Ivan	Bexar County - CDA	12/01/2013, 12/17/2014, 10/03/2016
237	24098463	Starr	JoAnna	Waller County - CDA	6/6/2016
238	24097114	Staton	Matthew	Tarrant County - CDA	12/20/2016

239	792767	Stevens	Elizabeth	Harris County - DA	10/7/2016
240	24085961	Stevenson	Austin	City of McAllen	6/23/2016
241	24072368	Stiffler	Clinton	Dallas County - CDA	4/27/2016
242	24060693	Sweeten	Stephanie	Travis County - DA	12/01/2013, 04/12/2016
243	24094093	Tarasova	Yevgeniya	Nueces County - DA	11/29/2016
244	24091243	Thomas	Carrie	Collin County - CDA	3/11/2016
245	24081534	Thompson	Charann	Fort Bend County - DA	9/16/2016
246	24034593	Thornesberry	Jeri	Lubbock County - CDA	08/27/2014, 08/30/2016
247	24079469	Tipton	John	Tarrant County - CDA	4/18/2016
248	24091667	Toolan	Erin	McLennan County - CDA	6/21/2016
249	24088544	Torres	Samantha	Special Prosecution Unit	1/14/2016
250	20331300	Turner	Thomas	Jefferson County - CDA	10/12/2016
251	20426250	Valdez	Carlos		9/9/2016
252	24091238	Villalobos	Matilda	Denton County - CDA	2/20/2016
253	24090850	Vincent	Nicholas	Tarrant County - CDA	3/3/2016
254	24094390	Voigt	Adolph	Lee County - CADA	3/27/2016
255	24053767	Wade	Agatha	Bexar County - CDA	11/29/2016
256	24098560	Wade	Landon	Tarrant County - CDA	2/21/2016
257	24100025	Wagner	Lindsey	Bexar County - CDA	7/12/2016
258	24077307	Washington	Nicole	Polk County - CDA	9/1/2016
259	24090734	Watkins	Matthew	Williamson County - CA	7/24/2016
260	24093335	Weborg	Eric		1/11/2016
261	24080042	Whitney	Robin	Walker County - CDA	9/29/2016
262	24070399	Whittmore	Maureen	Special Prosecution Unit	1/8/2016
263	24098626	Winkfield	Sheena	Tarrant County - CDA	2/15/2016
264	24091255	Woodall	Ashleigh	Collin County - CDA	1/30/2016
265	21993455	Wooten	Sheelah	Galveston County - CDA	10/12/2016

266	24084120	Woudwyk	Tyler	Van Zandt County - CDA	6/14/2016

Texas Criminal Defense Lawyers Association
6808 Hill Meadow Dr. ☆ Austin, Texas 78736 ☆ 512.478.2514 p ☆ 512.469.9107 f ☆ www.tcdla.com

TCDLA Mental Health & Forensics Trainings

FY 2016 & FY 2017

September 1, 2015 – August 31, 2017

(11/9/16)

CDLP provides trainings for attorneys representing indigent defendants with mental health issues in a number of forums. At least twice per year, programs for capital litigators emphasize the importance of mental health issues. The trainings include presentations on competency, sanity, intellectual disability and other, primarily mitigating issues.

Specialized training in handling non-capital cases where mental health is an issue is presented to Public Defenders and others representing indigent defendants at Indigent Defense Seminars and Public Defender Trainings. Mental health topics are included as needed in the twelve traveling theme seminars conducted around the state.

TCDLA also conducts a seminar dedicated to mental health issues faced by veterans. The purpose of these seminars and events is to bring a broad spectrum of quality training to lawyers in as many parts of the state as possible.

These mental health themed seminars prepare attendees to represent clients with mental illness, in DWI, family violence and felony offenses. The seminars are designed to teach thorough and effective investigation of the facts of the case and the psycho-social history of the client and presenting the same.

CDLP selects speakers and course directors who are actively involved in representing clients with mental health issues and experts in mental health treatment. Presenters of mental health topics include attorneys, psychiatrists, psychologists, mitigators and other investigators, whose presentations prepare attendees to successfully represent indigent clients.

Below are seminars that focus entirely on Mental Health:

- Capital/Mental Health | South Padre | 11/19-20/15

- Capital/Mental Health | Houston | 2/4-5/16
- Capital/Mental Health | South Padre | 11/17-18/16
- Capital/Mental Health | Dallas | 2/9-10/17

Below are seminars that contain mental health topics:

- Upholding Justice One Client at a Time | Traveling Seminar | 2015-2016
- Winning Women | Houston | 10/22-23/15
- Nuts and Bolts | San Antonio | 11/6/15
- Prairie Dog | Lubbock | 1/8-9/16
- Veterans | Dallas | 2/26/16
- Craig Washington | Houston | 2/25-26/16
- Juvenile Law | Richmond | 4/8/16
- Welfare Forensics | Houston | 4/14-15/16
- Criminal Appellate | Houston | 4/28-29/16
- PD Training | San Antonio | 6/15/16
- Beating the Drum for Justice | Traveling Seminar | 2016-2017
- Junk Science | Austin | 1/5-6/17
- 36th Annual Prairie Dog | Lubbock | 1/13-14/17
- Nuts N Bolts | Lubbock | 1/12/17
- PD/Indigent Defense | Dallas | 2/9/17
- Veterans | Dallas | 2/10/17
- Craig Washington | Houston | 2/23-24/17
- Winning Women | Houston | 2/2-3/17
- PD Training | San Antonio | 6/21/17
- Innocence Work | Austin | 8/3-4/17

Scientific research continues to develop new methods to investigate crimes and crime scenes and to uncover fallacies in older, once-approved, techniques of investigation. In an effort to ensure that indigent clients aren't convicted based on "junk science" or the improper application of truly scientific procedures, CDLP puts on programs around the state on forensic topics.

The annual Forensics program covers topics including DNA collection, testing and interpretation; blood spatter analysis; eye witness identification; ballistics testing and many others in plenary, half-plenary and break-out formats. This program, which has been produced for 15 years, is the cornerstone of the CDLP science programs. Speakers have included the molecular biologist who assisted in Amanda Knox's exoneration, the former DPS DNA expert who blew the whistle on Houston Crime lab errors, and the ballistics expert who blew the whistle on shortcuts being taken by FBI labs. This program has also featured the presentation of a video produced especially to highlight forensic topics being taught that year and the conduct of a comparative arson burn which demonstrated how "flash over" produced burn patterns which had been misidentified as pour marks by investigators in the past.

CDLP also puts on training which focuses on issues in innocence cases. These programs usually provide for specific training of law students which innocence projects often employ as interns to assist in investigation.

Below are seminars that focus on forensics:

- Innocence for Students | Dallas | 10/1-2/15
- Forensics | Dallas | 10/1-2/15
- DNA | San Antonio | 8/12/16
- Innocence for Attorneys | Austin | 8/4-5/16
- Innocence for Students | Houston | 10/12/16
- Forensics | Houston | 10/13-14/16
- Junk Science | Austin | 1/5-6/17
- Welfare Forensics | Houston | 4/13-14/17
- Innocence for Attorneys | Austin | 8/3-4/17

TEXAS MUNICIPAL COURTS EDUCATION CENTER

2210 Hancock Drive
Austin, Texas 78756
www.tmcec.com

Telephone (512) 320-8274
Toll Free (800) 252-3718
Fax (512) 435-6118

November 28, 2016

Judge Barbara Hervey
Court of Criminal Appeals
201 West 14th Street
Austin, Texas 78701

Dear Judge Hervey:

TMCEC has offered the following courses on the *Brady v Maryland* case as indicated below:

- FY 13 *Law, Ethics, Advocacy & Brady* – offered two times to municipal prosecutors at their annual conferences.
- FY 13 *Legislative Update* – offered three times at legislative update programs in discussion of SB 825.
- FY 14 *Discovering Discovery: The Wake of Michael Morton* – offered nine times to municipal judge at their regional conferences.
- FY 14 *What the Michael Morton Act Means to Municipal and Justice Courts* – offered two times to municipal prosecutors at their annual conferences.

In TMCEC publications, we have covered the topic, as well:

- "The Michael Morton Act and Texas Municipal Courts," *The Recorder: The Journal of Texas Municipal Courts*, Volume 23, No. 2, January 2014.
- Updated the 2015 version of the *TMCEC Bench Book*, Chapter 6, Pre-Trial Proceedings

Please let me know if I can provide any additional information.

Sincerely,

Hope Lochridge
Executive Director

TEXAS ASSOCIATION of COUNTIES
JUDICIAL EDUCATION
TEXAS JUDICIAL ACADEMY

Mental Health and Forensic Training
Constitutional County Judges

FY 2015

Conference: Far West Texas County Judges and Commissioners Association Conference
Date: September 17, 2014
Location: Study Butte, Texas
Topic: Discovery and the Michael Morton Act (1.0 hour)
Speaker: Clint Griffin, Schleicher County Attorney

Conference: Regional Judicial Education Workshop
Date: October 15, 2014
Location: Schleicher County, Texas
Topic: Criminal Discovery (1.0 hour)
Speaker: David Hodges, Judicial Education Program Manager, Texas Association of Counties

Conference: Fall Judicial Education Session
Date: November 19-21, 2014
Location: Austin, Texas
Topic: Evidence, Experts, Documents and Stipulation (1.0 hour)

Speaker: Ms. Mandi Say, Assistant District Attorney, Chief of Narcotics/Property Crimes Lubbock County

Conference: Fall Judicial Education Session
Date: November 19-21, 2014
Location: Austin, Texas
Topic: Evidence and Hearsay (1.0 hour)
Speaker: Prof. Dustin B. Benham, Professor, Texas Tech University School of Law

Conference: Fall Judicial Education Session
Date: November 19-21, 2014
Location: Austin, Texas
Topic: Mental Health Warrants and Civil Commitment Issues (1.0 hour)
Speaker: Dr. Floyd Jennings, Chief of the Misdemeanor Mental Health Division, Harris County Public Defender's Office

Conference: Fall Judicial Education Session
Date: November 19-21, 2014
Location: Austin, Texas
Topic: Defendants with Mental Health Issues from Arrest to Disposition (1.0 hour)
Speaker: Dr. Floyd Jennings, Chief of the Misdemeanor Mental Health Division, Harris County Public Defender's Office

Conference: Regional Judicial Education Workshop
Date: January 23, 2016
Location: Bosque County, Texas
Topic: Blood Evidence and Intoxication Cases (1.0 hour)
Speaker: David Hodges, Judicial Program Manager, Texas Association of Counties

Conference: Judicial Orientation for New County Judges
Date: February 2-6, 2015
Location: Lubbock, Texas
Topic: Mental Health (1.0 hour)
Speaker: Prof. Brian Shannon, Texas Tech University School of Law

Conference: VG Young Institute for County Government
Date: February 18, 2015
Location: Austin, Texas
Topic: Blood Evidence and Intoxication Cases (1.0 hour)
Speaker: David Hodges, Judicial Program Manager, Texas Association of Counties

Conference: Regional Judicial Education Workshop
Date: February 24, 2015
Location: Colorado County, Texas
Topic: Blood Evidence and Intoxication Cases (1.0 hour)
Speaker: David Hodges, Judicial Program Manager, Texas Association of Counties

Conference: Spring Judicial Education Session
Date: March 25-27, 2015
Location: Lubbock, Texas
Topic: Evidence, Experts, Documents & Stipulation (1.0 hour)
Speaker: Ms. Sunshine Stanek, Assistant District Attorney, Lubbock County

Conference: Spring Judicial Education Session
Date: March 25-27, 2015
Location: Lubbock, Texas
Topic: Evidence/Hearsay (1.0 hour)
Speaker: Prof. Dustin Benham, Professor, Texas Tech University School of Law

Conference: Spring Judicial Education Session
Date: March 25-27, 2015
Location: Lubbock, Texas
Topic: Mental Health Warrants and Civil Commitment Issues (1.0 hour)
Speaker: Dr. Floyd Jennings, Chief of the Misdemeanor Mental Health Division, Harris County Public Defender's Office

Conference: Spring Judicial Education Session
Date: March 25-27, 2015
Location: Lubbock, Texas
Topic: Defendants with Mental Health Issues—Arrest to Disposition (1.0 hour)
Speaker: Dr. Floyd Jennings, Chief of the Misdemeanor Mental Health Division, Harris County Public Defender's Office

Conference: DWI Summit
Date: April 9, 2015
Location: Victoria, Texas
Topic: Blood Search Warrants (1.0 hour)
Speaker: Hon. Dan Gilliam, County Court at Law #2, Victoria County

Conference: DWI Symposium
Date: July 27-28, 2015
Location: Austin, Texas
Topic: Blood Search Warrants (1.0 hour)
Speaker: Clay Abbot and David Gonzalez, Texas District and County Attorneys Association

Conference: Court Assistants Training Program
Date: May 6 -8, 2015
Location: San Marcos, Texas
Topic: Mental Health, Application for Emergency Detention (1.0 hour)
Speaker: Hon. Guy Herman, Judge, Travis County Probate Court No.1

FY 2016

Conference: County Judges and Commissioners Association of Texas Conference
Date: October 6, 2015
Location: San Marcos, Texas
Topic: Conducting Inquests (1.0 hour)
Speaker: Bronson Tucker, Program Attorney, Texas Justice Court Training Center

Conference: Fall Judicial Education Session
Date: November 18-20, 2015
Location: Galveston, Texas
Topic: Suppression (1.0 hour)
Speaker: Hon. Scott Peal, County Attorney, Chambers County

Conference: Fall Judicial Education Session
Date: November 18-20, 2015
Location: Galveston, Texas
Topic: Mental Health - Application to Commitment (1.0 hour)
Speakers: Hon. Daniel Burkeen, County Judge, Limestone County and Hon. Wes Suiter, County Judge, Angelina County

Conference: Spring Judicial Education Session
Date: March 30 – April 1, 2016
Location: Lubbock, Texas
Topic: Suppression Hearings (1.0 hour)
Speakers: Hon. Dusty Gallivan, County Attorney, Ector County

Conference: Spring Judicial Education Session
Date: March 30 – April 1, 2016
Location: Lubbock, Texas
Topic: Mental Health - Application to Commitment (1.0 hour)
Speakers: Hon. Daniel Burkeen, County Judge, Limestone County and Hon. Wes Suiter, County Judge, Angelina County

Conference: Court Assistants Training Conference
Date: April 13, 2016
Location: San Antonio, Texas
Topic: Mental Health Commitments (1.0 hour)
Speakers: Mr. Kevin McManus and Ms. Sandra Casias, Mental Health Public Defenders, Bexar County

Conference: Texas Judicial Academy Probate Academy
Date: May 11-13, 2016
Location: Corpus Christi, Texas
Topic: Mental Health (1.5 hours)
Speaker: Prof. Brian Shannon, Professor, Texas Tech University School of Law
Conference: DWI Summit
Date: June 16, 2016
Location: Longview, Texas
Topic: Blood Search Warrants (1.0 hour)
Speaker: The Honorable Mark Hocker, Lubbock County Court at Law #1

Conference: DWI Summit
Date: July 21st, 2016
Location: Odessa, Texas
Topic: Blood Search Warrants (1.0 hour)
Speaker: Mr. Dusty Gallivan, Ector County Attorney

Conference: DWI Symposium
Date: August 4-5, 2016
Location: Austin, Texas
Topic: Blood Search Warrants (1.0 hour)
Speaker: Mr. Ryan Turner, General Counsel, Texas Municipal Courts Training Center

FY 2017

Conference: Fall Judicial Education Session
Date: November 16 -18
Location: Corpus Christi, Texas
Topic: Criminal Evidence (1.0 hour)
Speaker: Mr. Dusty Gallivan, Ector County Attorney

Conference: Fall Judicial Education Session
Date: November 16 -18
Location: Corpus Christi, Texas
Topic: Magistration (1.0 hour)
Speaker: Hon. Roxanne Nelson, Justice of the Peace, Pct. 1, Burnet County

NOTE: The Texas Judicial Academy began hosting a Probate Academy in 2015 specifically to meet the needs of Constitutional County Judges and County Clerks who have original jurisdiction for probate cases. This program is designed to include a mental health component for all future sessions. We also see a need for additional training on guardianship procedures and issues associated with probate courts and foresee significant legislation next session on this issue. With this, we continue to request additional funds to meet this current need and to provide enhanced outreach to county judges who continue to struggle in this area.

TEXAS JUSTICE COURT

TRAINING CENTER

Indigent Defendant and Mental Health Judicial and Clerk Education

Education Year 2014-2015

2 hour session on Mental Health for our 5 JP schools reaching **104 judges**.

Education Year 2015-2016

2 hour session on Response to Crisis: Mental Health in the Courtroom for our 6 Clerk schools reaching **99 clerks.**

1 Hour webinar on Mental Health reaching **71 'sign-ins'**, but that number is likely close to double as many offices watch together and at least one county judge sat in.

Education Year 2016-2017

2 hour session on Mental Health Issues: The Role of the Judge (taught by the JP former Chair of the State Commission on Judicial Conduct) for judges. **350 judges self-selected this course**.

2 hour session on Mental Health in the Courtroom for our clerks. This is general a session and will reach approximately **1200 clerks**.

How can you better prepare for indigency issues in your court?

Who is below the poverty line?

In 2014, 47 million Americans were below the poverty line.

29% of all disabled Americans.

15 million American children.

17.2% of Texans were below the poverty line.

1. Access Resources

Visit www.tjctc.org/abilitytopay to access information on indigency in criminal, civil, and truancy cases, as well as downloadable forms.

2. Get in-depth training

- **20-hour seminar courses**
  - **Indigency Hearings General Session**
  - **Noncompliant Criminal Defendants**
  - **Trucks, Texting, and Traffic Topics**
  - **Truancy: Where Are We Now?**
- **10-hour workshop: Criminal Procedure**

3. Stay up-to-date with legislative changes

- **September 1, 2016- Supreme Court issues new rule, form, on inability to pay costs in Civil Cases.**

2016 CONFERENCE

Understanding Poverty and Its Intersection with Criminal Justice

November
28-29, 2016

Omni Southpark
Austin, TX

Presented by:

TEXAS JUSTICE COURT
TRAINING CENTER

Understanding Poverty and Its Intersection with Criminal Justice

Omni Southpark Hotel Austin
4140 Governors Row Austin, Texas 78744

In the past year, media accounts have detailed the treatment of indigent persons by the criminal justice system, especially with respect to those charged with or convicted of fine-only misdemeanors. For an indigent person, discharging fines, fees, and court costs may seem insurmountable. In this unique educational opportunity, judges will get an opportunity to explore the effects of poverty on a person's sense of empowerment and the road blocks to communication and resolution with the court. Judges will explore the intersection of poverty and criminal justice and examine the laws related to magistration, sentencing, alternate means of discharge, capias pro fines, truancy, and civil matters. Policies and procedures will be discussed that aim to ensure that procedural fairness is provided to indigent persons by those working in justice and municipal courts in Texas.

This program is a joint effort of the Texas Justice Courts Training Center and the Texas Municipal Courts Education Center with funding from the Court of Criminal Appeals of Texas. Both justices of the peace and municipal judges will be invited to attend. Enrollment is limited to 80 and is based on a first-come-first-serve basis. The program is approved for eight (8) hours of mandatory judicial education requirement and 7.0 hours of continuing legal education requirement will be requested.

Day 1: Monday, November 28, 2016

12:00 p.m. – 1:00 p.m.	Lunch
	Welcome & Orientation
1:00 p.m. – 5:00 p.m.	Poverty Simulation
	Poverty Simulation is a role playing experience. At this training you will experience a day in the life of an individual receiving or accessing services. The poverty simulation experience is designed to help participants begin to understand what it might be like to see what those we serve experience every day.

Day 2: Tuesday, November 29, 2016

7:00 a.m. – 8:00 a.m.	Breakfast
8:00 a.m. – 8:45 a.m.	Poverty, Fear, and Procedural Justice
9:00 a.m. – 10:00 a.m.	Poverty, the Courthouse, the Schoolhouse, and the Jailhouse
10:15 a.m. – 12:00 p.m.	Poverty and the Discharge of Fine-Only Sentences

Funded by grants from the Texas Court of Criminal Appeals

Conference Information

Enrollment is limited to judges.

Registration opens on Wednesday, October 19th. Registration is limited to 40 spots. Please register early.

Registration Fee:

The registration fee is $50. It includes:

- Lunch on November 28th
- Breakfast on November 29th
- All printed course materials (You do not have to print your own materials for this workshop)
- One night's accomodation if you opt to room with another participant OR half of one night's room cost if you opt for a single room.

Hotel Information:

The seminar is located at the Omni Southpark in Austin, TX:

Omni Southpark

4140 Governors Row

Austin, TX 78744

(512) 448-2222

During registration, you will have the option to room with another participant with no cost to yourself or reserve a single room and owe half of the night's room cost including tax. (Please see www.tjctc.org for the room rate cost.)

TJCTC will make all hotel reservations based on your preferences indicated in your online registration. Do not contact the hotel unless you plan to arrive early or extend your stay; in either case, you will be responsible for payment of that portion of the bill (including tax).

TJCTC pays for your hotel room, but be prepared to post a deposit or present a credit card for incidentals. You are responsible for all incidentals including any additional costs (plus tax) for family members.

Hotel check-in time is 3:00 p.m. The bellman can store your luggage if you check-in at an earlier time. Hotel check-out time is 12:00 p.m. on the last day of the conference.

Cancellation Policy:

Cancellations must be done through your TJCTC profile and received two weeks prior to the event start date in order to receive a full refund. If you must cancel your registration within two weeks of the event, email your cancellation to the Registrar at lv13@txstate.edu. No refunds or credits will be given for no shows, late arrivals, or early departures.

For detailed workshop information, visit www.tjctc.org.

Grantee Curriculums
FY 2017

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
CURRICULUM PLAN
Texas District Court Alliance

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Program Description	Learning Objective(s)	Needs assessment used or rationale for
Texas District Court Alliance	Kerrville, Texas	10/18/2016	10/20/2016	1 to 5:00; 9 to 5:00; 9 to 12:00	4.00 hrs 7.5 hrs 3 hrs	300	Expert Presentations for District Court Personnel in areas of Family Law and Juvenille Cases, and court processes	Participants will learn to motivate themselves and others to increase and improve productivity within their offices. They will receive training in the most current requirements of the Family Code, Case Law and efficient procedures. There is an emphasis on Juvenile cases. Particular emphasis will be on procedures for processing new case and subsequent filings and issuance. Proper forms will be discussed as well as streamlining procedures for efficiency. Use of technology implementation of e-Filing and digital records will also be addressed.	observation and task analysis and interview

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
TEXAS CENTER FOR THE JUDICIARY - CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Program Description	Learning Objective(s)	Needs assessment used or rationale for program
College for New Judges	Austin	12/12/2016	12/15/2016	4:30-7:30(3) - Possible 8:30-5:00(6.25) 8:30-5:00 (6.25) 8:30-5:00 (6.25)	23	70	This conference provides new judges the opportunity to analyze the role and responsibilities of being a judge and develop the necessary skills to be effective.	To identify and explain the issues raised in transition from an advocate to that of a fair and impartial administrator of justice	Curriculum Committee input and prior conference evaluation forms
Family Justice	Austin	1/23/2017	1/24/2017	8:30-4:30(6) 8:30-noon(3)	9	170	This conference provides judges information regarding general family law, family violence, child welfare, and human trafficking.	To discuss challenges and develop best practices for family law cases, including family violence and child abuse/neglect cases. Some of the curriculum will meet the needs of the FVCAN Statute.	Curriculum Committee input and prior conference evaluation forms
Criminal Justice	San Marcos	2/27/2017	2/28/2017	8:30-4:30(6) 8:30-noon(3)	9	140	Curriculum designed specifically for those judges who hear criminal cases. Topics center on those areas that are critical for the judge such as expert witnesses, search & seizure, electronic evidence among others. 3 hours of education is devoted to U.S. Supreme Court and Court of Criminal Appeals Updates.	To identify recent trends and case law updates for a specialized criminal law judiciary	Curriculum Committee input and prior conference evaluation forms
College for New Judges II	Bastrop	3/23/2017	3/24/2017	1-4:30(3) 8:30-12(3)	6	60	This conference provides a follow-up for new judges to review and analyze their role and responsibilities of being a judge and develop the necessary skills to be effective.	Identify, describe, and discuss to judges of general jurisdiction the various current issues facing judges who hear civil, criminal/juvenile, and family law, and the latest updates/trends and case law	Curriculum Committee input and prior conference evaluation forms
Civil Justice	Austin	4/3/2017	4/4/2017	8:30-4:30(6) 8:30-noon(3)	9	70	Curriculum designed specifically for those judges who hear civil cases. Topics center on those areas that are critical for the judge such as expert witnesses, business litigation, oil and gas litigation, and evidence among others. 3 hours of education will be devoted to U.S. Supreme Court and Texas Supreme Court case law updates.	To identify recent trends and case law updates for a specialized civil law judiciary	Curriculum Committee input and prior conference evaluation forms

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
TEXAS CENTER FOR THE JUDICIARY - CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Program Description	Learning Objective(s)	Needs assessment used or rationale for program
Regional Conference A	Ft Worth	4/24/2017	4/25/2017	8:30-4:30(6) 8:30-noon(3)	9	200	Regional Conferences provide Judges with 3 hours of topics of general interest to all judges, 3 hours of caselaw updates and 3 hours of breakouts where judges can choose their topic of interest. Pursuant to Tex. Gov't Code § 22.013 and Rule 12(a) of the Rules of Judicial Education, the breakouts will also offer instruction relating to guardianship issues in compliance with Order 94-9031 of the Supreme Court of Texas (1994).	Identify, describe, and discuss to judges of general jurisdiction the various current issues facing judges who hear civil, criminal/juvenile, and family law, and the latest updates/trends and case law	Curriculum Committee input and prior conference evaluation forms
Regional Conference B	Ft Worth	5/11/2017	5/12/2017	8:30-4:30(6) 8:30-noon(3)	9	290	Regional Conferences provide Judges with 3 hours of topics of general interest to all judges, 3 hours of caselaw updates and 3 hours of breakouts where judges can choose their topic of interest. Pursuant to Tex. Gov't Code § 22.013 and Rule 12(a) of the Rules of Judicial Education, the breakouts will also offer instruction relating to guardianship issues in compliance with Order 94-9031 of the Supreme Court of Texas (1994).	Identify, describe, and discuss to judges of general jurisdiction the various current issues facing judges who hear civil, criminal/juvenile, and family law, and the latest updates/trends and case law	Curriculum Committee input and prior conference evaluation forms
Professional Development Program/CMP Program	San Marcos	6/18/2017	6/23/2017	1:00-5:00(3) (CMP) 8:30-5:00(1.5)/(6.5) 8:30-5:00(6.5) 8:30-5:00(6.5) 8:30-5:00(6.5) 8:30-11:30(3)	24/32	135	Conference focuses on developing the skills of Court Coordinators in the areas of caseflow management, time management, professionalism, and DCM. This is a three year curriculum plan.	To identify and develop skills to effectively manage dockets, court schedules, budgets, and assigned administrative duties as required	Program is in its 34th year. Consistent curriculum. Input from volunteer faculty comprised of current and retired coordinators and evaluation forms

COURT OF CRIMINAL APPEALS OF TEXAS
ACTUAL INNOCENCE TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
TEXAS CENTER FOR THE JUDICIARY- ACTUAL INNOCENCE
CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Program Description	Learning Objective(s)	Needs assessment
Criminal Justice Conference	San Marcos	2/27/2017	2/28/2017	8:30 a.m. - 4:00 p.m. 3 hr. breakout only	3	70	This program will provide Texas judges with the most recent data and training in the area of actual innocence and ensure that judges are infomed about current legislation, procedures, and tools that can assist in preventing wrongful convictions.	To reduce the occurrence of wrongful convictions, inform judges of issues at trial that will minimize the risk of a wrongful conviction, and identify relevant ethical issues.	Curriculum Committee
Regional Conference - A	Ft Worth	4/24/2017	4/25/2017	8:30 a.m. - 4:00 p.m. 3 hr breakout only	3	60	This program will provide Texas judges with the most recent data and training in the area of actual innocence and ensure that judges are infomed about current legislation, procedures, and tools that can assist in preventing wrongful convictions.	To reduce the occurrence of wrongful convictions, inform judges of issues at trial that will minimize the risk of a wrongful conviction, and identify relevant ethical issues.	Curriculum Committee
Regional Conference - B	Ft Worth	5/11/2017	5/12/2017	8:30 a.m. - 4:00 p.m. 3 hr. breakout only	3	70	This program will provide Texas judges with the most recent data and training in the area of actual innocence and ensure that judges are infomed about current legislation, procedures, and tools that can assist in preventing wrongful convictions.	To reduce the occurrence of wrongful convictions, inform judges of issues at trial that will minimize the risk of a wrongful conviction, and identify relevant ethical issues.	Curriculum Committee

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
TEXAS ASSOCIATION OF COUNTIES -- CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Program Description	Learning Objective(s)	Needs assessment used or rationale for program
Regional Judicial Education Mentoring Workshops	Various locations around the state developed on an as needed basis	9/1/2016	8/31/2017	9 a.m. - 2 p.m.	4	40	These workshops are held around the state and will cover relevant criminal (DWI) and probate topics, as well as other topics related to current judicial issues.	Judges participating in these workshops will better understand relevant criminal (Impaired Driving), probate and other current judicial issues.	Participant evaluations & County Judges Education Committee determination
Texas College of Probate Judges	San Antonio	9/8/2016	9/9/2016	8:00-5:00 pm, 8 am - 5 pm, & 8 - 11:30 am	12	10	This course presents information & training on Probate, Guardianship & Mental Health topics	Judges successfully completing this course will better understand Dependent Administration, Heirship Proceedings, review of Bonds Inventories and Accountings; Attorneys Ad Litem; Guardianship and Probate Proceedings; Mental Health Hearings; and responsibilities of the probate clerk	Participant evaluations & County Judges Education Committee determination
Far West Texas Judges & Commissioners Conference	Terilingua	9/14/2016	9/16/2016	1 - 5:15 pm	4	25	This course presents information & training on new laws affecting county courts, juvenile detention and probation, civil cases, and common probate issues.	Judges successfully completing this course will better understand new laws that affect county courts, review juvenile detention and probation, civil procedure and discuss common probate issues.	Participant evaluations & County Judges Education Committee determination
County Judges & Commissioners Association of Texas Conference	Galveston	10/10/2016	10/13/2016	1 - 5 pm	4	45	This course presents information & training on new laws affecting county courts, juvenile detention and probation, civil cases, and common probate issues.	Judges successfully completing this course will better understand new laws that affect county courts, review juvenile detention and probation, civil procedure and discuss common probate issues.	Participant evaluations & County Judges Education Committee determination
Texas Judicial Academy Fall Judicial Session	Corpus Christi	11/16/2016	11/18/2016	8 - 4:30, 8 - 4:30 & 8 - 12	16	80	The fall session addresses juvenile, probate, criminal, civil, mental health issues, ethics and reviews changes from the 84th Legislative session.	Judges successfully completing this course will better understand procedures for plea bargains, mental health commitments, probate, bail bond forfeiture, ex parte protective orders, occupational license rules, juvenile offenders, ethics, impaired driving, changes resulting from the 84th legislative session.	Participant evaluations & County Judges Education Committee determination
V.G. Young Institute of County Government Conference	Austin	2/7/2017	2/9/2017	1 - 5:15 pm	4	40	This course presents information & training on docket management, interpreters in the judicial process, new laws update, and a moderated discussion of judicial issues.	Judges successfully completing this course will better understand docket management, interpreters in the judicial process, new laws update, and common judicial issues.	Participant evaluations & County Judges Education Committee determination
Texas College of Probate Judges	TBD	TBD	TBD	1-5:15 pm, 8 am - 5 pm, & 9 - 11:15 am	12	10	This course presents information & training on Probate, Guardianship & Mental Health topics	Judges successfully completing this course will better understand Dependent Administration, Heirship Proceedings, review of Bonds Inventories and Accountings; Attorneys Ad Litem; Guardianship and Probate Proceedings; Mental Health Hearings; and responsibilities of the probate clerk	Participant evaluations & County Judges Education Committee determination

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Program Description	Learning Objective(s)	Needs assessment used or rationale for program
Texas Judicial Academy Spring Judicial Session	Lubbock	3/27/2017	3/31/2017	8 - 4:30, 8 - 4:30 & 8 - 12	16	80	The fall session addresses juvenile, probate, criminal, civil, mental health issues, ethics and reviews changes from the 84th Legislative session.	Judges successfully completing this course will better understand procedures for plea bargains, mental health commitments, probate, bail bond forfeiture, ex parte protective orders, occupational license rules, juvenile offenders, ethics, impaired driving, changes resulting from the 84th legislative session.	Participant evaluations & County Judges Education Committee determination
West Texas Judges & Commissioners Conference	Lubbock	4/26/2017	4/29/2017	1 - 5:15 pm	4	30	This course presents information & training on law changes from the 84th legislative session, the role of Mental Health Officers, suppression hearings, pre-trial motions and local judicial	Judges successfully completing this course will better understand law changes from the 84th legislative session, the role of Mental Health Officers, supression hearings, pre-trial motions and a moderated discussion of local judicial issues.	Participant evaluations & County Judges Education Committee determination
Texas Judicial Academy County Court Assistants Training Conference	Lubbock	3/8/2017	3/10/2017	1:00-5:00 pm, 8 am - 5 pm, & 8 - 11:30 am	12	100	This course presents an opportunity for the county judge's staff to learn more about the management & operation of judicial procedures of the county judge. Court staff will leave with training that gives the county judge confidence that judicial office procedures will be conducted professionally.	Court staff completing this educational session will be able to better understand courtroom security and evacuation plans; commissioners'court meetings, responsibilities of mental health reporting requirements, probate audits, efficient case management, and the budget process.	Participant evaluations & County Court Assistants Advisory Committee determination
North & East Texas Judges & Commissioners Conference	Beaumont	5/15/2017	5/18/2017	1-5:15 pm	4	30	This course presents information & training on Civil Cases, Ad Litem in Probate & Guardianship Cases & Responsibilities of Judge & Prosecutor.	Judges successfully completing this course will better understand Using Mediation in Civil Cases, Appointmenting Ad Litems in Probate & Guardianship Cases, Recognizing the Roles of County Judge & Prosecutor in Criminial Cases & Moderated Discussion of Judicial Topics.	Participant evaluations & County Judges Education Committee determination
Texas Judicial Academy Probate Academy	Lubbock	5/10/2017	5/12/2017	8 - 4:30, 8 - 4:30 and 8-Noon	16	70	This 16 hour course will present comprehensive Estates Code training to judges and clerks covering Probate, Guardianship and Mental Health.	Participants completing this course will have a better understanding of how the new Estates Code is organized, and how it addresses heirship proceedings, dependent administrations, independent administrations, bond conditions, guardianship issues, and mental health hearings	Participant evaluations & County Judges Education Committee determination

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Program Description	Learning Objective(s)	Needs assessment used or rationale for program
Texas College of Probate Judges	TBD	TBD	TBD	1 - 5:15 pm, 8 am - 5 pm, & 9 - 11:15 am	12	10	This course presents information & training on Probate, Guardianship & Mental Health topics	Judges successfully completing this course will better understand Practical Aspects of Guardianship Law, Notice & Citation, Heirship Proceedings, Role of the Ad Litem, Dependent Administration, Concluding Probate Proceedings, Independent Administration, Problems of Clerks & Judges in Small Counties, Responsibilities of the Probate Clerk, Bonds, Inventories & Accountings, Judges Q & A & Mental Health Law	Participant evaluations & County Judges Education Committee determination
South Texas Judges & Commissioners Conference	Corpus Christi	6/13/2017	6/15/2017	1-5:15 pm	4	30	This course presents information & training on Alternatives to Probate & Unusual Probate Filings, DWI Elements of the Offense, the Juvenile Justice System, and moderated discussion of these topics.	Participants successfully completing this course will better understand probate matters that they don't see very often, elements that are essential to the proof in DWI cases, and the County judge's relationship to the juvenile justice system.	Participant evaluations & County Judges Education Committee determination
DWI Summit	Multiple Locations	9/1/2016	8/31/2017	Noon - 4:45 pm, 8:30 am - 4:45 pm & 8:30 - Noon	12	30	The DWI Summit provides judges who hear impaired driving cases an opportunity to get back to the basics of DWI law. Topics will include case law updates, occupational drivers license issues, an overview of blood search warrants, and dealing with pro se litigants. In partnership with the Texas Center for the Judiciary, trial judges, will also attend.	Judges successfully completing this course will hear the latest research on what works to change addictive behavior; get the most recent DWI case law and statutory updates; and share ideas with district and county court at law judges who hear DWI cases.	Participant evaluations & County Judges Education Committee determination
						630			

TEXAS JUSTICE COURT

TRAINING CENTER

JUDICIAL EDUCATION SEMINARS

Day One **8:00 AM** **(2 hrs)**	Indigency Hearings: Getting It Right			
10:00 AM **(2 hrs)**	Contempt: The Last Resort			
1:00- 4:00 pm **(3 hrs)**	Residential Evictions and Scenarios	Executing Writs: Understanding the Constable Duties & Roles	Noncompliant Criminal Defendants: Solutions & Safeguards	
4:00-5:00 pm **(1 hr)**	Manufactured Home Eviction Procedures	Debt Claim Cases: New Trends and Receivership	Criminal Dismissals: Whose Job is it Anyway?	
Day Two **8:00 AM**	Dealing with Death Scenes	Objection! Evidence: What you need to know	Magistrate Duties: The 15.17 Hearing	Occupational Driver Licenses
10:00 AM	Inquest Scenarios & Discussion	Stay on the Cutting Edge: Case Law Update	TPWD: Can I Keep This Fish?	Mental Health Issues: The Role of the Judge
1:00-4:00 PM **(3 hrs)**	Trucks, Texting, and Traffic Topics	Civil Procedure Mock Trial: The People's Court	Truancy: Where Are We Now?	Restore, Reentry, Repair: Non-Eviction Issues
4:00– 5:00 PM **(1 hr)**	The How's and Why's of Bond Forfeiture	License to Carry	Juvenile Criminal Cases: Pleas, Parents, and Procedures	Animals in the Court
Day Three **8:00 AM**	Stump the staff attorney : Ask Your Question	DWI Bond Conditions	Judge as CEO: Panel Discussion	
10:00 AM	Going Viral: Media, Courts and the Community			

TEXAS JUSTICE COURT

TRAINING CENTER

JUDICIAL AND CLERK WORKSHOPS

Location	Topic	Date
Austin	Understanding Poverty & Its Intersection with Criminal Justice	November 28-29th
Galveston	Evictions & Other Landlord Tenant Issues	February 6-8, 2017
College Station,	Criminal Procedure: Traffic	March 19-21, 2017
San Marcos	Juvenile Law	August 23-25, 2017

LEGISLATIVE UPDATES

LOCATION	DATE
San Antonio	July 17th
San Marcos	July 24th
McAllen	July 21st
Corpus Christi	August 7th
Lubbock	August 18th
Tyler	August 1st
League City	August 11th
Dallas	August 24th

TEXAS JUSTICE COURT

TRAINING CENTER

WEBINAR SCHEDULE

Date	Time		Presenter
September 8, 2016 (Thursday)	2:00 - 4:00 p.m.	Inquest Procedure	Staff Attorney
September 21, 2016 (Tuesday)	2:00 - 4:00 p.m.	Basic Eviction Procedures	Staff Attorney
September 30, 2016 (Friday)	2:00 - 4:00 p.m.	Driver License, Handgun, & Environmental Hearings	Staff Attorney
October 5, 2016 (Wednesday)	2:00 - 4:00 p.m.	Basic Truancy	Staff Attorney
October 18, 2016 (Tuesday)	2:00 - 3:00 p.m.	Hunting & Hunter Safety	Guest presenters from Texas Parks & Wildlife
October 27, 2016 (Thursday)	2:00 - 4:00 p.m.	Updates & Issues with the OCA Monthly Report	Guest presenter from OCA
November 9, 2016 (Wednesday)	2:00 - 4:00 p.m.	Impaired Driving & Technology	Guest presenter from Smart Start
December 1, 2016 (Thursday)	2:00 - 3:00 p.m.	Boating & Boater Safety	Guest presenter from Texas Parks & Wildlife
January 19, 2017 (Thursday)	2:00 - 4:00 p.m.	Records Retention	Guest presenter from Texas State Library & Archives Commission
February 10, 2017 (Friday)	2:00 - 4:00 p.m.	Magistration at the Jail	Staff Attorney
February 22, 2017 (Wednesday)	2:00 - 4:00 p.m.	Judicial Ethics Update CANCELED	This webinar has been canceled due to a presenter conflict.
March 15, 2017 (Wednesday)	2:00 - 4:00 p.m.	Enforcement of Criminal Judgments	Staff Attorney
March 31, 2017 (Friday)	10 a.m. - 12:00 p.m.	DWI Bond Conditions	Staff Attorney
April 4, 2017 (Tuesday)	2:00 - 4:00 p.m.	Post-Judgment Civil Procedure	Staff Attorney
May 3, 2017 (Wednesday)	2:00 - 3:00 p.m.	Default Judgment Procedure	Staff Attorney
May 16, 2017 (Tuesday)	10 a.m. - 12 p.m.	Discovery in Justice Court	Staff Attorney
June 6, 2017 (Tuesday)	2:00 - 3:00 p.m.	Blood Search Warrants	Staff Attorney
June 15, 2017 (Thursday)	2:00 - 3:00 p.m.	Turnover & Appointment for Receivership: The Court's Discretion	Staff Attorney
August 23, 2017 (Wednesday)	2:00 - 4:00 p.m.	Basic Juvenile Law	Staff Attorney
August 29, 2017 (Tuesday)	2:00 - 4:00 p.m.	Basic Pre-Trial Civil Procedure	Staff Attorney

TEXAS JUSTICE COURT

TRAINING CENTER

COURT PERSONNEL SCHEMATIC

DAY ONE						
10:30 AM	**Registration**					
12:30 PM	**Orientation**					
	EXPERIENCED CLERKS					NEW CLERKS
1:00 PM	Processing Court Orders - A Constable's Perspective	Teenage Driving Issues (TxDOT)	Texas Parks and Wildlife	Legal Advice & Ethics (Combined)		Legal Advice & Ethics (Combined)
3:00 PM	Civil Scenarios	Criminal Procedure: Filing Through Judgment	Master Clerk Certification Exam Review	Clerk Certification Exam Review: Civil	Clerk Certification Exam Review: Criminal	Fundamentals of Eviction Cases
DAY TWO						
8:00 AM	Criminal Procedure: Judgment and Beyond	Enforcing Civil Judgments	Occupational Driver Licenses (TxDOT)	Dangerous Dawgs		Fundamentals of Civil Cases
10:00 AM	Traffic: Deferrals, CMV, & Reporting	Truancy – Where Are We Now?	Conflict Resolution Scenarios	Animal-Free Administrative Hearings		
NOON	**LUNCH**					
1:00 PM*	Tenants' Remedies	Residential & Commercial Evictions	Advanced Civil Scenarios & Discussion	Advanced Criminal Scenarios & Discussion		Fundamentals of Criminal Cases
4:00 PM	Flow Chart Mania!!!	Manufactured Home Community Evictions	The Clerk's Side of Contempt	Juvenile Criminal Cases		
DAY THREE						
8:00 AM	Response to Crisis: Mental Health in the Courtroom		Master Clerk Certification Exam	Clerk Certification Exam: Civil		Clerk Certification Exam: Criminal
10:00 AM	The Clerk: The Face of the Court on Social Media & Professionalism					

TEXAS JUSTICE COURT

TRAINING CENTER

Civil Process

MONDAY – JANUARY 23			
8 – 8:30 a.m.	Orientation		
	Introduction Track	Specialty Track	Discussion Track
8 a.m. - Noon	Introduction to Citations	Office Management	Citations Discussion
1 – 5 p.m.	Introduction to Evictions	Partnerships in the County	Writs Discussion
TUESDAY – JANUARY 24			
8 a.m. - Noon	Introduction to Writs	Protective Orders	Executions Discussion
1 – 5 p.m.	Introduction to Executions	Executions: Calculations & Collections	Evictions Discussion
WEDNESDAY – JANUARY 25			
8 a.m. - Noon	Professionalism & Ethics and TCOLE Rules		

TEXAS JUSTICE COURT

TRAINING CENTER

NEW JUDGE STAGE I

Monday 8:00 - 9:00 a.m.	The Role of the Judge	
9:00 -10:00 a.m.	The Commission on Judicial Conduct	
10:00 - 2:00 p.m.	Ethics and How to Judge	
2:00 – 4:00 p.m.	Legal Research and Resources	
4:00 - 5:00 p.m.	Role of the clerk and constable	
Tuesday 8:00 - 11:00 a.m.	Residential Eviction Procedure	
11:00 - 12:00 p.m.	Mock Eviction	
1:00 - 5:00 p.m.	Criminal Procedure	
Wednesday 8:00 – 10:00 a.m.	Search and Arrest Warrants and Probable Cause	
10:00 – 11:00 a.m.	Mock Criminal Trial	
11:00 – 4:00 p.m.	Magistrate Duties	
4:00 – 5:00 p.m.	MOEPs and Cycle of Violence	
Thursday 8:00 – 10:00 a.m.	Inquests Procedure	Technology for Urban Courts
10:00 – 12:00 p.m.	Determining Manner of Death in Inquests	Urban Roundtable

TEXAS JUSTICE COURT

TRAINING CENTER

New Judge Stage II

Monday 8:00 - 10:00 a.m.	Judge as CEO: Financial and Personnel Management
10:00 -12:00 p.m.	Contempt
1:00 - 4:00 p.m.	Records and Reporting
4:00 - 5:00 p.m.	Who is a tenant?
Tuesday 8:00 - 9:00 a.m.	Manufactured Home Eviction Issues
9:00 - 12:00 p.m.	Orders of Retrieval & Writs of Reentry, Restoration, Repair, & Remedy
1:00 - 3:00 p.m.	Mock Landlord Tenant Scenarios
3:00 – 5:00 p.m.	Occupational Driver License
Wednesday 8:00 – 12:00 p.m.	Civil Procedure Introduction
1:00 – 2:00 p.m.	Mock Civil Trial
2:00 – 5:00 p.m.	Juvenile Criminal Cases
Thursday 8:00 – 10:00 a.m.	Mental Health Apprehension Warrants & Mentally Ill Inmates
10:00 – 12:00 p.m.	Mock Inquest & Dealing with Death Scenes

TEXAS JUSTICE COURT

TRAINING CENTER

New Judge Stage III

1:00 -3:00 p.m.	Jury Selection & Jury Charges
3:00 - 5:00 p.m.	Discovery
Tuesday 8:00 - 9:00 a.m.	Legal Analysis
9:00 - 12:00 p.m.	Evidence Concepts
1:00 – 3:30 p.m.	Bonds & Other Issues
3:30 – 5:00 p.m.	Criminal Offenses
Wednesday 8:00 – 10:00 a.m.	Criminal Offenses Continued
9:00 – 2:00 p.m.	Civil Procedure Part II
2:00 – 5:00 p.m.	Civil Procedure Enforcement
Thursday 8:00 – 9:30 a.m.	Debt Claim & Receiverships
9:30 – 12:00 p.m.	Commercial Evictions & Landlord Tenant Issues

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
Texas Municipal Courts Education Center
CURRICULUM PLAN

Event Title	Location	Date From	Date To	Course Hours	Expected number of participants	Program Description/Topic	Learning Objective(s)	Needs assessment used or rationale for program
Curriculum Development	Austin	9/21/2016	9/23/2016	16	20	This 2 day program offers faculty an opportunity to discuss with peers the learning objectives and teaching strategies that they can incorporate within their courses in the following year. The substantive content of the course is outlined and discussed in detail. *Overview of Courses, Faculty Staffing/Team Assignments, Identifying Learning Outcomes, Demographic, Medium, & Inherent Barriers, Biographical Information, Team Consultations, Evaluation and Assessment*	This 2 day program offers faculty an opportunity to discuss with peers the learning objectives and teaching strategies that they can incorporate within their courses in the following year. The substantive content of the course is outlined and discussed in detail.	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #1	Austin	9/15/2016	9/15/2016	1	40	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *Drug Recognition Experts*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #2	Austin	9/29/2016	9/29/2016	1	40	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *TMCEC Radio Morning Coffee - Fines, Fees, Costs, & Indigence*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #3	Austin	10/6/2016	10/6/2016	1	40	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *Rise of the Machines II: Indigence Issues and Technology*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
New Judges & Clerks Orientation	Austin	10/12/2016	10/12/2016	4	13	This one-day program offers an overview of the Texas court system and working in municipal court, focusing on the essential issues involving ethics and frequently heard cases. *Overview of the Court, Authorities and Duties, Introduction to TMCEC and its Publications, Mandatory State Reporting, TMCEC's Grants from the Texas Department of Transportation, DSC and Deferred*	To provide an overview of the role of municipal courts in the Texas criminal justice system and an introduction to the essential procedures for processing frequently filed cases in municipal courts	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar # 4	Austin	10/20/2016	10/20/2016	1	43	This online program offers one hour of continuing judicial education on a topic related to municipal court law or procedure *Setting Up a Teen Court*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Clerks Seminar	Tyler	10/24/2016	10/26/2016	16	67	Designed for experienced clerks and court administrators, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and case management strategies. It offers multiple tracks and breakout sessions. *Session Focus: Fines, Fees, and Costs; Toward the Goal of Justice: Procedural Fairness and Public Confidence; Texas Department of Public Safety Update; Tickets are for Concerts: Dissecting the Citation; Pennies & Paper Pigs: Taking Payments, Exploring Attitudes, Stereotypes, and Biases; Courts Making Their Communities Safer (DRSR/MTSI); Judged by Your Words: Language and The Law; Indigence in a Box: Charts, Checklists, and Forms; Making Sense of the License – Current Driver License Issues; The Court Abides: Penalties & Punishments; Managing, Retaining, and Destroying Records; Community Service; Certification: This is a Test – It's Only a Test!; Are You Right About the Privilege? Driver's License Issues; Data Miners & Open Records; Data Security: Getting the Court Back Online; Insurance Laws; Beyond the Day to Day: Additional Activity Reporting; Certification & Clerk Program Update; and Beyond Lessons Learned: Addressing Change in Municipal Court.*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Judges Seminar	Tyler	10/26/2016	10/28/2016	16	75	Designed for new attorney judges and experienced judges with 2 or more years of service, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and recent changes in case law. It offers multiple tracks and breakout sessions. *Special Session: Fines, Fees, and Costs; The State of Municipal Courts: Current Issues and Recent Changes; Case Law Update and Attorney General Opinion; Speed Detection Devices at Trial; Capias Pro Fines: Dos and Don'ts; Data Miners and Open Records; Non-Appearance Crimes; Mandatory Conditions of Bond; Making Sense of the License – Current Driver License Issues; Mental Health Issues and Concerns; Admonishments: Required and Recommended; Community Service; Scenarios VI; Family Violence Class C Misdemeanors: Yes, They Do Exist; Courts Making Their Communities Safer; Language and the Law; Data Security: Getting the Court Back Online; Questions Answered, Beyond the Day to Day: Additional Activity Reporting; Jail and Jail Duties; Endnote: and Takeaways for 2017.*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #5	Austin	11/3/2016	11/3/2016	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *Writs: Warrants and the Capias Pro Fine*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Judges One Day Clinic	Forth Worth	11/11/2016	11/11/2016	6	30	This one-day program offers a more in-depth look at a single topic or issue relevant to work in municipal court. *Pre-Trial Hearings; Show Cause Hearings ; Overview of Caseflow Management ; Magisterial and Ancillary Hearings*	To provide in-depth information on effective and proper procedures for work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Clerks Seminar	Austin	11/15/2016	11/17/2016	16	80	Designed for experienced clerks and court administrators, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and case management strategies. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Clerks Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls

Regional Judges Seminar	Austin	11/15/2016	11/17/2016	16	90	Designed for new attorney judges and experienced judges with 2 or more years of service, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and recent changes in case law. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Judges Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Clerks One Day Clinic	San Angelo	12/1/2016	12/1/2016	8	50	This one day program is on laws and procedures relevant to the work of municipal court clerks. *Judgment, Indigence & Enforcement; Case File Integrity: Documentation Best Practices; Jury Trials, Bench Trials & Appeals; Team Building/Leadership; and The Alphabet Soup – TMCEC, TMCA & TCCA*	To provide in-depth information on effective and proper procedures for work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar	Austin	12/1/2016	12/1/2016	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *Collection Improvement Program (CIP)*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
New Clerks Seminar	Austin	12/12/2016	12/16/2016	35	100	Designed for new clerks and court administrators, this conference lasts 5 days and covers the topics necessary to serve as court support personnel in a municipal court. *What to Expect: Continuing Education and Court Resources; The Court Clerk Certification Program; Municipal Court and the Role of the Clerk; Records Management; Introduction to the Transportation Code; Best Practices in Court Security; Stress Management; Citations and Complaints, Driving Safety Courses and Deferred Disposition, Judicial Ethics for Court Clerks; Writs: Warrants and Capias Pro Fines; Non-appearance Crimes; Court Processes I: Trial Processes, Court Processes II: Reporting Processes; Mock Trial: State of Texas v Young; Walking the Line: Legal Information and Advice; Juveniles in Municipal Court; DPS Reporting; Court Costs; TCCA Panel Discussion (Q&A), Nuts and Bolts of the Collections Process; Numbers Matter: Reporting to the Office of Court Administration, and The Week in Review: Filling in the Blanks.*	To familiarize participants with the roles, responsibilities, duties, and procedures of court support personnel	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
New Judges Seminar	Austin	12/12/2016	12/16/2016	35	25	Designed for new, non-attorney judges, this conference lasts 5 days and covers the topics necessary to serve as the judge of a municipal court. *Introduction to TMCEC Publications; Bail & Bonds; Judicial Ethics Orientation; Court Decorum; Authorities and Duties; Citations and Complaints; Traffic Law; Court Security; Code Construction Act; Community Outreach Made Easy; Duties and Responsibilities of the Texas Magistrate; Magistrate's Orders of Emergency Protection; Pretrial and Trial Processes; Introduction to Ordinances; Where Does the Money Go?; Contempt; Driving Safety Courses and Deferred Disposition Procedures; Judgment, Indigence & Enforcement; The Adjudication of Juveniles in Municipal Court; Overview of Truancy Court; Introduction to Evidence, and Putting the Pieces Together*	To provide an overview of judicial authority and the role, responsibilities, duties, and procedures of a municipal judge	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #7	Austin	1/5/2017	1/5/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *Judicial Ethics Update*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Clerks Seminar	San Antonio	1/9/2017	1/11/2017	16	100	Designed for experienced clerks and court administrators, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and case management strategies. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Clerks Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Judges Seminar	San Antonio	1/9/2017	1/11/2017	16	100	Designed for new attorney judges and experienced judges with 2 or more years of service, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and recent changes in case law. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Judges Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #8	Austin	1/19/2017	1/19/2017	1	50	This program offers 1 hour of continuing judicial education on a topic related to municipal court law or practice *Authorities and Duties*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Level III Assessment Clinic	Austin	1/23/2017	1/26/2017	24	10	Designed for clerks participating in the Level III certification program, this 3 day seminar offers training on court and personnel management issues. *Dynamics of Diversity; Preparing for Observation & Journaling- Q&A Panel; Planning your Observation & Journal Writing; Presenting Yourself: Public Speaking Workshop; Strategic Planning and Performance Measurement; Court Budgeting; Re-Cap & Round Table Discussion - Q&A, Emotional Intelligence, Personnel Management: Interviewing, Hiring, Appraisal, Awards, & Termination; Risk Management & Assessment; Leadership & Team Building; Public Service is Customer Service!, Speaking with the Press, and Review & Personal Assessments*	To provide more in-depth training on effective court management and human resource skills	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Train the Trainer- Judges	Austin	1/24/2017	1/26/2017	15	12	This 2 to 3 day program offers faculty an opportunity to learn about theories and practices drawn from adult education to make their presentations more interactive and professional. *How Adults Process & Retain Information; Dealing with Learning Styles; Six-Step Model for Presentation Planning; How to Determine & Organize Content; Nine Principles for Increased Retention; Dealing with Problem Students; Presentation Skills; and PowerPoint & Visual Aids Workshop*	To prepare TMCEC faculty members to design effective presentations using innovative instructional strategies and highly refined platform skills	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Clerks Seminar	Galveston	1/29/2017	1/31/2017	16	100	Designed for experienced clerks and court administrators, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and case management strategies. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Clerks Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Clerks One Day Clinic	McAllen	2/2/2017	2/2/2017	8	60	This one-day program is on laws and procedures relevant to the work of the municipal court clerks. *Judgment, Indigence & Enforcement; Case File Integrity: Documentation Best Practices; Jury Trials, Bench Trials & Appeals; Team Building/Leadership, and The Alphabet Soup – TMCEC, TMCA & TCCA*	To provide in-depth information on effective and proper procedures for work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
New Judges & Clerks Orientation	Austin	2/8/2017	2/8/2017	4	13	This one-day program is offers an overview of the Texas court system and working in municipal court, focusing on essential issues involving ethics and frequently heard cases. *Overview of the Court, Authorities and Duties, Introduction to TMCEC and its Publications; Mandatory State Reporting; TMCEC's Grants from the Texas Department of Transportation; and DSC and Deferred*	To provide an overview of the role of municipal courts in the Texas criminal justice system and an introduction to the essential procedures for processing frequently filed cases in municipal courts	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #9	Austin	2/9/2017	2/9/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *Community Service*	To offer an update on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls

Regional Judges Seminar	Galveston	2/19/2017	2/21/2017	16	176	Designed for new attorney judges and experienced judges with 2 or more years of service, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and recent changes in case law. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Judges Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #10	Austin	2/23/2017	2/23/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure *Internal Controls: Keeping Tabs on the Court's Cash*	To offer an update on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Clerks Seminar	Houston	2/26/2017	2/28/2017	16	100	Designed for experienced clerks and court administrators, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and case management strategies. It offers multiple tracks and breakout sessions *Same topics listed under Tyler Regional Clerks Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Judges Seminar	Houston	2/26/2017	2/28/2017	16	150	Designed for new attorney judges and experienced judges with 2 or more years of service, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and recent changes in case law. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Judges Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #11	Austin	3/2/2017	3/2/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *Compliance Strategies When Arrest Is Not Best*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Clerks Seminar	Addison	3/6/2017	3/8/2017	16	95	Designed for experienced clerks and court administrators, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and case management strategies. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Clerks Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Judges Seminar	Addison	3/8/2017	3/10/2017	16	150	Designed for new attorney judges and experienced judges with 2 or more years of service, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and recent changes in case law. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Judges Conference.*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #12- Judges	Austin	3/16/2017	3/16/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *Implicit Bias*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Prosecutors Seminar	San Marcos	3/22/2017	3/24/2017	16	75	This program offers continuing legal education specifically covering municipal court law and procedures to enhance the professional competence of the attorneys serving as city attorneys or deputy city attorneys. It offers multiple tracks and breakout sessio ns: *A Glimpse at the Horizon: Legislation of Interest in the 85th Texas Legislature, The Walking Dead: Pedestrians, Vehicles, and Impairment; Real Legal Ethics 2; Case Law and Attorney General Update; The Admission of Records, Sign Ordinances and Beyond: Reed v. Town of Gilbert, Speed Measurement; Horse Meat and Other Delicacies: A Discussion of Weird Laws and Ordinances in Texas; Financial Responsibility; What Goes Up: Dealing with Appeals; Class C Misdemeanor Family Violence: Yes, It Exists!;Panel Discussion: Impact Litigation and Texas Municipal Courts, Community Service and Alternative Means; and Capias Pro Fine: Do's and Don'ts .*	To provide legal updates on ethics, as well as procedural, substantive, and criminal law	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Traffic Safety Seminar- Judges	Austin	3/27/2017	3/29/2017	16	130	This 3 day conference focuses in-depth on traffic safety, laws, and procedures related to the adjudication of traffic cases in municipal court. It offers multiple tracks and breakout sessions. *Impaired Driving Among Special Populations; Addiction; Ashley's Story ; Blood Draw & Traffic-Related Case Law Update; Municipal Traffic Safety Initiatives Award Winners: A Video Presentation, The Magistrate's Role in No Refusal Programs ; Reducing Underage Drinking: Evidence-Based Prevention Strategies, Challenges and Solutions for Drugged Driving; Model Outreach Panel: Low, Medium, and High Volume, Electronic Search Warrants; Teens in the Driver's Seat: Peer Resource Initiative; Technology to Eliminate Drunk Driving; Ignition Interlocks: Using Bond Conditions to Reduce Drunk Driving; Peer Justice: Implementing Teen Court Programs; Victim Impact Panels; Reality Education for Drivers (RED) Program: Hospital-Based Injury Prevention for Teen Drivers; Road to Zero: Collaborating to Prevent Highway Deaths; Co-Occurring Substance Abuse and Mental Health Disorders; Child Passenger Safety Education Program; The Walking Dead: Pedestrians, Vehicles, and Impairment; Repeat Alcohol-Related Offenders: A New Tool for Courts; "Enduring Regret: Chris Sandy's Life after Causing Death"*	To familiarize participants with the programs provided by TMCEC's Municipal Traffic Safety Initiatives and Driving on the Right Side of the Road (both funded partially by TxDOT)	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Judges Seminar	Amarillo	4/3/2017	4/5/2017	16	100	Designed for new attorney judges and experienced judges with 2 or more years of service, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and recent changes in case law. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Judges Conference.*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Clerks Seminar	Amarillo	4/3/2017	4/5/2017	16	60	Designed for experienced clerks and court administrators, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and case management strategies. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Clerks Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #13	Austin	4/6/2017	4/6/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *TBD*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Teen Court	Georgetown	4/10/2017	4/11/2017	10	16	Designed for judges, court administrators, clerks, juvenile case managers, and teen court coordinators who are interested in starting a teen court program in their community (2 days). *Texas Laws Related to Teen Courts & Community Service; Why and How to Start a Teen Court and the Benefits; Teen Court Observation, Juvenile Confidentiality; Teen Court Models in Texas, Truancy, and Expunction; Resources Available to Help Start Your Teen Court , and Lessons Learned, Ethical Considerations, Closing Comments*	To offer an update on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Clerks One Day Clinic	Beaumont	4/20/2017	4/20/2017	4	50	This one-day program offers a more in-depth look at a single topic or issue relevant to work in municipal court . *Judgment, Indigence & Enforcement; Case File Integrity: Documentation Best Practices; Jury Trials, Bench Trials & Appeals; Team Building/Leadership, and The Alphabet Soup – TMCEC, TMCA & TCCA*	To provide in-depth information on effective and proper procedures for work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls

Webinar #14	Austin	4/20/2017	4/20/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *TBD*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Clerks Seminar	South Padre	5/1/2017	5/3/2017	16	100	Designed for experienced clerks and court administrators, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and case management strategies. It offers multiple tracks and breakout sessions. Same topics listed under Tyler Regional Clerks Conference	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #15	Austin	5/4/2017	5/4/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *TBD*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Attorney Judges Seminar	South Padre	5/7/2017	5/9/2017	16	120	Designed for new attorney judges and experienced judges with 2 or more years of service, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and recent changes in case law. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Judges Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Non-Attorney Judges Seminar	South Padre	5/9/2017	5/11/2017	16	80	Designed for new attorney judges and experienced judges with 2 or more years of service, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and recent changes in case law. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Judges Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Bailiff/ Warrant Officer Seminar	Huntsville	5/15/2017	5/17/2017	16	150	This regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates, court security, and court technology to prepare bailiffs and warrant officers to work effectively in municipal courts. It offers several tracks and breakout sessions. *Case Law and Attorney General Opinion Update; Implicit Bias; Effective Communication, Court Duress Response Systems, and Court Security Plans.*	To provide in-depth information on effective and proper procedures for work in municipal court and as a representative of the court in court collections programs; Leadership; Interacting with Drivers Who are Deaf and Hard of Hearing ; Below 100; Traumatic and Acquired Brain Injury;	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
New Judges & Clerks Orientation	Austin	5/17/2017	5/17/2017	4	6	This one-day program offers an overview of the Texas court system and working in municipal court, focusing on pertinent issues involving ethics and frequently heard cases. *Overview of the Court, Authorities and Duties, Introduction to TMCEC and its Publications; Mandatory State Reporting; TMCEC's Grants from the Texas Department of Transportation, and DSC and Deferred GB*	To provide an overview of the role of municipal courts in the Texas criminal justice system and an introduction to the essential procedures for processing frequently filed cases in municipal courts	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar # 16	Austin	5/18/2017	5/18/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *TBD*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #17	Austin	6/1/2017	6/1/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *TBD*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Clerks Seminar	Odessa	6/5/2017	6/7/2017	16	45	Designed for experienced clerks and court administrators, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and case management strategies. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Clerks Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Regional Judges Seminar	Odessa	6/5/2017	6/7/2017	16	105	Designed for new attorney judges and experienced judges with 2 or more years of service, this regional conference lasts 3 days and provides more in-depth information on municipal court law and procedures, as well as legislative updates and recent changes in case law. It offers multiple tracks and breakout sessions. *Same topics listed under Tyler Regional Judges Conference*	To familiarize participants in-depth and in detail with criminal and juvenile law as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Juvenile Case Managers Conference	Austin	6/11/2017	6/13/2017	16	100	Participants will be able to describe recent legislation that apply to juvenile cases heard in municipal courts; identify the three models for juvenile case managers programs that have been adopted in Texas; and describe examine effective programs that reduce the number of students who fail to attend school. *TBD*	Participants will be able to identify Texas laws that apply to juvenile cases heard in municipal courts; and describe examine effective programs working with reducing the number of students who fail to attend school, as well as appear in municipal court on other Class C misdemeanors.	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #18	Austin	6/15/2017	6/15/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *TBD*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Judges & Clerks One Day Clinic	Austin	6/30/2017	6/30/2017	6	8	This one-day program offers a more in-depth look at a single topic or issue relevant to work in municipal court. *Fines, Fees, Costs & Indigenc e*	To provide in-depth information on effective and proper procedures for work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Prosecutors Seminar	Addison	6/26/2017	6/28/2017	16	75	This program offers continuing legal education specifically covering municipal court law and procedures to enhance the professional competence of the attorneys serving as city attorneys or deputy city attorneys. It offers multiple tracks and breakout sessions. *A Glimpse at the Horizon: Legislation of Interest in the 85th Texas Legislature; The Walking Dead: Pedestrians, Vehicles, and Impairment; Real Legal Ethics 2; Case Law and Attorney General Update; The Admission of Records; Sign Ordinances and Beyond: Reed v. Town of Gilbert; Speed Measurement; Horse Meat and Other Delicacies: A Discussion of Weird Laws and Ordinances in Texas; Financial Responsibility: What Goes Up: Dealing with Appeals, Class C Misdemeanor Family Violence: Yes, It Exists! Panel Discussion: Impact Litigation and Texas Municipal Courts, Community Service and Alternative Means, and Capias Pro Fine: Do's and Don'ts*	To provide legal updates on ethics, as well as procedural, substantive, and criminal law	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Court Administrators Seminar	Addison	6/26/2017	6/28/2017	16	110	Designed for court administrators with management and supervision responsibilities, this conference lasts 3 days and provides in-depth information on municipal court law and procedures. It also covers legislative updates and issues involving management of court personnel. It offers several tracks and breakout sessions. *TBD*	To familiarize participants in-depth and in detail with criminal and juvenile law, as well as procedures relevant to work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls

Webinar #19	Austin	7/6/2017	7/6/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *TBD*	To update participants on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Judges & Clerks One Day Clinic	Austin	7/7/2017	7/7/2017	6	5	This one-day program offers a more in-depth look at a single topic or issue relevant to work in municipal court. *Community Service*	To provide in-depth information on effective and proper procedures for work in municipal court	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Webinar #20	Austin	7/13/2017	7/13/2017	1	50	This online program offers 1 hour of continuing judicial education on a topic related to municipal court law or procedure. *TBD*	To offer an update on changes in the law related to municipal court procedures	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
New Clerks Seminar	Austin	7/17/2017	7/21/2017	35	120	Designed for new clerks and court administrators, this conference lasts 5 days and covers the topics necessary to serve as court support personnel in a municipal court. *Same topics as New Clerks in December.*	To familiarize participants with the roles, responsibilities, duties, and procedures of court support personnel	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
New Judges Seminar	Austin	7/17/2017	7/21/2017	35	20	Designed for new, non-attorney judges, this conference lasts 5 days and covers the topics necessary to serve as the judge of a municipal court. *Same topics as New Judges in December.*	To provide an overview of judicial authority and the role, responsibilities, duties, and procedures of a municipal judge	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Impaired Driving Forum	Austin	7/24/2017	7/25/2017	8	75	This 8-hour program for municipal judges and magistrates will examine issues related to impaired driving. It is hosted collaboratively with the other Texas judicial education centers. *TBD*	To examine issues related to impaired driving	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Legislative Update	Lubbock	8/4/2017	8/4/2017	6	60	After the Legislative Session, this one-day program offers training on the highlights of changes to statutes that effect municipal court procedures. *TBD*	To offer an update on the changes passed by the Legislative in their biannual Session.	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Legislative Update	Houston	8/8/2017	8/8/2017	6	150	After the Legislative Session, this one-day program offers training on the highlights of changes to statutes that effect municipal court procedures. *TBD*	To offer an update on the changes passed by the Legislative in their biannual Session.	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Legislative Update	Dallas	8/15/2017	8/15/2017	6	175	After the Legislative Session, this one-day program offers training on the highlights of changes to statutes that effect municipal court procedures. *TBD*	To offer an update on the changes passed by the Legislative in their biannual Session.	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls
Legislative Update	Austin	8/18/2017	8/18/2017	6	300	After the Legislative Session, this one-day program offers training on the highlights of changes to statutes that effect municipal court procedures. *TBD*	To offer an update on the changes passed by the Legislative in their biannual Session.	Survey; Participant Evaluations; Committee, Board, TMCA, TCCA, & Faculty Input; Environmental Scan; Legislative Changes; 800 calls

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
TEXAS CRIMINAL DEFENSE LAWYERS ASSOCIATION - CDLP GRANT
CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Program Description	Learning Objective(s)	Needs assessment
EXAMPLE: Big Changes in RESPA	Austin, TX	5/1/2010	5/1/2010	8:00 - 12:00	4	25	This presentation provides an overview of the new RESPA provisions with annotated forms to facilitate implementation.	Explain and apply new RESPA requirements.	Survey
Beating the Drum for Justice	Fredericksburg	9/23/2016	9/23/2016	8:00 - 5:00	6	42	Program focuses on basic topics of Evidence, Jury Selection, Cross/Direct Examination, Open/Closing Statements, Using Technology in the Courtroom, Ethics "Why We Do What We Do & Taking Care of Yourself in the Process" and Legislative Updates for lawyers an staff in rural areas and smaller cities throughout the state.	The course provides the training necessary to all attorneys, staff in order to improve attorney-client cooperation in state court criminal litigation. Intended to educate lawyers and staff to ethically investigate and represent the accused in state courts.	Evaluations and consultation with lawyers across the state.
Technology for Criminal Defense Lawyers	Houston	9/29/2016	9/29/2016	8:00 - 5:00	6	115	Topics will include "Facebook: Investigation and Practice Promotion" and "Maximizing the Free TCDLA app for Legal Research".	To educate and make lawyers aware of all areas of technology.	Evaluations and consultation with lawyers from local area.

Beating the Drum for Justice	Corpus Christi	9/30/2016	9/30/2016	8:00 - 5:00	6	37	Program focuses on basic topics of Evidence, Jury Selection, Cross/Direct Examination, Open/Closing Statements, Using Technology in the Courtroom, 6. Ethics "Why We Do What We Do & Taking Care of Yourself in the Process" and Legislative Updates for lawyers an staff in rural areas and smaller cities throughout the state.	The course provides the training necessary to all attorneys, staff in order to improve attorney-client cooperation in state court criminal litigation. Intended to educate lawyers and staff to ethically investigate and represent the accused in state courts.	Evaluations and consultation with lawyers across the state.
Beating the Drum for Justice	Laredo	10/28/2016	10/28/2016	8:00 - 5:00	6	42	Program focuses on basic topics of Evidence, Jury Selection, Cross/Direct Examination, Open/Closing Statements, Using Technology in the Courtroom, Ethics "Why We Do What We Do & Taking Care of Yourself in the Process" and Legislative Updates for lawyers an staff in rural areas and smaller cities throughout the state.	The course provides the training necessary to all attorneys, staff in order to improve attorney-client cooperation in state court criminal litigation. Intended to educate lawyers and staff to ethically investigate and represent the accused in state courts.	Evaluations and consultation with lawyers across the state.
Beating the Drum for Justice	McAllen	11/16/2016	11/16/2016	8:00 - 5:00	6	37	Program focuses on basic topics of Evidence, Jury Selection, Cross/Direct Examination, Open/Closing Statements, Using Technology in the Courtroom, Ethics "Why We Do What We Do & Taking Care of Yourself in the Process" and Legislative Updates for lawyers an staff in rural areas and smaller cities throughout the state.	The course provides the training necessary to all attorneys, staff in order to improve attorney-client cooperation in state court criminal litigation. Intended to educate lawyers and staff to ethically investigate and represent the accused in state courts.	Evaluations and consultation with lawyers across the state.

Capital Litigation/Mental Health	South Padre Island	11/17/2016	11/18/2016	8:00 - 5:00	13	56	Training in developing the case for life with emphasis on forensic science and developing and presenting mitigating evidence. This seminar introduces the issue of mental health as it effects representation to clients in state courts around Texas.	Designed to teach thorough and effective investigation of the facts of the case and the psycho-social history of the client and presenting the same.	Evaluations and survey of Capital Defenders Office, Texas Defender Service and others.
Beating the Drum for Justice	Galveston	11/18/2016	11/18/2016	8:00 - 5:00	6	42	Program focuses on basic topics of Evidence, Jury Selection, Cross/Direct Examination, Open/Closing Statements, Using Technology in the Courtroom, Ethics "Why We Do What We Do & Taking Care of Yourself in the Process" and Legislative Updates for lawyers an staff in rural areas and smaller cities throughout the state.	The course provides the training necessary to all attorneys, staff in order to improve attorney-client cooperation in state court criminal litigation. Intended to educate lawyers and staff to ethically investigate and represent the accused in state courts.	Evaluations and consultation with lawyers across the state.
Nuts and Bolts w/ SACDLA	San Antonio	11/18/2016	11/18/2016	9:00 - 5:00	7	75	Program teaches an overview of criminal substantive and procedure and rules of evidence.	Training focuses on PDs, designed to train lawyers new to criminal defense and veterans who need a refresher course.	Evaluations and special requests by host legal community.
Hal Jackson	Lewisville	12/16/2016	12/16/2016	9:00 - 4:00	6	87	Annual criminal defense training in Denton in association with the local defense lawyers association.	Designed to train trial lawyers to ethically and efficiently represent accused citizens in Texas.	Evaluations and special requests by host legal community.
Nuts and Bolts w/ LCDLA	Lubbock	1/12/2017	1/12/2017	1:00 - 5:00	4	50	Overview of criminal substantive and procedural law and rules of evidence.	Training in basic topics for lawyers new to criminal practice and veterans who need a refresher course.	Evaluations and special requests by host legal community.

Prairie Dog w/ LCDLA	Lubbock	1/13/2017	1/14/2017	8:00 - 5:00	15	125	Overview of substantive and procedural criminal law and the rules of evidence.	Advanced training in topics of criminal law, procedure and evidence.	Evaluations and special requests by host legal community.
Beating the Drum for Justice	Sugarland	1/20/2017	1/20/2017	8:00 - 5:00	9	47	Program focuses on basic topics of Evidence, Jury Selection, Cross/Direct Examination, Open/Closing Statements, Using Technology in the Courtroom, Ethics "Why We Do What We Do & Taking Care of Yourself in the Process" and Legislative Updates for lawyers an staff in rural areas and smaller cities throughout the state.	The course provides the training necessary to all attorneys, staff in order to improve attorney-client cooperation in state court criminal litigation. Intended to educate lawyers and staff to ethically investigate and represent the accused in state courts.	Evaluations and consultation with lawyers across the state.
Beating the Drum for Justice	McKinney	1/20/2017	1/20/2017	8:00 - 5:00	9	55	Program focuses on basic topics of Evidence, Jury Selection, Cross/Direct Examination, Open/Closing Statements, Using Technology in the Courtroom, Ethics "Why We Do What We Do & Taking Care of Yourself in the Process" and Legislative Updates for lawyers an staff in rural areas and smaller cities throughout the state.	The course provides the training necessary to all attorneys, staff in order to improve attorney-client cooperation in state court criminal litigation. Intended to educate lawyers and staff to ethically investigate and represent the accused in state courts.	Evaluations and consultation with lawyers across the state.

Capital Litigation	Dallas	2/9/2017	2/9/2017	8:00 - 5:00	7	62	Training in developing the case for life with emphasis on forensic science and developing and presenting mitigating evidence for those representing capital cases.	Designed to teach thorough and effective investigation of the facts of the case.	Evaluations and consultation with lawyers across the state.
Indigent Defense	Dallas	2/9/2017	2/9/2017	9:00 - 4:00	6	57	Training for lawyers and PDs and those who accept court appointments or do pro bono work.	A review of Rules of evidence and procedure in conjunction to strategy and substantive law refresher.	Evaluations and consultation with local lawyers who accept appointed cases or work in a PD office.
Mental Health	Dallas	2/10/2017	2/10/2017	8:00 - 5:00	7	62	This seminar introduces the issue of metnal health as it effects representation to clients in state courst around Texas	Designed to teach thorough and effective investigation of the facts of the case and the psycho-social history of the client and presenting the same.	Evaluations and consultation with lawyers across the state.
PD/Veterans	Dallas	2/10/2017	2/10/2017	9:00 - 4:00	6	40	Training for lawyers who represent military veterans.	A review of Rules of evidence and procedure in conjunction to strategy and substantive law refresher.	Evaluations and consultation with lawyers who have veteran cases.
Indigent Defense - 6th Annual Craig Washington	Houston	2/23/2017	2/24/2017	9:00 - 4:00	13	75	Training for lawyers who represent indigents, including Pads and those who accept court appointments or do pro bono work.	Training trial lawyers to effectively and efficiently represent indigent persons accused of crime.	Evaluations and consultation with lawyers across the state.

Winning Women: Substantive Law, Substantive Lawyers	Houston	3/2/2017	3/3/2017	9:00 - 4:00	15	75	CLE designed to highlight the woman criminal defense practitioner as advocate, teacher, and colleague. Substantive law will be presented in all phases, with emphasis on issues unique to women (e.g., women metabolize alcohol differently, disparate charging and sentencing of women in failure to protect a child), mistakes made by women practitioners (including views from the bench in panel discussion), and ways women can assist each other in all aspects of criminal practice.	To educate lawyers on substantive law, and issues unique to women in criminal practice.	Evaluations and consultation with lawyers from local area.
Texas Criminal Trial College	Huntsville	3/26/2017	3/31/2017	9:00 - 5:00	36	95	Week long training at Sam Houston State University primarily for new lawyers conducted by leaders in the criminal defense bar.	Training designed to teach new trial lawyers advocacy skills and strategies to prepare and present their cases.	Evaluations and suggestions from trial judges and practitioners around the state.
54th AA Seemaan w/ SABA	San Antonio	3/31/2017	3/31/2017	9:00 - 5:00	12	125	Annual criminal defense training in San Antonio in association with the local defense lawyers association.	Designed to educate and train lawyers to ethically and effectively represent military veterans accused of criminal acts.	Evaluations and special requests by host legal community.

Beating the Drum for Justice	Waco	4/7/2017	4/7/2017	9:00 - 4:00	6	85	Program focuses on basic topics of Evidence, Jury Selection, Cross/Direct Examination, Open/Closing Statements, Using Technology in the Courtroom, Ethics "Why We Do What We Do & Taking Care of Yourself in the Process" and Legislative Updates for lawyers an staff in rural areas and smaller cities throughout the state.	The course provides the training necessary to all attorneys, staff in order to improve attorney-client cooperation in state court criminal litigation. Intended to educate lawyers and staff to ethically investigate and represent the accused in state courts.	Evaluations and consultation with lawyers across the state.
Beating the Drum for Justice	Tyler	4/21/2017	4/21/2017	9:00 - 4:00	6	40	Program focuses on basic topics of Evidence, Jury Selection, Cross/Direct Examination, Open/Closing Statements, Using Technology in the Courtroom, Ethics "Why We Do What We Do & Taking Care of Yourself in the Process" and Legislative Updates for lawyers an staff in rural areas and smaller cities throughout the state.	The course provides the training necessary to all attorneys, staff in order to improve attorney-client cooperation in state court criminal litigation. Intended to educate lawyers and staff to ethically investigate and represent the accused in state courts.	Evaluations and consultation with lawyers across the state.
Beating the Drum for Justice	Wichita Falls	4/28/2017	4/28/2017	9:00 - 4:00	6	40	Program focuses on basic topics of Evidence, Jury Selection, Cross/Direct Examination, Open/Closing Statements, Using Technology in the Courtroom, Ethics "Why We Do What We Do & Taking Care of Yourself in the Process" and Legislative Updates for lawyers an staff in rural areas and smaller cities throughout the state.	The course provides the training necessary to all attorneys, staff in order to improve attorney-client cooperation in state court criminal litigation. Intended to educate lawyers and staff to ethically investigate and represent the accused in state courts.	Evaluations and consultation with lawyers across the state.

Appellate w/HCPDO	Houston	5/11/2017	5/12/2017		6	40	Intensive, two day learning experience designed specifically for attorneys who represent indigent defendants in criminal and delinquency appeals in the state. Bring your case format.	A review of appellate laws and how to apply to active case.	Evaluations and requests from local offices
PD Defender Training	San Antonio	6/21/2017	6/21/2017	9:00 - 4:00	6	75	Annual CLE bringing public defenders from offices all over the state of Texas	Cover relevant topics that public defenders are facing throughout the state of Texas	Evaluations and requests from local offices
Capital Update	San Antonio	6/22/2017	6/22/2017	12:00 - 1:00	1	50	Speaker on capital murder topic during Rusty Duncan seminar.	Program is intended to inform capital litigators of developments in the investigation and presentation of evidence in capital murder cases.	Evaluations and survey of Capital Defenders Office, Texas Defender Service and others.
Trainer of Trainers	South Padre Island	7/12/2017	7/12/2017	9:00 - 2:00	5	55	Program focuses on basic topics of adult learning principles, presentation styles, webinars, speaker expectations, materials, av and support and guidelines from grant and TCDLA.	Intended to prepare lawyers to make presentations on legal topics throughout the state of Texas and to encourage new and diverse speakers to make presentations.	Evaluations and consultation with lawyers across the state.

Beating the Drum for Justice	South Padre Island	7/13/2017	7/14/2017	8:00 - 3:00	8	70	Program focuses on basic topics of Evidence, Jury Selection, Cross/Direct Examination, Open/Closing Statements, Using Technology in the Courtroom, Ethics "Why We Do What We Do & Taking Care of Yourself in the Process" and Legislative Updates for lawyers an staff in rural areas and smaller cities throughout the state.	The course provides the training necessary to all attorneys, staff in order to improve attorney-client cooperation in state court criminal litigation. Intended to educate lawyers and staff to ethically investigate and represent the accused in state courts.	Evaluations and consultation with lawyers across the state.
Winning Trial Strategies w/ SACDLA	San Antonio	8/25/2017	8/25/2017	9:00 - 5:00	7	75	Program teaches an overview of criminal substantive and procedure and rules of evidence.	Training focuses on PDs, designed to train lawyers new to criminal defense and veterans who need a refresher course.	Evaluations and special requests by host legal community.
Sexual Offender Registration	online	9/1/2016	8/31/2017	na	1	15	Presentation focuses on sexual offender registration and new laws.	Attendees will have access to training on complicated topic on hand.	Moving forward with technology and accessible cle.
Beating the Drum for Justice	online	9/1/2016	8/31/2017	na	1	40	Program focuses on basic topics of Evidence, Jury Selection, Cross/Direct Examination, Open/Closing Statements, Using Technology in the Courtroom, 6. Ethics "Why We Do What We Do & Taking Care of Yourself in the Process" and Legislative Updates for lawyers an staff in rural areas and smaller cities throughout the state.	The course provides the training necessary to all attorneys, staff in order to improve attorney-client cooperation in state court criminal litigation. Intended to educate lawyers and staff to ethically investigate and represent the accused in state courts.	Evaluations and consultation with lawyers across the state.

Legislative Update	online	9/1/2016	8/31/2017	na	2	50	Giving the update for all new legislation that has passed affecting criminal defense attorneys.	Attendees will have access to action of legislature	Moving forward with technology and accessible cle.
Legislative Update	phone conference	9/1/2016	8/31/2017	4:00 - 6:00	2	150	Giving the update for all new legislation that has passed affecting criminal defense attorneys.	Attendees will have access to action of legislature	accessible cle for law updates
Law School CLE	Various Law Schools	9/1/2016	8/31/2017	11:00 - 12:00	1	150	Prepare law students for expectations of criminal defense work, ongoing cases, updated laws.	The course provides and insight for law school students regarding criminal defense work and related current cases.	Evaluations and requests from local law schools
Rural CLE Local Bars	Various Local Bars	9/1/2016	8/31/2017	4:00 - 6:00	2	125	Prepare litigators in areas of the law specific to their immediate needs for issues that are arising in their county.	Effectively using the law and updated guidelines, attendees will have access to education and updates needed immediately for defense.	Evaluations and requests from local bars

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
TEXAS CRIMINAL DEFENSE LAWYERS ASSOCIATION - INNOCENCE GRANT
CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Program Description	Learning Objective(s)	Needs assessment
EXAMPLE: Big Changes in RESPA	Austin, TX	5/1/2010	5/1/2010	8:00 - 12:00	4	25	This presentation provides an overview of the new RESPA provisions with annotated forms to facilitate implementation.	Explain and apply new RESPA requirements.	Survey
Innocence for Students	Houston, TX	10/12/2016	10/12/2016	8:00 - 5:00	5	105	Attendees will receive instruction in the science of DNA and the sciences relied on by medical examiners. They will also be taught about evidence which can be obtained from cell phones and computers. Finally, they will learn how to qualify their experts and to contest the testimony offered by the State's expert witnesses.	Training attendees to recognize, evaluate, investigate and litigate valid innocence claims.	Evaluations

14th Annual Forensics	Houston, TX	10/13/2016	10/14/2016	8:00 - 5:00	14	275	Annual seminar to train lawyers handling cases which involve forensic sciences. Lawyers are introduced to science related to DNA, forensic autopsy, crime scene investigation and reconstruction, the discovery and use of digital evidence and false confessions. Crime scene processing, evidence testing and preparation for presentation and contesting the offer of forensic evidence is the focus of the training.	Course taught by scientists and experts designed to familiarize counsel with various forensic techniques and to identify "junk science." Attendees are also taught how to challenge the credentials of State experts and to secure the admission of the opinions of their experts.	Evaluations and suggestions from practitioners who litigate cases involving forensic sciences.
Exposing the Junk in Scientific Evidence	Austin, TX	1/5/2017	1/6/2017	8:00 - 5:00	12	80	Top attorneys and experts from around the world in various scientific fields will discuss the junk-science evidence within these fields.	The program will include bite-mark, mental health, shaken-baby syndrome, arson, DNA, child-sex cases, ballistics, and dog-scent evidence. Attendees will understand the science, attendee will ferret out the junk from within these areas, which is crucial for effective presentation or cross-examination.	

Child Welfare Forensics	Houston	4/13/2017	4/14/2017	8:00 - 5:00	12	160	Seminar to train lawyers regarding forensics in child abuse cases and mental health issues.	Course taught by pediatric healthcare experts and others designed to familiarize counsel with various forensic techniques and to identify "junk science." One focus of the training will be the diagnosis of "shaken baby syndrome" and the evaluation of experts making the	Evaluations and suggestions from practitioners who litigate cases involving forensic sciences.
Innocence Work for Attorneys	Austin, TX	8/3/2017	8/4/2017	8:00 - 5:00	12	155	Training in the prosecution of Habeas Writs and Applications for Pardons. Instruction on the forensic sciences and new technology which supports valid claims of innocence.	This program will train lawyers in the substantive law and procedure of prosecuting habeas corpus applications and clemency petitions as well as instruct attendees in the relevant forensic disciplines.	Evaluations
Rural CLE online	online	9/1/2016	8/31/2017		2	40	Prepare litigators in the application of the Michael Morton Act, especially as it relates to false confessions and "junk	Effectively using the Michael Morton Act to discover "junk science," to contest its admission and to limit its effect.	Evaluations and requests
Rural CLE	Various local bars	9/1/2016	8/31/2017	12:00 - 2:00	2	180	Prepare litigators in the application of the Michael Morton Act, especially as it relates to false confessions and "junk	Effectively using the Michael Morton Act to discover "junk science," to contest its admission and to limit its effect.	Evaluations and requests from local bars

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
TEXAS CRIMINAL DEFENSE LAWYERS ASSOCIATION - PUBLIC DEFENDER GRANT
CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Program Description	Learning Objective(s)	Needs assessment
EXAMPLE: Big Changes in RESPA	Austin, TX	5/1/2010	5/1/2010	8:00 - 12:00	4	25	This presentation provides an overview of the new RESPA provisions with annotated forms to facilitate implementation.	Explain and apply new RESPA requirements.	Survey
Round Top VI - Advanced Skills Training	Round top	10/5/2016	10/8/2016	8:00 - 5:00	22	25	Participants are taught, through role playing and role reversal, to get in touch with the emotions involved in their trials. Specifically, participants learn to tune in to their client's emotions in the preparation and conduct of trial and into the emotions of the deciders, whether they be judges or jurors, in order to present the most persuasive case.	PDs will be taught to use psychodrama techniques in the preparation and trial of indigent cases.	Evaluations and consultation with PD offices around the state.

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
The Center for American and International Law
CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Detailed Program Description	Learning Objective(s)	Assessment Tools
Evidence Boot Camp--includes day 1 faculty-only training	Plano, Texas	5/10/2017	5/12/2017	Program Day 1: 9:00 a.m. - 4:45 p.m., Reception at 4:45 p.m.; Day 2: 9:00 a.m. - 4:00 p.m.	12.00	75	This program for the defense is focused on capital trial issues, but should be valuable to all defense lawyers. The course is directed by Jerry Howeth, an Austin attorney, who is recognized as an expert in Texas evidentiary law. Participants will learn not only how to apply the rules of evidence in very practical situations, but will be exposed to Jerry's unique method of understanding the Texas Rules of Evidence. The program will consist of lectures and break-out sessions where attendees will apply the rules of evidence.	To improve the participants' understanding of and ability to use evidentiary tools and rules	Post-program evaluations, in additions to discussions with and recommendations from criminal defense lawyers
Cross Examination & Impeachment	Plano, Texas	12/5/2016	12/6/2016	Day 1: 8:45 a.m. - 5:00 p.m., Reception at 5:00 p.m.; Day 2: 8:30 a.m. - 4:30 p.m.	14.00	60	This program for the defense will be helpful both to lawyers experienced in cross examination techniques and those who are not. Keynote speaker Terence F. MacCarthy is one of the country's leading authorities on cross examination and will focus lectures and discussions on effective cross examination skills and impeachment of a prosecution witness. This non-capital course features lectures, trial practice sessions and a two-hour ethics presentation.	Improving cross and impeachment skills/techniques	Post-program evaluations, in additions to discussions with and recommendations from criminal defense lawyers
Trial Technology--includes day 1 faculty-only training	Plano, Texas	1/16/2017	1/18/2017	Program Day 1: 8:30 a.m. - 5:00 p.m.; Reception at 5:00 p.m.; Day 2: 8:20 a.m. - 4:45 p.m.	13.00	40	This program for the defense provides practical information regarding technology available to assist trial lawyers, to improve awareness of technology and how it can be used to assist lawyers in client representation.	Improve awareness of technology and how it can assist lawyers in client representation	Post-program evaluations, in additions to discussions with and recommendations from criminal defense lawyers
Capital Trial Voir Dire	Plano, Texas	3/21/2017	3/23/2017	Day 1: 9:00 a.m. - 4:00 p.m.; Day 2: 9:00 a.m. - 4:15 p.m.; Day 3: 9:00 a.m. - 12:15 a.m.	15.00	30	This program for the defense will help participants master one of the most important skills for capital lawyers – death penalty voir dire. Participants will practice these skills in break-out sessions.	Improving the ability of defense lawyers to select juries in capital cases	Post-program evaluations, in additions to discussions with and recommendations from criminal defense lawyers
Jury Selection & Communicating w/ Jurors	Plano, Texas	4/7/2017	4/7/2017	8:30 a.m. - 4:45 p.m.	7.00	70	A program for the defense. This program focuses on changes in the world of jury selection that affect Texas criminal defense lawyers. The faculty will discuss how to make jury selection as effective and efficient as possible. Presentations during this non-capital course will include case law updates, ethical issues, & jury selection from a Judge's perspective.	Improving the effectiveness of jury selection practices by the defense.	Post-program evaluations, in additions to discussions with and recommendations from criminal defense lawyers

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
The Center for American and International Law
CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Detailed Program Description	Learning Objective(s)	Assessment Tools
Capital Defense College	Plano, Texas	4/24/2017	4/27/2017	Day 1: 12:45 p.m.-5:15 p.m., Reception at 5:15 p.m.; Day 2: 8:30 a.m.- 4:30 p.m.; Day 3: 8:30 a.m.- 4:30 p.m.; Day 4: 8:30 a.m.- 3:00 p.m.	22.00	90	This program for the defense features a combination of lectures and demonstrations designed to give capital defense attorneys the practical skills necessary to represent their clients every step of the way, from appointment to plea, and if necessary, to trial. Sessions will address motion practice, mental health and trauma, and technology in the courtroom.	Improving the ability of attorney participants and those who assist them in defense litigation to effectively represent defendants in capital cases.	Post-program evaluations, in additions to discussions with and recommendations from criminal defense lawyers
Criminal Defense Trial Skills & Trial Law Program	Plano, Texas	8/1/2017	8/4/2017	Day 1: 9:00 a.m. - 5:30 p.m., Reception at 5:30; Day 2: 9:00 a.m. - 5:45 p.m.; Day 3: 9:00 a.m. - 6:00 p.m.; Day 4: 9:00 a.m. - 12:15 p.m.	25.00	60	A program for the defense. This non-capital course is designed for those who already have some trial experience and gives defense lawyers the opportunity to develop and hone their trial skills. The program focuses on trial skills (voir dire, opening statements, direct examination, cross examination and closing arguments) and law (evidence, protecting the record, and the court's charge). This course features lectures, demonstrations, and small group workshops which will require students to participate in voir dire, conduct direct & cross, and give opening and closing statements.	Improving the trial skills of Texas criminal defense lawyers	Post-program evaluations, in additions to discussions with and recommendations from criminal defense lawyers
Capital & Non-Capital Training for the Prosecution	Plano, Texas	8/23/2017	8/25/2017	Day 1: 8:30 a.m. - 5:30 p.m., Reception at 5:30 p.m.; Day 2: 8:30 a.m. - 5:00 p.m.; Day 3: 8:30 a.m. - 4:00 p.m.	20.00	95	This program will include training on capital and non-capital trial prosecution, emerging trends in capital trial prosecution, mental health issues, and a CCA update.	To promote quality representation in prosecutions	Post-program evaluations, in additions to discussions with prosecutors

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
The Center for American and International Law
Innocence Grant
CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Detailed Program Description	Learning Objective(s)	Assessment Tools
Webinar: Annual Program Establishing Innocence or Guilt, August 29-30, 2016*	ONLINE	12/15/2016	1/25/2017	N/A	11.00	75	Recordings of the FY16 Innocence program: Annual Program Establishing Innocence or Guilt, August 29-30, 2016, designed to increase awareness of ways to guard against and to correct wrongful convictions.	Increase awareness of ways to guard against and to correct wrongful convictions.	Post-program evaluations and discussions with and recommendations from members of the justice/educational community.
Webinar: Actual Innocence - Habeas Issues, August 31, 2016*	ONLINE	12/15/2016	1/25/2017	N/A	6.00	36	Recordings of the FY16 Innocence program: Actual Innocence - Habeas Issues, August 31, 2016, designed to improve ability of members of the justice system to handle habeas issues.	Improve ability of members of the justice system to handle habeas issues.	Post-program evaluations and discussions with and recommendations from members of the justice/educational community.
Establishing Innocence or Guilt - Causes of and Solutions to Wrongful Convictions	Plano, Texas	3/1/2017	3/3/2017	Day 1: 9:00 am - 5:~~15~~ pm; Day 2: 9:00 am - 5:00 pm; Day 3: 9:00 am - 4:30 pm;	19.00	138	This program permits us to highlight topical issues related to actual innocence, focusing on causes of and solutions to wrongful convictions. We will discuss such subjects as eye witness id, forensic evidence, bias, investigative techniques, and ethics. We will likely feature an exoneree, asking this person to tell his story as a way of personalizing the issue. Our intent is to provide a program that is relevant to prosecutors and their staff, defense lawyers and their staff, law enforcement officers and judges.	Increase awareness of, causes of and solutions to wrongful convictions.	Post-program evaluations and discussions with and recommendations from members of the justice/educational community.
Actual Innocence on the Road	Locations in Texas TBD	4/5/2017	6/5/2017	Either 9:00 a.m. - 12:45 p.m. or 1:00 - 4:45 p.m., depending upon city/day (total of 4 days, cities).	3.00	210	These four half-day (approx. 3.5 hours each) programs will review important current topics related to actual innocence and wrongful convictions, highlighting some of the issues addressed in our longer programs. One or more of the programs may be a Brady-focused discussion for prosecutors.	Increase awareness of issues related to wrongful convictions/actual innocence.	Post-program evaluations and discussions with and recommendations from members of the justice/educational community.
Webinar: Establishing Innocence or Guilt - Causes of and Solutions to Wrongful Convictions, February 15-17, 2017*	ONLINE	6/5/2017	7/5/2017		18.00	75	Recordings of the FY17 Innocence program: Establishing Innocence or Guilt - Causes of and Solutions to Wrongful Convictions, February 15-17, 2017, designed to increase awareness of ways to guard against and to correct wrongful convictions.	Increase awareness of, causes of and solutions to wrongful convictions.	Post-program evaluations and discussions with and recommendations from members of the justice/educational community.

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING
FY 2017
The Center for American and International Law
Innocence Grant
CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Detailed Program Description	Learning Objective(s)	Assessment Tools
Annual Program - Establishing Innocence or Guilt	Plano, Texas	8/29/2017	8/30/2017	9:00 a.m. - 5:00 p.m. each day.	13.00	86	This program provides an annual forum to consider topical issues related to wrongful convictions and answer the questions: Why do wrongful convictions occur? What can be done to make the justice system work better? This program may also look at a case study of actual innocence, and will focus on particular forensic issues.	Bring together representatives of several segments of the justice system to consider ways to guard against and to correct wrongful convictions.	Post-program evaluations and discussions with and recommendations from members of the justice/educational community.
Best Practices in Law Enforcement Investigations	Plano, Texas	8/31/2017	8/31/2017	8:30 a.m. - 4:30 p.m	6.00	45	This program focuses on causes of wrongful criminal convictions that can be impacted by law enforcement officers, often with particular attention on forensic issues, tunnel vision, interrogations and eye-witness identifications.	Inform law enforcement community about ways to guard against wrongful convictions.	Post-program evaluations and discussions with and recommendations from members of the law enforcement/educational community.
Habeas Issues	Plano, Texas	8/31/2017	8/31/2017	9:00 am - 5:00 pm	6.00	30	This program will focus attention on habeas issues, an area of criminal law practice that is too often not well understood, by providing a view into habeas law and practice from both the prosecution and defense perspectives. It will be useful both for habeas practitioners and their staff, and for trial lawyers and their staff who want to steer clear of post-trial problems.	Improve ability of members of the justice system to handle habeas issues.	Post-program evaluations and discussions with and recommendations from members of the justice/educational community.
Actual Innocence on the Road	Houston	10/13/2016	10/14/2016	1:00 p.m. - 4:30 p.m. each day.	6.00	210	This program will be a Brady-focused discussion for prosecutors. It will occur over the course of two half-days (approx. 3.5 hours each), and will review important current topics related to actual innocence and wrongful convictions, highlighting some of the issues addressed in our longer programs.	Increase awareness of issues related to wrongful convictions/actual innocence.	Post-program evaluations and discussions with and recommendations from members of the justice/educational community.

*Note: FY16 Innocence Budget included recording expenses for two Webinar programs (Program 1 & 2), which will take place this grant year (FY2017) and consequently are included here.

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING

Texas District and County Attorney's Association
CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Program Description	Learning Objective(s)	Needs assessment
Annual Criminal & Civil Law Update	Galveston	9/21/2016	9/23/2016	8:00 - 5:00	12	950	Overview of Different Criminal Topics ranging from Use of Force to Mental Health to Trial Techniques and Civil Practioners/County regulations and Brady issues with other ethics presentations	To provide an overview of different Criminal and Civil Law issues that are timely, relevant and accessible to our members, including prosecutors, investigators, victim services personnel and other staff members	Survey, Evaluations, Small Group Discussion
Key Personnel & Victim Services Coordinator Seminar	San Marcos	11/2/2016	11/4/2016	8:00 - 5:00	12	200	This Seminar provides an overview of different Victim Services issues and staff requirements, including Hot Checks, Victim's Rights, Persuasive Arguments, Parole Procedures, Crime Victims Compensation and more. A focus this year will be placed on ethical duties of support staff in a CA or DA office	To provide an overview of different staffing and victim services coordinator issues to prepare prosecutors staff for more effective working conditions better legal knowledge, and an understanding of the criminal justice system	Survey, Evaluations, Small Group Discussion
Elected Prosecutor Conference	Montgomery	11/30/2016	12/2/2016	8:00 - 5:00	12	170	This Conference provides an overview of issues relevant to elected District and County Attorneys, including Employment issues, criminal law issues, contractual issues, asset forfeiture, budget management and more	To provide an overview of issues relevant to elected District and County Attorneys, including Employment issues, criminal law issues, county regulations, asset forfeiture, budget management and more	Survey, Evaluations, Small Group Discussion
Prosecutor Trial Skills Course	Austin, TX	1/8/2017	1/13/2017	8:00 - 5:00	24	133	This is a basic trial skills course for newly sworn-in prosecutors, highlighting trial tactics and strategy, including ethics, opening, closing, cross-examination, voir dire, DWI, Domestic Violence, Batson Challenges, and Brady evidence	To provide an overview of trial strategy and tactics to new prosecutors through timely, relevant and accessible presentations and small group exercises involving hypotheticals. Some specific topic covered in this program include in-depth discussions of punishment enhancement per the requirements of Gov't Code 22.111 and diversions diversions per the requirements of Gov't Code 22.012.	Survey, Evaluations, Small Group Discussion
Investigator School	Austin, TX	2/13/2017	2/17/2017	8:00 - 5:00	25	300	This School provides an overview of different criminal topics that affect prosecutor investigators in their duties, including digital evidence, search & seizure issues, interrogation and interviewing, forensic evidence, and other legal and criminal issues	To provide an overview of different criminal and legal topics that are timely, relevant and accessible to prosecutor investigators, including forensics, interviewing suspects and witnesses, subpoenas, and more	Survey, Evaluations, Small Group Discussion
Prosecutor Management Institute	TBD	TBD	TBD	8:00 - 5:00	12	35	Prosecutor offices face many management challenges not found in other organizations. Most prosecutor supervisors have been promoted due to their courtroom abilities and may have no significant management training. Furthermore, prosecutors have enormous discretion in the performance of their duties, and having an effective communication strategy is critical to the ethical pursuit of justice. This training will provide a basic overview of employment law, identify the unique management challenges in a prosecutor office, and suggest strategies for communicating the office policies, team formation, and conflict resolution. Please note, this course is currently under development and will evolve as feedback from service group is gathered. Course date and location will be determined through continued refinement of material.	To identify unique challeges found in the management of prosecutor offices and suggest strategies for communication of office policies, creation of a healthy office culture, and conflict resolution	Survey, Evaluations, Small Group Discussion
Train the Trainer	Fredericksburg, TX	3/6/2017	3/10/2017	8:00 - 5:00	20	34	This training provides information on adult learning techniques, increased effectiveness of teaching, memory increase, presentation skills and other effective communication information.	To provide an overview of improved learning and teaching through presentations, small group discussions, hypotheticals and attendees actually performing a presentation	Survey, Evaluations, Small Group Discussion

COURT OF CRIMINAL APPEALS OF TEXAS
JUDICIAL AND COURT PERSONNEL TRAINING PROGRAM
APPLICATION FOR GRANT FUNDING

Texas District and County Attorney's Association
CURRICULUM PLAN

Event Title	Location	Date From	Date To	Time	Course Hours	Expected number of participants	Program Description	Learning Objective(s)	Needs assessment
Crimes Against Persons	Houston, TX	4/11/2017	4/14/2017	8:00 - 5:00	24	150	The investigation and prosecution of violent offenses present unique challenges. This training will identify those challenges and make suggestions as to interacting with victims, identifying the types of evidence available in these cases, and trial tactics to effectively prosecute a case. This course is intended to be a more diffuse training over multiple offense types.	To identify the challenges involved with investigating and prosecuting person offenses, to review types of evidence potentially available in these cases, and to demonstrate effective trial strategy and tactics in a variety of case types wherein a person is the victim of the offense.	Survey, Evaluations, Small Group Discussion
Civil Law Seminar	San Antonio	5/10/2017	5/12/2017	8:00 - 5:00	12	143	This training provides an overview of legal and ethical issues concerning the civil practitioner in a county or district attorneys office, including employment law, bond forfeitures and bail bondsman, county regulations, contracting, mental health issues, and more	To provide an overview of the legal and ethical issues facing civil practitioners in county and district attorney offices through a series of live presentations	Survey, Evaluations, Small Group Discussion
Digital / Cyber Crimes	San Antonio	6/7/2017	6/9/2017	8:00 - 5:00	15	140	This training will be an overview of the sometimes complex issues relating to offenses with a digital or technological component. Evidence collection, agency collaboration and venue decision will all be included in the training as well as an in depth look at the offenses most commonly associated with a innovative computing	To gain a more in depth understanding offenses coupled with technological or digital components. To identify methods of evidence collection and sponsorship. To identify legal issues related to these offenses and methods to resolve said issues	Survey, Evaluations, Small Group Discussion
Prosecutor Trial Skills Course	Austin, TX	7/9/2017	7/14/2017	8:00 - 5:00	24	135	This is a basic trial skills course for newly sworn-in prosecutors, highlighting trial tactics and strategy, including ethics, opening, closing, cross-examination, voir dire, DWI, Domestic Violence, Batson Challenges, and Brady evidence.	To provide an overview of trial strategy and tactics to new prosecutors through timely, relevant and accessible presentations and small group exercises involving hypotheticals. Some specific topic covered in this program include in-depth discussions of punishment enhancement per the requirements of Gov't Code 22.111 and diversions diversions per the requirements of Gov't Code 22.012.	Survey, Evaluations, Small Group Discussion
2017 Summer Regionals	Austin, TX	7/24/2016		8:00 - 5:00	6	800	This training is slated to roll out the inaugural Prosecutor Management Development course. Course development is ongoing. By incorporating one day events across the state, we will be able to deliver a training product that provides a greater depth than what is allowed in a larger format. Management training for prosecutors has consistently been a topic that our member group has requested. By helping our membership become better able to manage fellow prosecutors and support staff, the product and efficiency of these offices will improve. This will enable these offices to better ensure that the message to see justice done is conveyed and followed by all their personnel	To provide an overview of basic management concepts including employment law, communication skills, and employee evaluations. To develop individual management skills including effective evaluation and ongoing evaluation of personnel	Survey, Evaluations, Small Group Discussion
Advanced Trial Skills Course	Waco, TX	7/31/2017	8/4/2017	8:00 - 5:00	23	32	This is an advanced trial skills course for experienced prosecutors to fine-tune and elevate their trial skills through focused lectures and courtroom training with a hypothetical trial, involving jury selection, cross-examination, closing, dealing with experts, and more.	To provide an overview of trial strategy and tactics to experienced prosecutors through timely, relevant and accessible lectures and courtroom presentations involving a hypothetical criminal case	Survey, Evaluations, Small Group Discussion

The 14 Courts Of Appeals Districts
Summary of Recommendations - House

Pages IV-7 through IV-23

The Honorable Jeff Rose, Chair, Council of Chief Justices

George Dziuk, LBB Analyst

Method of Financing	2016-17 Base	2018-19 Recommended	Biennial Change ($)	Biennial Change (%)
General Revenue Funds	$77,632,857	$77,816,857	$184,000	0.2%
GR Dedicated Funds	$0	$0	$0	0.0%
Total GR-Related Funds	*$77,632,857*	*$77,816,857*	*$184,000*	*0.2%*
Federal Funds	$0	$0	$0	0.0%
Other	$5,964,042	$5,962,486	($1,556)	(0.0%)
All Funds	**$83,596,899**	**$83,779,343**	**$182,444**	**0.2%**

	FY 2017 Budgeted	FY 2019 Recommended	Biennial Change	Percent Change
FTEs	417.5	413.5	(4.0)	(1.0%)

The bill patterns for these courts (2018-19 Recommended) represent the following percentages for each of the courts' estimated total available funds.

First Court of Appeals District, Houston 92.1%

Second Court of Appeals District, Fort Worth 92%

Third Court of Appeals District, Austin 91.3%

Fourth Court of Appeals District, San Antonio 90.4%

Fifth Court of Appeals District, Dallas 95%

Sixth Court of Appeals District, Texarkana 95.1%

Seventh Court of Appeals District, Amarillo 92.4%

Eighth Court of Appeals District, El Paso 93.9%

Ninth Court of Appeals District, Beaumont 95%

Tenth Court of Appeals District, Waco 98.1%

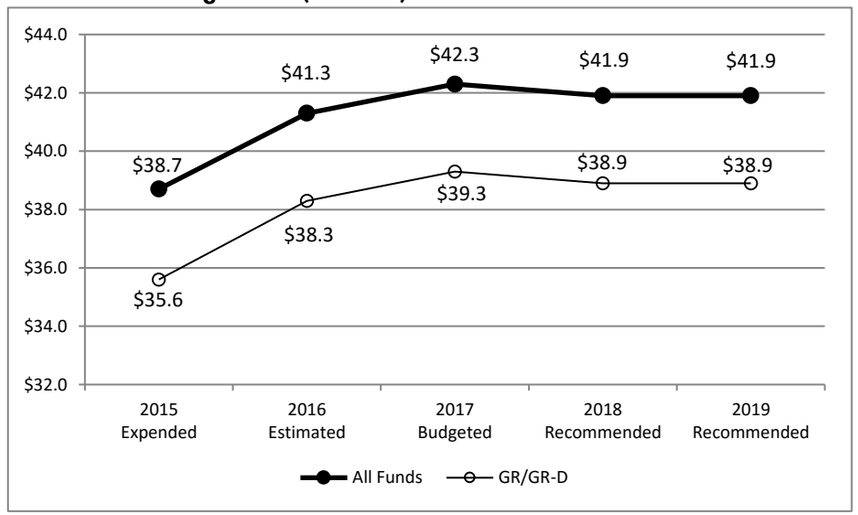
Eleventh Court of Appeals District, Eastland 95.7%

Twelfth Court of Appeals District, Tyler 95%

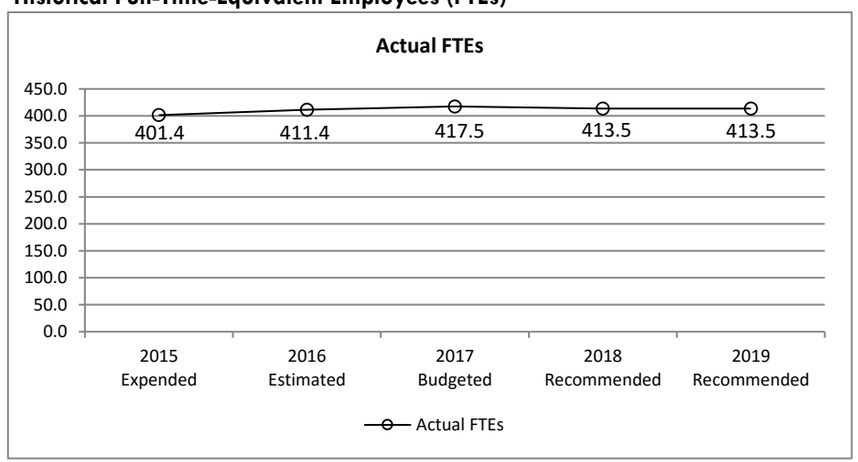
Thirteenth Court of Appeals District, Corpus Christi-Edinburg 98.4%

Fourteenth Court of Appeals District, Houston 92.3%

Historical Funding Levels (Millions)



Historical Full-Time-Equivalent Employees (FTEs)



The 14 Courts Of Appeals Districts
Summary of Funding Changes and Recommendations - House

	Funding Changes and Recommendations for the 2018-19 Biennium compared to the 2016-17 Base Spending Level (in millions)	General Revenue	GR-Dedicated	Federal Funds	Other Funds	All Funds	Strategy in Appendix A
SIGNIFICANT Funding Changes and Recommendations (each issue is explained in Section 3 and additional details are provided in Appendix A):							
A)	Maintain $3.1 million in General Revenue and 24.5 FTEs that were included in the courts' 4 percent reduction to enable the courts to continue to process cases and reduce pending caseloads at 2016-17 levels.	$0	$0	$0	$0	$0	A.1.1
OTHER Funding Changes and Recommendations (these issues are not addressed in Section 3 but details are provided in Appendix A):							
B)	Maintain the 12th Court of Appeals, Tyler at 2016-17 appropriated levels by including operational funds that were lapsed in 2016-17.	$0.2	$0	$0	$0	$0.2	A.1.1
TOTAL SIGNIFICANT & OTHER Funding Changes and Recommendations (in millions)		**$0.2**	**$0**	**$0**	**$0**	**$0.2**	**As Listed**
	SIGNIFICANT & OTHER Funding Increases	$0.2	$0	$0	$0	$0.2	As Listed
	SIGNIFICANT & OTHER Funding Decreases	$0	$0	$0	$0	$0	As Listed

The 14 Courts of Appeals Districts
Selected Fiscal and Policy Issues - House

1. **Appellate Court Operations:** Recommendations continue $3.1 million in General Revenue with authority for 24.5 FTEs for the Appellate Court Operations strategies for the 14 Courts of Appeals to maintain the court's clearance rates at or above 100 percent. This includes continuing the Twelfth Court of Appeals, Tyler, at 2016–17 appropriated levels by including operational funds that were lapsed in 2016–17. The four percent reduction would have included the following:

   1) 13 staff attorneys
   2) Transitioning 1 staff attorney from a full-time to a part-time position
   3) 2 Deputy Clerks
   4) Transitioning 2 deputy clerks from full-time to part-time positions
   5) 4 Administrative positions
   6) 4 Law Clerk positions

2. **14 Courts of Appeals Caseloads and Clearance Rates:** The number of cases filed amongst the 14 Courts of Appeals has been steadily declining, resulting in a 10 percent decrease in new cases added since fiscal year 2012. Over that same time period, the Courts of Appeals' case dispositions have decreased by 7.4 percent and pending caseloads have also been decreasing by approximately 16 percent. This correlates with aggregate clearance rate data for the 14 Courts of Appeals showing that more cases were disposed than added each fiscal year since fiscal year 2013. A clearance rate measures the number of cases disposed as a percentage of filings during a reporting period. A clearance rate of 100 percent indicates that the court disposed of the same number of cases during the year as were added, resulting in no change to the court's case backlog. Average time to disposition amongst the 14 Courts of Appeals remained steady over this same time period.

   In addition, the Courts of Appeals have seen increases among the following types of cases:
   - Pro se litigant cases; cases where a person represents himself or herself in court;
   - A 47 percent increase since fiscal year 2007 in accelerated cases that statute requires be resolved within 6 months. This caseload represented 25 percent of the 9,333 new cases filed in fiscal year 2016;
   - A 202 percent increase since fiscal year 2007 in parental termination cases with an expedited appeal that statute requires be resolved within 6 months; and
   - The number of petitions for a Writ of Mandamus; these writs are orders from a superior court to a lower court commanding that court or official perform or refrain from a specific act.

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016 (Estimated)	% Change 2012-2016	% Change 2015-2016
New Cases Filed	10,416	9,964	9,597	9,277	9,346	(10.3%)	0.7%
Cases Disposed	11,709	11,498	11,549	11,189	10,848	(7.4%)	(3.0%)
Cases Pending	7,929	7,698	7,294	6,750	6,673	(15.8%)	(1.1%)
Clearance Rate	98.2%	102.2%	104.0%	105.2%	103.5%	N/A	N/A
Average Time to Disposition (months)	8.2	8.7	8.6	8.4	8.1	(1.2%)	(3.6%)
All Funds Expenditures	$32,890,078	34,000,887	$37,515,826	$38,726,615	$41,316,652	26.6%	6.7%

Notes:
1. The Courts of Appeals report clearance rates separately to the Legislative Budget Board as a performance measure, however the Office of Court Administration provides aggregated 14 Courts of Appeals caseload data in its Annual Statistical Report.
2. Cases Disposed and Cases Pending may contain cases that were filed in prior fiscal years.

Source: Office of Court Administration

3. **Judicial Compensation Commission**: The Judicial Compensation Commission is recommending a 10.2 percent increase in judicial salaries for the 2018–19 biennium. This would increase the state salary of a Court of Appeals Justice from $154,000 to $169,708 and a Chief Justice of a Court of Appeals from $156,500 to $172,208. The most recent judicial salary adjustment was a 12 percent increase in the 2014–15 biennium for judge and prosecutor positions linked to district judge pay totaling $34.8 million across the 2014–15 biennium.

The 14 Courts of Appeals Districts
Rider Highlights - House

10th Court of Appeals District, Waco

Deleted Riders

2. **Unexpended Balance Authority:** Recommendations delete the rider, but continue $100,000 in General Revenue appropriations for the court's facilities relocation in the 2018–19 biennium.

The 14 Courts of Appeals Districts
Items Not Included in Recommendations - House

	2018-19 Biennial Total					
	GR & GR-D	All Funds	FTEs	Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2020-22
Court Exceptional Items - In Court Priority Order						
None						
TOTAL Items Not Included in Recommendations	**$0**	**$0**	**-**			**$0**

The 14 Courts of Appeals Districts
Appendices - House

* Appendix is not included - no significant information to report

** Information is included in the presentation section of the packet

The 14 Court of Appeals Districts
Funding Changes and Recommendations - House, by Strategy -- ALL FUNDS

Strategy/Goal	2016-17 Base	2018-19 Recommended	Biennial Change	% Change	Comments
Metropolitan Courts					
First Court of Appeals District, Houston					
APPELLATE COURT OPERATIONS A.1.1	$9,426,336	$9,411,254	($15,082)	(0.2%)	All Funds recommendations for the 14 Courts of Appeals differ from 2016-17 levels due to adjustments to Appropriated Receipts and Interagency Contracts. Recommendations continue $3.1 million in General Revenue funding for all 14 Courts of Appeals at 2016-17 levels to maintain the court's clearance rates at or above 100 percent (see also, Selected Fiscal and Policy Issues - House #1)
Fifth Court of Appeals District, Dallas					
APPELLATE COURT OPERATIONS A.1.1	$12,867,498	$12,867,498	$0	0.0%	
Fourteenth Court of Appeals District, Houston					
APPELLATE COURT OPERATIONS A.1.1	$9,694,261	$9,677,544	($16,717)	(0.2%)	
All Other Courts of Appeals					
Second Court of Appeals District, Fort Worth					
APPELLATE COURT OPERATIONS A.1.1	$7,278,295	$7,282,579	$4,284	0.1%	
Third Court of Appeals District, Austin					
APPELLATE COURT OPERATIONS A.1.1	$6,112,724	$6,122,008	$9,284	0.2%	
Fourth Court of Appeals District, San Antonio					
APPELLATE COURT OPERATIONS A.1.1	$7,254,325	$7,261,358	$7,033	0.1%	
Sixth Court of Appeals District, Texarkana					
APPELLATE COURT OPERATIONS A.1.1	$3,324,923	$3,321,923	($3,000)	(0.1%)	
Seventh Court of Appeals District, Amarillo					
APPELLATE COURT OPERATIONS A.1.1	$4,146,297	$4,144,212	($2,085)	(0.1%)	
Eighth Court of Appeals District, El Paso					
APPELLATE COURT OPERATIONS A.1.1	$3,368,491	$3,375,934	$7,443	0.2%	

The 14 Court of Appeals Districts
Funding Changes and Recommendations - House, by Strategy -- ALL FUNDS

Strategy/Goal	2016-17 Base	2018-19 Recommended	Biennial Change	% Change	Comments
Ninth Court of Appeals District, Beaumont					
APPELLATE COURT OPERATIONS A.1.1	$4,150,597	$4,150,597	$0	0.0%	
Tenth Court of Appeals District, Waco					
APPELLATE COURT OPERATIONS A.1.1	$3,429,210	$3,429,210	$0	0.0%	
Eleventh Court of Appeals District, Eastland					
APPELLATE COURT OPERATIONS A.1.1	$3,327,950	$3,327,950	$0	0.0%	
Twelfth Court of Appeals District, Tyler					
APPELLATE COURT OPERATIONS A.1.1	$3,134,153	$3,316,153	$182,000	5.8%	Recommendations continue funding for the Twelfth Court of Appeals at 2016-17 appropriated levels by including operational funds that were lapsed in 2016-17
Thirteenth Court of Appeals District, Corpus Christi-Edinburg					
APPELLATE COURT OPERATIONS A.1.1	$6,081,839	$6,091,123	$9,284	0.2%	
Total, LBB Recommendations	**$83,596,899**	**$83,779,343**	**$182,444**	**0.2%**	

The 14 Courts Of Appeals Districts
FTE Highlights - House

Full-Time-Equivalent Positions	Expended 2015	Estimated 2016	Budgeted 2017	Recommended 2018	Recommended 2019
Cap	413.7	429.7	429.7	413.5	413.5
Actual/Budgeted	401.4	411.4	417.5	NA	NA

Schedule of Exempt Positions (Cap)					
Chief Justice (1)	$156,500	$156,500	$156,500	$156,500	$156,500
Justice (8)	$154,000	$154,000	$154,000	$154,000	$154,000

Notes:
a) The 14 Courts of Appeals are exempted from Article IX, Section 6.10, which limits the number of FTEs paid from appropriated funds to the amounts specified in the General Appropriations Act.

b) FTE recommended amounts reflect amounts requested by the 14 Courts of Appeals for the 2018-19 biennium which are 4.0 FTEs lower than fiscal year 2017 amounts.

The 14 Courts Of Appeals Districts
Summary of Ten Percent Biennial Base Reduction Options - House

Court	Priority	Item	Description/Impact	Biennial Reduction Amounts			Potential Revenue Loss	Reduction as % of Program GR/GR-D Total	Included in Introduced Bill?
				GR & GR-D	All Funds	FTEs			
1st	1	Reduce Legal and Non-Legal Staff Positions	The reduction would eliminate three staff attorney positions, two law clerk positions, one administrative assistant position, and one deputy clerk position. Reduction would impact the Court's case processing and clearance rates, and would contribute to a backlog in case dispositions. An alternative option would be an an across-the-board salary reduction. This would drop staff salaries below those of other comparable positions in both the public and private sectors.	$841,167	$841,167		$0	10%	No
2nd	1	Reduce Legal and Non-Legal Staff Positions	The reduction would eliminate two staff attorney positions, two legal secretary positions, and one deputy clerk position. This reduction would result in a 21 percent decrease in the Court's permanent legal staff, a 40 percent reduction in the Court's upper-level administrative staff, and a 29 percent reduction in the clerk's office staff. This would result in greater difficulty in managing the court's accelerated cases and would contribute to a larger number of pending cases.	$646,318	$646,318	5.0	$0	10%	No
3rd	1	Reduce Two Staff Attorney Positions	The reduction would eliminate two staff attorney positions representing 12 percent of the Court's legal staff. The court anticipates that this would result in a decrease in the Court's Clearance Rate to 80 percent and would create a case backlog.	$271,786	$271,786	2.0	$0	5%	No
3rd	2	Reduce Two Staff Attorney Positions	The reduction would eliminate two staff attorney positions. The court anticipates that this reduction would result in a decrease in the court's clearance rate to 70 percent and an increase in the time for which a case remains pending.	$271,786	$271,786	2.0	$0	5%	No
4th	1	Reclassify Seven Staff Attorney Positions	The reduction would reclassify seven staff attorney positions to a lower position category, with a corresponding decrease in salary. The court anticipates this would reduce the court's clearance rate below 90 percent and increase the time for which an appeal remains pending.	$646,009	$646,009		$0	10%	No
5th	1	Reduce Legal and Non-Legal Staff Positions	The reduction would eliminate five staff attorney positions, one administrative assistant position, and two deputy clerk positions. This represents 15.87% of the court's legal staff, 20.00% of the court's administrative staff, and 22.22% of the court's clerical staff. This would result in the court falling below a 2:1 lawyer-to-judge ratio and would cause the court's clearance rate to decrease and would increase the number of cases pending after one year by 18 percent.	$1,158,460	$1,158,460	8.0	$0	10%	No
6th	1	Reduce One Staff Attorney Position	The reduction would eliminate a staff attorney position. The court anticipates this would contribute to a backlog in case dispositions, increase the court's docket with pending cases, and lower its clearance rate from 90 to 80 percent.	$210,000	$210,000	1.0	$0	7%	No
6th	2	Reduce One Support Staff Position	The reduction would eliminate one support staff. The court anticipates this would increase the length of time required for the court to process an appeal and would affect the court's clearance rate.	$90,386	$90,386	1.0	$0	3%	No
7th	1	Reduce Two Unidentified Positions	The reduction would eliminate two unidentified positions resulting in a decrease in the court's clearance rate and an increase in the backlog of cases	$373,057	$373,057	2.0	$0	10%	No

The 14 Courts Of Appeals Districts
Summary of Ten Percent Biennial Base Reduction Options - House

Court	Priority	Item	Description/Impact	Biennial Reduction Amounts			Potential Revenue Loss	Reduction as % of Program GR/GR-D Total	Included in Introduced Bill?
				GR & GR-D	All Funds	FTEs			
8th	1	Reduce Two Staff Attorney Positions	The reduction would eliminate two staff attorney positions. The court anticipates this would create additional case backlogs and reduce the timeliness and efficiency in the disposition of appeals.	$300,003	$300,003	2.0	$0	10%	No
9th	1	Reduce 2.5 Unidentified Positions	The reduction would eliminate 2.5 unidentified positions. The court anticipates this would negatively impact its disposition rate and result in a backlog of cases.	$373,382	$373,382	2.5	$0	10%	No
10th	1	Reduce Renovation/Relocation Budget	The reduction would significantly reduce funding budgeted by the court for relocation or remodeling of the court's facilities.	$154,959	$154,959		$0	5%	No
10th	2	Eliminate Renovation/Relocation Budget	The reduction would eliminate funding budgeted by the court for relocation or remodeling of the court's facilities.	$27,630	$27,630		$0	1%	No
10th	3	Reduce Legal and Non-Legal Staff Positions	The reduction would eliminate a staff attorney position and a deputy clerk position that are currently unfilled.	$110,000	$110,000	1.0	$0	3%	No
10th	4	Reduce Bailiff Coverage	The reduction would reduce the bailiff from part-time coverage to approximately 1/4 of this position's normal hours.	$17,329	$17,329	0.2	$0	1%	No
11th	1	Reduce Two Unidentified Positions and Reduce Legal Reference Material and Online Research Access	The reduction would eliminate two unidentified positions and would reduce the court's law library, research materials, and online research access. The court anticipates this would reduce dispositions and increase the time for which appeals remain pending.	$300,197	$300,197	2.0	$0	10%	No
12th	1	Reduce Two Staff Attorney Positions	The reduction would eliminate two staff attorney positions. The court anticipates this would negatively impact clearance rates and contribute to a backlog in case dispositions.	$282,168	$282,168	2.0	$0	9%	No
13th	1	Reduce Staff Attorney Positions	The reduction would eliminate 1.5 staff attorney positions. This would result in a reduction in the disposition of appeals decreasing the court's clearance rate to 80 percent, and increase the time for which appeals remain pending during the biennium.	$270,399	$270,399	1.5	$0	5%	No
13th	2	Reduce Staff Attorney Positions	The reduction would eliminate 1.5 staff attorney positions. This would result in a reduction in the disposition of appeals decreasing the court's clearance rate to 80 percent, and increase the time for which appeals remain pending during the biennium.	$270,400	$270,400	1.5	$0	5%	No
14th	1	Reduce Legal and Non-Legal Staff Positions	The reduction would eliminate three staff attorney positions, two law clerk positions, and one administrative assistant position. This would result in a decrease in the court's dispositions, negatively impact the clearance rate, and increase the pending caseload. Alternatively, the court could implement across-the-board salary reductions.	$842,281	$842,281	6.0	$0	10%	No
TOTAL, 10% Reduction Options				**$841,167**	**$841,167**		**$0**		

14 Courts of Appeals

No materials provided.

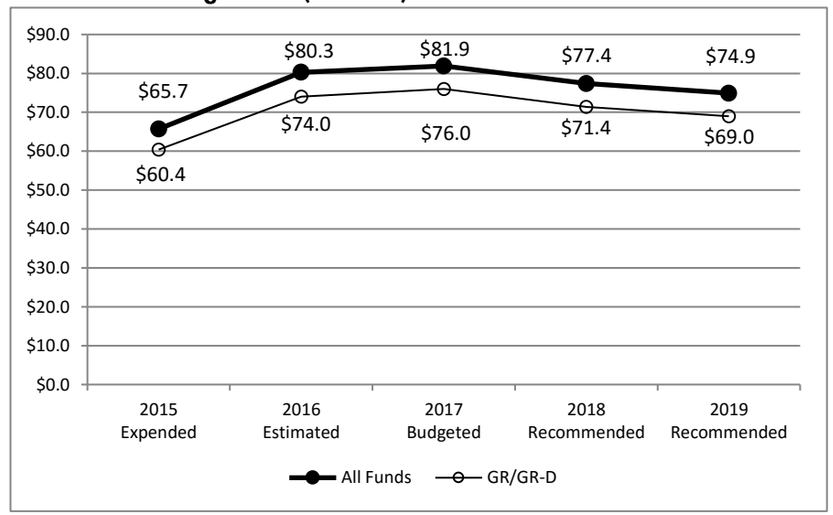
Office of Court Administration, Texas Judicial Council
Summary of Recommendations - House

Page IV-23
David Slayton, Administrative Director
George Dziuk, LBB Analyst

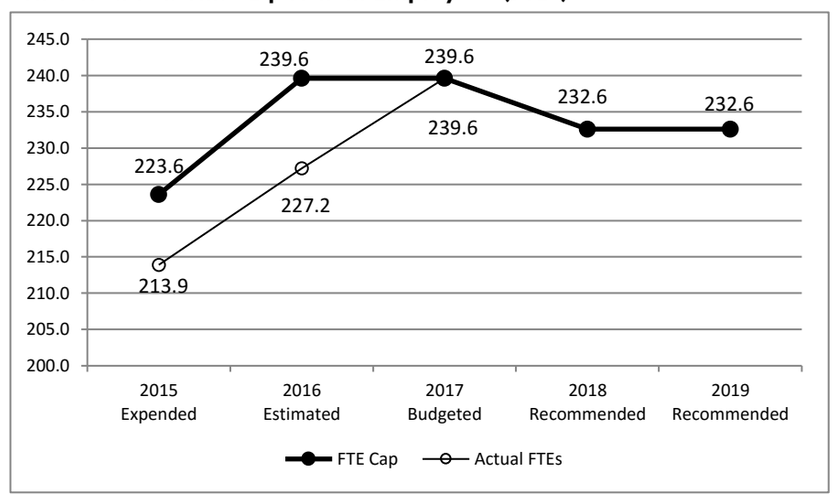
Method of Financing	2016-17 Base	2018-19 Recommended	Biennial Change ($)	Biennial Change (%)
General Revenue Funds	$40,266,441	$36,715,294	($3,551,147)	(8.8%)
GR Dedicated Funds	$109,739,454	$103,711,352	($6,028,102)	(5.5%)
Total GR-Related Funds	*$150,005,895*	*$140,426,646*	*($9,579,249)*	*(6.4%)*
Federal Funds	$63,836	$0	($63,836)	(100.0%)
Other	$12,120,771	$11,853,910	($266,861)	(2.2%)
All Funds	**$162,190,502**	**$152,280,556**	**($9,909,946)**	**(6.1%)**

	FY 2017 Budgeted	FY 2019 Recommended	Biennial Change	Percent Change
FTEs	239.6	232.6	(7.0)	(2.9%)

Historical Funding Levels (Millions)



Historical Full-Time-Equivalent Employees (FTEs)



The bill pattern for this agency (2018-19 Recommended) represents an estimated 100% of the agency's estimated total available funds for the 2018-19 biennium.

Office of Court Administration, Texas Judicial Council
Summary of Funding Changes and Recommendations - House

	Funding Changes and Recommendations for the 2018-19 Biennium compared to the 2016-17 Base Spending Level (in millions)	General Revenue	GR-Dedicated	Federal Funds	Other Funds	All Funds	Strategy in Appendix A
	SIGNIFICANT Funding Changes and Recommendations (each issue is explained in Section 3 and additional details are provided in Appendix A):						
A)	Decrease funding for grants to counties for indigent defense costs due to anticipated reductions in court cost revenue and available balances in the General Revenue-Dedicated Fair Defense Account No. 5073. The agency submitted a $2.8 million reduction in available balances in its 4 percent reduction in addition to including an anticipated $2.4 million revenue reduction in its 2018-19 baseline request.	$0.0	($5.2)	$0.0	$0.0	($5.2)	D.1.1.
B)	Decrease in General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 funding submitted in the agency's 4 percent reduction.	$0.0	($0.8)	$0.0	$0.0	($0.8)	A.1.2.
C)	Decrease in funding for Centralized Accounting and Payroll/Personnel System (CAPPS) deployments with authority for 2.0 FTEs which the agency submitted $0.4 million in its 4 percent reduction.	($0.8)	$0.0	$0.0	$0.0	($0.8)	A.1.2.
D)	Decrease in one-time funding for the Guardianship Compliance Pilot Project.	($0.6)	$0.0	$0.0	$0.0	($0.6)	A.1.1, A.1.2.
E)	Decrease in one-time funding for the Timothy Cole Exoneration Review Commission.	($0.2)	$0.0	$0.0	$0.0	($0.2)	A.1.1.
	OTHER Funding Changes and Recommendations (these issues are not addressed in Section 3 but details are provided in Appendix A):						
F)	One-time funding to replace aging security technology and a legacy data analysis system used to monitor the 4 judicial professions regulated by the Judicial Branch Certification Commission.	($1.6)	$0.0	$0.0	$0.0	($1.6)	A.1.2.
G)	Decrease in funding for reimbursements to counties to provide administrative assistants to the presiding judges of the administrative judicial regions submitted in the agency's 4 percent reduction.	($0.3)	$0.0	$0.0	$0.0	($0.3)	A.1.4.
H)	Decrease of $23,750 in General Revenue funding for travel expenses for Appellate Justices and staff for transferred cases that was submitted in the agency's 4 percent reduction	$0.0	$0.0	$0.0	$0.0	$0.0	A.1.3.
I)	Decreases and increases in appropriated receipts and interagency contracts that combined result in a net decrease.	$0.0	$0.0	$0.0	($0.3)	($0.3)	A.1.1, A.1.2, A.1.4, B.1.1, B.1.2, C.1.1, D.1.1
	TOTAL SIGNIFICANT & OTHER Funding Changes and Recommendations (in millions)	**($3.5)**	**($6.0)**	**$0.0**	**($0.3)**	**($9.8)**	As Listed
	SIGNIFICANT & OTHER Funding Increases	$0.0	$0.0	$0.0	$0.0	$0.0	As Listed
	SIGNIFICANT & OTHER Funding Decreases	($3.5)	($6.0)	$0.0	($0.3)	($9.8)	As Listed

Note: Totals may not sum due to rounding.

Office of Court Administrative, Texas Judicial Council
Selected Fiscal and Policy Issues - House

1. The Legislative Appropriations Request submitted reflects the appropriations requests of both the Office of Court Administration (OCA), Texas Judicial Council (OCA and TJC respectively), and the Texas Indigent Defense Commission (TIDC). TIDC is a standing committee of the Texas Judicial Council, and is administratively attached to the Office of Court Administration.

2. **Electronic Case Filing Funding.** Recommendations provide $22.4 million each year for management of the e-filing system and remove the estimated appropriation authority for these funds. This includes a decrease of $788,018 in General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 funding from 2016–17 levels submitted in the agency's 4 percent reduction. OCA uses these funds to pay a vendor, Tyler Technologies, to manage the e-filing system and to assist courts in implementing mandated electronic filing. The agency has reported that this reduction will not impact the contracts with the vendor. The Comptroller's Biennial Revenue Estimate (BRE) anticipates revenue collections of $44.5 million for the 2018–19 biennium in addition to remaining available balances of $5.2 million at the end of fiscal year 2017. This will result in a $5.0 million balance being available for appropriation.

   The enactment of Senate Bill 1139, Eighty-fourth Legislature, Regular Session, increased the filing fee for civil cases in county-level, district, and appellate courts from $20 to $30 to compensate for reductions in e-filing revenues during the 2014–15 biennium (See also, Rider Highlights – House #15 and Items Not Included in Recommendations for OCA – House #6).

3. **Timothy Cole Exoneration Review Commission:** Recommendations do not include $245,304 in General Revenue funding with 2.0 FTEs for the Timothy Cole Exoneration Review Commission to examine cases in Texas in which an innocent defendant was convicted and subsequently exonerated after January 1, 2010. The Commission, which was established with the enactment of HB 48, Eighty-fourth Legislature, Regular Session, is required to submit a report by December 1, 2016 on its work and will be abolished upon the earlier of either the date the Commission submits its report, or December 1, 2016.

4. **CAPPS Deployment:** Recommendations do not include $803,438 in General Revenue with 2.0 FTEs each year for Centralized Accounting and Payroll/Personnel System (CAPPS) deployment for OCA to assist courts and judicial agencies in the transition. 2016–17 funding provided for a project manager and a management analyst to oversee the support, which began in fiscal year 2016. The agency submitted $431,624 from this funding in its 4 percent reduction and requested to retain the remaining amount of $371,814 in 2018-19 to complete the full deployment among the courts and judicial agencies, which the recommendations remove.

5. **Guardianship Compliance Project:** Recommendations remove one-time funding of $590,881 in General Revenue with 3.0 FTEs each year for the Guardianship Compliance Pilot Project to review adult guardianship cases to identify reporting deficiencies by the guardian, audit annual accountings and report findings back to the judge, and work with courts to develop best practices in managing guardianship cases. Funding provided for the 2016–17 biennium pilot project was used to review 10,325 guardianship files from 18 courts in 11 counties. Project findings include a recommendation to close 76 percent of the reviewed cases that were not active and a determination that 43 percent of filings were out of compliance with at least one element of statutorily required reporting. OCA submitted a performance report on the pilot project in December, 2016 (See Also, Rider Highlights – House #20 and Items Not Included in Recommendations for OCA – House #2).

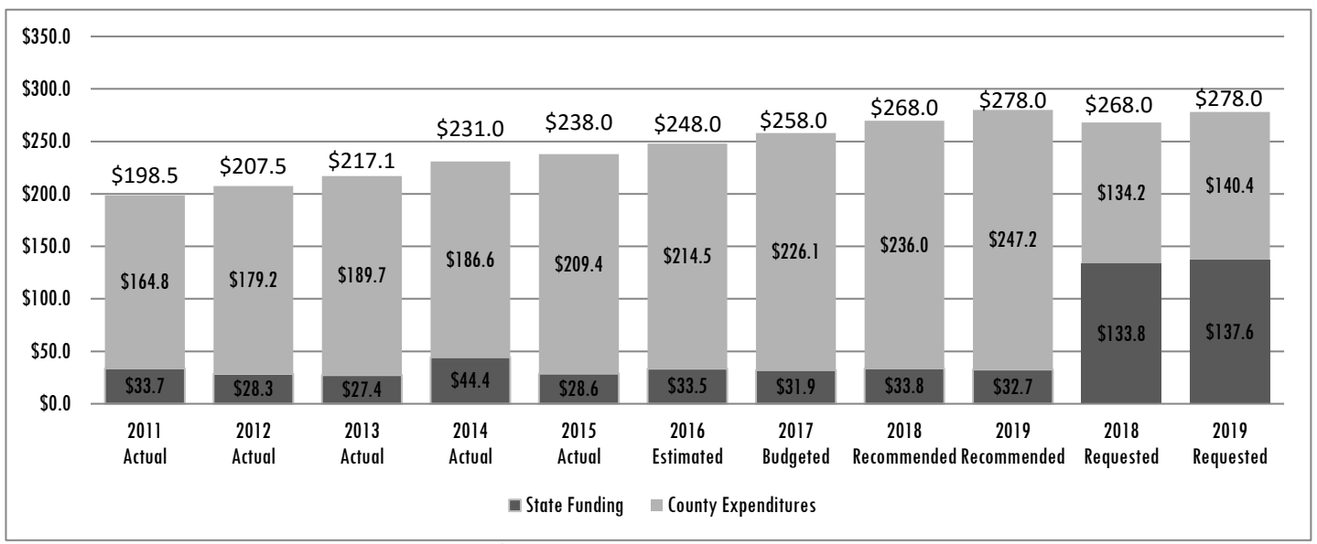
6. **Children's Courts:** Recommendations include $5.4 million in General Revenue funding and $10.5 million in Interagency Contracts for 43 Child Support Courts and $8.8 million in General Revenue funding for 24 Child Protection Courts. OCA has identified a potential conflict of interest between these courts and the Office of Attorney General (OAG) due to the OAG providing information technology support to these courts while, at the same time, being a party to the cases heard in these courts (See also, Items Not Included in Recommendations for OCA – House #3 and Rider Highlights – House #17).

7. **Executive Director Salary** Section 8, Schedule of Exempt Positions, Special Provisions – Judiciary, provides the Chief Justice of the Supreme Court of Texas with the authority to set the rate of compensation for the Administrative Director in an amount not to exceed the maximum salary of the salary group listed for this position in OCA's bill pattern. The Chief Justice last increased the salary for the Administrative Director to $167,040 effective September 1, 2015. The State Auditor's Classification Office recommended in August, 2016, that the Group for the Administrative Director position be increased from Group 4 to Group 5 (See also, Items Not Included in Recommendations for OCA – House #4).

8. **Fair Defense Account:** Appropriations from the General Revenue-Dedicated Fair Defense Account No. 5073 fund the operations of both the Office of Capital and Forensic Writs (OCFW) and the Texas Indigent Defense Commission (TIDC) in addition to the grants provided to the counties discussed in Item 9 below. Anticipated costs from this account total $62.8 million, which includes recommended appropriations of $61.7 million ($31.4 million in fiscal year 2018 and $30.3 million in fiscal year 2019) to OCFW and TIDC for these purposes and benefit costs of $1.1 million. Anticipated revenues and available fund balances of $68.5 million exceed total costs by $5.7 million, which are also available for appropriation. Revenues deposited to this account are primarily generated from 8.0143 percent of the total collections received through the Consolidated Court Cost that is paid by defendants convicted under certain sections of the Penal Code.

   Recommendations for TIDC include $59.0 million in General Revenue–Dedicated Fair Defense Account No. 5073 funding which is $5.2 million below 2016–17 spending levels. This decrease includes $2.8 million for amounts that TIDC submitted in its 4 percent reduction and $2.4 due to an agency-anticipated 2.0 percent decrease in Court Cost revenue each year of the 2018–19 biennium. Recommendations also remove estimated appropriation authority from these funds. Recommendations continue the Commission's administrative allocation at 2016–17 levels (See also, Items Not Included in Recommendations for TIDC – House #1 and #4, and Rider Highlights – House #8).

9. **County and State Share of Indigent Defense Costs:** The costs to provide indigent defense services are met through a combination of state and local funding, with counties absorbing a majority of these costs. Recommendations include $66.5 million from General Revenue and General Revenue–Dedicated Fair Defense Account No. 5073 funding, but do not include a TIDC request for estimated appropriation authority to the account nor a request for $103.6 million in fiscal year 2018 and $108.6 million in fiscal year 2019 in General Revenue to defray county court costs of providing mandatory indigent defense services. The chart below shows a breakdown of indigent defense expended and budgeted spending from fiscal years 2011 through 2017 with projections for each year of the 2018–19 biennium. TIDC's request for the 2018–19 biennium would result in an approximately 50 percent state/county split in the share of indigent defense costs with the state absorbing $134 million in fiscal year 2018 and $138 million in fiscal year 2019 (See also, Rider Highlights – House #8 and Items Not Included in Recommendations for TIDC – House #4).



Note: Estimates assume an annual increase of $10.0 million in total costs to provide indigent defense.
Source: Texas Indigent Defense Commission

10. **Regional Public Defender Office for Capital Cases:** Recommendations continue $3.1 million in General Revenue for the Regional Public Defender Office for Capital Cases (RPDO) that covers approximately 24 percent of program costs. The RPDO includes 179 participating counties that pay membership dues in exchange for the RPDO to have a qualified defense team provided by the program at no additional cost when a member county has a capital murder case (See also, Items Not Included in Recommendations for TIDC – House #2 and Rider Highlights – House #18).

Office of Court Administration, Texas Judicial Council
Rider Highlights - House

Modification of Existing Riders

8. **Texas Indigent Defense Commission:** Recommendations update the rider to require appropriations to be for all uses authorized by TIDC's enabling statute, Government Code, Chapter 79, and remove estimated appropriation authority for the General Revenue–Dedicated Fair Defense Account No. 5073. Amounts provided from General Revenue–Dedicated Fair Defense Account No. 5073 are sum-certain in Strategy D.1.1, Texas Indigent Defense Commission (See also, Selected Fiscal and Policy Issues - House #8 and #9, and Items Not Included in Recommendations for TIDC – House #1 and #4)
11. **Innocence Projects:** Recommendations update the rider to correctly identify the total amount allocated to the six law schools following the addition of two universities by the 84th Legislature, an increase from $400,000 to $600,000, and require higher education institutions receiving grant funds from TIDC for innocence projects to use these funds to provide direct assistance to investigate and pursue relief for defendants with claims of actual innocence.
16. **Mileage Reimbursement for Children's Court Staff:** Recommendations update the rider to reference the new title for the agency's Child Support and Child Protection Courts that has replaced the agency's previous title, Specialty Courts.
18. **Regional Public Defender Office for Capital Cases:** Recommendations update the rider to reflect a program title change (See also, Selected Fiscal and Policy Issues - House #10 and Items Not Included in Recommendations for TIDC – House #2)

Deleted Riders

12. **Lump Sum Payments for Child Support Courts Program:** Recommendations delete the rider. Recommendations continue funding for this purpose in Strategy B.1.1, Child Support Courts Program. The agency reports making payments for this purpose consistently above amounts included in the rider
14. **Contingency: Study of School Attendance Related Cases:** Recommendations delete the rider because enactment of House Bill 2398, Eighty-fourth Legislature, Regular Session repealed the law making failure to attend school a criminal offense and eliminated the need for the study.
15. **Statewide Efiling System Fund:** Recommendations delete the rider. Amounts provided from General Revenue–Dedicated Statewide Electronic Filing System Account No. 5157 are sum-certain in Strategy B.1.2, Information Technology (See also, Selected Fiscal and Policy Issues – House #2 and Items Not Included in Recommendations for OCA – House #6).
17. **Additional Child Protection Courts:** Recommendations delete the rider. Recommendations continue funding for this purpose in Strategy B.1.2, Child Protection Courts Program.
19. **Contingency for SB 1970**: Recommendations delete the rider. Recommendations continue General Revenue–Dedicated Statewide Electronic Filing System Account No. 5157 funding in Strategy A.1.2, Information Technology, pursuant to enactment of Senate Bill 1139, Eighty-fourth Legislature, Regular Session that increased certain filing fees collected to support operations of the Statewide Electronic Filing System (See also, Selected Fiscal and Policy Issues – House #2)
20. **Performance Reporting for the Guardianship Compliance Project:** Recommendations delete the rider because the required study will be completed by December, 2016 (See also, Selected Fiscal and Policy Issues – House #5 and Items Not Included in Recommendations for OCA – House #2).

		2018-19 Biennial Total					
		GR & GR-D	All Funds	FTEs	Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2020-21
Agency Exceptional Items - In Agency Priority Order							
Office of Court Administration (OCA) - Exceptional Items Not Included							
1)	**Support Core Services for the Judicial Branch** General Revenue funding for merit salary increases to provide salaries comparable to similar positions in other state agencies, and compensation changes resulting from an internal review of staff job classifications.	$633,896	$633,896	1.0	No	No	$836,465
2)	**Guardianship Program Compliance** General Revenue funding for a statewide Guardianship Compliance Project to assist courts with compliance in guardianship cases with authority for 39.0 FTEs for 28 guardianship compliance specialists, 2 managers, and 9 operational staff (See also, Selected Fiscal and Policy Issues - House #5 and Rider Highlights - House #20).	$6,613,678	$6,613,678	39.0	Yes	No	$6,493,260
3)	**Children's Courts** a) $1,451,968 in General Revenue funding with authority for 8.0 FTEs for 4 additional child protection courts to meet increasing caseload demands. The request includes one associate judge and one court coordinator for each of the 4 additional courts. b) $1,667,797 in All Funds (1,345,897 in General Revenue funding and $321,900 in Interagency Contracts) with authority for 6.0 FTEs for regional technology support staff and one project manager (1.0 FTE) to provide direct technology support to the agency's child support and child protection courts and a project manager to oversee additional technology projects that would include these courts. This request is to address a potential conflict of interest identified by the agency between the courts and the Office of Attorney General (OAG). The OAG currently provides information technology support to these courts while, at the same time, being a party to the cases heard in these courts. (See also, Selected Fiscal and Policy Issues - Senate #6 and Rider Highlights - Senate #17)	$2,797,865	$3,119,765	15.0	Yes	No	$2,900,766

		2018-19 Biennial Total					
		GR & GR-D	All Funds	FTEs	Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2020-21
4)	**Administrative Director's Exempt Salary Adjustment** a) Request to increase the Administrative Director position classification from a Group 4 to a Group 5 position (See also, Selected Fiscal and Policy Issues - House #7). b) Request to update the salary of the Administrative Director to reflect the 2.5 percent salary increase provided by the Eighty-4th Legislature. This would increase this position's salary as listed in the bill pattern from $167,040 to $171,216 each year.	$0	$0	0.0	No	No	$0
5)	**Grant Funded Software Development Projects** a) $499,984 in Federal Funds with Capital Budget Authority for a grant awarded to OCA in September 2016 from the Department of Justice for to develop a web-based, data driven ability-to-pay determination tool and a web-based tool and related applications to link suitable alternatives to fines, fees, and costs to defendants that lack an ability to pay. b) $2,753,659 in Interagency Contracts with Capital Budget Authority for a Statewide eCitation System Grant through the Texas Department of Transportation.	$0	$3,253,643	0.0	Yes	Yes	$3,253,643
6)	**General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157** Request to continue estimated appropriation authority for General Revenue–Dedicated Statewide Electronic Filing System Account No. 5157 appropriations through an updated version of Rider 15, Statewide eFiling System Fund, from the 2016-17 biennium (See also, Selected Fiscal and Policy Issues - House #2 and Rider Highlights #15).	$5,033,310	$5,033,310	0.0	Yes	Yes	$5,033,310

Office of Court Administration, Texas Judicial Council
Items Not Included in Recommendations - House

		2018-19 Biennial Total					
		GR & GR-D	All Funds	FTEs	Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2020-21
Texas Indigent Defense Commission (TIDC) - Exceptional Items Not Included							
1)	**Funding for Indigent Defense included in TIDC's 4 percent Reduction and Estimated Appropriation Authority** a) General Revenue-Dedicated Fair Defense Account No. 5073 funding for indigent defense that the agency included in its 4 percent baseline reduction (See also, Selected Fiscal and Policy Issues - House #8) b) Amend Rider 8, Texas Indigent Defense Commission, to provide estimated appropriation authority to General Revenue–Dedicated Fair Defense Account No. 5073 that was previously provided to TIDC for the 2016-17 biennium.	$5,665,154	$5,665,154	0.0	No	No	$5,665,154
2)	**Regional Public Defense Office for Capital Cases** a) General Revenue funding to cover 50 percent of operating costs for the Regional Public Defense Office for Capital Cases (See also, Selected Fiscal and Policy Issues - House #10 and Rider Highlights - House #18). b) Request to remove Rider 14, Regional Public Defender Office for Capital Cases, due to lack of county participation in the counties designated by the rider.	$2,900,000	$2,900,000	0.0	No	No	$2,900,000
3)	**Representing the Mentally Ill** General Revenue funding with authority for 1.0 FTE to provide grants to counties to establish specialized public defenders to represent defendants with mental illness and to enhance existing programs.	$10,000,000	$10,000,000	1.0	No	No	$10,000,000

Office of Court Administration, Texas Judicial Council
Items Not Included in Recommendations - House

		2018-19 Biennial Total					
		GR & GR-D	All Funds	FTEs	Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2020-21
4)	**State Funding of Criminal Indigent Defense** General Revenue funding with authority for 4.0 FTEs to defray costs of providing mandatory indigent defense services by counties. The amount would provide 50 percent of the estimated cost to fund indigent defense in 2018-19 which counties currently fund. Out year costs increase in the 2020-21 biennium to $222.2 million each year for state funding to cover approximately 75 percent of total indigent defense expenditures and to $308 million for fiscal year 2022 and $318 million in fiscal year 2023 for state funding to cover 100 percent of total indigent defense expenditures. Items Not Included in Recommendations for TIDC #1, #2, and #3 would be included in this item if it were approved (See also, Selected Fiscal and Policy Issues - House #9).	$212,200,000	$212,200,000	4.0	No	Yes	$444,400,000
5)	**Administrative Allocation** Amend Rider 8, Texas Indigent Defense Commission, to increase TIDC's administration allocation from $1,064,988 to $1,164,988 (a $100,000 increase) each year for a total of $200,000 for the 2018-19 biennium (See also, Selected Fiscal and Policy Issues - House #8).	$0	$0	0.0	No	No	$0
TOTAL Items Not Included in Recommendations		**$245,843,903**	**$249,419,446**	**60.0**			**$481,482,598**

Office of Court Administration, Texas Judicial Council
Appendices - House

* Appendix is not included - no significant information to report

** Information is included in the presentation section of the packet

Office of Court Administration, Texas Judicial Council
Funding Changes and Recommendations - House, by Strategy -- ALL FUNDS

Strategy/Goal	2016-17 Base	2018-19 Recommended	Biennial Change	% Change	Comments
COURT ADMINISTRATION A.1.1	$7,655,146	$6,764,098	($891,048)	(11.6%)	Recommendations reflect: 1. a $32,559 increase in General Revenue funding due to agency-requested redistribution of General Revenue within its baseline request 2. a $515,881 decrease in General Revenue funding due to removal of one-time funding for the Guardianship Compliance Project pilot (See also, Selected Fiscal and Policy Issues - House #5, Rider Highlights - House #20, and Items Not Included in Recommendations for OCA - House #2). 3. a $245,304 decrease in General Revenue funding due to removal of one-time funding for the Timothy Cole Exoneration Review Commission. 4. a $63,836 decrease in Federal Funds due to a Department of Justice Family Violence Grant expiring. 5. a $81,955 decrease in Criminal Justice Grant Funding (Other Funds) due to grant funds expiring. 6. a $9,942 decrease in Appropriated Receipts due to anticipated decreases in travel reimbursements. 7. a $6,689 decrease in Interagency Contracts with the Office of Attorney General and Office of the State Prosecuting Attorney due to anticipated contract expense decreases.

Office of Court Administration, Texas Judicial Council
Funding Changes and Recommendations - House, by Strategy -- ALL FUNDS

Strategy/Goal	2016-17 Base	2018-19 Recommended	Biennial Change	% Change	Comments
INFORMATION TECHNOLOGY A.1.2	$56,317,958	$52,872,319	($3,445,639)	(6.1%)	Recommendations reflect: 1. a $1,600,000 decrease in General Revenue funding due to removal of funding for a one-time Legacy Technology Capital Project. 2. a $803,438 decrease in General Revenue funding due to removal of funding for one-time CAPPS Deployment (See also, Selected Fiscal and Policy Issues - House #4). 3. a $75,000 decrease in General Revenue funding due to removal of funding for a one-time Guardianship Compliance Project pilot (See also, Selected Fiscal and Policy Issues - House #5, Rider Highlights - House #20, and Items Not Included in Recommendations for OCA - House #2). 4. a $788,018 decrease in General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 due to required reductions. 5. a $288,503 decrease in Interagency Contracts due to elimination of funding for the eCitation project. 6. a $27,930 increase in Interagency Contracts due to increases in reimbursements from the Board of Law Examiners for Information Technology services. 7. a $183,130 increase in Interagency Contracts due to increases in Collection Improvement Program technology project funding. 8. a $101,740 decrease in Appropriated Receipts.

Office of Court Administration, Texas Judicial Council
Funding Changes and Recommendations - House, by Strategy -- ALL FUNDS

Strategy/Goal	2016-17 Base	2018-19 Recommended	Biennial Change	% Change	Comments
DOCKET EQUALIZATION A.1.3	$33,750	$10,000	($23,750)	(70.4%)	Recommendations reflect General Revenue funding decreases due to required reductions for travel expenses incurred by appellate justices and their staff that travel to hear cases transferred to them for disposition.
ASSIST ADMIN JUDICIAL REGIONS A.1.4	$563,781	$330,372	($233,409)	(41.4%)	Recommendations reflect the following: 1. a $319,084 decrease in General Revenue included in the agency's 4 percent reduction. 2. a $85,675 increase in Appropriated Receipts due to reimbursement increases from counties for agency costs to provide administrative assistants to two regional presiding judges
Total, Goal A, PROCESSES AND INFORMATION	**$64,570,635**	**$59,976,789**	**($4,593,846)**	**(7.1%)**	
CHILD SUPPORT COURTS PROGRAM B.1.1	$15,883,960	$15,903,184	$19,224	0.1%	Recommendations reflect increases in Interagency Contracts due to increased reimbursement by the Office of Attorney General for visiting associate judges.
CHILD PROTECTION COURTS PROGRAM B.1.2	$8,786,862	$8,784,974	($1,888)	(0.0%)	Recommendations reflect decreases in Appropriated Receipts due to anticipated decreases in third party reimbursements.
Total, Goal B, ADMINISTER CHILDREN'S COURTS	**$24,670,822**	**$24,688,158**	**$17,336**	**0.1%**	
JUDICIAL BRANCH CERTIFICATION COMM C.1.1	$1,098,228	$1,106,086	$7,858	0.7%	Recommendations reflect increases in Appropriated Receipts due to anticipated increases in third party reimbursements for background checks.
TEXAS.GOV C.1.2	$24,111	$22,861	($1,250)	(5.2%)	Recommendations reflect decreases in General Revenue funding due to revenues received in fiscal year 2016 in excess of appropriated amounts.
Total, Goal C, CERTIFICATION AND COMPLIANCE	**$1,122,339**	**$1,128,947**	**$6,608**	**0.6%**	

Office of Court Administration, Texas Judicial Council
Funding Changes and Recommendations - House, by Strategy -- ALL FUNDS

Strategy/Goal	2016-17 Base	2018-19 Recommended	Biennial Change	% Change	Comments
TX INDIGENT DEFENSE COMM D.1.1	$71,826,706	$66,486,662	($5,340,044)	(7.4%)	Recommendations reflect: 1. a $2,869,070 decrease in General Revenue-Dedicated Fair Defense Account No. 5073 funding due to the agency including this amount in its 4 percent reduction. 2. a $2,371,014 decrease in General Revenue-Dedicated Fair Defense Account No. 5073 funding due to anticipated declines in court cost revenue in the 2018-19 biennium from 2016-17 levels. (See also, Selected Fiscal and Policy Issues - House #8 and Items Not Included in Recommendations for TIDC - House #1 and #4) 3. a $99,960 decrease in Interagency Contracts due to decreases in Criminal Justice Grants due to grant funds expiring.
Total, Goal D, INDIGENT DEFENSE	**$71,826,706**	**$66,486,662**	**($5,340,044)**	**(7.4%)**	
Grand Total, All Strategies	**$162,190,502**	**$152,280,556**	**($9,909,946)**	**(6.1%)**	

Office of Court Administration, Texas Judicial Council
FTE Highlights - House

Full-Time-Equivalent Positions	Expended 2015	Estimated 2016	Budgeted 2017	Recommended 2018	Recommended 2019
Cap	223.6	239.6	239.6	232.6	232.6
Actual/Budgeted	213.9	227.2	239.6	NA	NA

Schedule of Exempt Positions (Cap)					
Administrative Director	$157,920	$167,040	$167,040	$167,040	$167,040

Notes:

Sec 8, Schedule of Exempt Positions, in the Special Provisions - Judiciary, authorizes the Chief Justice of the Supreme Court of Texas to set the salary for the Director of the Office of Court Administration in an amount within the salary group for that position. The Chief Justice increased the salary of the Administrative Director of the Office of Court Administration to $167,040 effective September 1, 2015 (See also, Selected Fiscal and Policy Issues for OCA - House #7

	Expended 2015	Estimated 2016	Budgeted 2017	Recommended 2018	Recommended 2019
• *Electronic Filing System Service Availability*	99.8	100.0	100.0	100.0	100.0
Measure Explanation: This measure shows the percentage of time that the Electronic Filing service is capable of receiving, processing, transferring, and accessing electronic documents. This key performance measure is new for the 2018-19 biennium.					
• *Total Number of E-filed Documents*	4,824,357	8,588,210	6,000,000	6,000,000	6,000,000
Measure Explanation: This measure provides the total number of documents filed annually through the e-filing system. This non-key measure is new for the 2018-19 biennium.					

Office of Court Administration, Texas Judicial Council
Summary of Ten Percent Biennial Base Reduction Options - House

Appendix E

			Biennial Reduction Amounts					
Priority	**Item**	**Description/Impact**	**GR & GR-D**	**All Funds**	**FTEs**	**Potential Revenue Loss**	**Reduction as % of Program GR/GR-D Total**	**Included in Introduced Bill?**
1)	Elimination of 1.0 FTE for CAPPS Deployment (Strategy A.1.2, Information Technology)	Elimination of 1.0 FTE in Information Technology for services provided for CAPPS implementation amongst the appellate courts and judicial service agencies. This would decrease the level of support to one and a half years from two years.	$94,366	$94,366	1.0	$0	2%	Yes
2)	Elimination of 0.5 FTE Project Manager Within Information Services (Strategy A.1.2, Information Technology)	Elimination of 0.5 FTE in Information Technology that would decrease project completion time and increase workloads among other project managers.	$79,348	$79,348	0.5	$0	0%	No
3)	Elimination of 1.0 FTE in Research and Court Services Department (Strategy A.1.1, Court Administration)	Elimination of 1.0 FTE in Research and Court Services. This resulting impact would be a decrease in the Judicial Information Department's ability to provide research and best practice information to the courts and would hamper data quality.	$122,652	$122,652	1.0	$0	2%	No
4)	Elimination of 1.0 FTE for the Language Access Program (Strategy A.1.1, Court Administration)	Elimination of 1.0 FTE for the Language Access Program. The resulting impact would cut program services by 50 percent.	$135,594	$135,594	1.0	$0	2%	No
5)	Reduction in Funding to Counties to Provide Indigent Defense Services (Strategy D.1.1, Texas Indigent Defense Commission)	Reduction in funding to counties to support Constitutionally required indigent defense programs. The reduction's impact would be a transfer of programmatic costs to county governments for representation of approximately 5,500 non-capital felony cases or 17,500 misdemeanor cases.	$3,414,574	$3,414,574	0.0	$0	5%	No
6)	Reduction in Funding for Information Technology Capital Projects (Strategy A.1.2, Information Technology)	Reduction in funding would decrease half of OCA's Capital Projects: Computer Equipment and Software and Replacement of Computers and Laptops. The resulting impact would be a delay in hardware and software replacement schedules.	$970,918	$970,918	0.0	$0	2%	No

Office of Court Administration, Texas Judicial Council
Summary of Ten Percent Biennial Base Reduction Options - House

Appendix E

			Biennial Reduction Amounts					
Priority	**Item**	**Description/Impact**	**GR & GR-D**	**All Funds**	**FTEs**	**Potential Revenue Loss**	**Reduction as % of Program GR/GR-D Total**	**Included in Introduced Bill?**
7)	Elimination of 2.5 Child Support Courts & 5.0 FTEs (Strategy B.1.1. Child Support Courts)	Elimination of 2.5 child support courts and 5.0 FTEs. The reduction's impact depends on which courts are closed, but could result in child support cases not being resolved within statutorily mandated, expedited timeframes. General Revenue for this program is used to match federal funding, therefore funding cuts to this program also results in a corresponding reduction in federal funds. The 0.5 court reduction means the agency would operate the court for half a year before closing the court.	$269,990	$269,990	5.0	$539,978	5%	No
8)	Elimination of One Child Protection Court & 2.0 FTEs (Strategy B.1.2. Child Protection Courts)	Elimination of one child protection court and 2.0 FTEs. The reductions impact would reduce the number of child protection court hearings by 1,550 per year impacting 275 children.	$426,358	$426,358	2.0	$0	5%	No
9)	Elimination of 1.0 FTE from the Collection Improvement Program (Strategy A.1.1, Court Administration)	Elimination of 0.5 FTE from the Collection Improvement Program and 0.5 FTE from the Collection Improvement Program Audit Program. The reduction's impact would result in less support to assist counties and cities in implementing the program and fewer audits and visits conducted.	$157,950	$157,950	1.0	$0	3%	No
10)	Reduction in Guardianship Compliance Project (Strategy A.1.1, Court Administration)	Reduction in 50 percent funding for this program and 1.5 FTEs. Resulting impact would be fewer Guardianship Compliance Specialists placed around the state to review guardianship filings to determine if guardians are following statutorily-required procedures, to review annual reports filed by the guardians, and to ensure that exploitation and/or neglect of persons under guardianship is not occurring.	$257,940	$257,940	1.5	$0	4%	Yes
11)	Elimination of 0.5 FTE in Judicial Branch Certification Commission (Strategy C.1.1, Judicial Branch Certification Commission)	Elimination of 0.5 FTE within the Judicial Branch Certification Commission. The reductions impact would produce delays in processing applications for licensing, renewal or registration and complaint resolution.	$54,804	$54,804	0.5	$0	5%	No
12)	Reduction in Electronic Filing funding (Strategy A.1.2, Information Technology)	Reduction of General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 funding. The resulting impact could potentially impact OCA's contractual terms with the vendor.	$1,149,606	$1,149,606	0.0	$0	2%	No

Office of Court Administration, Texas Judicial Council
Summary of Ten Percent Biennial Base Reduction Options - House

			Biennial Reduction Amounts					
Priority	**Item**	**Description/Impact**	**GR & GR-D**	**All Funds**	**FTEs**	**Potential Revenue Loss**	**Reduction as % of Program GR/GR-D Total**	**Included in Introduced Bill?**
13)	Elimination of 0.5 FTE in Legal Staff (Strategy A.1.1, Court Administration)	Elimination of 0.5 FTEs in the Legal department. The resulting impact would be a decrease in access to legal counsel.	$66,188	$66,188	0.5	$0	1%	No
14)	Elimination of 1.0 FTE for CAPPS Deployment (Strategy A.1.2, Information Technology)	Elimination of 1.0 FTE in Information Technology for services provided for CAPPS implementation amongst the appellate courts and judicial service agencies. This would decrease the level of support to one year from two years.	$94,366	$94,366	1.0	$0	0%	Yes
15)	Elimination of 0.5 FTE Project Manager Within Information Services (Strategy A.1.2, Information Technology)	Elimination of 0.5 FTE in Information Technology that would decrease project completion time and increase workloads among other project managers.	$79,348	$79,348	0.5	$0	0%	No
16)	Elimination of 1.0 FTE in Research and Court Services Department (Strategy A.1.1, Court Administration)	Elimination of 1.0 FTE in Research and Court Services. This resulting impact would be a decrease in the Judicial Information Department's ability to provide research and best practice information to the courts and would hamper data quality.	$122,652	$122,652	1.0	$0	2%	No
18)	Eliminate Language Access Program (Strategy A.1.1, Court Administration)	Reduction of 1.0 FTE for the Language Access Program. The resulting impact would cut program services by 100 percent.	$135,594	$135,594	1.0	$0	2%	No
19)	Reduction in Funding to Counties to Provide Indigent Defense Services (Strategy D.1.1, Texas Indigent Defense Commission)	Reduction in funding to counties to support Constitutionally required indigent defense programs. The reduction's impact would be a transfer of programmatic costs to county governments for representation of approximately 5,500 non-capital felony cases or 17,500 misdemeanor cases.	$3,414,574	$3,414,574	0.0	$0	5%	No
20)	Reduction in Funding for Information Technology Capital Projects (Strategy A.1.2, Information Technology)	Reduction in funding would decrease half of OCA's Capital Projects: Computer Equipment and Software and Replacement of Computers and Laptops. The resulting impact would be a delay in hardware and software replacement schedules.	$970,918	$970,918	0.0	$0	2%	No

Office of Court Administration, Texas Judicial Council
Summary of Ten Percent Biennial Base Reduction Options - House

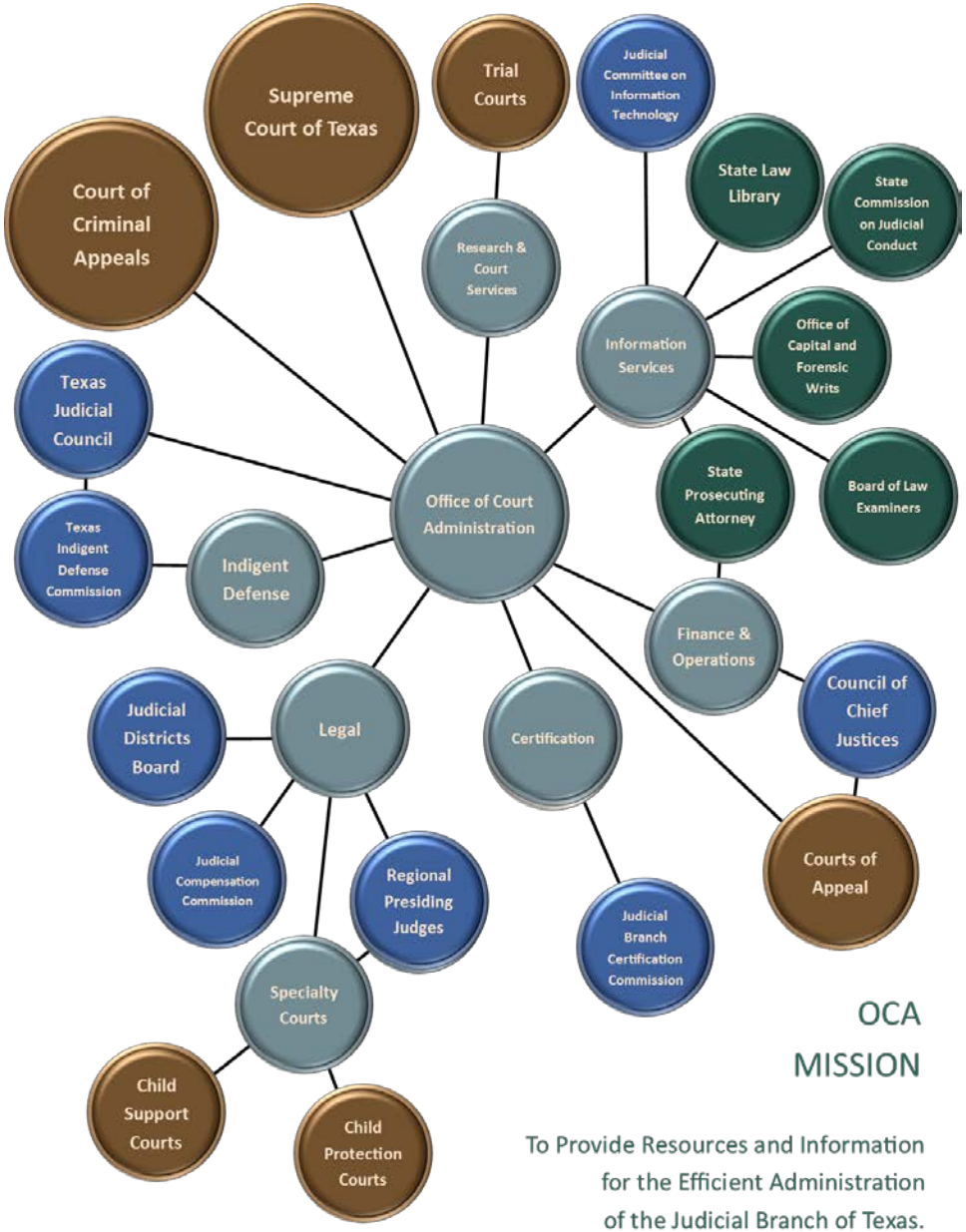
			Biennial Reduction Amounts					
Priority	**Item**	**Description/Impact**	**GR & GR-D**	**All Funds**	**FTEs**	**Potential Revenue Loss**	**Reduction as % of Program GR/GR-D Total**	**Included in Introduced Bill?**
21)	Elimination of 2.5 Child Support Courts & 5.0 FTEs (Strategy B.1.1. Child Support Courts)	Elimination of 2.5 child support courts and 5.0 FTEs. The reduction's impact depends on which courts are closed, but could result in child support cases not being resolved within statutorily mandated, expedited timeframes. General Revenue for this program is used to match federal funding, therefore funding cuts to this program also results in a corresponding reduction in federal funds. The 0.5 court reduction means the agency would operate the court for half a year before closing the court.	$269,990	$269,990	5.0	$539,978	5%	No
22)	Elimination of One Child Protection Court & 2.0 FTEs (Strategy B.1.2. Child Protection Courts)	Elimination of one child protection court and 2.0 FTEs. The reductions impact would reduce the number of child protection court hearings by 1,550 per year impacting 275 children.	$426,358	$426,358	2.0	$0	5%	No
23)	Elimination of 1.0 FTE from the Collection Improvement Program (Strategy A.1.1, Court Administration)	Elimination of 0.5 FTE from the Collection Improvement Program and 0.5 FTE from the Collection Improvement Program Audit Program. The reduction's impact would result in less support to assist counties and cities in implementing the program and fewer audits and visits conducted.	$157,950	$157,950	1.0	$0	3%	No
24)	Reduction in Guardianship Compliance Project (Strategy A.1.1, Court Administration)	Reduction in 50 percent funding for this program and 1.5 FTEs. Resulting impact would be fewer Guardianship Compliance Specialists placed around the state to review guardianship filings to determine if guardians are following statutorily-required procedures, to review annual reports filed by the guardians, and to ensure that exploitation and/or neglect of persons under guardianship is not occurring.	$257,940	$257,940	1.5	$0	4%	Yes
25)	Elimination of 0.5 FTE in Judicial Branch Certification Commission (Strategy C.1.1, Judicial Branch Certification Commission)	Elimination of 0.5 FTE within the Judicial Branch Certification Commission. The reductions impact would produce delays in processing applications for licensing, renewal or registration and complaint resolution.	$54,804	$54,804	0.5	$0	5%	No
26)	Reduction in Electronic Filing funding (Strategy A.1.2, Information Technology)	Reduction of General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 funding. The resulting impact could potentially impact OCA's contractual terms with the vendor.	$1,149,606	$1,149,606	0.0	$0	2%	No

Office of Court Administration, Texas Judicial Council
Summary of Ten Percent Biennial Base Reduction Options - House

			Biennial Reduction Amounts					
Priority	**Item**	**Description/Impact**	**GR & GR-D**	**All Funds**	**FTEs**	**Potential Revenue Loss**	**Reduction as % of Program GR/GR-D Total**	**Included in Introduced Bill?**
27)	Elimination of 0.5 FTE in Legal Staff (Strategy A.1.1, Court Administration)	Elimination of 0.5 FTEs in the Legal department. The resulting impact would be a decrease in access to legal counsel.	$66,178	$66,178	0.5	$0	1%	No
TOTAL, 10% Reduction Options			**$14,400,566**	**$14,400,566**	**28.0**	**$1,079,956**		

Legislative Appropriations Request
Exceptional Items
for Fiscal Years 2018 and 2019

Office of Court Administration, Texas Judicial Council
David Slayton
Administrative Director



Executive – 3.0 FTEs
Information Technology – 27.4 FTEs
Research & Court Services – 18.0 FTEs
Finance & Operations – 18.8 FTEs
Legal – 6.0 FTEs
Certification – 9.0 FTEs
Indigent Defense – 11.0 FTEs
Child Support Courts – 88.4 FTEs
Child Protection Courts – 49.0 FTEs
Judicial Regions Assistance – 2.0 FTEs
Total – 232.6

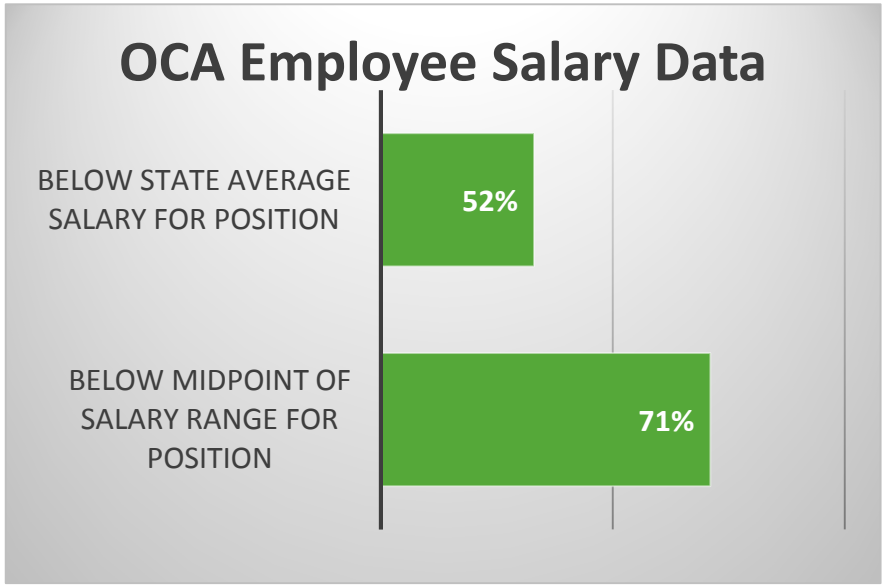
Texas Judicial Council

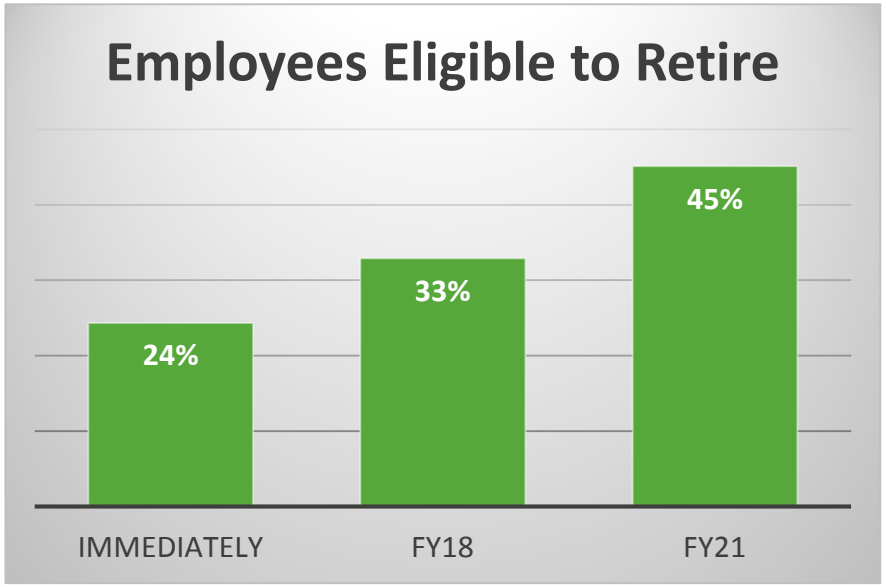
- Policy-making body for the Judicial Branch
- 22 members – Judicial, Legislative, Executive Appointees
  - Chief Justice, Chair
  - Presiding Judge, CCA – Vice Chair
  - 2 appellate justices
  - 2 district court judges
  - 2 county court judges
  - 2 justices of the peace
  - 2 municipal court judges
  - 2 senators
  - 2 representatives
  - 6 public members appointed by Governor
- Executive Director – statutorily Administrative Director, OCA
- OCA provides staff support

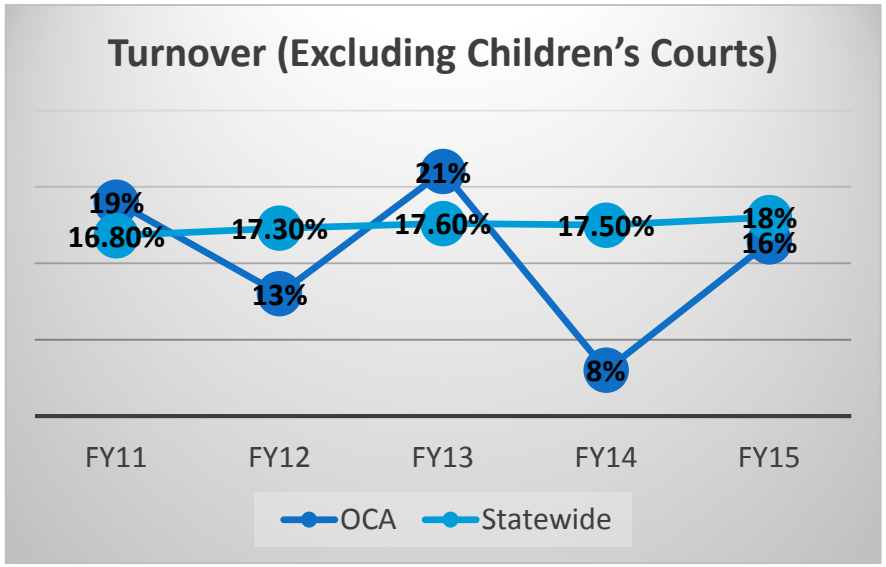
Texas Judicial Council Efforts & Accomplishments

- Data Collection Improvements
- Juvenile Justice
  - School Ticketing Reform
  - Decriminalization of failure to attend school
- Guardianship
  - Strengthened guardianship alternatives and procedures in guardianship cases
- Pretrial Detention Reform (Current)
- Mental Health Improvements (Current)
- Elder and Incapacitated Adult Exploitation Reforms (Current)
- Courthouse Security Improvements (Current)
- Criminal Court Cost Assessment Improvements (Current)

Exceptional Item 1: Support Core Services





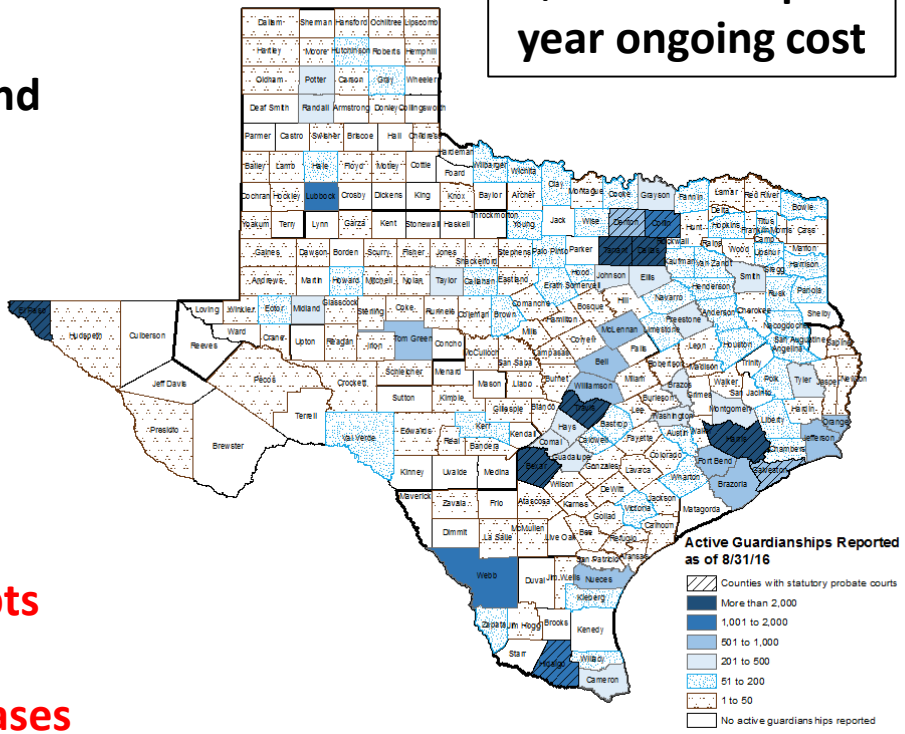


- **$634,000 over the biennium to support core services in order to retain and recruit quality staff.**
- **Retirements cost OCA $110,000 per year, on average.**
- **In 2015, eight retirements cost OCA $190,000.**

Exceptional Item 2:
Enhance Judicial Services to Elderly & Incapacitated

- **Seeking 39 FTEs to expand pilot statewide to place Guardianship Compliance Specialists regionally to monitor wards and report to judges**
  - **28 additional auditor**
  - **2 managers**
  - **9 administrative staff**

$3.2 million per year ongoing cost



Pilot Project Observations:

- **Lack of backup bank statements, receipts justifying expenses**
- **Unauthorized ATM withdrawals/purchases**
- **Unauthorized transfers**
- **Unauthorized gifts to family/friends**
- **Payments to others' credit cards**

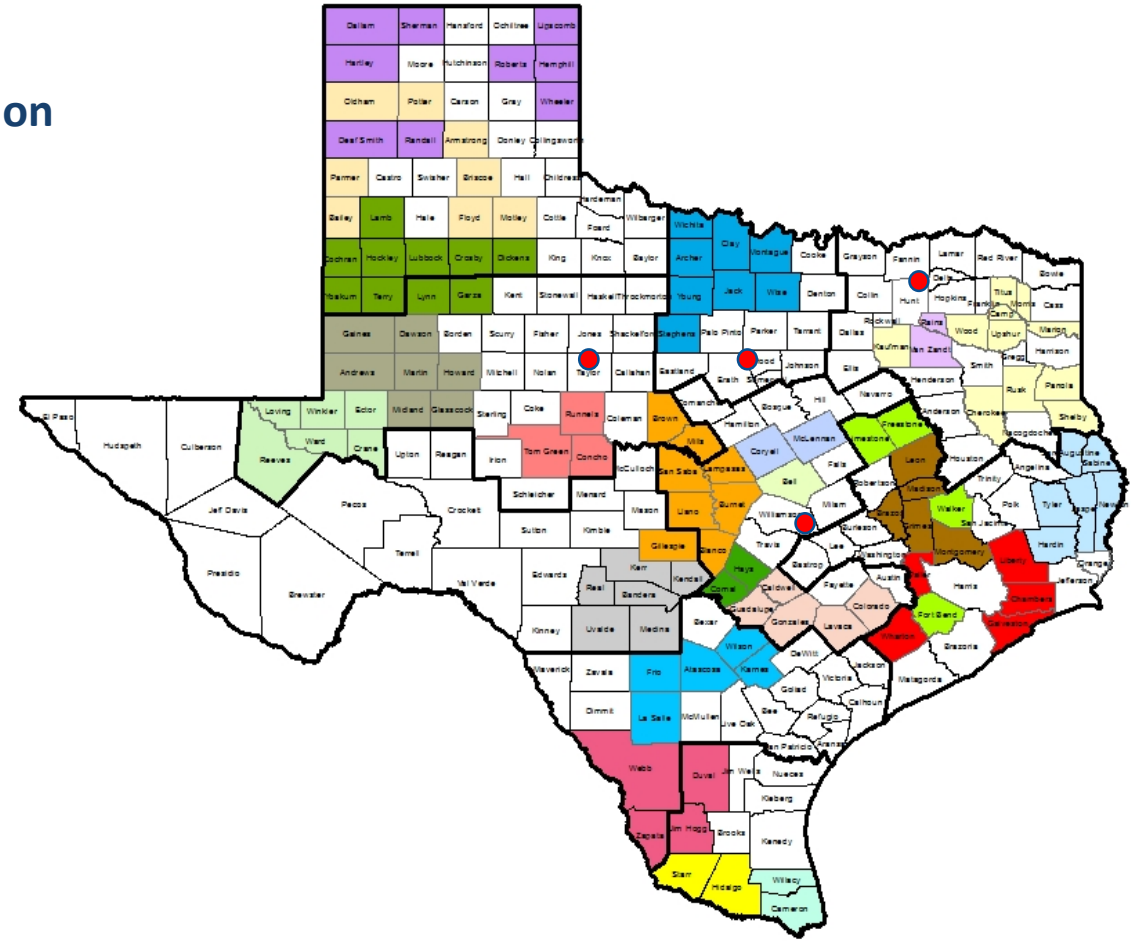
- 54,647 active guardianship cases;
- 4,868 new cases filed
- Elderly and disabled at risk of abuse & neglect

Exceptional Item 3a:
Strengthen Judicial Services to Families

4 new child protection courts (8 FTEs) –

$742,484 (FY18)

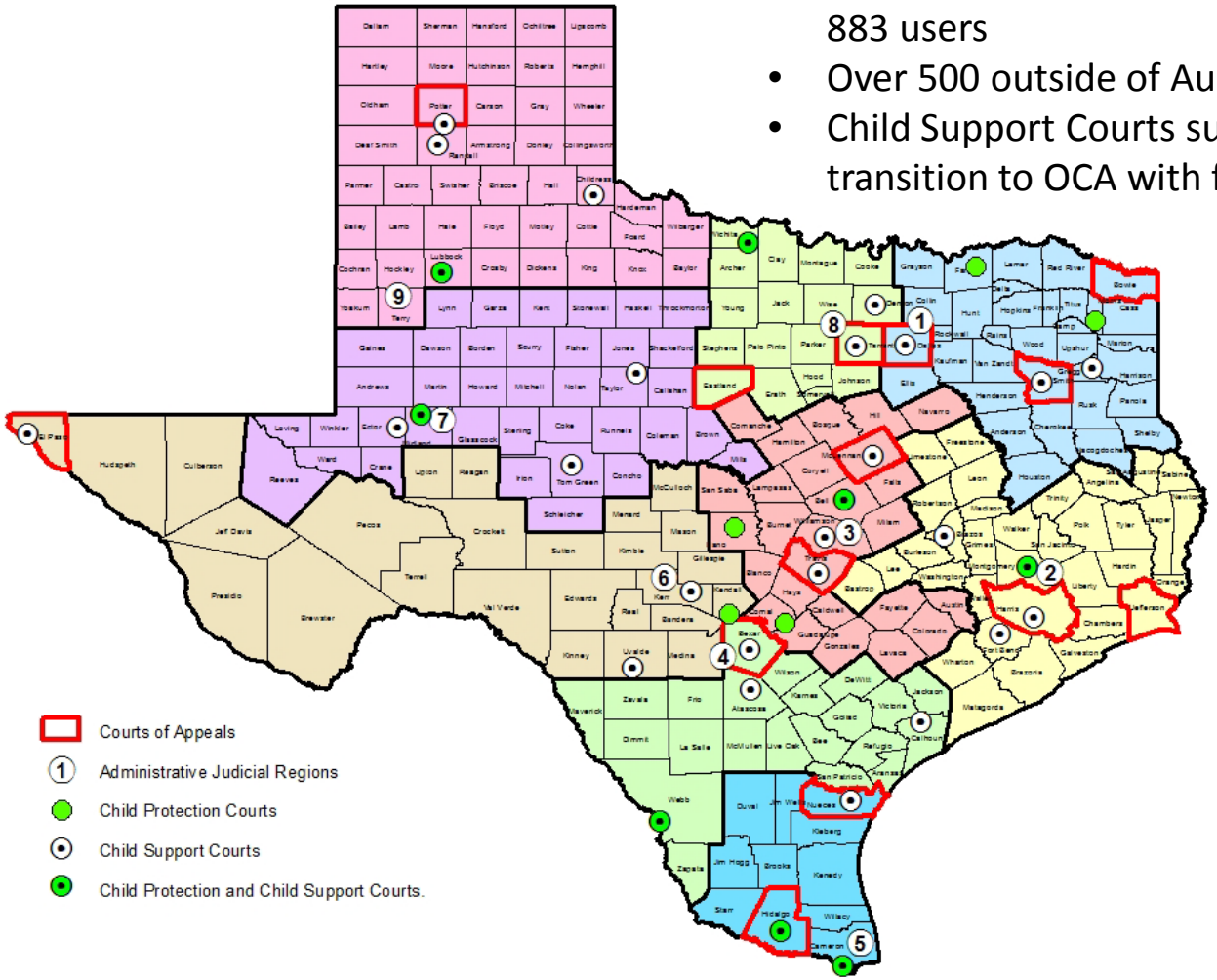
$742,484 (FY19)



Final locations to be determined by Regional Presiding Judges based upon caseload and need

Exceptional Item 3b:
Strengthen Judicial Services to Families (cont)

- OCA responsible for Branch Technology Support for 883 users
- Over 500 outside of Austin
- Child Support Courts supported by litigant (AG) – transition to OCA with funding



- **Fund 7 FTEs to provide regionally based support**
- **$959,899 – FY18 ($720,649 GR)**
- **$707,899 – FY19 ($625,249 GR)**

Exceptional Items 4 and 5:
Grant Funded Software Development Projects

Exceptional Item 4

OCA has only one exempt position, the Administrative Director, currently a Group 4 position. While no funding is being requested, OCA requests that the Administrative Director exempt position be increased to a Group 5 position. This change corresponds with the August 2016 recommendation of the State Auditor to move the Administrative Director position to Group 5.

Exceptional Item 5

- Price of Justice Grant – federally funded - $499,984
- Statewide e-citation system –$2,753,659 grant will be awarded during the summer of 2017

4% Reduction Areas

- Information Technology - $2.8 million
  - $1.6 million in capital technology expenditures
  - $0.8 million in electronic filing funding
  - $0.4 million in CAPPS project funding
- Indigent Defense - $2.87 million
- Administrative Assistance to Judicial Regions - $0.3 million
- Docket Equalization - $23,750

- No cuts to children's courts or technology services to courts

GUARDIANSHIP COMPLIANCE PROJECT

Guardianship is a legal process appointing a competent adult (guardian) to be responsible for the care, custody and control for a vulnerable or incapacitated person often referred to as a ward. Appointed guardians make final decisions regarding a ward's finances, medical decisions, living situation, right to marry, and right to drive.

Guardians are required by law to file with the court for the court's approval:

- ***A bond to cover one year of revenue to the estate, plus the value of the ward's personal property (within 21 days)***
- ***An initial inventory detailing the assets in the estate (within 30 days)***
- ***An annual report of the ward's well-being***
- ***An annual accounting detailing financial transactions of the estate***

OCA obtained funding during the 84th legislative session to establish a pilot program to improve guardianship compliance. OCA launched the Guardianship Compliance Project in November 2015 to provide additional resources to courts handling guardianship cases. The goal of this project is to help courts protect our most vulnerable citizens and their assets by:

- Reviewing adult guardianship cases to identify reporting deficiencies by the guardian
- Auditing annual accountings and reporting findings back to the court
- Working with courts to develop best practices in managing guardianship cases

Why is this important?

The population of **Texans over age 65 is projected to double** in size by 2030 to almost 6 million. Some of those individuals will need guardianships as they become unable to make decisions for themselves.

It is estimated that there is currently **$5 billion in assets under court and guardian control in Texas**. Without sound monitoring practices by courts, there is a high risk for exploitation and/or neglect.

Statutory probate courts are located in 10 of the state's 15 largest metropolitan areas. In Texas' remaining 244 counties, probate matters, including guardianship cases are either handled by the county judge or county court at law judge without sufficient resources to monitor cases.

Over 20,300 of the state's 54,647 active guardianships reside in counties that lack resources to closely monitor these important cases.

Project Observations

- Lack of backup bank statements, receipts, check copies, and invoices for the annual accountings
- Unauthorized or unexplained ATM withdrawals and purchases
- Unauthorized or unexplained transfers
- Unauthorized or unexplained gifts to family members
- Payments to credit card accounts not listed on annual accounting
- Lack of required criminal background checks
- Training and procedures needed

Office of Court Administration
Texas Judicial Council

STATEWIDE EXPANSION

28 guardianship compliance specialists/auditors

- Will audit all newly-established guardianships in non-statutory probate courts
- Will audit estimated 10% of all others – based upon risk
- 165 audits per year each

2 managers for the statewide program

9 additional administrative staff to support the program

Travel and operating expenses

TOTAL ANNUAL COST
= $3.2 MILLION

Guardianship by the Numbers

- Population of Texans over age 65 projected to double by 2030 to almost 6 million
- 54,647 active guardianships in Texas
- 66% increase in reported guardianships in last 5 years
- $5 Billion in assets under court and guardians control in Texas

The Texas Judicial Council was created in 1929 by the 41st Legislature and is the policy-making body for the state judiciary. It examines the work accomplished by the courts and submits recommendations for improvement of the system to the Legislature, the Governor and the Supreme Court.

TIDC

TEXAS INDIGENT DEFENSE COMMISSION

House Appropriations Committee Hearing

February 2017

Legislative Appropriations Request FY 2018 & 2019

www.tidc.texas.gov

512-936-6994

Table of Contents

Commission Members

Thirteen-member governing board administratively attached to the Office of Court Administration. Jim Bethke is the Executive Director. The Commission has eleven full-time staff.

EX OFFICIO MEMBERS:

Honorable Sharon Keller	Chair, Texas Indigent Defense Commission Presiding Judge, Court of Criminal Appeals
Honorable Nathan Hecht	Austin, Chief Justice, Supreme Court of Texas
Honorable Sherry Radack *	Houston, Chief Justice, First Court of Appeals
Honorable Brandon Creighton	Conroe, State Senator, District 4
Honorable John Whitmire	Houston, State Senator, District 15
Honorable Andrew Murr	Junction, State Representative
Honorable Abel Herrero	Robstown, State Representative
Honorable Linda Rodriguez *	Hays County

* Designated by Governor

GOVERNOR APPOINTEES:

Honorable Jon Burrows	Bell County Judge
Mr. Alex Bunin	Harris County Chief Public Defender
Honorable Richard Evans	Bandera County Judge
Mr. Don Hase	Arlington, Attorney, Ball & Hase
Honorable Missy Medary	Presiding Judge, 5th Administrative Judicial Region of Texas, 347th District Court Judge

What We Do

Our Mission

Provide financial and technical support to counties to develop and maintain quality, cost-effective indigent defense systems that meet the needs of local communities and the requirements of the Constitution and state law.

Our Grant Program

In FY 2016, $31.6 million was disbursed to Texas counties.
Formula grants totaled $25.1 million to 254 counties.
Discretionary grants totaled $6.5 million to 17 counties.

Our Fiscal and Policy Monitoring Program

The Commission monitors each county that receives a grant to ensure state money is being properly spent and accounted for and to enforce compliance by the county with the conditions of the grant, as well as with state and local rules and regulations.

Our Innocence Program

Since 2005, the Commission has provided up to $100,000 annually to the University of Texas School of Law, the Texas Tech University School of Law, the Thurgood Marshall School of Law at Texas Southern University, and the University of Houston Law Center to operate innocence clinics. This funding has contributed towards 15 exonerations. In 2015 the 84th Legislature expanded funding to include $100,000 per year for two new public law schools at the University of North Texas Dallas College of Law and the Texas A&M University School of Law in Fort Worth.

EXCEPTIONAL ITEM REQUESTS

1) $2.87 million – Request Restoration of 4%

2) $2.9 million – Support 50/50 State-County Funding for Regional Public Defender for Capital Cases

3) $10 million – Support Statewide Funding for Early Identification and Representation of Defendants with Mental Illness

4) $212 million – Provide Local Property Tax Relief to Counties by Fully Funding Criminal Indigent Defense Costs

Exceptional Item #1 - $2.87 million

Request: Restore 4% Reduction & Restore Estimated Appropriation Authority

Impact:

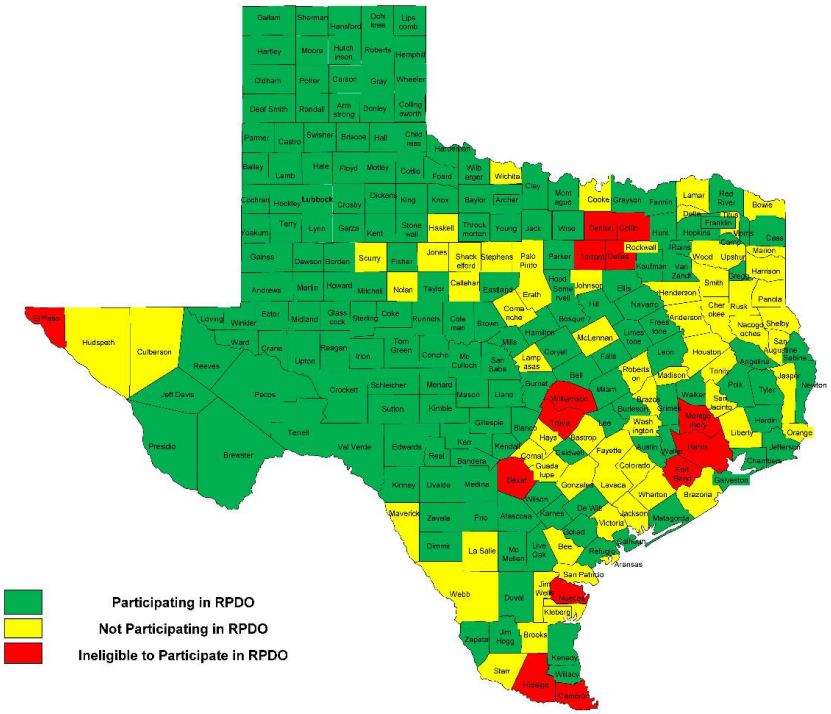
- **Reduction in grants to counties which will negatively impact level of services available**
- **Results in GR-Dedicated funds NOT being used for purpose for which they were collected**

Exceptional Item #2 - $2.9 million

Request: Support 50/50 State-County Funding for Regional Public Defender for Capital Cases (RPDO)

Impact:

- **Office serves 178 counties**
- **Provides for sustainable 50/50 cost sharing**
- **Ensures effective representation in the most serious and complex criminal cases**



Exceptional Item #3 - $10 million

Request: Support Statewide Funding for Early Identification and Representation of Defendants with Mental Illness

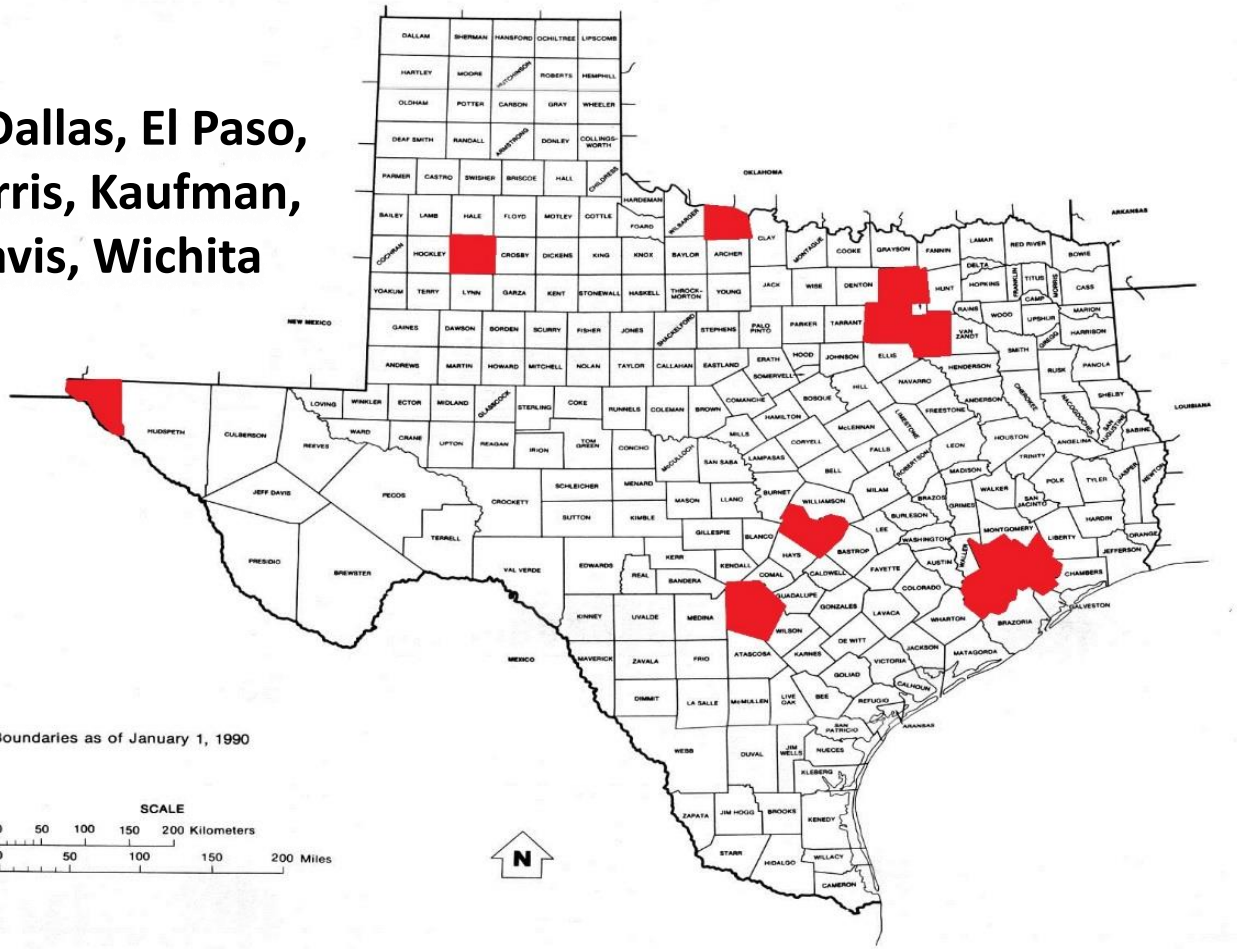
Mental Health Specialized Defender Models

Public Defender (PD)	Managed Assigned Counsel (MAC)

In each model, specialized counsel coordinate with social and case workers to represent defendants with mental illness. Programs link defendants with treatment and resources to help stabilize them and address the behaviors that lead defendants into the criminal justice system.

Mental Health Defender Programs Developed Through TIDC's Discretionary Grant Program

Bexar, Collin, Dallas, El Paso, Fort Bend, Harris, Kaufman, Lubbock, Travis, Wichita



- There are NO Mental Health Defender Programs South of San Antonio
- Texas has NO Regional Mental Health Defender Programs

Unmet Mental Health Needs are a Major Cost Driver in the Criminal Justice System

- **TIDC estimates that approximately 95,000 persons annually have mental health issues and need appointed counsel in Texas. Programs currently meet only 9% of the need for specialized counsel.**

- **Approximately 14,000 persons are "super-utilizers" who are deeply involved in the criminal justice system, resulting in $650 million in local jail costs each year due to mental illness and substance abuse.** (Andy Keller, *Texas Judicial Council Mental Health Committee Briefing: Texas Mental Health Needs, Systems, and Legislative Issues,* July 1, 2016)

The Meadows Foundation
Serving the People of Texas

These Programs Produce Better Outcomes for Defendants and Cost Savings for the County

The Collin County MHMAC saved the county over $640,000 in 2015 by increasing the use of personal bonds and reducing the number of jail bed days utilized for competency restoration.

The Fort Bend County MHPD cut client jail bed days in half, saving the county $2,500 per misdemeanor and $7,000 per felony case.

The Wichita County PD Mental Health Case Worker saved the county over $93,000 from 2015-16 by cutting jail bed days, reducing the use of psychological evaluations, and assisting court-appointed attorneys with mental health record review.

Travis County MHPD clients had lower recidivism rates and faster case disposition than non-PD clients. Around 39% of MHPD clients were re-arrested within the year following case disposition, compared to 50% of non-PD clients. MHPD clients also resolved their cases 40 days faster than non-PD clients.

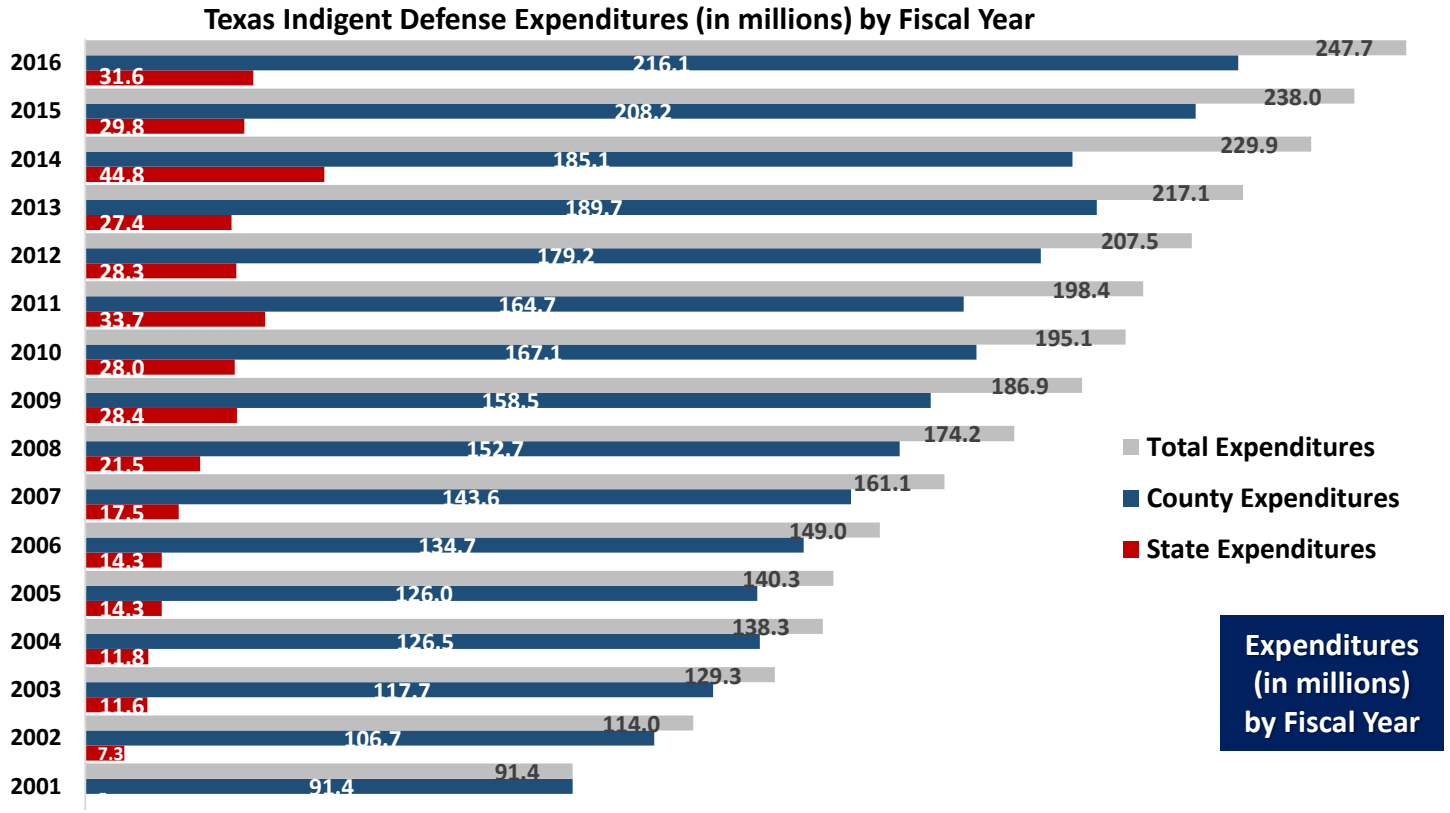
Harris County MHPD clients were five times more likely to receive a dismissal than similarly situated defendants.

Exceptional Item #4 - $212 million

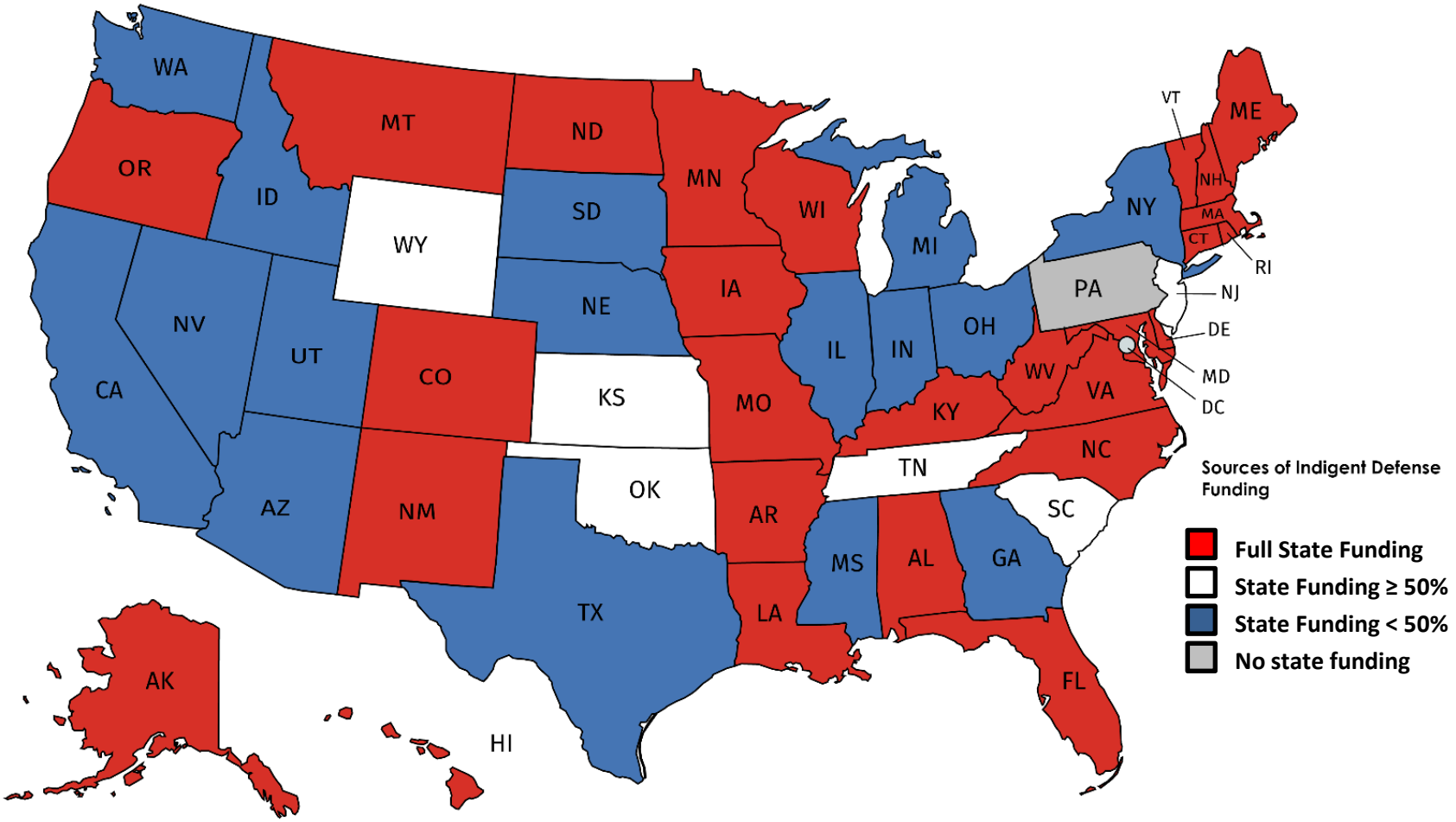
Request: Provide Local Property Tax Relief to Counties by Fully Funding Criminal Indigent Defense Costs

Impact:

- **Assist Counties in meeting federal and state constitutional directive to provide and pay for criminal indigent defense services. Most states fully fund criminal indigent defense services.**
- **Help ensure that all Counties, regardless of tax base, are able to provide adequate and effective representation to those persons too poor to hire counsel.**



State Variation in Funding Indigent Defense



Created with mapchart.net ©

Lawsuits Pending in Numerous States Over Inadequate Indigent Defense Systems

Seven lawsuits regarding excessive caseloads or inadequate funding for indigent defense providers are pending around the country. Another was recently decided by a state Supreme Court. States with ongoing or recently concluded lawsuits over county or state indigent defense systems include:

- California
- Idaho
- Indiana (2 lawsuits)
- Louisiana
- Pennsylvania (decided 2016)
- Utah (2 lawsuits)