

Judicial Section Board Meeting  
Thursday, June 26, 2014  
Minutes

**Meeting called to order by Judge Penny Roberts:**

**In attendance:** Judge Penny Roberts, Judge David Evans Judge Alfonso Charles, Justice Evelyn Keyes, Judge Kerry Russell, Judge Maria Salas-Mendoza, Retired Chief Justice Linda Thomas, Judge Mike Keasler, Justice Gina Benavides, and Judge David Garcia

In attendance by phone: Justice Pat Pirtle, Judge Kelly Moore, Judge Sam Medrano, Judge Brad Cates, Judge Amanda Matzke,

Excused absence: Judge Margaret Barnes, Justice Paul Green

Also present: Judge Dean Rucker, Justice Greg Perkes, Tracy Nuckols

**Approval of Minutes:** The minutes from the April 3, 2014 board meeting were approved as corrected.

**Financial Report:** The Treasurer presented the financial report of the Judicial Section. The Board approved the financials as presented.

The Treasurer presented the proposed budget for fiscal year June 2014-May 2015. The board had a brief discussion regarding dwindling collection of membership dues from the preceding two years. This year the judicial section dues statement was included in the State Bar dues statement. It is anticipated that we should see an increase in renewals and with the addition of the Associate Judges our income revenue should increase.

Proposed budget for 2014-2015 was approved as presented.

**Texas Center for the Judiciary Report-**Justice Gina Benavides received permission to give her report out of turn due to a speaking engagement

1. Everything is going great
2. Indicated that the TCJ will have a budget shortfall of \$20,000 at the end of the fiscal year, but the Court of Criminal Appeals has offered to assist in bridging the gap.
3. TCJ anticipates a shortfall around \$125,000-\$200,000 from the College of New Judges. The board of directors has authorized the expenditures of private funds to make up the difference.
4. The attendance at all conferences has been up this year and the board has adopted a policy of not capping attendance at any conference.

**Chair's Report:**

Judge Roberts attended the indigent defense committee meeting where they are discussing working on legislative issues to make additional changes to the Fair Defense Act.

**Committee Chair/Reports:**

**1. ByLaws-**Judge Dean Rucker, on behalf of the presiding judges, requested an "ex-officio" non-voting member status on the Judicial Section Board. The Texas Center has included a presiding judge as an ex-officio in their new by-law revisions. Judge Rucker requested the same status the Texas Center board has given the presiding judges. The consensus of the board was to grant the request and the matter was referred to Justice Keyes and the by-law committee to come up with a proposed by-law

revision consistent with the discussion of the board. The matter will be circulated by email for a vote prior to the Annual Conference.

Prior by-law provision regarding board approval for any expenditure in excess of \$2500 must be approved by the entire board was brought up for discussion. This provision was passed during the April 3, 2014 board retreat. The discussion addressed the State Bar's policy of paying all approved expenditures during the month and invoicing the section for a one-time payment to reimburse the State Bar. The State Bar invoiced amount usually exceeds the proposed by-law provision, even though it does not exceed the budgeted amount for the line item. Under the current bylaw provision a board vote would be required almost every month before the treasurer could authorize the repayment of already approved expenditures even though no single approved expenditure exceeded the \$2500 limit. Motion was made and passed to amend the by-law provision as follows:

“Any **“unbudgeted”** expenditure over \$2500 to any entity, in a fiscal year, must be approved by the Board of Directors”...

**2. Judicial Section Nominations Committee**-Judge Alfonso Charles gave the report of the committee. The nominating committee met and submitted the following individuals for open positions of the Board:

Chair:	Justice Pat Pirtle	7 <sup>th</sup> Court of Appeals Amarillo
Appellate	Justice Gina Benavides	13 <sup>th</sup> Court of Appeals Edinburg
District Judge	Judge Jose Lopez	Webb County
District Judge	Judge Chris Oldner	Collin County

Motion was made and approved to accept the nominating committee report

**3. Lifetime Achievement Award**-Judge Kelly Moore reported on behalf of the committee. The committee is in the process of updating the email blast from last year and expects it to be sent to all the judges on July 1, 2014 seeking nominations for the award. The committee will be closing nominations on August 1, 2014 and expect to have a decision approximately the first or second week of August.

**4. Legislative Committee update**-Judge Alfonso Charles

- a. Judicial Compensation-Committee had their organizational meeting in May and are seeking to get us another 10% raise. They have indicated they want to have a more proactive role in the upcoming session. They will likely recommend that the legislative retirement be de-linked from the salary of a district judge. The commission is also discussing, similar to other states, seeking legislation that the judicial compensation report automatically becomes law unless specifically voted down by the Legislature.
- b. Retired and Associate Judges did not get a raise so it will be a priority to bring them up this session. Retirement fund for plan II will soon financially sound so the fiscal note on the proposed raise should be extremely small.
- c. Legislature has selected members to study on how we elect judges in our State. The committee might be considering recommending an increase the terms for judges, such as from 4 years to 6 years for the CCL's and DJ's and from 6 years to 8 years for the appellate judges.
- d. Fund 540 will try to increase the money allocated for judicial education. The fund has been constant or decreased for the last couple of sessions.
- f. Michael Morton Act will be re-visited and possibly modified.

**State Bar Report: None**

**Other Business: None**

**Future Meetings:**

September 10, 2014 Annual Conference, Fort Worth, Texas

January 23, 2014 approx. 12:00 p.m. by telephone

March 2-3, 2014 overnight in Austin, Texas

**Adjourn.** The next meeting will be at the Judicial Education Annual Conference on September 10, 2014. A motion was made and passed to adjourn the meeting.