

In Chambers

The Official Publication of the Texas Center for the Judiciary

**Volume 30, Number 3
Winter 2003**

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The staff of *In Chambers* strives to provide current information about national and local judicial educational issues and course opportunities for Texas judges.

Readers are encouraged to write letters to the editor and submit questions, comments, or story ideas for *In Chambers*. Contact Morgan Morrison, Publications Coordinator, by calling 800-252-9232, faxing 512-469-7664, or e-mailing morganm@yourhonor.com.

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In Chambers

Volume 30, Number 3
Winter 2003

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Texas Death Penalty Practices

*By Mr. James D. Bethke
Director, Texas Task Force on Indigent Defense*

A report recently issued by the Equal Justice Center and the Texas Defender Service entitled, "Texas Death Penalty Practices: Quality of Regional Standards and County Plans Governing Indigent Defense in Capital Cases," attempted to evaluate the quality of the written attorney qualifications promulgated under Article 26.052, Code of Criminal Procedure, in each of Texas' nine judicial regions. The report also graded 33 Texas counties on their written capital indigent defense procedures under Article 26.04. And last, the report compared how Texas procedures compare to the American Bar Association's Guidelines for Appointment of Counsel in Death Penalty Cases. Based on my review of the authors' methodology and the grades it handed out to the nine administrative judicial regions and the 33 counties, the scores appear to be based to some extent upon the authors' subjective interpretation of what the Fair Defense Act requires.

The purpose of my writing is to let each of you know that the Task Force on Indigent Defense and the nine administrative presiding judges were not involved in the preparation of this report nor were any of us made aware of the report until the day before the report was released. In fact, I was a little surprised that neither I nor my staff was contacted for any input.

I have now had the opportunity to read the report in its entirety. The Task Force, the judiciary and the authors of the report, I believe, all would agree that

any defendant charged with a capital case should be appointed qualified attorneys who provide a thorough and fully competent defense. We would also agree that, since the passage of the Fair Defense Act, Texas and its courts have made meaningful progress in providing better indigent defense services to poor defendants. For example, each court has submitted local plans stating how they are meeting the requirements of the Fair Defense Act requirements. Each court has adopted minimum CLE

requirements for attorneys accepting public appointments and so on. The progress made thus far would not have been possible without the commitment and hard work of Texas judges and county officials. Of course, there is still more work to be done. No system is without flaws. ♦

A copy of the report can be obtained at the Equal Justice Center's website: <http://www.equaljusticecenter.org>.

Texas' Newest Administrators of Justice *As of December 2, 2003*

Hon. William C. Bosworth
413th District Court, Cleburne
New Court

Hon. Scott Brister
Texas Supreme Court, Austin
Succeeding Hon. Craig Enoch

Hon. William R. Burke, Jr.
189th District Court, Houston
Succeeding Hon. Jeff Work

Hon. Pamela Foster Fletcher
349th District Court, Palestine
Succeeding Hon. Jerry Calhoun

Hon. Bob McCoy
2nd Court of Appeals, Fort Worth
Succeeding Hon. Sam Day

Hon. Elizabeth Lang-Miers
5th Court of Appeals, Dallas
Succeeding Hon. Ed Kinkeade

Hon. Romero Molina
Cnty. Ct. at Law #1, Rio Grande City
Succeeding Hon. Jesus M. Alvarez

Hon. Erleigh Norville
County Court at Law, Kaufman
Succeeding Hon. Joe Parnell

Hon. John Christopher Oldner
416th District Court, McKinney
New Court

Hon. Robert H. Pemberton
3rd Court of Appeals, Austin
Succeeding Hon. Lee Yeakel

Hon. Mauricio Rondon
334th District Court, Houston
Succeeding Hon. Dale Wainwright

Hon. Jack Skeen, Jr.
241st District Court, Tyler
Succeeding Hon. Diane DeVasto

Hon. Charles Stephens
Cnty. Ct. at Law #2, New Braunfels
New Court

From the 2003 Annual Conference

On program evaluations, attendees comment on the faculty members' effectiveness and quality



*“Dynamic speakers.
Absolutely fabulous.”*



*“Made me think
about issues that are
vital in our day to
day work, but that no
one ever talks about.”*



*“Good nuts and bolts.
Effective presenters.”*



*“The program topics were
appropriate and timely.”*



*“I have been to many
seminars—this was one
of the best that I have
ever attended. Thanks
for your hard work.”*



*“Information on
substantive law is
invaluable.”*



New Judiciary Leaders Elected

Judges attending the Judicial Section—State Bar of Texas' 76th annual conference, held September 14–17 in Corpus Christi, elected new leaders for the 2003–04 term. Fifth Court of Appeals Justice Molly M. Francis will serve as Judicial Section Chair, and 318th District Court Judge Dean Rucker will serve as Chair-Elect.

Formed in 1928, the Judicial Section promotes the objectives of the State Bar of Texas within the judiciary. Approximately 1,500 active and retired Texas judges compose the Judicial Section.

As Judicial Section Chair, Justice Francis will preside at all Section and Board of Directors meetings; formulate and present a report of the Section's work at the State Bar of Texas' annual meeting; and perform other duties as pertain to the office.

Justice Francis served on the Dallas County Criminal Court #9 for six years, as judge of the 283rd District Court for five years, and was appointed to the Fifth Court of Appeals, sitting in Dallas, by Governor Rick Perry in September 2001. She is a 1978 graduate of Baylor University and received her J.D. from Baylor in 1981. She is Board Certified in Criminal Law by the Texas Board of Legal Specialization (1987) and Board Certified in Criminal Law by the National Board of Trial Advocacy (1989). Justice Francis is Past Chair of the Criminal Justice Section Council of the State Bar of Texas and serves on the Volunteer Center of Dallas' Board of Directors.

Sitting on the family district court bench in Midland, Judge Rucker is Board Certified in Family Law by the Texas Board of Legal Specialization.

Judge Rucker also serves as Presiding Judge of the 7th Administrative Judicial Region. In 1997, Texas CASA recognized Judge Rucker as the Clayton E. Evans Judge of the Year. He is a member of the State Bar of Texas Family Law Section, the Texas Academy of Family Law Specialists, and the Midland County Bar Association. Judge Rucker has spoken at conferences for the Texas Center for the Judiciary, State Bar of Texas, and the Texas Academy of Family Law Specialists. He earned a B.S. from Trinity University and a J.D. from St. Mary's University School of Law.

In addition to leading the Judicial Section, Justice Francis and Judge Rucker were also elected to head the Texas Center for the Judiciary. Prior to

their election, Justice Francis and Judge Rucker were active on various Texas Center committees. Currently, Justice Francis serves on the Curriculum Committee, which develops the specialized judicial education and training opportunities for Texas appellate, district, and county court at law judges.

Judge Rucker will succeed Justice Francis as Chair of the Judicial Section and Texas Center during the 2004–05 term. ♦



Justice Molly M. Francis

Thank You, Texas Court Reporters Association



Sponsored by the Texas Court Reporters Association, the 2003 Judicial Section Annual Conference's Silent Auction raised \$9,000 for the Texas Center for the Judiciary.

Thank you, Texas Court Reporters Association and silent auction volunteers: Teresa Anderson; Velma Arrellano; Robin Cooksey; Bernice DeLeon; Glenda Fuller; Heather Garcia; Katrina Gentry; Myra Haney; Jennifer Hill; Kori Hosek; Jennifer Karl; Sylvia Kerr; Joan Latham; Ginny McCluskey; Judy Miller; Phyllis Morris; Lisa Riley; Roy Riley; Susan Simmons; Dana Smelley; Sonya Trevino; Jim Tucker; Judy Tucker; and Judy Werlinger.

And, congratulations to 1st place winners of the karaoke contest: Hon. Brent Carr and Hon. Wayne Salvant of Fort Worth. ♦

Judges Find Burden of Justice Increasingly Heavy

By Mr. Tommy Witherspoon
Waco Tribune-Herald staff writer

Almost four months after the resignation of Rex Davis as chief justice of the 10th Court of Appeals, two state district judges from Waco were appointed temporarily to the intermediate appellate court to help alleviate a mounting backlog of cases.

Thomas R. Phillips, chief justice of the Supreme Court of Texas, appointed Judge George Allen and Judge Ralph Strother justices of the 10th Court of Appeals after conferring with Governor Rick Perry's office about the progress of the process to appoint Davis' successor, a spokesman in Perry's office said.

Davis, appointed chief justice by then-Governor George W. Bush in May 1996,

resigned August 1 to join the Waco law firm of Sheehy, Lovelace and Mayfield.

In the past few years, the three-judge court has seen its docket steadily increase while relying on visiting or retired judges to help keep up with the workload. However, the last legislative session gutted funding for the visiting judges' program, leaving 10th Court justices Bill Vance and Tom Gray struggling to keep up in Davis' absence.

On three-member courts, opinions can be released if two members agree on cases. Since Davis' resignation, less than five opinions have been released, court officials say.

Vance and Gray both have applied for

the chief justice's appointment, as well as eight other candidates from the 16-county judicial region.

"Apparently, the Supreme Court recognized that this court needed to move its caseload forward," Vance said. "The difficulty will be integrating (Allen and Strother) into our workload, given the temporary nature of the appointment and their ongoing caseload."

Gray declined comment about the appointments.

Gene Acuna, a spokesman in Perry's office, said the appointment process is in the latter stages, adding that candidates have been interviewed. He declined to predict when an appointment might be made.

Supreme Court spokesman Osler McCarthy said Phillips' appointments are based on a new provision in the law that went into effect September 1 allowing state district judges to sit on appellate courts. He declined to speculate if the law was passed to compensate for the Legislature's decision to drastically cut the budget for visiting judges in a statewide cost-cutting measure.

The Waco appointments are only the second time Phillips has relied on the new law, previously appointing a judge in Tarrant County to sit on an appellate court in Fort Worth, McCarthy said.

Allen and Strother were less than eager to accept their new assignments, with both wondering aloud how they will work the additional, non-compensated duties into their already full dockets.

Allen presides over 54th State District Court, the county's chief felony court, and

in|memoriam

For Those Who Served Our State Courts

As of November 11, 2003

Honorable James D. Baskin
Justice (Retired)
4th Court of Appeals, San Antonio

Honorable George T. Ellis
Justice (Retired)
14th Court of Appeals, Houston

Honorable Jack N. Ferguson
Judge
County Court at Law #3, El Paso

Honorable Noah Kennedy, Jr.
Justice (Retired)
13th Court of Appeals, Corpus Christi

Honorable Connally McKay
Justice
12th Court of Appeals, Dallas

Honorable Perry D. Pickett
Retired District Judge
142nd District Court, Midland
Former Presiding Judge
7th Administrative Judicial Region

Mr. Bob Wessels Receives Top Award from National Court Organization

Bob Wessels, court manager of Texas' Harris County Criminal Courts at Law, has been named recipient of the 2003 Distinguished Service Award, one of the highest awards presented by the National Center for State Courts (NCSC). The Distinguished Service Award is presented annually to a person who has made longstanding contributions to the improvement of the justice system and who has supported the mission of The National Center.

"As a leader in the legal profession, Mr. Wessels cares deeply about the importance of the work of this country's justice system, and the mission of The National Center as the preeminent national court reform organization," said Roger K. Warren, NCSC president.

Mr. Wessels has a proven record of dedication to the justice system. As

court manager, he is responsible for caseload management, court support services, staff training, policy development and evaluation, among other duties. He is a past member of the National Center's Board of Directors; past president of the National Association for Court Management; and a member of the Board of Directors for the Justice Management Institute.

In addition, Mr. Wessels is a Fellow of the Institute for Court Management and has served on numerous committees and task forces, including the Conference of State Court Administrators/National Association for Court Management's Joint Technology Committee; the Supreme Court of Texas' Judicial Committee on Information Technology; and the National Center's Advisory Committee on Technology. Since 1981, he has been Program



Bob Wessels, court manager of Harris County Criminal Courts at Law and program coordinator for the Texas Center's Professional Development Program, received the National Center for State Courts' 2003 Distinguished Service Award. Thomas A. Henderson, Executive Director of Association Services at NCSC, congratulates Mr. Wessels on his achievement.

Coordinator for the Texas Center for the Judiciary's Professional Development Program, which offers professional education and development for persons employed in the district and county courts of Texas as court coordinators, court managers or court administrators. ♦

rarely has down time on his docket. He said that with the exception of Thanksgiving week, he has a felony trial scheduled every week at least until the end of the year and some beyond.

Strother's 19th State District Court is primarily a family law court. However, Strother has helped Allen in recent months with felony criminal trials and also presides two days a week as juvenile court judge.

"I think it is going to be a brave new world and a very interesting experience," Strother said. "I am honored by it, but I learned long ago that honor is just a five-letter word for a four-letter word—work."

Both Allen and Strother were critical when the Legislature practically eliminated funding for visiting judges, which also affects their courts. If there were money for visiting judges, they could help the 10th Court. Without money for visiting judges for their courts, where will they find time to perform their appellate duties, they ask.

"It's going to be extremely difficult," Allen said. "We all have full-time dockets that we have to keep up with. For whatever reason, the governor has decided that the 10th Court can operate without a chief justice. All he has to do is appoint someone. He's had since August

1 to do it. But this puts everybody under the gun."

Others who have applied for the chief justice position include Felipe Reyna, J.P. Davis, Lynnann Kendrick, Vicki Menard and Bill Vannatta, all of Waco; John Neill, a state district judge from Cleburne; Margaret Meece, a justice of the peace from Bryan; and Val Fulcher, an attorney from Teague. ♦

This article appeared November 19, 2003, in the Waco Tribune-Herald. Reprinted with permission from Tommy Witherspoon and the Waco Tribune-Herald.

Dallas Bar Board Adopts Judicial Election Creeds

*By Hon. Jay Patterson
Judge, 101st District Court, Dallas County*

On August 21, the Dallas Bar Board responded to the request of a majority of Dallas State and County judges and adopted, “The Creeds for Integrity and Professionalism in Judicial Elections” (the “Judicial Election Creeds”). A copy appears below.

The Creeds are an attempt by Dallas elected judges and Dallas lawyers to make judicial elections beyond reproach and an example for others. The Creeds are intended to represent the high expectations for behavior of candidates and lawyers in judicial

election campaigns. The Creeds should also help diminish the perception that there is a connection between campaign contributions and decisions made by elected judges.

Over the past three years, the Judicial Election Creeds Task Force of the Dallas Bar worked on the Creeds. Judges Tom James, David Godbey, Margaret Keliher, Cliff Stricklin, Lana McDaniel, and I helped with the project. The lawyer members of the Task Force are Dallas Bar President Brian Melton, Jeff Hage, and Travis Vanderpool.

I believe we are lucky to have the privilege of freely electing our judges. It is a freedom we should jealously guard and protect. We do not want citizens who may read in the newspapers about claims of bad actions by a few judges to assume bad behavior is the norm. It is not. In Dallas we have never had finer elected judges than we now have. I am proud of our judges for taking the initiative to urge the Dallas Bar to adopt the Judicial Election Creeds. ♦

Creeds for Integrity and Professionalism in Judicial Elections

These Creeds have been developed, consistent with the Texas Code of Judicial Conduct and the Texas Judicial Campaign Fairness Act, to promote and ensure the continuance of the highest standards of integrity and professionalism in the conduct of judicial elections.

Part One: For the Candidate Seeking Election or Re-election Preamble

Judicial integrity and independence of the judiciary in complying with the law are indispensable to justice.

As a judge or judicial candidate I hold a responsibility to promote the establishment, maintenance and preservation of judicial integrity and the

independence of the judiciary by upholding the law and preserving the public trust and confidence in the justice system and by adhering to these principles in all matters concerning judicial elections.

Campaign Fundraising

1. I will not, either expressly or impliedly, seek or accept any means of campaign support from attorneys while they are present in my courtroom or at the courthouse.
2. I will not seek funds nor will I publish endorsements for my election or re-election prior to the commencement date for judicial campaign fundraising set forth in the Texas Election Code.
3. I will not, either expressly or impliedly,

provide, offer to provide, or suggest that I will render special treatment, either beneficial or adverse, to any attorney or party based on their decision to provide or withhold campaign support.

4. I will fairly, impartially and objectively exercise my duties and responsibilities as a judge toward all attorneys and parties, regardless of their party affiliation or support or any relationship with me.

Campaign Activities

5. I will conduct my campaign for election or re-election to the judiciary in accordance with the Texas Code of Judicial Conduct and the Judicial Campaign Fairness Act, and in conformity with this Creed for

Integrity and Professionalism in Judicial Elections.

6. I will not use information in connection with my election or re-election that I know to be false or materially deceptive.
7. I will treat other candidates for the position I seek in a judicial election or re-election with respect and dignity.
8. I will refrain from using irrelevant facts or issues to assess a contending candidate's character, qualifications or ability to serve as a judge.
9. I will not, with respect to cases, controversies or issues that are likely to come before the court, make pledges, promises or commitments that I believe are inconsistent with the impartial performance of the adjudicative duties of elected office.
10. I will not use any title that any of my supporters may have as a past, present or future officer or director of the Dallas Bar Association or Chair of any Dallas Bar Association committee or section in connection with my campaign for election or re-election.
11. I will support the Judicial Election Creeds and work to encourage others to conduct judicial elections in accordance with the Judicial Election Creeds. I will openly support the Judicial Election Creeds in my campaign. Such support may be demonstrated by the use of the following statement in my campaign literature: "This Campaign is conducted in accordance with the Judicial Election Creeds."

Part Two: For the Attorney Supporting a Candidate for Election or Re-election

Preamble

Judicial integrity and independence of the judiciary in complying with the law are indispensable to justice.

As an attorney supporting a judge or judicial candidate, I hold a responsibility to promote the establishment, maintenance and preservation of judicial integrity and the independence of the judiciary by upholding the law and preserving the public trust and confidence in the justice system and by adhering to these principles in all matters concerning judicial elections.

Campaign Fundraising

1. I will not, either expressly or impliedly, make offers to provide campaign support, through financial contributions or otherwise, to a judge while I am present in the judge's courtroom or at the courthouse.
2. I will not contribute funds to a candidate for election or re-election to the judiciary prior to the commencement date for judicial campaign fundraising set forth in the Texas Election Code.
3. I will not seek, accept or expect special accommodations or preferred treatment from any member of the judiciary in connection with making or offering to make, directly or indirectly, campaign contributions or otherwise supporting a judge or candidate for election or re-election to the judiciary.
4. I will not represent to clients, prospective clients or to the public that I am entitled to or may receive special accommodation or privileges because of my support of or contributions to a judge or candidate for the judiciary in the election process or my relationship with a judge or candidate.

Campaign Activities

5. I will encourage all judges and candidates for a judicial election to conduct campaigns for election or re-election to the judiciary in accordance

with the Texas Code of Judicial Conduct and the Judicial Campaign Fairness Act, and in conformity with this Creed for Integrity and Professionalism in Judicial Elections.

6. I will not use or encourage a candidate to use information in connection with the candidate's election or re-election that I know to be false or materially deceptive.
7. I will treat judges and candidates in a judicial election with respect and dignity.
8. I will refrain from using irrelevant facts or issues to assess a judge's or candidate's character, qualifications or ability to serve as a judge.
9. I will not ask a judge or candidate for judicial election, with respect to cases, controversies or issues that are likely to come before the court, to make pledges, promises or commitments that I believe are inconsistent with the impartial performance of the adjudicative duties of elected office.
10. I will not use or give approval to use any title that I may have as a past, present or future officer or director of the Dallas Bar Association or Chair of any Dallas Bar Association committee or section in connection with a candidate's campaign for election or re-election.
11. I will not cause or seek to cause any relationship I may have with a judge or judicial candidate to interfere with that person acting with objectivity toward me in connection with judicial proceedings.
12. I will support the Judicial Election Creeds and work to encourage others to conduct judicial elections in accordance with the Judicial Election Creeds. ♦

Court Debuts New Website Design

By Mr. Osler McCarthy

Staff Attorney for Public Information, Texas Supreme Court

The Texas Supreme Court's website has undergone changes prompted in part by budget cuts and in part by a new operating system for the Court's case-management system. The Court ended its outside contract for website service at the end of the fiscal year, leaving users without interactive case- and opinion-search features for more than a month.

At the same time, the Court has undertaken a website redesign intended to create new features and a new look to improve its use and ease for judges, lawyers, and the public. That redesign should be online before the end of November.

Among the website improvements is a navigation menu on all pages that will direct users to specific subject pages as

well as select information contained on each page, allowing you to go directly to information you are seeking.

New features for presenting opinions of the Court and the Court's oral argument schedule will allow you to determine at a glance the principal holding of the decision or the principal issue in a case set for argument.

On the page for the Court's oral argument schedule, pop-out boxes will list the cases set for argument on each date (click on the date). When you put your mouse pointer on a case, a box will appear that lists principal issues in that case. Then if you click on that "issues" box, you will be directed to briefs that have been filed online.

The Court's previous case-tracking e-mail-alert function—called vNotices—

has been replaced with the Case Mail service used by many of the courts of appeals. Subscribers can ask for e-mail notices for specific cases or for orders in general as they are issued. The Court's staff attorney for public information continues to send "Supreme Court advisories"—notices of orders and opinions with summaries and links to the full text, as well as rules proposals and adoptions and other news from the Court.

Most Texas judges are subscribed to that service, but if you are not, contact Osler McCarthy at osler.mccarthy@courts.state.tx.us. Please note your court on the request because Mr. McCarthy keeps a list of judges for distributing occasional and specific information for judges. ♦

Disorder in the Court

These verbatim courtroom exchanges are from Charles M. Sevilla and Lee Lorenz's collection, *Disorder in the Court: Great Fractured Moments in Courtroom History*.

Q: What was the first thing your husband said to you when he woke up that morning?

A: He said, 'Where am I, Cathy?'

Q: And why did that upset you?

A: My name is Susan.

Q: Were you present when your picture was taken?

Q: The youngest son, the twenty-year old, how old is he?

Q: Do you recall the time that you examined the body?

A: The autopsy started around 8:30 p.m.

Q: And Mr. Dennington was dead at the time?

A: No, he was sitting on the table wondering why I was doing an autopsy.

Q: Are you qualified to give a urine sample?

Q: What gear were you in at the moment of the impact?

A: Gucci sweats and Reeboks

Q: Doctor, how many autopsies have you performed on dead people?

A: All my autopsies are performed on dead people.

Q: Can you describe the individual?

A: He was about medium height and had a beard.

Q: Was this a male or a female?

Q: What is your date of birth?

A: July fifteenth.

Q: What year?

A: Every year.

Q: Is your appearance here this morning pursuant to a deposition notice which I sent to your attorney?

A: No, this is how I dress when I go to work.

Q: All your responses must be oral, OK? What school did you go to?

A: Oral. ♦

Questions & Answers

Ethics Opinion Number 288

Legal Representation By Part-Time Municipal Judge

May an associate (part-time) municipal judge of a city represent a police officer of that municipality in connection with a criminal investigation of an alleged conspiracy to violate civil rights of individuals by planting fake drugs on them?

No. Canon 2A provides that “a judge... should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.” Canon 4A provides that “a judge shall conduct all of the judge’s extra-judicial activities so that they do not (1) cast reasonable doubt on the judge’s capacity to act impartially as a judge...” The representation set out above does not promote the integrity and independence of the judiciary, and it creates an appearance of impropriety.

The Committee is also of the opinion that the representation constitutes business dealings that “reflect adversely on the judge’s impartiality, interfere with the proper performance of the judicial duties, exploit his or her judicial position, or involve the judge in frequent transactions with lawyers or persons likely to come before the court on which the judge serves,” which is prohibited by Canon 4D(1). Defendants charged with criminal offenses in municipal court should be able to reasonably anticipate that when they appear before the court

their case will be heard by an entirely fair and unbiased judge. In the vast majority of municipal court cases, the municipality’s main witness is often one of its police officers. A defendant who is aware of the fact that the judge hearing his case also privately represents police officers employed by that very same municipality could reasonably doubt that the judge was impartial when considering the testimony of any police officer and the weight to be given thereto.

A built-in dilemma exists in our justice system when a part-time judge also maintains a law practice. Under the Texas Disciplinary Rules of Professional Responsibility a lawyer has an obligation to zealously represent his client within the bounds of the law. When that lawyer also serves as a judge, however, his duty as a judge is to be impartial and to promote public confidence in the integrity and impartiality of the judiciary. The Committee stresses to all part-time judges to keep this conflict in mind when choosing to accept representation.

This answer is specific to the query and does not overrule Opinion No. 132 (1989). ♦

Justice Molly Francis, 2003–04 Chair of the Judicial Section—State Bar of Texas named two new members to the 2003–04 Committee on Judicial Ethics: Hon. Lora J. Livingston (Judge, 261st District Court, Austin) and Hon. Mark Rusch (Judge, 401st District Court, McKinney). The full committee membership includes:

Committee on Judicial Ethics

Hon. Mack Kidd, *Chair*
Hon. Thomas Bacus
Hon. Cathy Cochran
Hon. Mackey K. Hancock
Hon. Lora J. Livingston
Hon. Emil Karl Prohl
Hon. Mark Rusch
Hon. Michael Schneider
Hon. Juan Velasquez
Hon. Kathleen Olivares, *Liaison*
Hon. Mario Ramirez, *Liaison*
Hon. Jay Robinson, *Ex-Officio*
Hon. Steve Seider, *Ex-Officio*

To ask an ethics question, contact Justice Mack Kidd, Chair of the Judicial Section’s Committee on Judicial Ethics, (512-463-1686) or the State Commission on Judicial Conduct (877-228-5750).

We Want Your E-mail Address

To ensure you receive e-mail announcements from the Texas Center about upcoming education conferences and other judicial issues, please provide Lacy Jemmott (lacyj@yourhonor.com) with your current e-mail address. The information is for our use only. We promise; we will not share your e-mail address with anyone. ♦

2003–04 Boards & Committees Membership

Judicial Section—State Bar of TX

Board of Directors, 2003–04

Hon. Molly M. Francis, Chair
Justice, 5th Court of Appeals, Dallas

Hon. Dean Rucker, Chair-Elect
Presiding Judge, 7th Administrative Judicial Region
Judge, 318th District Court, Midland

Hon. Thomas Bacus, Secretary-Treasurer
Judge, County Court at Law #2, Wichita Falls

Hon. Stephen B. Ables, Immediate Past Chair
Presiding Judge, 6th Administrative Judicial Region
Judge, 216th District Court, Kerrville

Hon. Sherry Radack, Place 1 (2006)
Chief Justice, 1st Court of Appeals, Houston

Hon. Brian Quinn, Place 2 (2005)
Justice, 7th Court of Appeals, Amarillo

Hon. Lora J. Livingston, Place 3 (2005)
Judge, 261st District Court, Austin

Hon. Robin Sage, Place 4 (2005)
Judge, 307th Family District Court, Longview

Hon. Roger Towery, Place 5 (2006)
Judge, 97th District Court, Henrietta

Hon. Carter T. Schildknecht, Place 6 (2004)
Judge, 106th District Court, Lamesa

Hon. Mario Ramirez, Place 7 (2004)
Judge, 332nd District Court, Edinburg

Hon. M. Sue Kurita, Place 8 (2006)
Judge, County Court at Law #6, El Paso

Hon. Laura A. Weiser, Place 9 (2004)
Judge, County Court at Law #1, Victoria

Hon. Thomas Stansbury, Place 10 (2006)
Senior District Judge, Stafford

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Hon. Sherry Radack, *Liaison*

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Hon. Earl Stover, III, *Chair*
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Honors & Achievements for Texas Judges

JUDGE KERRY L. RUSSELL, 7th District Court of Smith County, was elected as Chair of the College of the State Bar of Texas at its recent meeting in Galveston. JUDGE BARBARA NELLERMOE, 45th District Court of Bexar County, was elected as Vice-Chair. The Bar College has more than 4,500 members who attend at least twice the number of hours for minimum CLE required annually by the State Bar of Texas. The College encourages professionalism through education.

JUDGE PATRICIA A. MACIAS, Presiding Judge of the 388th Family District Court in El Paso, was installed for a second three-year term on the National Council of Juvenile and Family Court Judges (NCJFCJ) Board of Trustees during the group's annual meeting held July 20–23 in San Antonio. JUDGE JOHN J. SPECIA, JR., 225th District Court of Bexar County, was installed for his first three-year term on the NCJFCJ Board of Trustees. ♦

TX Association of County Court at Law Judges

*By Hon. Joe Bridges
Judge, County Criminal Court #4, Denton County*

Texas Association of County Court at Law Judges' goal for this year is preparing and laying the groundwork for the next legislative session. We have all heard that everybody has an opinion about what changes should be made in the judicial system in Texas; and, in their discussions, it is accepted as a given that something needs to be done with our judicial system. If we do not want a default representative to speak for us and we do not want to let others decide if the Texas judicial system will be changed and what changes will be made, then we must talk to our voting citizens, our legislators, and each other to reach a common goal that benefits the citizens of Texas. It will be the responsibility of Judge Mark Atkinson to take this message to the legislature from us; but it is up to us now to prepare that message in a respectful, coherent, intelligent statement of the facts.

In working toward this goal, our by-laws provide for a Legislative Advisory Board. Joe Bridges, Mark D. Atkinson, Graham Quisenberry, and Margaret Barnes are the executive committee and are on this board. The by-laws provide that the President (Joe Bridges) may appoint any other positions not elected by the end of October. Each region excluding Dallas and Harris counties has a member. Dallas and Harris counties have their own member. I will appoint members from volunteers or draftees recommended by our fellow judges.

I would ask that all members give us an e-mail address, so we can update and contact you. The Texas State Bar has access to one you can get on for no additional cost if you have Internet access at <http://justice-email.findlaw.com> (you will get some pop ups). I am sure there are some other no-cost ways if you have Internet access.

If you need to contact me, my e-mail is joebridges@justice.com; my office number is 940-349-2380; and my fax number is 940-349-2381. I hope we have a successful year, and I intend to attend the regional meetings and set other meetings as needed in the coming year after we have selected the Legislative Advisory Board. ♦

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Judicial Conference Calendar

2004

Regional Conference (Regions 1, 6, 7, 8, & 9)
January 26–28, 2004
Corpus Christi

Regional Conference (Regions 2, 3, 4, & 5)
February 22–24, 2004
Dallas

Family Violence Conference
March 29–31, 2004
Galveston

Texas College for Judicial Studies
April 25–30, 2004
Austin

Criminal Justice Conference
May 24–26, 2004
Richardson

Professional Development Program
June 21–25, 2004
Austin

Judicial Section Annual Conference
September 12–15, 2004
Dallas

College for New Judges
December 5–10, 2004
Austin

2005

Regional Program (Regions 1, 3, 4, 5, & 8)
TBA

Regional Conference (Regions 2, 6, 7, & 9)
February 27–March 1, 2005
Galveston

Texas College for Judicial Studies
May 1–6, 2005
Austin

NAWJ 25th Anniversary Conference



Justice Ruth Bader Ginsburg welcomes Texas judges to the United States Supreme Court during the 25th Anniversary Conference of the National Association of Women Judges in Washington, DC in October. Left to right: Hon. Orlinda Naranjo (County Court at Law #2, Austin), Hon. Elizabeth Earle (County Court at Law #7, Austin), Hon. Susan Criss (212th District Court Galveston), Justice Ginsburg, Hon. Bea Ann Smith (Third Court of Appeals, Austin), and Hon. Marisela Saldana (County Court at Law #3, Corpus Christi).



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