



SUPPORT

HB 2384 by Leach

TEXAS CIVIL
JUSTICE
LEAGUE

March 1, 2023

Support HB 2384:

Improve the Administration of Justice by Standardizing Judicial Education and Training

Policymakers have time and time again shied away from making any major changes in the judicial selection process that would depart from the partisan election of judges. But that doesn't mean that the voters should not have ready access to relevant information about judicial candidates or that candidates who win those elections (or who are appointed to fill vacancies) should not be the very best and most qualified people available for the job. H.B. 2384 would place no limitations on who could *run* for judicial office (beyond the constitutional minimum practice and residency requirements), but it would raise the level of education and training for those who get elected so that *all* Texans receive the quality of justice that they pay for and deserve.

To achieve this objective, HB 2384 does the following:

1. In order to ensure that voters have all relevant information about a judicial candidate's background and experience, the bill requires a judicial candidate's ballot application to include the candidate's bar number, to disclose any public sanction or censure or disciplinary sanctions in Texas or another state, to state for the previous five-year period the nature of the candidate's practice, any legal specialization, the candidate's professional courtroom experience, and any final conviction for a Class A or B misdemeanor in the past 10 years. It further requires candidates for appellate courts to describe their appellate court briefs and oral arguments for the past five years. To enforce the ballot application requirements, the bill makes public any sanction against a judicial candidate for making a false declaration on the application and directs local district grievance committees to sanction attorneys that make false declarations on a ballot application.
2. The bill directs the Supreme Court to adopt rules on judicial training that a judge must complete within one year of election to the bench, which shall consist of a minimum of 30 hours of instruction on the administrative duties of the office and substantive, procedural, and evidentiary law. It also requires 16 hours of continuing education annually. Again, to enforce these requirements, the bill directs the Judicial Conduct Commission to suspend a judge who does not complete the training.
3. The bill provides that a judge who simply refuses to comply with the education requirement for more than one year engages in "wilful or persistent conduct that is clearly inconsistent with the proper performance of a judge's duties" sufficient to subject the judge to removal from office under Art. V, § 1-a, Texas Constitution.

Please vote FOR HB 2384

TEXAS CIVIL JUSTICE LEAGUE

400 W. 15th Street · Suite 1400 Austin, Texas 78701
512.320.0474 · info@tcjl.com · tcjl.com

Carol Sims EXECUTIVE DIRECTOR

Lisa O. Kaufman GENERAL COUNSEL

George S. Christian SENIOR COUNSEL

4. The bill also seeks to improve public knowledge about the actual operations of the courts and to direct assistance to courts where needed. To that end, the bill charges the director of Office of Court Administration (OCA) with developing standards for identifying courts that need additional assistance to promote the efficient administration of justice, directs the OCA to include disaggregated performance measures for each appellate, district, statutory county, and county court as part of its annual performance report, and requires the OCA to report the annual clearance rate for each trial court.
5. Finally, the bill directs the Supreme Court to adopt rules establishing a specialty certification for attorneys in judicial administration and requires the Texas Board of Legal Specialization to make it available to judges. As an added incentive to participate, judges who hold a specialty certification in judicial administration may be entitled to additional compensation if the legislature makes an appropriation for that purpose.



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