

in CHAMBERS

THE OFFICIAL PUBLICATION OF TEXAS CENTER FOR THE JUDICIARY, INC. VOLUME 23, No. 2 SPRING 1996

Criminal Justice Conference features scientific evidence and family violence sessions

“Scientific Evidence: A Judicial Perspective” is the title of this year’s Criminal Justice Conference.

The conference, which will held May 15-17 at the Sheraton Park Central Hotel in Dallas, may be one of the most important educational opportunities for Texas judges who hear criminal cases.

“More and more, judges are required to consider and evaluate complex scientific evidence, Mari Kay Bickett said. “This program covers the basic principles of scientific analysis which are commonly cited in criminal trial situations.”

The “Judging Science” program was first presented at the Duke University School of Law in 1995 and the judges in attendance gave the program high marks, Bickett said.

“We’re all very excited to be able to bring such an excellent program to Texas for the benefit of our judges.”

In addition to “Judging Science,” the conference will also include a session titled “Impact of Rape Trauma Syndrome on Sexual

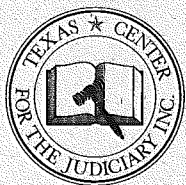
Assault Trials.” This session will earn three hours toward family violence credit as mandated by the Texas Legislature. Judges are required to receive eight hours of judicial instruction related to family violence, sexual assault, and child abuse.

The staff of the Texas Center would also like to take the opportunity to thank all the judges who participated in the 1996 regional judicial conferences. The Texas Center looks forward to continuing to provide the very best in continuing judicial education.

Schraub scholarship established



Estella Schraub; B.B. Schraub, presiding judge of the 3rd Administrative Judicial Region; Mari Kay Bickett; and Bob Dickenson, justice on the 11th Court of Appeals, met at the Central Texas Judicial Conference to formally establish the Judge B.B. and Estella Schraub Scholarship for Texas judges. The scholarship was made possible by a \$25,000 endowment from the Judicial Section, as well as other donations from the Texas business community (see page 2).



Judicial Excellence
Through Education

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judicial
notes

Judicial Section dues to increase

At its meeting on March 20, 1996, the Judicial Section Executive Committee voted to increase Judicial Section membership dues to \$30 and to apply the dues structure to all judges: active and senior, retired, or former.

Dues statements will be distributed in late May/early June for fiscal year 1997.

Nominating committee to meet in June

The FY 1996 nominating committee will be meeting in June to slate officers and new members for the FY 1997 Texas Center for the Judiciary, Inc. Board of Directors and for the Judicial Section Executive Committee. If you have an interest in serving on either of these boards, please notify Judge Frank Andrews, chair of the nominating committee, in writing no later than May 31, 1996. Also, please provide the Texas Center for the Judiciary, Inc. a copy of your interest letter (Attn: Mari Kay Bickett). Judge Andrews' address is: 116th District Court, 600 Commerce St., Dallas, TX 75202.

Three positions are open on the Texas Center Board of Directors: one for an appellate judge, one for a district judge, and one for a retired judge or justice. Terms are three years. In addition, the chair-elect will be nominated, and this term the chair-elect will be a county court at law judge.

Three positions are open on the Judicial Section Executive Committee: one for an appellate judge and two for district judges. The chair-elect nominee for the Texas Center, if elected, will also serve as the chair-elect of the Judicial Section.

Task force to make recommendations on foster care reforms

The Supreme Court Task Force on Foster Care, whose members include judges who handle child abuse cases throughout the state, is involved in the Texas Court Improvement Program. The task force's goal is to shorten the time children spend in foster care by improving judicial proceedings and removing barriers to permanency within the legal and administrative system. An assessment of judicial proceedings in child abuse cases has already been completed. The task force will develop recommendations and a plan for implementing court reforms during the summer months. Texas will receive more than \$1.6 million in federal funds over the next three years to implement these reforms. For more information, contact Tara S. Comerford at (512) 438-5541.

Texas businesses support judicial education

As reported in the last issue of *In Chambers*, the Judicial Section of the State Bar of Texas sponsors a scholarship for Texas judges to attend The National Judicial College in Reno, Nevada. The Judge B.B. and Estella Schraub Scholarship was established with a \$25,000 endowment from the Judicial Section. In addition to the \$25,000 endowment, two Texas businesses also made generous contributions to the scholarship fund. Alamo Title Insurance of Texas, a finance company based in San Antonio, pledged \$10,000 toward the scholarship fund and Structural Metals, Inc. of Seguin also pledged \$10,000. The Judicial Section wishes to thank Alex Halff, chairman of Alamo Title Insurance of Texas, and Marvin Selig, president of Structural Metals, Inc., for their support of judicial education.

CJE reports go out

Continuing judicial education (CJE) credit transcripts were mailed on April 10, 1996. If you have not received a transcript or have a question concerning the transcript, contact Anneya Duron, registrar, at 800-252-9232.

CJE transcripts are mailed three times a year: March, June, and December.

The Texas Center for the Judiciary, Inc. is continually updating its records. Please contact Anneya Duron about any recent job status and address changes to ensure Texas Center materials get to you in a timely fashion.

Managed care in child protective services

The Department of Protective and Regulatory Services is exploring the concept of managed care for CPS services in Texas. The managed care method of financing and delivering services is designed to contain the costs of service delivery while maintaining a defined quality of care. While it is already an established trend in the health and mental health care systems, the concept is just beginning to surface in child protective services.

Texas has begun reviewing the research of national child welfare organizations and starting group discussions with all professionals involved in the child protection system. The key principle in developing this system is to ensure access to quality services that achieve safety and permanency for children in the most cost effective manner.

This is an excellent opportunity to make the system better. If you would like further information or would like to actively participate in discussions about a managed care system for child protective services cases, contact Ana Maria Pozo at (512) 438-3104.

CONTRIBUTIONS

THANK YOU FOR YOUR CONTRIBUTIONS

(contributions received as of April 12, 1996)

Ray Adams
Mark D. Atkinson
Thomas H. Bacus
Andrew Z. Baker
James E. Barlow
Charles W. Barrow
Ogden Bass
Bill Bender
Mari Kay Bickett
James Blackstock
Sam Bournias
Berlaine Brashear
Neil Caldwell
Antonio G. Cantu
Solomon Casseb
B. F. Coker
Stephen Crawford
Bobby L. Cummings
James A. Daross
John Paul Davis
John Delaney

C. G. Dibrell
R. Temple Driver
C.W. Bud Duncan
Walter Dunham
Fred Edwards
Roy Engelke
James M. Farris
Donald J. Floyd
John H. Fostel
Gary C. Franks
John D. Gabriel
Ricardo H. Garcia
David E. Garner
Sarah Garrahan-Moulder
Jerry Garrett
Robert Geffner
Garvin Germany
Gerald A. Goodwin
Vernon Harville
Don Humble
June Jackson

Mack Kidd
Marion Lewis
Rachel Littlejohn
Bill Logue
Benjamin A. Martinez
Lamar McCorkle
Pat McDowell
Chuck Miller
Jerri Lee Mills
Louis M. Moore
Rick Morris
Robert F. B. Morse
Gladys M. Oakley
Mary Sean O'Reilly
Juan Partida
Robert S. Pieratt
John L. Placke
William R. Powell
Jack W. Prescott
P.K. Reiter
Sam Robertson

Alonzo T. Rodriguez
Marisela Saldana
B.B. & Estella Schraub
Henry Schuble
Milton Shuffield
Carolyn Spears-Peterson
Susan R. Stephens
Suzanne Stovall
Thomas J. Stovall
Henry J. Strauss
Bill Vance
Robert J. Vargas
Raul Vasquez
Al Walvoord
Laura A. Weiser
Judith Wells
Anthony Willy
David V. Wilson
Ronald L. Wilson
Jerry W. Woodlock
J. C. Zbranek

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Bill Stephens

JUDGE BRUCE AULD MEMORIAL

Clyde Ashworth

JUSTICE WILL BARBER MEMORIAL

Ron Chapman

JUSTICE SPURGEON BELL MEMORIAL

Eugene Chambers
James F. Clawson

JUDGE KENNETH BOOKER MEMORIAL

Albert Pruet

JUDGE HENRY BRASWELL MEMORIAL

Jack Hampton

JUDGE REAGAN CARTWRIGHT MEMORIAL

A. D. Azios

JUDGE THOMAS CLINTON MEMORIAL

John Forbis

JUDGE WESLEY DICE MEMORIAL

Ronald L. Wilson

JUDGE & MRS. DELOS FINCH MEMORIAL

Pat McDowell

JUDGE FRED M. HOOEY MEMORIAL

Tom G. Davis
Wendell A. Odum

JUDGE M. C. LEDBETTER MEMORIAL

Vann Culp

ELLAGENE LOTT MEMORIAL

Mrs. M. C. Ledbetter
Grainger McIlhany
Robert T. Pfeuffer

JUDGE ROBERT LOZANO MEMORIAL

Charles A. Gonzalez

JUDGE PETE MOORE MEMORIAL

Shelly P. Hancock

CHIEF JUSTICE BOB THOMAS MEMORIAL

Bob and Joan Dickenson
Tom McDonald

JUDGE ARTHUR R. TIPPS MEMORIAL

Marilyn Aboussie
R. Temple Driver
Keith Nelson

JUDGE JACK TREADWAY MEMORIAL

Shelly P. Hancock

JUDGE ROBERT C. WRIGHT MEMORIAL

J. Neil Daniel
Mrs. M. C. Ledbetter
Grainger McIlhany
Robert T. Pfeuffer

JUDGE TIM MARESH MEMORIAL

Robert T. Pfeuffer

From the executive director

In the Fall 1995 edition of *In Chambers*, I told you of a new fundraising plan you could participate in by contributing all or a portion of your reimbursement expenses to the Texas Center for the Judiciary. Your response has been outstanding to say the least.

When you check the box on your reimbursement form indicating you want to make a contribution, the Texas Center sends you the reimbursement check in your name. You can then endorse the check and return it to us. After receiving the endorsed check, we follow up with a letter acknowledging your contribution should you need it for tax and accounting purposes.

The reimbursement donation program has been in existence a little over six months and the Texas Center has already received **\$7,161.77** from judges who have donated all or a portion of their reimbursement expenses. That total does not even include the memorials and check donations which so far this fiscal year total **\$7,853.00**. Total contributions from judges for this fiscal year are **\$15,014.77!**

Remember we also have the West Texas Regional Conference, the Criminal Justice Conference, and the Professional Development Program (PDP) still to come. Here's how the reimbursement contributions have broken down per conference:

College for New Judges	\$1,264.08
Southeast Texas Regional	1,809.23
South Texas Regional	1,794.54
Central Texas Regional	729.07
Northeast Texas Regional (pledged)	1,199.69
Board Meetings/Other	365.16
TOTAL:	\$7,161.77

We have almost six months left in this fiscal year and we have already exceeded last fiscal year's contributions total of \$8,015.00 which was given to the Texas Center for the Judiciary.

Thank you for your generosity and for all the support you continue to provide to the Texas Center for the Judiciary.

From the editor

The ignorant voter

While posters, buttons, and strategically-placed lawn signs may seem like an afterthought for the big national and state-level political campaigns, they may be the only media employed by a local judicial candidate running a modest campaign. What can you really say about yourself? "I'm fair." "I work hard." "I'm impartial." All qualities shared by 99.9% of all judges, past and present. We figure if you were anything less, you wouldn't have thrown your gavel in the ring in the first place.

The problem is we voters don't know how to educate ourselves on determining the qualifications of judicial candidates. Even if judicial performance statistics were readily available, I assure you we wouldn't be able to understand them.

Most of the public's judicial education comes from television programs such as "People's Court," "Law and Order," "Night Court," and even "Hardcastle and McCormick." Not the strongest foundation of knowledge to say the least. Can you blame us for our simplistic view of the judiciary?

Unless a person is a lawyer, a criminal, a court employee, or involved in some sort of litigation, they may not know even one single judge—a real, nonfictional judge, that is.

So how do we make a rational decision on who to vote for in judicial elections?

We don't.

You see, unlike yourselves, we are not good judges. We base our decisions on the most irrelevant, obtuse criteria imaginable. We're not fair. We're not impartial. And we don't wait until all the facts are in.

We liked your smile. You looked smart. We thought your lawn signs were attractive. We may have simply voted for your party affiliation. We may have voted for your snazzy necktie or fashionable blouse. We voted for the incumbent because we didn't have a good reason not to.

You see, the average citizen has an image of the ideal judge lodged in his/her brain. Black robe, gavel in hand, omnipotent, all-knowing, all-seeing, etc. Are we asking too much of our judges?

We recognize that the characteristics of being a good judge often include a mixture of oxymoronic traits. Judges must be compassionate (yet tough), open-minded (yet decisive), scholarly (yet street-smart), firm (yet flexible). Offhand, the only person I can think of who fits this description is my mom.

If, for whatever strange reason, we don't vote for you, please don't take it personally. We may be doing you a favor. I mean there is a downside to sitting on the bench. First, you're required to wear a silly robe. Second, you may find yourself facing a dangerous criminal and your only weapon is a little wooden hammer. You have to see and hear about atrocities that make you want to put your hands over your ears and sing the national anthem. You have to deal with some of our most reprehensible citizens — the criminals, not the lawyers — on a daily basis. You must explore all the details of heinous crimes that would make most of us sick while remaining calm, objective, and impartial. Frankly, we don't know how you do it.

Our message to judges: Continue to do the best job you know how. Make us proud that we elected you, even though we don't know exactly why we did.

1996 REGIONAL JUDICIAL CONFERENCES

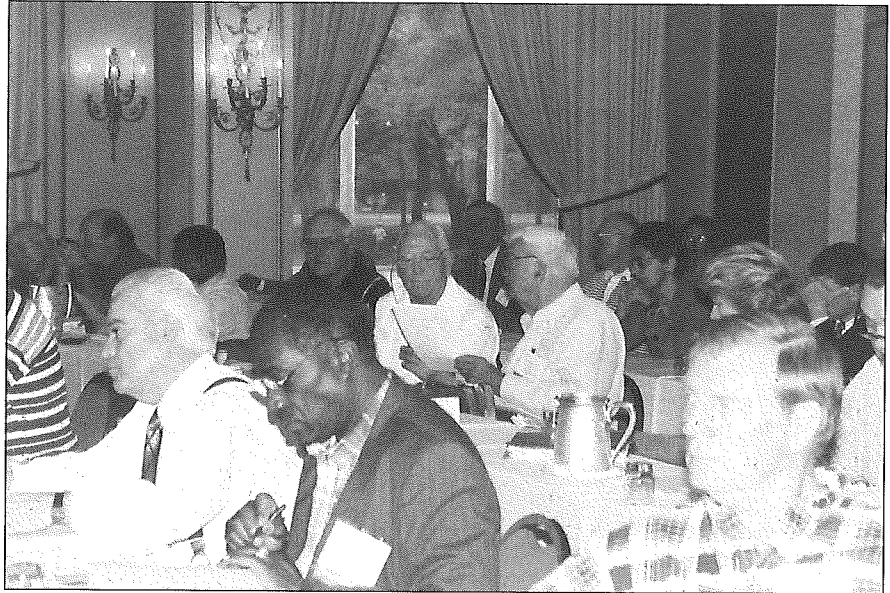
1996 Regional Judicial Conferences

"The family violence segments were well presented, interesting, and helpful."

"Interaction with other judges and the opportunity to exchange ideas and share experiences and methods of dealing with issues and problems."

"The conference was well run by the Texas Center director and her staff."

"The lectures were excellent and the discussion during breaks often extended and broadened the subject."



EVALUATION RESULTS

Overall Conference Ratings

Southeast Texas 3.91

South Texas 4.00

Central Texas 3.28

Northeast Texas 3.60

*Scale: 5-Exceptional, 4-Good,
3-Adequate, 2-Mediocre, 1-Poor*



"Great week. Great staff. Great class."

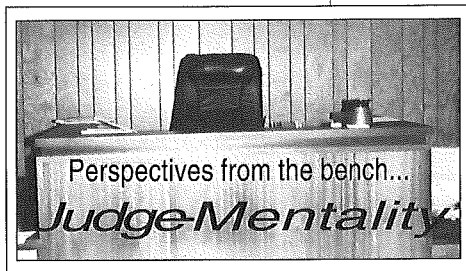
"The ideal CJE presentation!"

"This was one of the best conferences we have had, easygoing and helpful."

"Judge Ables rates a '6.'"

"The facilities, food, and Texas Center staff were most helpful and appreciated. Contempt session excellent."

*Saving money,
saving lives*
**Drug
Diversion
Courts**



By Judge Larry Gist
Drug Impact Court
Beaumont

Judge-Mentality is an *In Chambers* guest column, which is written by a judge each issue. Opinions presented in the column are not necessarily the opinions of the Texas Center for the Judiciary, Inc. Please call Michael Mahoney, 800-252-9232, if you want to write a column or a letter to the editor in response to a column.

It all started several years ago in of all places, Miami. The very home of "Miami Vice" was the gestation spot for one of the most promising correctional concepts to come up in quite some time.

What has become known as the "Miami Model" was started by Judge Stanley Goldstein with the ultimate cooperation of the prosecutors and criminal defense attorneys in the Miami area. Their project even eventually won the total support of the Metro Dade County Vice Squad.

In their deferred prosecution process, defendants are contacted by evaluators shortly after arrest. They are

asked to waive their right to a speedy trial and they immediately enter into a drug treatment program operated by a separate Drug Diversion Court.

Defendants who fail to complete the two-year treatment program are terminated and referred to the normal court system for prosecution. However, defendants who are successful in treatment are not prosecuted and have their original charge dismissed. This approach is intended to capitalize on the trauma of arrest, offering defendants the opportunity to obtain treatment and avoid a prison sentence.

The program accepts defendants who are charged with a low-level drug possession offense, or some other low-level property offense that is directly related to the defendant's substance abuse problem.

The Drug Diversion Court is presided over by a judge whose role is generally expanded be-

yond normal court duties to include active involvement in monitoring the status of defendants in the treatment program. The judge's duties include conducting hearings, reviewing treatment progress reports, issuing bench warrants, and deciding who should be allowed to enter the program as well as who should be terminated from the program.

The judiciary alone, however, cannot successfully implement and operate a Drug Diversion Court. It requires a special collaborative effort among judges, prosecutors, defense attorneys, and other criminal justice agencies and treatment providers.

Drug Diversion Courts create new and different roles for prosecutors and defense attorneys. In most drug courts, these players are not adversaries in the traditional sense, but rather work in concert with the court for the sole purpose of helping defendants remain drug-free.

The central element of all drug court programs is the defendant's attendance at regularly scheduled status hearings presided over by the Drug Diversion Court judge for monitoring the defendant's progress. Monitoring is based on treatment providers who report on drug testing, attendance at counseling, and other aspects of the drug treatment regimen. The judge reinforces progress and addresses noncompliance with program requirements. The primary objective of the status hearing is to keep the defendant in treatment.

There are currently three Drug Diversion Courts in operation in Texas—Austin, Fort Worth, and Beaumont. The results, both in Texas and nationwide, are truly remarkable.

Remember, to be admitted to the program, a defendant must have

a serious substance abuse problem. Becoming and remaining sober is, for most drug abusers, much harder than just going to jail or prison.

With this difficult population to address, Drug Diversion Courts have so far found a success rate of between 91 and 97 percent. That means that somewhere around 95 percent of the people who are in the program or have completed the program have remained crime-free. Programs routinely define failure as an arrest for any criminal offense—from public intoxication to capital murder.

So roughly 95 percent of the people who are successful in the Drug Diversion Court programs have not committed a new offense. Some suffer substance abuse relapse and that's expected, but the main goal is to keep them from committing criminal offenses. The results so far are very encouraging.

One of the by-products of great benefit to the taxpayers is that the cost of participating in the Drug Diversion Court program is substantially lower than through traditional prosecution. The program saves the local jurisdiction the cost of appointed attorneys that would have certainly been involved in most of the cases if not handled by the drug court and the cost of processing the case through the traditional system. Thus, prosecutorial, judicial, and law enforcement resources are freed up to be directed toward more dangerous and violent offenders.

In short, Drug Diversion Courts have the potential to permanently turn around the lives of participating substance abusers, increase public safety, and substantially reduce criminal justice system costs to the taxpayers. The establishment of Drug Diversion Courts presents a win-win-win situation.

Use of interpreters for the deaf in the courts

Access to the courts for all of our citizens is one of our most fundamental and cherished rights. While many of us take this right for granted and others would avoid the duties of citizenship such as jury service, there are those who can enjoy the benefits and fulfill the duties of this right only with our cooperation and assistance. Among these groups are the deaf and hard of hearing citizens of this state.

Since the passage of the federal Americans with Disabilities Act, a great deal of attention has been paid to ensuring that people with disabilities receive the accommodations they need to participate in all aspects of society. Great strides have been made handling the special needs of the disabled and in meeting the requirements of the law.

The Texas Commission for the Deaf and Hard of Hearing, a state agency in Austin, has been working to assist the state and municipal courts in providing qualified interpreters and other methods of access for deaf individuals. These individuals are entitled to full access to the courts, whether it be as a party, a witness, or a juror. It is the duty of the courts of this state to ensure that their rights are protected. We are required by both state and federal law to ensure that effective communication occurs in the courts for individuals who are deaf or hard of hearing and must communicate through visual modes. Some examples are sign language interpreters, oral interpreters, and real-time captioning.

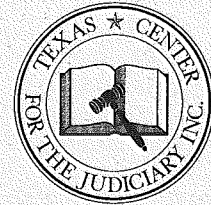
One issue that appears to raise questions is the responsibility for payment of the interpreter. Each county is required to pay for the interpreters used in court proceedings originating in that county. This money is to come from the general fund of the county. It is the responsibility of the commissioner's court in each county to ensure that there are funds provided for this purpose.

The following list of state laws provide specific references for the requirements placed upon the courts of this state. Judges, court administrators, and other court personnel need to be familiar with them and fully comply with their provisions.

- Tex. Civ. Prac. and Rem. Code §21.002 states that a deaf person who is a party, witness, or juror in any case is entitled to have the proceedings interpreted by a court-appointed interpreter. Additionally, §21.006(c) states "[t]he interpreter's fee and expenses shall be paid from the general fund of the county in which the case was brought."
- Tex. Gov't. Code §558.003 states that in a proceeding before a political subdivision, the governing body must provide an interpreter who has qualifications approved by the Texas Commission for the Deaf and Hard of Hearing for any party to the proceeding who is deaf or hard of hearing.
- Texas Crim. Proc. Code §38.31 requires a court to appoint a qualified interpreter to assist a deaf person in understanding any language the deaf person can understand, including sign language. This statute also provides for interpreters to be paid a reasonable fee determined by the court after considering the recommendations of the Texas Commission for the Deaf and Hard of Hearing. It also includes the payment of actual expenses of travel, lodging, and meals incurred by the interpreter at the same rate allowed state employees.
- Tex. Gov't. Code §62.1041(a) states, "A deaf person is not disqualified to serve as a juror solely because of deafness..." but does allow a judge to disqualify a deaf person deemed inappropriate for a particular case.
- Tex. Hum. Res. Code §81001 requires that the Texas Commission for the Deaf and Hard of Hearing establish a schedule of reasonable fees to be recommended for payment of interpreters. The Commission is also required to compile a list of qualified interpreters who are available for assignments to courts as well as to proceedings of state agencies and political subdivisions.

- The Administrative Procedures Act, Tex. Gov't. Code §2001.055, requires that in a contested case a state agency shall provide a qualified interpreter for a party or subpoenaed witness who is deaf or hard of hearing.

Prepared by David W. Myers, executive director, Texas Commission for the Deaf and Hard of Hearing, and Joe H. Thrash, assistant attorney general, at the request of the state Office of Court Administration.



Staff of the
TEXAS CENTER
FOR THE JUDICIARY, INC.

MARI KAY BICKETT
Executive Director

ANNEYA DURON
Registrar

RENEE FRANCIS
Course Administrator

LINDA GARY
Financial Assistant

TRICIA HALL
*Director, Education Conferences
& Operations*

MICHAEL MAHONEY
Communications Coordinator

LINDA WILLIAMS
*Receptionist / Administrative
Assistant*

Texas HB 40: Sexual offender DNA database

by Meghan G. Mendenhall, Ph.D.

Sexual assault is not only a crime of violence, it is a crime of habit. An estimated 67 percent of convicted rapists have committed an additional two or more undetected sexual assaults. In the same study, some repeat offenders reported as many as 30 undetected sexual assaults. Only 50 percent of the reported assaults ever lead to an arrest, and in only 25 percent of reported assaults is the rapist known to the victim. (FBI statistics.)

In a sexual assault, the criminal usually leaves biological evidence at the crime scene. With the advent of DNA profiling, this biological evidence can virtually identify the assailant. As with latent fingerprints, a standard or known DNA profile must be available for comparison. Currently, the standard DNA profile is available only once a suspect is identified, a standard sample collected, and the DNA analyzed. If, after the profile is developed, that suspect is eliminated, it has been weeks or months since the offense and the "trail is cold."

Because sexual offenders are typically repeat offenders and because the accuracy of DNA profiling can virtually identify offenders from biological evidence, it is critical that law enforcement agencies have ready access to the DNA profiles of convicted offenders. As with the AFIS database for fingerprints, a DNA profile database would make possible the early generation of investigative leads in cases where evidence is limited to biological samples. Due to legislative action, such a database was recently mandated to be implemented in January of this year.

Beginning in 1996, offenders convicted of indecency with a child, sexual assault, aggravated sexual assault, burglary with the intent to arouse or gratify sexual desire, or any offense with a previous conviction (in Texas or another state or federal court) of one of the above offenses, will be required to provide a blood sample for DNA profiling and inclusion in the state database. Specifically, samples are required from 1) adults serving sentences for one of these offenses regardless of the date of offense; 2) juveniles committed for one of these offenses if the offense occurred on or after January 1, 1996; and individuals on probation or parole if the sample is court ordered as a con-

dition of community supervision. Approximately 6,000 samples per year are expected for DNA profiling.

The offenders that pose the greatest potential danger to the community and whose profiles, therefore, would be the most critical for inclusion in the DNA databank are those offenders not currently incarcerated. Individuals on probation, parole, or deferred adjudication may be tested if the court orders submission of a sample to DPS for the purpose of creating a DNA record (Subchapter G, Chapter 411, Government Code). In order for the databank to be most effective, it is imperative that this condition be placed on sexual offenders under community supervision. Not only can a DNA sample be ordered with the original conditions, but the offender's conditions can be modified at any time in the event that the offender is already under community supervision. To meet its potential, the DNA typing program needs the aggressive cooperation of both prosecutors and the judiciary.

The Department of Public Safety has been designated as the agency responsible for the convicted offender database. As the responsible agency, DPS is charged with determining DNA profiles, establishing and maintaining the DNA database, searching the database against biological evidence, and reporting search results.

DNA profiles will be determined at the DPS headquarters crime lab from samples provided by the Texas Department of Criminal Justice, Texas Youth Commission, and community supervision agencies. As part of the initial diagnostic process, a sample for DNA profiling will be taken from each inmate convicted of a sexual offense. For inmates whose initial diagnosis was performed prior to February 1996, a sample will be taken prior to release (120 to 90 days before parole or completion of sentence). In addition, juveniles committed to the Texas Youth Commission for delinquent conduct involving a sexual offense will be required to give a sample for DNA profiling provided the offense occurred on or after January 1, 1996. Voluntary and court-ordered samples from other individuals may also be submitted for inclusion in the database.

Direct access to the database will be limited to authorized DNA analysts at the headquar-

ters site and their supervisors. The computers will be housed in a secure area within the DNA laboratory, and physical, electronic, and computer security systems will protect the database from unauthorized access. Access by other law enforcement laboratories will be through secure modem by authorized individuals at those sites.

Legitimate concerns for the civil rights of individuals whose profiles are entered into the database necessitates that certain information be excluded from database records. Information that will NOT be included in the database is any data regarding physical trait, predisposition to disease, or criminal record. Current forensic technology cannot provide information about physical traits (e.g., height, weight, race, hair color) or disease (e.g., HIV status, heritable disease). In addition, profiles of samples submitted only for refinement of population statistics will have no associated personal information.

The potential is great for the generation of investigative leads using the convicted offender database, particularly in crimes that are characteristically committed by repeat offenders such as sexual assaults. The convicted offender database, as well as the missing persons, forensic, and population databases, will be compatible with the FBI national CODIS or Combined DNA Index System. Through CODIS, the databases compiled at the state sites will be combined and the profiles from all over the country will be available to each authorized law enforcement agency. As the number of participating states and forensic laboratories increases, the utility of the CODIS network increases. As of March 1996, 41 states have mandated convicted offender sampling and over 298,000 samples have been collected for profiling. Already 72 matches between profiles have been found through CODIS searches. In Minnesota, a single "hit" resulted in leads for 17 cases. The real potential of this system will only be realized when each state is able to sample and profile each convicted sexual offender and also analyze biological evidence from each non-suspect sexual assault. When this goal is realized, we will have a powerful tool indeed for our protection against repeat sexual offenders.

Meghan G. Mendenhall, Ph.D. is the supervisor of the CODIS Program for the Texas Department of Public Safety.

Court forms mediation committee

by Justice Priscilla Owen

The Supreme Court of Texas is in the process of forming a committee to promulgate proposed rules and to make recommendations concerning the oversight of court-annexed mediations. The Court has determined that, at a minimum, ethical rules should be implemented and enforced. It is also considering whether there is a need for some level of credentialing. The committee will be composed of a broad cross-section, including attorney and non-attorney mediators, representation from county-funded Dispute Resolution Centers, input from consumers of mediation, and representation from the judiciary.

Mediation seems to have had a positive impact in resolving disputes in many areas of the state where it has been frequently utilized. Moreover, there have been few, if any, formal complaints about the ethics or conduct of mediators. Ethical Guidelines for Mediators have been established by the Alternative Dispute Resolution Section of the

State Bar of Texas. These guidelines are aspirational; compliance is voluntary. However, there is a concern, shared by the Court and many in the mediation community, that the potential for conflicts of interest and abuse does exist in the mediation arena, and that ethical rules and some means of resolving grievances should be established.

The question of credentialing is a more complex one. It is a subject that is receiving attention across the country. The National Center for State Courts is gathering data and information regarding mediation and credentialing issues, to list just one of the many organizations that has undertaken an examination of the issues. Various groups within Texas have devoted a considerable amount of thought, time, and effort to the question of credentialing.

In August 1995, the ADR Section of the State Bar formally requested the Supreme Court of Texas to undertake to create a self-funding entity that would perform a "final oversight" role in the area of credentialing and

that would function under the auspices of the Court. Since that time, there have been indications from others in the mediation field that the Court could and should serve in some capacity in the oversight of court-annexed mediations. Accordingly, the Court found it appropriate to begin that process, with the aim of having recommendations in hand by the end of the term.

The Court does not have a preconceived plan for either the structure or the substantive functions of an oversight function, beyond the implementation of basic ethical rules that would be binding in court-annexed mediations. The purpose of the committee that is being formed is to make recommendations in all of these areas. The input of the judiciary will be invaluable, and the Court invites thoughts and suggestions from the bench.

Hon. Priscilla Owen is a justice of the Supreme Court of Texas.

NEW JUDGES & NEW JUDICIAL APPOINTMENTS

(As of April 9, 1996)

Hon. Martina Barrera

County Court at Law #9, Bexar County
Succeeding Judge Bonnie Reed

Hon. Carol Bush

County Court at Law, Ellis County
Succeeding Judge Al Scoggins

Hon. Stephen Crawford

90th District Court
Succeeding Judge C. J. Eden

Hon. Diane DeVasto

241st District Court
Succeeding Judge Kenneth Booker

Hon. LeRoy LaSalle

County Court at Law, Panola County
Succeeding Judge Crawford Parker

Hon. Patrick Mizell

129th District Court
Succeeding Judge Greg Abbott

Hon. Al Scoggins

378th District Court
New court: no predecessor

Hon. Amy Smith

County Court at Law, Hopkins County
Succeeding Judge Chad Cable

Hon. Bonnie Sudderth

352nd District Court
Succeeding Judge Bruce Auld

Hon. K. Stephen Williams

135th District Court
Succeeding Judge Marion M. Lewis

Meet the Texas Center staff

Renee Francis

Course Administrator



Renee Francis, one of the Texas Center "rookies," joined the staff in August of 1995. As course administrator, she is responsible for the myriad of details involved in organizing Texas Center education conferences. Her primary responsibility is compiling the conference binders which are issued to every judge attending a conference. Renee also handles many of the conference logistics: room assignments, audio-visual require-

ments, concurrent spouse/guest activities, on-site registration, as well as an ongoing list of other tasks too numerous to mention here. She works closely with Texas Center faculty, printing vendors, and outside meeting services professionals.

"It's all in the details," says Renee. "There is nothing quite like pulling together all the pieces for a successful conference, from beginning to end."

The fast-paced environment of course administration suits Renee's personality. "I first discovered my talent for organization while planning my wedding. What some people think is a difficult task, I found myself enjoying very much."

"I have an innate sense of organization and I'm not easily overwhelmed by multiple deadlines and details."

Renee's co-workers enjoy her sense of humor and can-do attitude. Her team spirit is contagious. "Since we're a small organization, there aren't any great dividing lines between our job responsibilities. Everyone

seems to enjoy helping each other out to get the job done."

Renee's background in the hotel industry helps her anticipate potential problems. As a front desk supervisor at a resort hotel in San Diego, she learned a lot of meeting planning dos and don'ts. "Basically, I saw a lot of the mistakes that other meeting planners would make when staging events at our hotel. I learned from their mistakes, so I didn't have to make them myself."

Renee and her husband Scott, a structural engineer, have been married a little over a year. They share their home with Callie, a hyperactive Brittany puppy. Away from the office, Renee enjoys sewing, tennis, and music. Also, as a testament to her organizational inclinations, she and Scott enjoy hosting dinner parties and social events for their friends—but not on Thursday nights, because Renee is a loyal fan of the television shows "Friends" and "Seinfeld."

Renee graduated with an English degree from Southwest Texas State University and also attended Oxford University in England.

Michael Mahoney

Communications Coordinator



Michael Mahoney is another Texas Center "rookie," having joined up just a few days after Renee last August. As communications coordinator for the Texas Center, Mike is responsible for writing, designing, and printing all Texas Center publications, brochures, programs, and flyers, including the *In Chambers* newsletter. He also serves as the Texas Center's public relations person and media contact.

"I knew that working at the Texas Center would be an interesting and rewarding opportunity," Mike said. "The judiciary is a fascinating area that is not very well understood by the general public. This was my opportunity to learn firsthand about the judicial process."

Mike, a graduate of the University of Colorado School of Journalism, has spent the last ten years in the communications field. From being an editor of his college newspaper to being a publicist for Austin musicians to writing and editing medical technical publications for a statewide medical review organization, Mike's varied experience make him a versatile team member.

"Although I have done a lot of p.r. and design work in my career, I feel I am a writer first and foremost. The rest of the stuff I just kind of picked up all along the way."

"I like working at the Texas Center because we are able to truly embrace the team concept. With only seven people, it's easy to get to know your co-workers on a personal

basis. We have a lot of trust and confidence in each other's abilities."

Mike is the lone male employee at the Texas Center. Has this caused any problems?

"Not at all. Everyone here has a very professional attitude. Any guy that has a problem working with women would find it very difficult to work anywhere nowadays. I happen to think my co-workers are terrific."

Mike's primary responsibility is being the editor of *In Chambers*, the Texas Center's flagship publication. "It is very satisfying serving as the writer, editor, and designer of a publication like *In Chambers*. I really appreciate the editorial contributions and input the judges give to the newsletter."

Mike and his "significant other" Judy, a nurse, enjoy hiking, tennis, golf, and home improvement projects.

IN MEMORIAM

For those who served our state courts

Judge Fred Malone Hooley

Retired criminal District Judge Fred Malone Hooley died February 10, 1996 of cancer. He was 80.

Hooley was appointed to the bench in 1965 by Gov. John Connally. After 15 years on the bench, he did not seek re-election after 1980, but continued to serve as a visiting judge until suffering a stroke in 1988. Hooley's best-known trial was in 1971, when noted plastic surgeon John Hill was charged with murdering his socialite wife, Joan, by withholding treatment after she fell mysteriously ill.

Chief Justice Bob L. Thomas

Bob L. Thomas, chief justice of the 10th Texas Court of Appeals in Waco died on February 20, 1996 from respiratory ailments just one week before his 59th birthday.

Thomas, revered as a legal scholar but known for his wit and political savvy, represented McLennan County in the Texas House of Representatives from 1967 to 1970, the year he was elected McLennan County judge. He served as county judge until 1982, when he was elected justice on the 10th Court of Appeals. He had been chief justice since 1989.

Judge Wallace "Pete" Moore

Retired state District Judge Wallace C. "Pete" Moore of Houston died March 6, 1996 of a heart attack. He was 73.

After serving 20 years on county and district benches, Moore served as a visiting judge until retiring last year. Moore consistently scored near the top of the local judiciary in Houston Bar Association polls, and was praised for his legal knowledge, judicial temperament, fairness, and lack of arrogance or pretense.

Moore served as a fighter pilot in World War II, notching 38 missions and earning several Air Medals. He later served in Korea, flying nearly 100 missions, winning the Distinguished Flying Cross.

Judge Arthur R. Tipps

Retired District Judge Arthur R. Tipps died March 12, 1996 in Wichita Falls. He was 84.

Tipps, a Wichita Falls resident since 1934, served as a provost marshal in the Air Force prior to becoming Wichita County judge in 1947. In 1951, he was appointed judge of the 30th District Court where he served until his retirement in 1977. Tipps continued to serve as a visiting judge after retiring from the 30th District Court.

Tipps was very active in civic organizations, serving on the boards of the YMCA, Red Cross, Camp Fire Girls, Opportunity Workshop, Day Care Inc., and the Texas Alcohol and Narcotics Education Inc.

Judge's speaker's bureau

The Texas Center for the Judiciary occasionally receives requests from related judicial organizations and civic groups for judges to speak or participate in panel discussions at functions sponsored by these organizations.

In response, the Texas Center is developing a speaker's bureau for judges who may be interested in participating in these types of activities.

If you are interested in participating in the speaker's bureau, please fill out the form below and mail or FAX it to the Texas Center. Please be sure to list the topics about which you are interested in speaking.

Participating in the speaker's bureau in no way obligates you to speak or appear on a panel at a particular function, but merely indicates you may be interested in hearing about these opportunities.

SPEAKER'S BUREAU INFORMATION FORM

Name _____

Court _____

Mailing Address _____

City _____ Zip _____

Telephone # _____

FAX # _____

Speech/Panel Topics _____

Mail or FAX to:

Texas Center for the Judiciary, Inc.

1414 Colorado, Suite 502

Austin, TX 78701-1627

FAX (512) 469-7664

If you have any questions regarding the Speaker's bureau, call the Texas Center at (800) 252-9232.

In Chambers Editorial Board: Justice Marilyn Aboussie, *Third Court of Appeals* (Austin); Judge Manuel Banales, *105th District Court* (Corpus Christi); Judge Scott Brister, *234th District Court* (Houston); Senior District Judge Sam W. Callan (El Paso); Judge John R. Carter, *277th District Court* (Georgetown) and Judge Molly Francis, *County Criminal Court #9* (Dallas).

LOOKING AHEAD

JUDICIAL CALENDAR

1996

**CRIMINAL JUSTICE
CONFERENCE**

May 15-17, 1996
Sheraton Park Central Hotel
Dallas

**PROFESSIONAL
DEVELOPMENT
PROGRAM**

June 10-14, 1996
University Hotel
Huntsville

**JUDICIAL SECTION
ANNUAL CONFERENCE**

September 24-27, 1996
Marriott & Sheraton Hotels
Corpus Christi

**COLLEGE FOR
NEW JUDGES**

December 8-13, 1996
Dallas

*faculty for
planning*

1997

**COLLEGE OF ADVANCED
JUDICIAL STUDIES**

March 2-5, 1997
Houston

**CRIMINAL JUSTICE
CONFERENCE**

Date & Location
to be announced

**PROFESSIONAL
DEVELOPMENT PROGRAM**

June 16-20, 1997
Huntsville

**JUDICIAL SECTION
ANNUAL CONFERENCE**

September 23-26, 1997
Worthington & Radisson Hotels
Fort Worth

**COLLEGE FOR
NEW JUDGES**

December 7-12, 1997
Dallas

In Chambers is funded by a grant from the Texas Court of Criminal Appeals. Texas Center for the Judiciary, Inc. Board of Directors: Chair, Bob Dickenson (Eastland); Chair-Elect, Michael Keasler (Dallas); Secretary-Treasurer, Linda B. Thomas (Dallas); Immediate Past Chair, Ray Anderson (Brownfield); Adele Hedges (Houston); Karl Prohl (Kerville); Raul Vasquez (Laredo); John T. Forbis (Childress); M. Kent Sims (Wheeler); Bea Ann Smith (Austin); Suzanne Stovall (Conroe); Fernando G. Mancias (Edinburg); Rick Morris (Belton); Bob Parks (Monahans). Texas Center Executive Director: Mari Kay Bickett

in CHAMBERS

MARI KAY BICKETT, J.D.
Executive Director

MICHAEL MAHONEY
Editor

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Texas Center for the Judiciary, Inc.
1414 Colorado, Suite 502
Austin, Texas 78701-1627

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