



In Chambers

THE OFFICIAL PUBLICATION OF THE TEXAS CENTER FOR THE JUDICIARY

WINTER 2019

**Preserving a
Fair Judiciary**

**I Sure Wish
I'd Known...**

**Inconsistent
Statements –
Now What?**

COMAL COUNTY
COURTHOUSE



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In Chambers

The official publication of the Texas Center for the Judiciary

WINTER 2019

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This is the the official publication of Texas Center for the Judiciary. The magazine is funded in part by a grant from the Texas Court of Criminal Appeals. In Chambers strives to provide the most current information about national and local judicial educational issues and course opportunities available for Texas judges. We keep the Texas Center's mission of "Judicial Excellence Through Education" as our guiding premise. Readers are encouraged to write letters and submit questions, comments, or story ideas for In Chambers. To do so, please contact Courtney Gilason, Curriculum Director, at 512.482.8986 or toll free at 888.785.8986, or via email at courtneyg@yourhonor.com. Articles subject to editing for clarity or space availability. Layout and design by Christie Dotolo. The Texas Center for the Judiciary is located at 1210 San Antonio Street, Suite 800, Austin, TX 78701.



Cover photo by: Hon. Bert Richardson

LETTER FROM THE CEO

As the new year dawns, I remind myself how fortunate I am to be the CEO of such an outstanding organization. The Texas Center for the Judiciary is a unique and excellent association. While judicial education throughout the United States is guided by the same overall values, the Texas Center has its own particular style and brand. Since its creation as a 501(c)(3) in 1980, our judicial education has been developed by and for our members, specifically using the suggestions and planning by the Texas Center's Curriculum Committee. That committee is composed of County Court at Law, District Court, and Appellate judges and justices, all serving staggered three-year terms as provided for in the association's by-laws. Several non-judge, *ex officio*, members also contribute to curriculum development, specifically regarding court management and administration.

Our judges have continued to respond well to TCJ education, with the number of conference attendees growing. This is true for our recent Family Justice Conference, as well as our upcoming Criminal Justice and Mental Health programs. This past December, we hosted the largest ever College for New Judges, with 211 attendees.

Our dedicated leadership and staff continue to serve our constituents by fulfilling duties, requirements, and goals of administering our four major grants: the Texas Judicial and Court Personnel Training Fund, funded by the legislature and administered by the Court of Criminal Appeals; Federal/ TxDOT Traffic Safety Grant, which funds education regarding impaired driving issues; the Children's Commission's Court Improvement Program, funded by the Federal government and administered by the Texas Supreme Court; as well the Federal Children's Justice Act Grant.

Not a day goes by that I am not proud and grateful to be a part of this exceptional judicial education association. The dedication and hard work of our staff, leaders, and members, makes the Texas Center an organization unparalleled in the nation.

Judge Mark D. Atkinson, CEO



feature

TEX-ABOTA Helps Judges Preserve a Fair, Impartial and Independent Judiciary

By Curt Fenley¹, Grace Weatherly², Cade Browning³, and Fred Raschke⁴

What should you do when, as a judge, you are subjected to personal attacks and undue criticism? Human nature tells you to defend yourself, but the Code of Judicial Conduct says you can't. In these days of constant noise, silence can be deafening and weaken the public confidence in the judiciary. If you find yourself in such a predicament, TEX-ABOTA provides judges a resource.

In 2017, in response to attacks by elected officials on members of the judiciary, ABOTA's 2017 President, F. Dulin Kelly stated:

We reject the attempt to denounce our judges into foregoing their obligation to use their best judgment, devoid of influence, in an appropriate ruling. Whether you agree with isolated decisions or do not, political influence on our Courts is to be opposed.

When our elected representatives choose to issue personal attacks and name calling on any individual judge, demeaning the personal integrity of the jurist, the effect is to undermine the very principles of our liberty and government. Politics have no place in

our courts. We believe judges should be selected in a manner that assures well-trained, qualified, experienced, independent and neutral judges. Political attacks that impugn a judge's character have no legitimate role in the legislative framework. It weakens a critical, co-equal branch of our constitutional government. If we are to remain a nation of laws, we must have independent and neutral judges who will apply the law fairly and impartially. To utilize a personal attack against an individual jurist for the purpose of a political agenda diminishes the authority of our system of justice.

ABOTA and its chapters have also responded to attacks by media, "dark money" PACs, litigants, and any other person intent on undermining the independence of judges or integrity of the judicial system. You can read some of these responses on ABOTA's website.⁵

Preserving the quality and independence of the judiciary is at the heart of ABOTA's mission, as was made clear in ABOTA's white paper, "Preserving a Fair, Impartial and Independent Judiciary."⁶ ABOTA has also

established guidelines for each chapter of ABOTA to use to provide responses to misinformation or unwarranted criticism of an individual judge or the judiciary. These guidelines — Protocol for Responding to Unfair Criticism of Judges — have been successfully used by chapters for years. Many ask why the judiciary even needs this type of support. The answer is addressed in a number of different ways.

1. It is unethical for a judge to answer criticism of her or his actions appearing in the news media regarding pending or impending matters. This policy has been developed to ensure the dignity of the administration of justice, to prevent interference with pending litigation, and to reaffirm the commitment to an independent judiciary – a judiciary dedicated to decision making based on facts and law as presented.
2. The effectiveness of our justice system depends in large measure on public confidence.
3. The reporting of inaccurate or unjust criticism of judges, courts, or our system of justice by the news media erodes public confidence and weakens the administration of justice.
4. It is vital that non-litigants as well as litigants know and believe that the courts, their procedures, and their decisions are fair and impartial.

In this spirit, the Texas Chapter of the American Board of Trial Advocates has established a committee to respond to unfair criticism of judges. ABOTA works to maintain and support public confidence in the judiciary by providing timely assistance to members of the bench in responding to potentially damaging publicity.

ABOTA Members can provide accurate information to the news media concerning judicial activities, court process, or other information about the judiciary. ABOTA members have the knowledge, experience and standing to address errors and misinformation

As an example, last year a local judge’s ruling was criticized by an elected official, calling his conduct “reprehensible” and insinuating the decision was motivated by a personal bias to local community interests rather than the law. Regrettably, the criticism extended beyond a challenge of the legal precedent to a personal attack

on the judge and his integrity as a jurist. TEX-ABOTA worked with the national ABOTA leadership to publish a defense of the judge, which was circulated to media in Texas and around the country.

Any time you become aware of an unwarranted attack on any judge or judicial administrator, please contact one of the TEX-ABOTA officers listed on our website: www.tex-abota.org or contact one of the TEX-ABOTA members in your jurisdiction to initiate the review process.



Curt Fenley



Grace Weatherly



Cade Browning



Fred Raschke

About the American Board of Trial Advocates

Founded in 1958, ABOTA is a national association of experienced trial lawyers and judges. ABOTA and its members are dedicated to the preservation and promotion of the civil jury trial right provided by the Seventh Amendment to the U.S. Constitution. ABOTA membership consists of more than 7,600 lawyers — equally balanced between plaintiff and defense — and judges spread among 97 chapters in all 50 states and the District of Columbia.

(Endnotes)

1. Curtis (Curt) W. Fenley, III, is Past-President of TEX-ABOTA (2019).
2. Grace Weatherly is President of TEX-ABOTA (2019).
3. Cade Browning is Co-Chair Judicial Independence Committee (2019).
4. Fred Raschke is Co-Chair Judicial Independence Committee (2019).
5. <https://www.abota.org/index.cfm?pg=JudicialIndependenceChallenges>.
6. A link to the white paper can be found at <https://www.abota.org/index.cfm?pg=JudicialIndependenceChallenges>.

UPCOMING CONFERENCES

(log in for exact dates and places)

Regional A Conference

(Regions 1, 2, 8, 10, 11)
April 2019

Annual Judicial Education Conference

September 2019

Regional B Conference

(Regions 1, 3, 4, 5, 8, 10)
May 2020

Regional B Conference

(Regions 3, 4, 5, 6, 7, 9)
May 2019

Child Welfare Conference

October 2019

Professional Development Program

June 2020

Professional Development Program

June 2019

Civil Justice Conference

October 2019

Annual Judicial Education Conference

September 2020

Impaired Driving Symposium

July 2019

Regional A Conference

(Regions 2, 6, 7, 9, 11)
April 2020

DID YOU KNOW...that you have access to all conference course materials through TCJ's [Publications Library](#)?

The publications library launched in November 2016 to make training materials and resources more accessible to judges. Publications dating back to January 2015 are included. You may search for materials using session title, author name, keyword, date(s) or conference. Conduct a broader search by using a Category and Sub-Category. You must be logged in to access the Library. Links are available on the Home page and on the menu under "Resources".

Publications Library

The publications library contains materials presented at TCJ conferences since January 2015. To search for a specific handout, you may use one or more fields below. Please be sure to enter your search terms the way the examples are shown. Particular characters and punctuations may cause errors. Avoid using the following: ampersands, apostrophes, colons, underscore, percent sign and back slash. You may also browse handouts by single or multiple categories.

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feature

A Refresher on Impeachment by Prior Inconsistent Statements

By Hon. Kerry L. Neves



During a recent murder trial, I was confronted with testimony from two witnesses, which required me to apply Rule 613(a) of the Texas Rules of Evidence. While both witnesses were impeached, the uses of the evidence were different, given the particular facts.

Background

The analysis began with Rule 613(a), entitled “Witness’s Prior Inconsistent Statement.”¹ The Rule sets out the Foundation Requirement required for using a prior inconsistent statement, whether oral or written, by first telling the witness:

- A. the contents of the statement;
- B. the time and place of the statement; and
- C. the person to whom the witness made the statement.²

Although there is a fourth requirement to give the witness the opportunity to explain or deny the statement, that element is no longer required from the questioning attorney. When the Rule was restyled effective April 1, 2015, the following Comment was included:

“The amended rule retains the requirement that a witness be given an opportunity to explain or deny ... a prior inconsistent statement ... but this requirement is not imposed on the examining attorney. A witness may have to wait until redirect examination to explain a prior inconsistent statement ... But the impeaching attorney still is not permitted to introduce extrinsic evidence of the witness’s prior inconsistent statement or bias unless the witness has first been examined about the statement or bias and has failed to unequivocally admit it. ...”³

Other portions of the Rule remain as they have been for many years: a written statement need not be shown to the witness, but must be shown to opposing counsel upon request, and extrinsic evidence is not admissible until the witness fails to unequivocally deny making the statement.⁴

The Trial

The first witness had given a video statement to the police, in which she clearly identified the defendant as the person who shot the decedent. When shown a

(continued on next page)

photo lineup, she earnestly picked out the defendant. Her demeanor and attitude were positive and clearly confident.

At trial, she suddenly denied she could identify the person who fired the shots. She claimed all information she had was based on “hearsay,” and that she really hadn’t seen anything. Her demeanor and attitude were completely different.

The State followed the Rule, and asked her point-by-point about each statement she had made on the video, after establishing when and with whom she made the video. She failed to unequivocally admit each such statement. The jury was excused, the video was played for the witness, and then with the jury back, she admitted she had made each statement.

She had, therefore, been impeached, and the extrinsic evidence was not admitted.⁵⁶ Her video was not played for the jury.

The second witness had given an audio statement to a detective, in which he also was positive and confident. He claimed he saw the defendant running from the scene, holding a pistol and that he recognized him from the neighborhood.

At trial, he took a different tack. He denied he was the person on the tape. Instead, he claimed the voice heard was his brother, and he did not know where his brother lived, other than “...in Houston.”

Once again, the State followed the Rule, and asked him about each statement he had given, after establishing when and to whom he gave the statement. When he stuck with his story, and failed to unequivocally admit each statement, he was excused from the witness stand. The detective then authenticated the statement, and identified the witness as the person who had given her the statement.

Following Rule 613, I then allowed the State to play the audiotape for the jury as extrinsic evidence under Rule 613(a)(4).⁷

Legal Issues

While the issue associated with the comment did not become important in our trial, judges need to be aware of that change. It will affect the questioning of a witness, giving the attorney greater control over the testimony if he or she does not have to ask the witness to explain or deny the statement. That can be solicited on redirect, but that means the inconsistency is out there for the jury to think about until that happens.

The trial court’s admission of evidence is reviewed

on an abuse of discretion standard.⁸ The admission of prior inconsistent statements should be liberally construed, allowing the trial court to allow any evidence that gives promise of exposing falsehood.⁹

However, the impeachment evidence must not be on an immaterial or collateral matter.¹⁰ The Court of Criminal Appeals set forth the test for what is collateral:

“The test as to whether a matter is collateral is whether the cross-examining party would be entitled to prove it as a part of his case tending to establish his plea.”¹¹

In Ramirez, a case involving an aggravated sexual assault, the prosecution questioned the mother of the minor complainant about the mother’s prior use of heroin in another state.¹² The Court reversed and remanded defendant’s conviction to the trial court, finding:

Unquestionably, the State was not entitled to rely on evidence in its case-in-chief that [Mother] had previously used heroin in an effort to show that appellant committed an aggravated sexual assault on [Child].¹³

The Court did note an exception to the test and general rule. When a witness leaves a false impression concerning a matter relating to his or her credibility, the examining party can correct the false impression.¹⁴ The example given was when a witness left a false impression about his “troubles” with the police, it would be proper for him to be questioned about other occasions when he had been in “trouble.”¹⁵

Another issue can arise if the witness admits some statements but denies others. In a case involving a written statement, only the portions that contradict the witness may be proven for impeachment.¹⁶ That may require redaction of certain written, audio or video statements.

An interesting example of that can be seen in a case from Galveston County. The defendant was charged with injury to a child.¹⁷ Another child of the defendant was interviewed on video by a forensic interviewer, during which he described his mother grabbing the victim by the feet and swinging her around, followed by banging her head on the floor.¹⁸ He described and demonstrated with a doll what he saw.¹⁹

At trial, he claimed he did not remember the interview. Once shown the video, he admitted much of the statement, but equivocated on his demonstration. The State then sought to introduce portions of the video



showing the demonstration, which the court allowed.²⁰

The Houston court noted that both sides treated the demonstration as a “statement” for purposes of impeachment, so it would do the same.²¹ It then held since the child had equivocated, the portion of the video showing the demonstration was proper for impeachment.²²

The defendant argued the purpose of Rule 613 is to allow for impeachment, and not for admission of substantive evidence.²³ The rule is that is improper to call a witness who is known to be hostile for the primary purpose of eliciting otherwise inadmissible evidence as a subterfuge to avoid the hearsay rule.²⁴ However, that was waived in that case, as no request for a limiting instruction was made.²⁵

Limiting instructions, upon request, are called for by the Rules of Evidence²⁶ as well as by case law.²⁷ The jury should be instructed that the evidence was admitted solely for the purpose of testing the credibility of the witness, and not for the truth of the matter asserted.²⁸

Conclusion

Rule 613 is not a complicated rule to apply. It sets out the requirements for the use of prior inconsistent statements and how they can be used. A mechanism exists to instruct the jury on how it can consider the statements, but that can be waived. A quick review will allow the judge to be prepared for the issue.

(Endnotes)

1. *Tex. R. Evid. 613(a)*.
2. *Tex. R. Evid. 613(a)(1)*.
3. *Tex. R. Evid. 613 Comment to 2015 Restyling*.
4. *Tex. R. Evid. 613(a)(2)*.
5. *McGary v. State*, 750 S.W.2d 782, 787 (Tex.Crim.App. 1988).
6. *Downen v. Texas Gulf Shrimp Company*, 846 S.W.2d 506, 512 (Tex.App.-Corpus Christi 1993, writ denied).
7. *Tex. R. Evid. 613(a)(4)*.
8. *Osborn v. State*, 92 S.W.3d 531, 537 (Tex.Crim.App. 2002).
9. *Aranda v. State*, 736 S.W.2d 702, 707 (Tex.Crim.App. 2011).
10. *Garza v. State*, 18 S.W.3d 813, 822 (Tex.App.-Fort Worth 2000, pet. ref'd).
11. *Ramirez v. State*, 802 S.W.2d 674, 675 (Tex.Crim.App. 1990), citing *Bates v. State*, 587 S.W.2d 121, 133 (Tex.Crim.App. 1979).
12. *Id.* at 675.
13. *Id.* at 675 (brackets added).
14. *Id.* at 676.
15. *Id.* at 676.
16. *McGary*, *supra* at 787.
17. *Johnson v. State*, 2015 WL 1967524 at 1 (Tex.App.-Houston [1st Dist.] 2015, no pet.) (not designated for publication).
18. *Id.* at 1.
19. *Id.* at 1.
20. *Id.* at 2.
21. *Id.* at 5 (Note 5).
22. *Id.* at 2.
23. *Id.* at 4.
24. *Arrick v. State*, 107 S.W.3d 710, 722 (Tex.App.-Austin, 2003, pet. ref'd).
25. *Johnson*, *supra* at 3.
26. *Tex. R. Evid. 105*
27. *Lund v. State*, 366 S.W.3d 848, 855 (Tex.App.-Texarkana 2012, pet. ref'd).
28. *Id.* at 856.

**Is your conference badge lonely?
Deprived of any sort of ornamentation?
Do you feel left out because you
don't have a ribbon?**

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Make a donation to the Texas Center for the Judiciary, and you, too, can have one of these highly coveted pieces of personal decor!

Since its inception, the Texas Center for the Judiciary has brought together judges from urban, suburban and rural Texas to share ideas, network, and most of all, gain the knowledge to administer justice with fairness and integrity. Funding is provided via generous grants, but sometimes there are expenses that aren't covered by the grants. Your contributions help ensure that the Center can continue to provide the quality of education you expect. Remember that contributions may be made from personal or officeholder accounts.

Hop online and donate at <http://www.yourhonor.com>



feature



Things That I did Not Expect When I Was Elected Judge

By Hon. Lisa Michalk

Meetings

I have meetings to discuss other meetings. I meet with other judges, probation officers, committees (many of which I have no idea how I got on them). I would love to tell you that I like meetings or even that they accomplish something important; yet, most of the meetings I attend do nothing more than allow people to set an agenda and talk.

Tears

Even though I have been a practitioner for many years as both a prosecutor and a defense attorney, I had no idea how many people cry in court. The cases I hear are sometimes terrible and the families of the victims and the defendants deal with so much. For some reason, I did not think about this. The worst is when I feel myself tearing up. I have a sticky that says there is no crying in baseball or in felony court.

Drug Use

If I had a dime for the times when a person showed up high or intoxicated in my court....well, let's just say

it happens a lot. I keep thinking about my teenage son who is 16 and just learned to drive. I think it would surprise most people to know how many people drive while taking prescription pills, using marijuana, or drinking vodka. Drug tests help but it is crazy how many people smell like alcohol. Then, there was this poor guy who wore a shirt to court with a giant marijuana leaf on the front. He was charged with possession of ten pounds of marijuana and it was not a surprise to me.

Objections

The first sticky I wrote was one suggested by another judge. Knowing that I had been a trial attorney, he told me it may be hard for me to refrain from objecting. So, I wrote "Shut up! You do not get to object!" and stuck this to my bench where I could look at it. So, when I hear blatant hearsay or the attorney is arguing and yelling at the witness, I just stare at my sticky so I do not jump and yell "hearsay or argumentative."

(continued on next page)



Courtroom attire

The things you see in court are quite funny at times. (my other sticky says, “DO NOT LAUGH”). I can only see a person from the shoulders or waist up due to how I sit. We have seen it all. So, I had to put up a sign that says no shorts, no low-cut blouses, no knives, no firearms, no gum, etc. Defendants have walked in barefoot, in see-through blouses, in shorts, and wearing shirts with foul language. One gentleman was in custody and had his eyelids tattooed. I was dying to know what the tattoo said so I was surreptitiously observing him during the plea and trying not to be obvious. I finally realized his lids had “F—You” tattooed on them. Another guy had a tattoo under his nose on his upper lip. He was charged with a home invasion where the

allegation was that he had abused the female homeowner after breaking into her home. The facts were grim and involved his “problem” with females in general. His tattoo was “trust no bitch.” I am quite positive he did not want a female judge.

Back problems

Before becoming a judge, I did not have back problems. But, when you sit all day in the same position with few breaks on a questionable chair, your back can hurt and your legs can swell. It is like getting on an airplane going somewhere you do not necessarily want to go watching a movie you did not pick. Oh, and you cannot change the channel. Many times, I can guess the end of the story, but it is still hard to listen to certain facts such as testimony from a five year old who talks about her abuser and how he hurt her. It is hard to listen to how a person was beaten to death and what a tire iron can do to a person’s body. During all this, I try and move a little so I do not get stiff but my chair squeaks (even with WD-40).

If I move the chair lower, I cannot see over my computer, but if I move it higher, I cannot touch the floor. I am tall (5’9”) so I cannot imagine what other judges who are 5’1” think about this whole problem.

Finally, I would like to say that I am honored to be a judge. I walk in each day with a smile on my face and sometimes I wonder how on earth God blessed me with this incredible job. I try and listen to both sides and make fair rulings. But, if I could give a piece of advice to one of the newly elected judges, I would say that you are going to make mistakes. You are going to go in the back and cry after seeing terrible child pornography. You are going to have to bite your tongue and refrain from commenting on anything you see and hear. My advice is to join a gym and eat Cheetos with white wine. Make friends with other judges who know what you are going through. If you pray, then get ready to pray a lot. If you run to relieve stress, sign up for a marathon right this second. But, know that you have been placed in an important and sacred position so make good decisions and try your very best.

feature

Brazilian Judges' Conference: Much in "Common"

by Justice Jeffrey Boyd

Texas Center for the Judiciary CEO Mark Atkinson and Texas Supreme Court Justice Jeff Boyd helped lead a conference in northeastern Brazil in August 2018, teaching nearly 100 judges from the state of Maranhão about the common-law legal system. The opportunity arose unexpectedly when Maranhão Supreme Court Justice ("Desembargador") Paulo Velten asked two Christian missionaries if they would help him plan a program for local judges. Justice Velten, who serves as director of Maranhão's judicial-education equivalent of TCJ, believes that the Brazilian judiciary could more effectively balance power and reduce government corruption by importing common-law features into their civil-law system. The missionaries—Mark Dye and Justin Hill, both of San Antonio—had just moved to the Maranhão capital of São Luís with their families. Although neither has any legal training, they were eager to help and shared the opportunity with their sponsoring churches, one of which Justice Boyd attends in Austin.

"The way this all came together so quickly was practically miraculous," Justice Boyd says. He reached out to Dye and Hill, thinking he might provide some materials or ideas. When they connected him with Justice Velten by videocall, Velten asked Boyd to come to São Luís to present a 10-hour conference. Boyd realized then that

he was the one who needed help. When his church and Pepperdine School of Law's Sudreau Global Justice Program offered to help with travel expenses, recruiting others was easy. Austin attorney and former Texas Secretary of State Geoff Connor presented on the historical development of the common law and on how the legislature and judiciary check the executive's power in a common-law system. Pepperdine Law Professor Maureen Weston explained the nature and role of common-law judicial opinions and best practices in international dispute resolution. Judge Atkinson provided two sessions on the practicalities of judging in a common-law system, and Justice Boyd discussed how common-law judges distinguish and overrule precedent and how jurisdictions have successfully mixed common-law and civil-law principles.

The following day, the entire team enjoyed meeting with Maranhão's Supreme Court, followed by a meeting with its Vice-Governor in the historic Governor's Palace. That evening, Justice Boyd delivered a keynote



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address on “Pursuing the Rule of Law” to an energetic crowd of 250 students and community leaders at a local university.

Justice Velten and the participating judges praised the conference as not only the best-attended but simply the best judicial-education program ever presented in Maranhão. “We sometimes take the strengths of our own judiciary and judicial system for granted,” says Judge Atkinson, “but it was eye-opening to see both their appreciation for the stability our judiciary provides and their commitment to providing justice for the country they love.”

Pictures, top to bottom: Justice Boyd (right), shakes hands with Justice Paulo Velten, Maranhao Supreme Court Justice. Middle: Justice Boyd addresses law students regarding the common-law legal system. Bottom: The group that traveled to Brazil to share knowledge with the Brazilian judges, center left, Justice Jeff Boyd, center, Former Secretary of State Geoff Connor, TCJ CEO Judge Mark Atkinson, Pepperdine University Professor Maureen Weston.



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Hon. Wayne Bridewell
Hon. Don Burgess
Hon. Bobby Burnett
Hon. Carson Campbell
Hon. Sarah Tunnell
Clark
Hon. Kirsten Cohoon
Hon. Weldon Copeland
Hon. Christopher Duggan
Hon. Frank Fraley
Hon. Molly Francis
Hon. George Gallagher
Hon. Sheila Garcia
Bence
Hon. Aleta Hacker
Hon. Buddie Hahn
Hon. Lee Hamilton
Hon. Sid Harle
Hon. Susan Harris
Hon. Sonya Heath
Hon. Rob Hofmann
Hon. Maria Jackson
Hon. Joel Johnson
Hon. Don Jones
Hon. Jay Karahan
Hon. Jim Keeshan
Hon. Brenda Kennedy
Hon. Bud Kirkendall
Hon. Jim Kovach
Hon. Tom Lee
Hon. Gracie Lewis
Hon. David Lindemood
Hon. Gloria Lopez
Hon. Susan Lowery
Hon. Marty Lowy
Hon. Catherine Mauzy
Hon. Buddy McCaig
Hon. Vicki Menard
Hon. Don Metcalfe
Hon. Lisa Millard
Hon. Bill Miller
Hon. James Morgan
Hon. Nancy Mulder

Hon. Erin Nowell
Hon. Lauren Parish
Hon. Joe Parnell
Hon. Kent Phillips
Hon. Don Pierson
Hon. Sue Pirtle
Hon. Cecil Puryear
Hon. Amanda Putman
Hon. Charles Ramsay
Hon. Amanda Reichel
Hon. Ruth Reyes
Hon. Lori Rickert
Hon. Hal Ridley
Hon. Jesus Rodriguez
Hon. Renee Rodriguez-
Betancourt
Hon. James Rush
Hon. Jennifer Rymell
Hon. Kitty Schild
Hon. Rebecca Simmons
Hon. Tracy Sorensen
Hon. Jeff Steinhauser
Ms. Ouida Stevens
Hon. Janice Stone
Hon. Bonnie Sudderth
Hon. Duncan Thomas
Hon. Stacy Trotter
Hon. Lori Valenzuela
Hon. Ralph Walton
Hon. Laura Weiser
Hon. Mandy White-
Rogers
Hon. Lee Wilson
Hon. John Wooldridge

Contributors

as of 1/31/19

Contributions in Honor

Hon. Laura Weiser

In Honor of Justice Molly Francis. Thank you for your 28 years of faithful service to the citizens of Texas.

Contributions in Memory

Hon. Robert Barton

In Memory of Judge Pat Priest

Hon. Sarah Tunnell Clark

In Memory of CL Ray, Jr.

Hon. John Gauntt

In Memory Judge Paul Reagan, 146th District Judge, 1989

Hon. Aleta Hacker

In Memory of Judge Quay Parker

Hon. Robert Hofmann

In Memory of Derek Irvin

Hon. Thomas Lee

In Memory of Judge Taylor Brite

Hon. James Morgan

In Memory of CW "Bud" Duncan, Chief Justice Austin McCloud and Judge Quay Parker

Hon. Lauren Parish

In Memory of Judge Alvin Khoury

Hon. Bonnie Sudderth

In Memory of Chief Justice Austin McCloud

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In Memory...

Hon. Taylor Brite
81st District Court
Pleasanton

Hon. C.W. Duncan
27th District Court
Killeen

Hon. Darlene Ewing
254th District Court
Dallas

Hon. Alvin Khoury
124th District Court
Longview

Hon. Jack King
136th District Court
Beaumont

Hon. Ronald Walker
9th Court of Appeals
Beaumont



NEW

Judges

as of 1/31/19

Hon. Frank Aguilar

228th District Court
Judge

Hon. Mary Lou Alvarez

45th District Court
Judge

Hon. Abigail Anastasio

184th District Court
Judge

Hon. Kelley Andrews

Harris County Criminal Court at Law No. 6
Judge

Hon. Chika Anyiam

Dallas Criminal District Court No. 7
Judge

Hon. Thomas Baker

3rd Court of Appeals
Justice

Hon. Shannon Baldwin

Harris County Criminal Court at Law No. 4
Judge

Hon. Dabney Bassel

2nd Court of Appeals
Justice

Hon. Kristin Bays

284th District Court
Judge

Hon. Forrest Clark Beadle

Denton County Criminal Court No. 3
Judge

Hon. Janice Berg

247th District Court
Judge

Hon. Frances Bourliot

14th Court of Appeals
Justice

Hon. Ronnisha Bowman

Harris County Criminal Court at Law No. 2
Judge

Hon. Stephanie Boyd

187th District Court
Judge

Hon. Lee Ann Breeding

462nd District Court
Judge

Hon. Bob Brendel

Atascosa County Court at Law
Judge

Hon. Franklin Bynum

Harris County Criminal Court at Law No. 8
Judge

Hon. Cory Carlyle

5th Court of Appeals
Justice

Hon. Shaun Carpenter

220th District Court
Judge

Hon. Ann-Marie Carruth

Lubbock County Court at Law No. 3
Judge

Hon. Mark Cashion

Medina County Court at Law
Judge

Hon. Cynthia Marie Chapa

288th District Court
Judge

Hon. Kirsten Cohoon

451st District Court
Judge

Hon. Rabeea Collier

113th District Court
Judge

Hon. Adolfo Cordova

197th District Court
Judge

Hon. Julie Countiss

1st Court of Appeals
Justice

Hon. Jason Cox

Harris County Probate Court No. 3
Judge

Hon. Marla Cuellar

275th District Court
Judge

Hon. Dedra Davis

270th District Court
Judge

Hon. Frank Davis

Bexar County Court at Law No. 10
Judge

Hon. Michael De Leon

Bexar County Court at Law No. 7
Judge

Hon. Monique Diaz

150th District Court
Judge

Hon. Scot Dollinger

189th District Court
Judge

Hon. Linda Dunson

309th District Court
Judge

Hon. Carmen Dusek

51st District Court
Judge

Hon. Jennifer Edgeworth

219th District Court
Judge

**Hon. Remeko Tranisha
Edwards**

Dallas County Criminal Court No. 7
Judge

Hon. Chantal Eldridge

331st District Court
Judge

Hon. Reed Filley

106th District Court
Judge

Hon. Toria Finch

Harris County Criminal Court at Law No. 9
Judge

Hon. David Fleischer

Harris County Criminal Court at Law No. 5
Judge

Hon. Maribel Flores

293rd District Court
Judge

Hon. Dean Fowler

115th District Court
Judge

Hon. Frank Fraley

240th District Court
Judge

Hon. JoAnne Garcia

Hidalgo Probate Court
Judge

Hon. Tanya Garrison

157th District Court
Judge

Hon. Baldemar Garza

229th District Court
Judge

Hon. Luke Giesecke

Bosque County Court at Law
Judge

Hon. Justin Gilbert

412th District Court
Judge

Hon. Greg Glass

208th District Court
Judge

Hon. Delia Gonzales

Dallas County Child Protection and Per-
manency Court
Associate Judge

Hon. Gordon Goodman

1st Court of Appeals
Justice

**Hon. Angela Graves-
Harrington**

246th District Court
Judge

Hon. Lori Gray

262nd District Court
Judge

Hon. Tracy Gray

Kaufman County Court at Law No. 1
Judge

**Hon. Maya Guerra
Gamble**

459th District Court
Judge

Hon. Aaron Haas

285th District Court
Judge

Hon. Matt Hand

Potter County Court at Law No. 2
Judge

**Hon. Clay Nicholas
Harrison**

Hopkins County Court at Law
Judge

Hon. Lisa Harvey-Moore

Court No. 22
Associate Judge

Hon. Meagan Hassan

14th Court of Appeals
Justice

Hon. Sherman Hatton

Fort Bend County Court at Law No. 6
Judge

Hon. Sonya Heath

310th District Court
Judge

Hon. Taylor Heaton

Smith County Court at Law No. 2
Judge

**Hon. Brooke D. Hendricks-
Green**

Ector County Court at Law No. 1
Judge

Hon. Craig L. Henry

Bowie County Court at Law
Judge

Hon. Richard Hightower

1st Court of Appeals
Justice

Hon. Greg Hill

Brazoria County Court at Law No. 1 &
Probate Court
Judge

Hon. Josh Hill

232nd District Court
Judge

**Hon. Cassandra Yvette
Hollemon**

Harris County Criminal Court at Law No. 12
Judge

Hon. James Horwitz

Harris County Probate Court No. 4
Judge

Hon. Yolanda Huff

Bexar County Court at Law No. 12
Judge

Hon. Erica Hughes

Harris County Criminal Court at Law No. 3
Judge

Hon. Sandra L. Jackson

302nd District Court
Judge

Hon. Christopher Patrick Johnson

Hays County Court at Law No. 2
Judge

Hon. DaSean Jones

180th District Court
Judge

Hon. Raquel Jones

203rd District Court
Judge

Hon. Tonya Jones

Harris County Criminal Court at Law No. 15
Judge

Hon. David Junkin

453rd District Court
Judge

Hon. Chari Kelly

3rd Court of Appeals
Justice

Hon. Peter M. Kelly

1st Court of Appeals
Justice

Hon. Alex Kim

323rd District Court
Judge

Hon. Travis Kitchens

258th District Court
Judge

Hon. Jim Kovach

Harris County Civil Court at Law No. 2
Judge

Hon. Danilo Lacayo

182nd District Court
Judge

Hon. Sarah Beth Landau

1st Court of Appeals
Justice

Hon. Tristan Longino

245th District Court
Judge

Hon. Gloria Lopez

308th District Court
Judge

Hon. Jason Luong

185th District Court
Judge

Hon. Pamela Luther

Dallas County Criminal Court of Appeals
No. 2
Judge

Hon. Fernando Mancias

93rd District Court
Judge

Hon. Amy Martin

263rd District Court
Judge

Hon. Chris Martin

294th District Court
Judge

Hon. Matt Martindale

Randall County Court at Law No. 2
Judge

Hon. Leticia Laura Martinez

Webb County Court at Law No. 1
Associate Judge

Hon. Juli Mathew

Fort Bend County Court at Law No. 3
Judge

Hon. Catherine Mauzy

419th District Court
Judge

Hon. Lela Mays

283rd District Court
Judge

Hon. Jeff McKnight

30th District Court
Judge

Hon. William McLeod

Harris County Civil Court at Law No. 4
Judge

Hon. Velia Meza

226th District Court
Judge

Hon. John Millard

328th District Court
Associate Judge

Hon. Beau Miller

190th District Court
Judge

Hon. Barbara Molina

Caldwell County Court at Law
Judge

Hon. Michelle Moore

314th District Court
Judge

Hon. Audrey Moorehead

Dallas County Criminal Court No. 3
Judge

Hon. Ruben Morales

El Paso County Court at Law No. 7
Judge

Hon. Chris Morton

230th District Court
Judge

Hon. Kenneth E. Newell

233rd District Court
Judge

Hon. Michael Newman

Harris County Probate Court No. 2
Judge

Hon. Scott Novy

188th District Court
Judge

Hon. Erin Nowell

5th Court of Appeals
Justice

Hon. Natalia Oakes

313th District Court
Judge

Hon. Anthony Odiorne

Williamson County
Associate Judge

Hon. Chance Oliver

Denton County Criminal Court No. 4
Judge

Hon. Leslie Osborne

5th Court of Appeals
Justice

Hon. Steve Parkhurst

260th District Court
Judge

**Hon. Robbie Partida-
Kipness**

5th Court of Appeals
Justice

Hon. James Payne

273rd District Court
Judge

**Hon. Latosha Lewis Lewis
Payne**

55th District Court
Judge

Hon. Sandra Peake

257th District Court
Judge

Hon. Bill Pedersen

5th Court of Appeals
Justice

Hon. Jennifer Peña

290th District Court
Judge

Hon. Alyssa Perez

210th District Court
Judge

Hon. Susan Piel

Denton County Criminal Court No. 2
Judge

Hon. Margaret Poissant

14th Court of Appeals
Justice

Hon. Chris Ponder

Tarrant County Probate Court No. 1
Judge

Hon. John L. Pool

109th District Court
Judge

Hon. Carlos Quezada

289th District Court
Judge

Hon. Aiesha Redmond

160th District Court
Judge

Hon. Lauren Reeder

234th District Court
Judge

Hon. Amanda Reichek

5th Court of Appeals
Justice

Hon. Ruth Reyes

El Paso County Court at Law No. 1
Judge

Hon. Jeff Robnett

441st District Court
Judge

Hon. Orlando Rodriguez

Starr County Court at Law
Judge

Hon. Raul Rodriguez

Harris County Criminal Court at Law No. 13
Judge

Hon. Robert Rolnick

458th District Court
Judge

Hon. Paula Rosales

Dallas County Court at Law No. 4
Judge

Hon. Donna Roth

295th District Court
Judge

Hon. Bryan Russ

82nd District Court
Judge

**Hon. Alex Hector
Salgado**

Harris County Criminal Court at Law No. 1
Judge

Hon. Angela Saucier

76th District Court
Judge

Hon. Cory Sepolio

269th District Court
Judge

Hon. Leah Shapiro

315th District Court
Judge

Hon. Chuck Silverman

183rd District Court
Judge

Hon. Jerry Simoneaux

Harris County Probate Court No. 1
Judge

Hon. David Singer

Harris County Criminal Court at Law No. 14
Judge

Hon. Edward Smith

3rd Court of Appeals
Justice

Hon. Selena Solis

243rd District Court
Judge

Hon. Charles Spain

14th Court of Appeals
Justice

**Hon. Rosie Speedlin
Gonzalez**

Bexar County Court at Law No. 13
Judge

Hon. William Squires

Guadalupe County Court at Law No. 1
Judge

Hon. Barbara Stalder

280th District Court
Judge

Hon. Scott Stevens

6th Court of Appeals
Justice

Hon. Keith Stretcher

11th Court of Appeals
Justice

Hon. Germaine Tanner

311th District Court
Judge

Hon. Mitch Templeton

172nd District Court
Judge

Hon. Hilary Unger

248th District Court
Judge

Hon. Grace Uzomba

Bexar County Court at Law No. 2
Judge

Hon. Carlos Valdez

148th District Court
Judge

Hon. Melissa Vara

Bexar County Court at Law No. 15
Judge

Hon. Veronica Vasquez

Bexar County Probate Court No. 2
Judge

Hon. Sedrick Walker

Harris County Criminal Court at Law No. 11
Judge

Hon. Brian Warren

209th District Court
Judge

Hon. Beth Watkins

4th Court of Appeals
Justice

Hon. Teana Watson

Fort Bend County Court at Law No. 5
Judge

Hon. Walt Weaver

Potter County Court at Law No. 1
Judge

Hon. Christine Weems

281st District Court
Judge

Hon. Clinton Wells

312th District Court
Judge

Hon. Carmen White

Dallas County Criminal Court No. 8
Judge

Hon. Bridgett Whitmore

193rd District Court
Judge

Hon. LaShawn Williams

Harris County Civil Court at Law No. 3
Judge

Hon. Rodney O'Neil Williams

268th District Court
Judge

Hon. Lee Wilson

Harris County Criminal Court at Law No. 10
Judge

Hon. Robert Wilson

321st District Court
Judge

Hon. Joshua Winters

Van Zandt County Court at Law
Judge

Hon. Andrew Wright

Harris County Criminal Court at Law No. 7
Judge

Hon. Ashley Wysocki

254th District Court
Judge



Hon. Alfredo Ximenez

Bexar County Court at Law No. 4
Judge

Hon. Tacie Zelhart

Hays County Court at Law No. 3
Judge

Hon. Jerry Zimmerer

14th Court of Appeals
Justice

Hon. Danah Zirpoli

64th District Court
Judge



Congratulations Class of '18

In December 2018, TCJ conducted its largest-ever College for New Judges, with 211 newly elected judges attending. These judge-elects fully immersed themselves in learning about their new roles. Getting to know them was nothing short of a pleasure. TCJ would like to thank all of the faculty who volunteered their time and would like to congratulate the new judges as they begin their journeys.



Regional A
Regions 1, 2, 8, 10
and 11
April 2019



Regional B
Regions 3, 4, 5, 6, 7
and 9
May 2019



***** FEATURED SESSION *****

Social Media for Judges: Do's, Don'ts & Musts [1.0 ethics]

Hon. Eric Shepperd, Mr. Eric Vinson

With the influx of new and complex issues relating to social media, many judges have questions regarding the do's and don'ts.

Explore some modern ethical challenges that are getting judges into trouble, especially in today's environment where the campaign never ends. The session will also address the evolving attitudes towards judicial use of social media and will offer practical pointers for judges on positive uses of social networking platforms.



For more information and to register, log in at <http://www.yourhonor.com>