

SCAC MEETING AGENDA – 2nd Revised
August 26-27, 2005
9:00 a.m.

Location: Texas Association of Broadcasters
502 E. 11th, Suite 200
Austin, Texas 78701
512-322-9944

1. **WELCOME**

2. **STATUS REPORT FROM JUSTICE HECHT**

Justice Hecht will report on Supreme Court actions and those of other courts related to the Supreme Court Advisory Committee since the May 2005 meeting. Justice Hecht may refer new issues for the committee's study.

3. **APPELLATE RULE CHANGES (Dorsaneo)**

- a) Court of Appeals Transfers – Precedent from Transferee Court
- b) Permissive Appeals (under TEX. CIV. PRAC. & REM. CODE §51.014 (d)-(f))
- c) Certificate of Service/Conference
- d) Consolidation of Cross Appeals Noticed to Different Courts of Appeals
- e) Proposed Change to TRAP 8.1 (Notice of Bankruptcy)
- f) Proposed Amendments to TRAPs 52 and 53 (clean-up)

- Memorandum dated July 11, 2005 (includes revised (8/18/05) Draft of Proposed Appellate Rule 28) – posted on website

4. **PROPOSED AMENDMENT TO R.J.A. 13 – ASBESTOS AND SILICA LITIGATION (Hatchell/Christopher)**

- Subcommittee Report dated August 19, 2005 – posted on website
- S.B. No. 15 – posted on website
- Letter from Kevin Risley (Counsel for 3M Company) to Judge Christopher dated August 23, 2005 – posted on website
- Letter from Judge Christopher to Justice Hecht dated August 25, 2005 – posted on website

5. **COURT REPORTER'S RECORD and ADMITTED EXHIBITS (Orsinger w/ Jackson)**
 - Letter from Justice Wainwright dated November 8, 2004 - posted on website
 - Letter from David Jackson (undated) – posted on website
6. **T.R.C.P. 223 - ELECTRONIC JURY SHUFFLING (Sweeney)**
 - Letter from Judge Christopher dated April 27, 2004 - posted on website
 - Letter from Judge Benton dated February 21, 2005 - posted on website
 - Letter from Scott Ozmun dated May 31, 2005 - posted on website
 - Email from L. Hobbs to SCAC dated April 28, 2005 with subcommittee's report - posted on website
7. **T.R.C.P. 145 – DEFINING “INDIGENCY” (Orsinger)**
 - Email from James Sales (Chairman of the Texas Access to Justice Commission) to Justice O'Neill dated July 18, 2005 – posted on website
 - Proposed TRCP 148
8. **T.R.E. 514 – EX PARTE RULE (HIPPA) (Low)**
 - Letter from John Martin to Gilbert Low dated June 7, 2005, with enclosures of SCAC Evidence Subcommittee Draft Containing AREC Suggestions, and AREC Version (Version Control: November 19, 2004) – posted on website