

Statement of The Chair of the Texas Supreme Court
Advisory Committee

Regarding Meeting of April 13 and 14, 2012

At Texas State Bar Association
1414 Colorado, Room 101
Austin, TX 78711
Commencing at 9:00 a.m.

There has been substantial interest from both the public and the profession regarding the subject of our next meeting on: (i) Changes to the Protective Order Kit; and (ii) the proposed adoption of forms in family law cases. Consequently I want to outline, as best I can, how I think our meeting will proceed and to state some principles that have guided our committee over the twenty plus years I have been a member and chair.

First, the schedule. I will welcome the committee and visitors and Justice Hecht will give his report. Then we will hear from Richard Orsinger who will introduce Stewart Gagnon, a partner at Fulbright & Jaworski, who will lead a discussion on changes to the Protective Order Kit. I anticipate this will take one hour and conclude at about 10:15 a.m. I caution everyone that, as our members know, sometimes our discussions exceed what I have allotted so this time is merely an estimate.

We will then turn to the proposed forms for Family Law Cases. Richard Orsinger and his sub-committee consisting of Frank Gilstrap, Professor Alexandra Albright, Professor Elaine Carlson, Nina Cortell, Professor Bill Dorsaneo, Carl Hamilton, Pete Schenckan, Judge Anna Estevez, and Judge David Peebles have done substantial work on these forms,

which were a product of the Uniform Forms Task Force, including receiving comment from the public, bench and the bar. Richard will give us a brief overview of the forms and we will then hear from three groups who have an interest in the issue. Each group will be limited to 20 minutes apiece. I'm going to be strict on the time (which is not my usual style) because we have a lot to cover and the speakers, to the extent to which they wish to stay, will be a resource for questions from the Committee and will have another, shorter, opportunity to speak later Friday or Saturday morning.

The schedule of speakers will be:

- 1) Trish McAllister of the Access to Justice Commission (20 minutes)
- 2) Tom Vick and Tim Belton of the State Bar of Texas Solutions 2012 Committee (20 minutes to be divided between them as they see fit)
- 3) Steve Bresnen and the Honorable Judy Warne, Judge of the 257th District Court of Harris County, representing the State Bar Family Law Section (20 minutes to be divided between them as they see fit).

Somewhere during all this we will take our 15 minute morning break.

Following the three 20 minute presentations, the Committee will discuss the policy issues raised by the speakers and consider comments from the Orsinger sub-committee. As is customary, we will then proceed to discuss the details of the rules whether or not the Committee thinks they are a good or

bad idea. The Court wants our advice on the specifics of the rules and may or may not accept some or all of our counsel.

After we conclude this discussion, we will hear public comment. I am hopeful this part of our meeting will start no later than 4:00 p.m. on Friday. The committee will meet both Friday and Saturday morning (also commencing at 9:00 a.m.) so if we do not hear from the public on Friday we will have Saturday morning available.

I appreciate, and I know the SCAC and the Court do too, all the effort that has gone into preparing for this meeting. Our goal is, of course, to do what's best for the justice system and the citizens of Texas. I am happy to say that during my entire 13 year tenure as chair, I have never seen us waver from this objective and although our members frequently disagree, they never do so in a disrespectful or mean spirited way. I greatly admire each and every member of the Committee and, I know, the feeling among our group is mutual.

Charles L. "Chip" Babcock
Houston, Texas
April 9, 2012