

SCAC MEETING AGENDA
Friday, September 28, 2018 – 9:00 am-5:00 pm
Saturday, September 29, 2018 – 9:00 am – 12:00 pm

Location: Texas Association of Broadcasters
502 E. 11th Street, #200
Austin, Texas 78701
(512) 322-9944

1. WELCOME (Babcock)

2. STATUS REPORT FROM CHIEF JUSTICE HECHT

Justice Boyd will report on Supreme Court actions and those of other courts related to the Supreme Court Advisory Committee since the July 13, 2018 meeting.

3. JURY QUESTIONS IN PARENTAL TERMINATION CASES

216-299a Sub-Committee Members:

Prof. Elaine Carlson – Chair

The Hon. David Peeples – Vice Chair

The Hon. Kent Sullivan

Alistair B. Dawson

Robert Meadows

Thomas C. Riney

Kennon Wooten

- (a) Subcommittee Report Re Jury Charge in Termination Final Sept 25 2018
- (b) EXHIBIT A HB 7 Task Force Report to Texas Supreme Court
- (c) Exhibit B Family Code Section 161
- (d) Exhibit C Charge E
- (e) Exhibit D Recommended task force questions
- (f) Exhibit E Minority Ground Best Interest in Same Q
- (g) EXHIBIT F Majority Grounds Separate Q From Best Interest

4. GUIDELINES FOR SOCIAL MEDIA USE BY JUDGES

216-299a Sub-Committee Members:

Prof. Elaine Carlson – Chair

The Hon. David Peeples – Vice Chair

The Hon. Kent Sullivan

Alistair B. Dawson

Robert Meadows

Thomas C. Riney

Kennon Wooten

John Browning – Passman & Jones

- (h) Social Media Subcommittee Report Sept. 22, 2018
- (i) July 11, 2018 Memorandum from Justice Christopher
- (j) Code of Judicial Conduct-Pre-2002 and Current Canon 5; Canon 3-B(10)
- (k) Rules of Engagement
- (l) ABA Formal Opinion
- (m) POLITICAL ACTIVITY Opinion No (003)
- (n) History of the Endorsement Provision
- (o) COMMENT

5. **NEW RULE ON LAWYER ACCESS TO JUROR SOCIAL MEDIA ACTIVITY**

216-299a Sub-Committee Members:

*Prof. Elaine Carlson – Chair
Hon. David Peebles – Vice Chair
Hon. Kent Sullivan
Alistair B. Dawson
O. C. Hamilton
Robert Meadows
Thomas C. Riney
Kennon Wooten
John Browning – Passman & Jones*

- (p) Final Proposed Changes to Disciplinary Rules (September 21, 2018)

6. **PROTECTIVE ORDER KIT |PROTECTIVE-ORDER FORM RE:
RESPONDENT'S ACCESS TO FIRE-ARMS**

Legislative Mandates Sub-Committee Members:

*Jim M. Perdue, Jr. - Chair
The Hon. Jane Bland - Vice Chair
The Hon. Robert H. Pemberton
Pete Schenkkan
The Hon. David L. Evans
Robert Levy
The Hon. Brett Busby
Prof. Elaine A. G. Carlson
Richard Orsinger
Trish McAllister – Texas Access to Justice Commission
Jeana Lungwitz – UT Law Domestic Violence Clinic*

- (q) Legislative Mandates Subcommittee-- Gun Violence Protective Orders
(r) 5.8.2012-Protective-Order-Kit-Final
(s) 18170 Petition to Enjoin Possession of Firearm
(t) 18175 Evidence To Be Considered By Court Burden of Petitioner
Duration Of Re
(u) 18180 Gun Violence Restraining Order Contents Of Order
(v) 18185 Written Request For Hearing To Terminate Order
(w) PO Disclosure Form-Final Draft (003)
(x) Rule 78a-Proposed Changes Disclosure Only-Final Draft
(y) Statutory Comparison of States on Violence POs

7. LOCAL RULES

Judicial Administration Sub-Committee Members:

***Nina Cortell - Chair
The Hon. David Peeples – Vice Chair
The Hon. Tom Gray
Prof. Lonny Hoffman
The Hon. David Newell
The Hon. Bill Boyce
Michael A. Hatchell
Kennon Wooten***

- (z) Local Rules Memo (Sept. 24, 2018)
- (aa) July 13, 2018 Email from Justice Christopher to SCAC re: Local Rules
- (bb) Examples of Local Rules
- (cc) Examples of Standing Orders

8. PROCEDURAL RULES ON LIMITED-SCOPE REPRESENTATION

1-14c Sub-Committee Members:

***The Hon. Jane Bland – Chair
The Hon. Robert Pemberton – Vice Chair
Pamela Baron
Evan Young
Trish McAllister – Texas Access to Justice Commission
Chris Nickelson – Family Law Section***

- (dd) Subcommittee June 28 2018 LSR Report Final
- (ee) Limited Scope Representation Rules 8 and 10 (9-26 Committee Draft)
- (ff) Proposed Amendments to Texas Rules of Civil Procedure 8 and 10 (9-26 redline)
- (gg) LSR Draft 9-26 Nickelson proposal

9. FORMS FOR AN APPLICATION FOR INJUNCTIVE RELIEF IN CYBERBULLYING CASES

735-822 Sub-Committee Members:

***The Hon. Stephen Yelenosky - Chair
Lamont Jefferson – Vice Chair
Frank Gilstrap
Pete Schenckan***

- (hh) June 11, 2018 Memo re: Cyberbullying
- (ii) Petition for a Cyberbullying Restraining Order
- (jj) Instructions for Petition for a Cyberbullying Restraining Order
- (kk) Cyberbullying Statute
- (ll) S.B. No. 179
- (mm) Cyberbullying Constitutional Precedents on Student Speech

SUPREME COURT ADVISORY COMMITTEE-RECEPTION

5:30 – 7:00 pm

Jackson Walker LLP

100 Congress Avenue, Suite 1100

Austin, Texas 78701

PHOTO SESSION @ 6:00 P.M.