

PLATFORM / LEGISLATIVE PRIORITY RESOLUTION

_____ COUNTY REPUBLICAN CONVENTION

_____ of MARCH 2024

As Proposed in Precinct 2-2

A resolution calling for **Court Reforms** related to the publication and accessibility of Findings of Fact, Conclusions of Law descriptions of rationale and other records including the use of audio and video. Also calling for restructuring of the State Commission on Judicial Conduct to improve accountability of both the Judiciary and the Commission, and reforms of the Judicial Code of Conduct Canon 5 to allow for certain endorsements of judicial candidates.

WHEREAS, the Texas law does not require all judges to explain or justify rulings in all courts or require judges to publish the rationale for their final decisions; and

WHEREAS, the Texas citizenry should have access to all findings and the confidence that such findings are based upon the legislative intent of our laws; and

WHEREAS, the Texas citizenry and the Texas Judiciary should never be placed in a position where the competence and/or fidelity of the Texas Judiciary is in doubt; and

WHEREAS, voters within the State of Texas have a vested interest in the conduct of all elected and appointed officials; and

WHEREAS, the Texas State Commission on Judicial Conduct (Commission) operates with 13 Commission members; six appointed by the Supreme Court, five by the Governor, and two by the State Bar of Texas; and

WHEREAS, the current operating structure of the Commission lacks any accountability to the Texas citizenry, operates in secret with no duty to inform the citizenry of findings of judicial misconduct, thus prohibiting oversight of its operations: and

WHEREAS, the Commission has no duty to make public any findings of wrongdoing or dismissals of complaints, or to justify their findings of wrongdoing or dismissal; and

WHEREAS, the Commission operates with only 13 staff members while States with similarly sized judiciaries have approximately 50 staff members; and

WHEREAS, the Commission receives in excess of 1,600 complaints per year; and

WHEREAS, the Texas Supreme Court has employed audio and video in its proceedings for years; and

WHEREAS, the Texas Judiciary has already confirmed during Covid-19 lockdowns that it is possible to conduct hearings online via audio and video equipment; and

WHEREAS, the Texas Judiciary has regular in-camera hearings with attorneys before any testimony occurs and during trials which are not recorded in any way; and

WHEREAS, audio and video in the courts provide a previously unattainable level of access for litigants; and

WHEREAS, the Texas Code for Judicial Conduct, Canon 5, does not allow judges to authorize the public use of his or her name endorsing another candidate for any public office; and

WHEREAS, Judges currently do not have the opportunity to endorse candidates in races which would better help ensure competent candidates and increase the confidence of the public; now

THEREFORE, be it resolved that The Republican Party of Texas calls for legislation which:

1. Requires all courts to immediately validate and produce a mandatory Finding of Facts and Conclusions of Law for every substantive decision or final ruling in a case.
2. Requires all courts be required to employ a certified shorthand reporter in all in camera hearings, preserving the record in all transactions with the judge for any case.
3. Requires all judges to state their rationale for their final decision on the record.
4. Requires the State Commission on Judicial Conduct shall henceforth be composed of 13 voting members either appointed by the Governor of the State of Texas or elected by the public and 1 member appointed by the Supreme Court, this latter member acting only in an advisory capacity.
5. Requires the State Commission on Judicial Conduct shall henceforth make public any and all complaints, findings, and conclusions, and additionally justifying all such findings and conclusions of the Commission, publishing these each month in an online format that is accessible to the public.
6. Requires the State Commission on Judicial Conduct shall increase its staff to levels to reflect the size of the Texas Judiciary and maintain staffing levels to adequately address the number of complaints received on a yearly basis.
7. Requires all courts to maintain and utilize audio and video in all cases, at all times on and off the record, preserving said cases in digital format, and that parties with whom the suit occurs can access those video and audio recordings
8. Requires that all judges be allowed to endorse a candidate equal to or lower than their own court, to be able to show confidence in a candidate running for public office.

Adopted this _____ day of March 2024 at the _____ County Convention of the Republican Party of Texas.