

Supreme Court of Texas

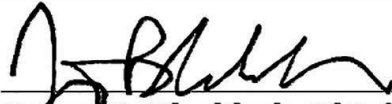
Misc. Docket No. 25-9098

Approval of Amendments to the Texas Rules of Judicial Education

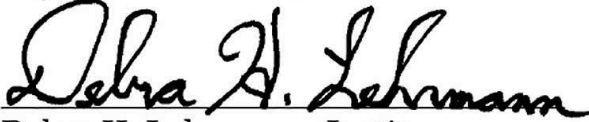
ORDERED that:

1. Changes to the Texas Rules of Judicial Education, reproduced below, are effective immediately.
2. The Clerk is directed to:
 - a. file a copy of this Order with the Secretary of State;
 - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this Order to the Governor, the Lieutenant Governor, and each elected member of the Legislature; and
 - d. submit a copy of this Order for publication in the *Texas Register*.

Dated: November 21, 2025.



James D. Blacklock, Chief Justice



Debra H. Lehmann, Justice



John P. Devine, Justice



J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice



James P. Sullivan, Justice



Kyle D. Hawkins, Justice



COURT OF CRIMINAL APPEALS

Judicial And Court Personnel Training Program

Rules Of Judicial Education

August 18, 2025

***Updated August 18, 2025**

COURT OF CRIMINAL APPEALS

RULES OF

JUDICIAL EDUCATION

As Amended

In addition to the current rules, new legislation has mandated additional training requirements.

RULE 1. AUTHORITY. These rules are promulgated pursuant to Sections 39.002 and 56.006 of the Texas Government Code.

RULE 2. APPELLATE, DISTRICT AND COUNTY COURT JUDGES.

- a. Each chief justice or justice of the supreme court, presiding judge or judge of the court of criminal appeals, chief justice or justice of a court of appeals, district judge, including a criminal district judge and a Texas business court judge, and judge of a statutory county court performing judicial functions will, as an official duty:

- (1) complete before taking office, or within one year after taking office, at least 30 hours of instruction in the administrative duties of office and substantive, procedural and evidentiary laws unless the judge has previously complied with this requirement and has been absent from the bench less than one year before taking the present office;
- (2) each fiscal year after the first year of the judge's term, complete at least 16 hours of instruction in substantive, procedural and evidentiary laws and court administration. In accordance with the Texas Minimum Continuing Legal Education Regulations and Accreditation Standards effective June 1, 2011, four hours of instruction may be obtained by electronic means and may include teleconferences, webcasts, satellite, on-demand/online CLE, and accredited downloadable CLE activities that have been recorded from live seminars.

*H.B. 2384, 88th Leg., R.S., did not include Constitutional County Judges under the newly encoded application for judicial office and training requirements, but Constitutional County Judges are held to the training requirements pursuant to Section 74.025 of the Government Code. See also Texas Association of Counties, Continuing Education Requirements for County Judges.

*H.B. 40, 89th Leg., R.S., exempts Texas Business Court judges from "training requirements under Chapter 22 that are not germane to the jurisdiction of the

business court, including the training requirements of Sections 22.012 and 22.110.” See Rule 12 for Statutorily Mandated Training.

- b. Instruction credit completed during any fiscal year in excess of the minimum number of hours required may be applied to the following fiscal year’s requirement.

Any exceptions to the education and reporting rules must be pre-approved by the Court of Criminal Appeals including an inability to timely complete the training or instruction due to a medical or physical disability.

*The Texas Center for the Judiciary has an exception to Rule 2(b) and may use bench dates for reporting periods.

- c. Programs sponsored by the following organizations and approved by the Court of Criminal Appeals Education Committee for appellate, district, and statutory county judges, or, the County Judges Education Committee for constitutional county judges, can be utilized to satisfy the requirements of Rule 2(a):
 - (1) Judicial Section of the State Bar of Texas
 - (2) Texas Center for the Judiciary, Inc.
 - (3) Texas Association of Counties
 - (4) National Judicial College, Reno, Nevada
 - (5) Appellate Judges’ Conference of the American Bar Association, Chicago, Illinois
 - (6) National Conference of Chief Justices
 - (7) American Academy of Judicial Education, Washington, D.C.
 - (8) Institute of Judicial Administration, N.Y.U.
 - (9) Texas College of Probate Judges
 - (10) National College of Probate Judges
 - (11) An accredited law school
 - (12) A local, state, or national bar association
 - (13) A professional organization devoted to improvement of the legal profession such as the Texas Association of Defense Counsel and the Texas Trial Lawyers Association
 - (14) The County Judges and Commissioners Association of Texas or the V.G. Young Institute of Texas A&M University
 - (15) Texas Criminal Defense Lawyers Association
 - (16) Texas District and County Attorneys Association
 - (17) Wright Lecture Series
 - (18) National Council of Juvenile and Family Court Judges
 - (19) Court Docket Management in conjunction with OCA

(20) Texas Council on Family Violence

- d. All rules applicable to active appellate, district, and statutory county court judges, except Rule 2(a)(1), are also applicable to retired and former appellate, district, statutory county court judges if they are subject to assignment.
- e. A constitutional county judge whose only judicial duties are conducting hearings under Chapter 61 of the Texas Alcoholic Beverage Code or conducting marriage ceremonies is exempt from the continuing judicial education requirement for any fiscal year for which the judge files an affidavit with the Registrar stating that the judge's only judicial duties are conducting hearings under Chapter 61 of the Texas Alcoholic Beverage Code or conducting marriages ceremonies.

RULE 3. JUSTICES OF THE PEACE.

- a. Each Justice of the Peace will, as an official duty:

- (1) complete within one year after taking office, an eighty (80) hour live course of instruction from the Texas Justice Court Training Center in the performance of the duties of office and the bail course described by Article 17.024(a)(1), Code of Criminal Procedure (an initial eight (8) hour training that includes content described by Article 17.0501 of the Code of Criminal Procedure). Forty (40) of the required hours must be met by attending a live course, provided by the Texas Justice Court Training Center. The remaining forty (40) hours may consist of hours achieved by electronic means through course(s) provided by the Texas Justice Court Training Center; and
- (2) in each fiscal year thereafter, complete twenty (20) hours of instruction approved by a justice court education committee in the performance of the duties of office. At least ten (10) of the total required hours must be met by attending courses, provided by the Texas Justice Court Training Center. The remaining hours may be achieved through course(s) sponsored by any approved provider. Up to ten (10) hours of the total hours may be satisfied via electronic course(s). At least ten (10) of the total hours must include instruction regarding substantive, procedural, and evidentiary law in civil matters in accordance with Section 27.005(a) of the Government Code; and
- (3) in each following state fiscal biennium, the bail course described by Article 17.024(a)(2), Code of Criminal Procedure (a two (2) hour continuing education course).
- (4) for purposes of removal under Chapter 87, Local Government Code, "incompetency" in the case of a justice of the peace includes the failure of the justice to successfully complete the training as described under Rule

3(a)(1-3).

- (5) in every fiscal year that ends in 0 or 5, complete two hours of course instruction related to understanding relevant issues of child welfare and youth diversion, including issues related to mental health and children with disabilities as required by Section 22.1105 of the Government Code. See Rule 12(a). The training may consist of either a course of instruction provided by the Texas Justice Court Training Center at which instruction is achieved by electronic means or any live course of instruction, substantive, procedural, and evidentiary law in civil matters in accordance with Section 27.005(a) of the Government Code; and
- b. All electronic courses must include interactive components and the participation time in electronic courses must be verified.
- c. Except for the limitations provided in Rule 3(a), a justice court education committee may not deny course credit to a Justice of the Peace who receives approval for such credit through another justice court education committee. A justice court education committee may approve or pre-approve courses taken from the following list of qualifying entities for courses in performance of duties of office:
 - (1) Texas Justice Court Training Center
 - (2) V.G. Young Institute of County Government
 - (3) Texas Department of Health and Human Services
 - (4) National Judicial College, Reno
 - (5) Local, state, or national bar association
 - (6) Texas District and County Attorney's Association
 - (7) Texas Municipal Court Education Center
 - (8) Texas Association of Counties
 - (9) Office of Secretary of State
 - (10) Any accredited law school
 - (11) Texas Trial Lawyers Association
 - (12) Texas Association of Defense Counsel
 - (13) National Council of Juvenile and Family Court Judges
 - (14) Texas Criminal Defense Lawyers Association
 - (15) The Texas Center for the Judiciary
 - (16) Texas Justice Court Judges Association
 - (a) Grant funds may not be used to pay for the cost of training from the aforementioned training entities, except for the Texas Justice Court Training Center.
- d. A person who serves in the dual capacity as a Justice of the Peace and as a municipal judge may be permitted to receive credit toward fulfillment of the requirements of the Rules of Judicial Education for each office by attending a

course of instruction for either office, provided that the curriculum is pertinent to the duties and responsibilities of each office.

The determination of the applicability of the course to each office shall be made on a case-by-case basis by a judicial education committee having jurisdiction over the office in accordance with that committee's procedures.

- e. Only courses of instruction completed through a continuing education program approved by a justice court education committee can be utilized to satisfy the requirement of Rule 3(a)(1).
- f. The Texas Justice Court Training Center will be the keeper of records for credit hours approved for all justices of the peace for the purpose of fulfilling Rules 9(b) and 10.
- g. A justice court education committee may make rules regarding attendance at their training events and may deny costs for an attendee who violates those rules.
- h. Once Rule 3(a)(1) has been satisfied, Justices of the Peace who are also licensed attorneys may:
 - (1) obtain training sponsored by the organizations listed in Rule 2(c) in order to satisfy the educational requirements of Rule 3(a)(2) and 3(b), including up to ten (10) hours of education achieved by electronic means in each fiscal year; and
 - (2) obtain training sponsored by the organizations listed in Rule 2(c) in order to satisfy the educational requirements of Rule 3(a)(5), including education achieved by electronic means.
- i. Justices of the Peace who have been out of office for 4 or more years and then return to office must satisfy Rule 3(a)(1).
- j. Temporary appointees under Section 27.055 of the Government Code are exempt from Rule 3.
- k. Justices of the Peace who are appointed to fill an absence or vacancy under Section 27.052 of the Government Code must satisfy Rule 3, beginning at the date of appointment.
- l. Justices of the Peace who have been suspended by the State Commission on Judicial Conduct are also suspended from the requirements of Rule 3 for the pendency of their suspension.

RULE 4. JUDICIAL OFFICERS.

- a. Definitions. The term "judicial officer" under this Rule refers to a full-time

associate judge appointed pursuant to Chapter 201 of the Family Code, or to a full-time or part-time master, magistrate, or referee appointed pursuant to Chapter 54 or 54A of the Government Code as required by the Court of Criminal Appeals under Section 74.025.

b. Each judicial officer will, as an official duty:

- (1) complete within one year after taking office, at least 12 hours of instruction in the administrative duties of office and substantive procedural and evidentiary laws unless the judicial officer has previously complied with this requirement and has been absent from the bench less than one year before taking the present office;
- (2) each fiscal year thereafter, complete at least 12 hours of instruction in substantive, procedural and evidentiary laws and court administration; and

*The Texas Center for the Judiciary has an exception to Rule 4(b) and may use bench dates for reporting periods.

- c. Instruction credit completed during any fiscal year in excess of the minimum number of hours required may be applied to the following fiscal year's requirement.
- d. Those training programs sponsored by the organizations listed in Rule 2(c) can be utilized to satisfy the requirements of this rule.

Any exceptions to the reporting rules must be pre-approved by the Court of Criminal Appeals.

RULE 5. MUNICIPAL COURT JUDGES.

a. Each municipal court judge will, as an official duty:

- (1) within one year after taking office, complete a minimum of 16 hours of ~~in-person live instruction at a seminar or clinic, continuous instruction~~ from the Texas Municipal Courts Education Center (TMCEC) in the performance of the duties of office if a licensed attorney, or a minimum of 32 hours of in-person, continuous instruction if not a licensed attorney; and
- (2) each fiscal year thereafter, complete a minimum of 16 hours of instruction from the Texas Municipal Courts Education Center in the performance of the duties of office. ~~A judge's second year of judicial education must be comprised of 16 in-person, continuous hours at a live TMCEC Judges Seminar. After meeting the judicial education requirement for the first two academic years, a~~ A judge must complete

at least eight ~~continuous hours of live instruction from a TMCEC seminar or clinic, at a live TMCEC Judges Seminar.~~ A judge may complete the remaining eight hours through approved live TMCEC trainings, approved online education, or a combination of approved live events and online education.

- (3) in every fiscal year that ends in 0 or 5, complete two hours of course instruction related to youth diversion and understanding relevant issues of child welfare, including issues related to mental health and children with disabilities as required by Section 22.1105 of the Government Code. See Rule 12(a).
- b. A person who serves in the dual capacity as a municipal judge and as a justice of the peace may be permitted to receive credit toward fulfillment of the requirements of the rules of judicial education for each office by attending a course of instruction for either office, provided that the curriculum is pertinent to the duties and responsibilities of each office. The determination of the applicability of the course to each or either office shall be made by the judicial education committee having jurisdiction over each office in accordance with that committee's procedures. Eligibility for credit for this subsection is conditioned on the judge first completing two years of instruction pertaining to the duties of the office of municipal judge from the Texas Municipal Courts Education Center, as required by Rule 5(a).
- c. After serving as a municipal court judge for a period of two years and meeting the judicial education requirement each year as required by Rule 5(a), a judge may attend an alternate course approved by the Municipal Courts Education Committee. The alternate course must provide at least eight continuous hours of live presentation. A judge may complete the remaining eight hours through approved live trainings, approved online education, or a combination of approved live events and online education. An approved alternate course may be selected only every other year.

*~~*A "live TMCEC Judges Seminar" includes synchronous, live programs but does not include on-demand courses.~~*

*~~*Amended 3/2008: the amendment to Rule 5 clarifies and memorializes a long held construction by the Municipal Courts Education Committee. Specifically, all municipal judges, including judges who serve in the dual capacity as a municipal judge and as justice of the peace are required first to complete two years of instruction pertaining to the duties of the office of municipal judge from the Texas Municipal Courts Education Center before being eligible to meet judicial education requirements pursuant to Rule 5(b). As amended, Rule 5 parallels the provision of Rule 3(a)(1) — (2), requiring that justices of the peace obtain their first two years of instruction from the Texas Justice Court Training Center. The Education Committee has long construed the provisions of Rule 5 collectively. Accordingly, this amendment is not intended as a substantive change. Rather, it merely clarifies that Rule 5(b) and Rule 5(c) are construed respectively in light of the provisions of Rule 5(a).~~*

RULE 6. COURT COORDINATORS.

- a. Each court coordinator of a district or statutory county court shall annually complete 16 hours of continuing education, unless the court coordinator files

with the Texas Center for the Judiciary, Inc., the prescribed form, signed by the judge or commissioners court of the county employing the court coordinator certifying that state and local funds are not available for the court coordinator's continuing education.

- b. In addition to the programs provided in Rule 2(c), programs of the following organizations can be utilized to satisfy the requirements of Rule 6(a):
 - (1) The Texas Association of Court Administration
 - (2) The Texas Office of Court Administration
 - (3) The National Association of Court Management
 - (4) The Institute for Court Management of the National Center for State Courts
 - (5) The Justice Management Institute
 - (6) A state college or university or local community college
 - (7) A program sponsored by a local court administrative office and approved by the local administrative judge or local presiding judge
 - (8) Other programs as approved by the Court of Criminal Appeals Education Committee (Judicial Advisory Committee, Texas Center Board of Directors)
- c. Instruction credit completed during any fiscal year in excess of the minimum number of hours required may be applied to the following fiscal year's requirement.
- d. Each court coordinator who attends an approved program or performs an approved activity will certify the event on a form provided by the Texas Center for the Judiciary, Inc.
- e. Before August 1, the Texas Center will advise any coordinator subject to Rule 6 who has not accumulated the minimum number of hours of education that fiscal year of the deficiency.
- f. If the coordinator does not file a funding exemption or comply with the 16-hour requirement by August 31, the Texas Center will notify the sitting judge of that court of the delinquency.

RULE 7. OPERATION OF GRANTS.

- a. Grants shall be awarded by the Court of Criminal Appeals for the period of the state fiscal year. Completed applications for grant funding shall be submitted to the Court of Criminal Appeals on or before the first day of July preceding the fiscal year for which the grant is applied.
- b. Grants shall be awarded based on qualitative information provided in the Uniform Grant Application Narrative section of the completed grant application.
- c. All grants shall be conducted in accordance with the following:

- (1) applicable state laws and rules of the Court of Criminal Appeals, and regulations, policies, and guidelines promulgated pursuant thereto; and
 - (2) terms, conditions, standards, or stipulations of grant agreements and conditions.
- d. Grantees shall be audited both in financial performance and program performance by the Court of Criminal Appeals.

RULE 8. COURSE CREDIT.

- a. A judge or judicial officer attending a program will earn one hour of credit for each hour of instruction actually attended. Judges or judicial officers who serve as instructors at approved programs will receive credit for three times the presentation time.
- b. Grantees are encouraged to provide courses of instruction that are statutorily mandated for those judges or judicial officers required to take such courses.

RULE 9. CERTIFICATION AND RECORDS.

- a. Each judge or judicial officer who attends an approved program or performs an approved activity will certify the event on a form approved by each entity's Educational Committee. This certification will be sent to the Registrar named in the form, to be entered on records maintained for that purpose. Records will be retained for three years.
- b. After the end of each grant year, the Registrar will report to the applicable Education Committee the name of any judge or judicial officer who has not accumulated the minimum hours of education for that year, including such judges who are leaving office and do not plan to run for another term.

RULE 10. WAIVERS OF COMPLIANCE.

- a. Upon receipt of the reports required by Rule 9(b), the applicable Education Committee will advise the named judges or judicial officers of the deficiency. Within 30 days of the receipt of such notice, the judge or judicial officer may submit a statement of the reasons that prevented compliance. Thereafter, unless the applicable Committee grants a waiver for good cause shown, it will report the name of the judge or judicial officer to the State Commission on Judicial Conduct by November 1.
- b. Thereafter, the applicable Committee shall not communicate with the judge or judicial officer as to their status except to refer them to the Commission on Judicial Conduct.

RULE 11. EDUCATIONAL LEAVE.

All judges or judicial officers covered by these Rules are granted such educational leave as may be required to fulfill the requirements of these Rules.

RULE 12. STATUTORILY MANDATED TRAINING.

- a. Judicial-education entities shall provide training as required by the following statutes:

<u>Tx. Gov't Code</u>	<u>Title</u>
Sec. 22.111, Gov't. Code	Training for Prosecuting Attorneys Related to Punishment Enhancement Because of Bias or Prejudice
Sec. 22.1105, Gov't. Code	Judicial Instruction Related to Certain Alleged Child Offenders & Youth Diversion
Sec. 22.1106, Gov't. Code	Judicial Instruction Related to Court-Ordered Outpatient Mental Health Services
Sec. 22.012, Gov't. Code	Training Related to Diversions
Sec. 22.013, Gov't. Code	Judicial Instruction Related to Guardianship Issues
Sec. 22.0133, Gov't. Code	Judicial, Court Investigator, and Court Visitor Training Related to Guardianships
Sec. 22.110, Gov't. Code	Judicial Instruction Related to Family Violence, Sexual Assault, Trafficking of Persons, & Child Abuse and Neglect, & Elder Abuse <u>and Neglect</u> (including dynamics of family violence)
Sec. 41.110, Gov't. Code	Training Related to Family Violence
Sec. 41.111, Gov't. Code	Training Related to Prosecuting Attorney's Duty to Disclose Exculpatory and Mitigating Evidence

- b. Judicial Education entities shall provide training in ethics, which must include information about issues related to race, fairness, ethnic sensitivity and cultural awareness.

- c. Definitions, as related to Sec. 22.110, Gov't. Code, are as follows:

(1) The term "judicial officer" in this rule refers to a district judge or a

judge of a statutory county court;

(2) The term “judicial officer” in this rule refers to an associate judge appointed under Chapter 54 of this code, or Chapter 201 of the Family Code, or to a master, referee or magistrate.

- d. As related to training required by Sec. 22.110, Gov’t. Code: the Texas Center for the Judiciary is the designated reporter for a judge or judicial officer that does not comply with the requirements of this section to the State Commission on Judicial Conduct.
- e. As related to training required by Sec. 22.110, each judicial officer, as defined above in Subsection (c), who is in office on September 1, 2023, must complete the training required by this section as amended not later than December 1, 2025. A judge or judicial officer subject to this section may no longer submit an affidavit to exempt them from the training requirements.

(1) Within the judge’s first term of office or the judicial officer’s first four years of service is to complete and provide certification of completion of 12 hours of training that include at least:

- i. four (4) hours dedicated to issues related to trafficking of persons, ~~and~~ child abuse and neglect, and elder abuse and neglect that cover at least two of the topics described in Subsections (d)(8) through (12) and (d)(14); ~~(f)(8-12);~~
- ii. six (6) hours dedicated to the training described by Subsections (f)(5), (6) and (7);
- iii. and one hour dedicated to the training on dynamics of family violence;

(2) each judge and judicial officer during each additional term in office or four years of service is to complete and provide certification of completion of an additional five (5) hours of training that include at least:

- i. two (2) hours dedicated to the training described by Subsections (f)(11) and (12); and
- ii. one hour dedicated to dynamics of family violence; and

(3) each judge of a court with primary responsibility for family law or family violence matters is to complete and provide certification of completion of an additional hour of training in dynamics of family violence.

(4) All rules applicable to judicial officers are also applicable to retired and

former judicial officers if they are subject to assignment.

~~(4)~~(5) Pursuant to Sec. 22.110(b-1), Gov't. Code, the rules adopted exempt from the training requirements each judge or judicial officer, including an associate judge, who files an affidavit stating the judge or judicial officer does not hear cases involving family violence, sexual assault, trafficking of persons, child abuse and neglect, or elder abuse and neglect.

f. Pursuant to Sec. 22.110, Gov't. Code, instruction must include training on the following:

- (1) statutory and case law relating to videotaping child's testimony and relating to competency of children to testify;
- (2) methods for eliminating the trauma to the child caused by the court process;
- (3) case law, statutory law, and procedural rules relating to family violence, sexual assault, trafficking of persons, and child abuse and neglect;
- (4) methods for providing protection of victims of family violence, sexual assault, trafficking of persons, and child abuse and neglect;
- (5) available community and state resources for counseling and other aid to victims and to offenders;
- (6) gender bias in the judicial process;
- (7) dynamics and effects of being a victim of sexual assault, trafficking of persons, or child abuse and neglect;
- (8) dynamics of sexual abuse of children, including child abuse accommodation syndrome and grooming
- (9) impact of substance abuse on an unborn child and on a person's ability to care for a child;
- (10) issues of attachment and bonding between children and caregivers;
- (11) issues of child development that pertain to trafficking of persons and child abuse and neglect;
- (12) medical findings regarding physical abuse, sexual abuse, trafficking of persons, and child abuse and neglect; ~~and~~
- ~~(13)~~ dynamics of family violence; and
- ~~(13)(14) elder abuse and neglect;~~

g. As related to training required by Sec. 41.111, Gov't. Code:

- (1) The term "prosecuting attorney" in this subsection means any county attorney, district attorney, criminal district attorney, assistant county attorney, assistant district attorney, or assistant criminal district attorney who represents the state in the prosecution of felony or misdemeanor criminal offenses other than Class C misdemeanors. The term includes any attorney acting as a county attorney, district attorney, criminal district attorney pro tem, or any attorney otherwise acting as a special prosecutor. The term does not include an attorney holding one of those positions who exclusively practices civil law.

- (2) Within 180 days of assuming duties as a prosecuting attorney, a person shall complete a one-hour course of study relating to the duty of a prosecuting attorney to disclose exculpatory and mitigating evidence in a criminal case.
 - (3) Each prosecuting attorney who completes the training described in Subsection g(2) shall complete additional training within four calendar years from the year of their initial training, and every four years thereafter.
 - (4) The training described in Sec. 41.111, Gov't. Code, may be delivered in multiple formats, including live, web-based, and audio- and/or visually recorded.
 - (5) Pursuant to Ch. 56.006, Gov't. Code, the Court shall monitor the program performance of entities receiving grant funds. Further, pursuant to Sec. 41.111, Gov't. Code, the Court is required to adopt rules to ensure the training of prosecutors is specific with respect to a prosecuting attorney's duties regarding the disclosure of exculpatory and mitigating evidence in a criminal case and must be consistent with case law and the Texas Disciplinary Rules of Professional Conduct. A provider of training required by Sec. 41.111, Gov't. Code:
 - i. shall provide to the Court, prior to the training, course materials so the Court may approve the content of the training;
 - ii. shall develop a method of certifying completion of the training required; and
 - iii. shall provide to the Court an annual report of all prosecuting attorneys completing the required training by January 31st of the following year.
- h. Definitions, as related to Sec. 22.0133, Gov't. Code and Sec. 1054.157, Estates Code, are as follows:
- (1) "Alternatives to guardianship" has the same meaning as is assigned in Section 1002.0015 the Estates Code.
 - (2) "Court investigator" means a person appointed under Subchapter D of Chapter 1054 of the Estates Code.
 - (3) "Court visitor" means a person appointed to conduct evaluations of wards and file reports with the court under Subchapter C of Chapter 1054 of the Estates Code.

- (4) “Probate judge” means a constitutional county court judge, statutory county court judge, statutory probate judge, or any associate judge who has jurisdiction over guardianship.
- (5) “Proposed ward” means a person for whom an application for the appointment of a guardian has been filed but who is not under guardianship.
- (6) “Supports and services” has the same meaning as is assigned in Section 1002.031 of the Estates Code.
- (7) “Ward” means a person under guardianship.
- i. As related to the Guardianship training under Gov’t Code 22.013 and 22.0133, Sec. 22.0133 is an additional requirement:
 - (1) A probate judge who is in office on September 1, 2023, must complete:
 - i. one hour of education on alternatives to guardianship and supports and services available to proposed wards and wards by December 1, 2025; and
 - ii. one hour of education on alternatives to guardianship and supports and services available to proposed wards and wards every two years thereafter.
 - iii. A probate judge who assumes office after September 1, 2023, must complete one hour of education on alternatives to guardianship and supports and services available to proposed wards and wards every two years from the probate judge’s anniversary of assuming office.
 - iv. The probate judge must certify completion consistent with Rule 9 of the Rules of Judicial Education.
 - (2) A court investigator or a court visitor must complete two (2) hours of education on guardianship every two years. Of the two hours of education, the court investigator or the court visitor must complete one hour of education on alternatives to guardianship and supports and services available to proposed wards and wards.
 - i. Certification. The court investigator and the court visitor must file with each appointing court a certificate or other proof of completion.
 - (3) Nothing in this rule excuses completion of other education requirements mandated by law or rule.

(4) Programs sponsored by the following organizations may be used to satisfy the education requirements of these rules:

- i. programs listed in Rule 2(c); and
- ii. any other program approved by the Supreme Court, in consultation with the Court of Criminal Appeal and the Judicial Branch Certification Commission.
- iii. A provider of a continuing education program, a probate judge, a court investigator, or a court visitor may request approval of a program under Subsection (4)(ii). The request must be accompanied by an outline of the materials that describe the course content, identify the presenters, indicate the time allotted to each segment, and provide the date and location of the program.

RULE 13. ISSUES CONCERNING SEX OFFENDER CHARACTERISTICS.

Grantees training board-certified family-law attorneys and criminal, county, and district attorneys are responsible for training on issues concerning sex-offender characteristics, in accordance with Senate Concurrent Resolution 16, issued May 24, 1995.

RULE 14. TRAINING ON DUTIES REGARDING BAIL.

- a. Who are Magistrates: Article 2.09 of the Code of Criminal Procedure lists each individual who is a magistrate and thus subject to training on duties regarding bail.
- b. Each magistrate and judge is required to complete the training courses developed by the Department of Public Safety that relate to the use of the statewide telecommunications system maintained by the department in order to obtain criminal history record information pursuant Article 17.0501, Code of Criminal Procedure.
- c. A magistrate is in compliance with the training requirements of Article 17.024, Code of Criminal Procedure if:
 - (1) Not later than the 90th day after the magistrate takes office, the magistrate successfully completes the course described by Article 17.024(a)(1), Code of Criminal Procedure (an initial eight (8) hour training that includes content described by Article 17.0501 of the Code of Criminal Procedure);
 - (2) The magistrate successfully completes the course described by Article 17.024(a)(1), Code of Criminal Procedure (an initial eight (8) hour training that includes content described by Article 17.0501 of the Code of Criminal Procedure); and

- (3) The magistrate demonstrates competency as provided by the course certification process that the magistrate has successfully completed the training required under this Article and has demonstrated competency of the course content.



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RULE 1. AUTHORITY. These rules are promulgated pursuant to Sections 39.002 and 56.006 of the Texas Government Code.

RULE 2. APPELLATE, DISTRICT AND COUNTY COURT JUDGES.

- a. Each chief justice or justice of the supreme court, presiding judge or judge of the court of criminal appeals, chief justice or justice of a court of appeals, district judge, including a criminal district judge and a Texas business court judge, and judge of a statutory county court performing judicial functions will, as an official duty:

- (1) complete before taking office, or within one year after taking office, at least 30 hours of instruction in the administrative duties of office and substantive, procedural and evidentiary laws unless the judge has previously complied with this requirement and has been absent from the bench less than one year before taking the present office;

- (2) each fiscal year after the first year of the judge's term, complete at least 16 hours of instruction in substantive, procedural and evidentiary laws and court administration. In accordance with the Texas Minimum Continuing Legal Education Regulations and Accreditation Standards effective June 1, 2011, four hours of instruction may be obtained by electronic means and may include teleconferences, webcasts, satellite, on-demand/online CLE, and accredited downloadable CLE activities that have been recorded from live seminars.

*H.B. 2384, 88th Leg., R.S., did not include Constitutional County Judges under the newly encoded application for judicial office and training requirements, but Constitutional County Judges are held to the training requirements pursuant to Section 74.025 of the Government Code. See also Texas Association of Counties, Continuing Education Requirements for County Judges.

*H.B. 40, 89th Leg., R.S., exempts Texas Business Court judges from "training requirements under Chapter 22 that are not germane to the jurisdiction of the

business court, including the training requirements of Sections 22.012 and 22.110.” See Rule 12 for Statutorily Mandated Training.

- b. Instruction credit completed during any fiscal year in excess of the minimum number of hours required may be applied to the following fiscal year’s requirement.

Any exceptions to the education and reporting rules must be pre-approved by the Court of Criminal Appeals including an inability to timely complete the training or instruction due to a medical or physical disability.

*The Texas Center for the Judiciary has an exception to Rule 2(b) and may use bench dates for reporting periods.

- c. Programs sponsored by the following organizations and approved by the Court of Criminal Appeals Education Committee for appellate, district, and statutory county judges, or, the County Judges Education Committee for constitutional county judges, can be utilized to satisfy the requirements of Rule 2(a):
 - (1) Judicial Section of the State Bar of Texas
 - (2) Texas Center for the Judiciary, Inc.
 - (3) Texas Association of Counties
 - (4) National Judicial College, Reno, Nevada
 - (5) Appellate Judges’ Conference of the American Bar Association, Chicago, Illinois
 - (6) National Conference of Chief Justices
 - (7) American Academy of Judicial Education, Washington, D.C.
 - (8) Institute of Judicial Administration, N.Y.U.
 - (9) Texas College of Probate Judges
 - (10) National College of Probate Judges
 - (11) An accredited law school
 - (12) A local, state, or national bar association
 - (13) A professional organization devoted to improvement of the legal profession such as the Texas Association of Defense Counsel and the Texas Trial Lawyers Association
 - (14) The County Judges and Commissioners Association of Texas or the V.G. Young Institute of Texas A&M University
 - (15) Texas Criminal Defense Lawyers Association
 - (16) Texas District and County Attorneys Association
 - (17) Wright Lecture Series
 - (18) National Council of Juvenile and Family Court Judges
 - (19) Court Docket Management in conjunction with OCA

(20) Texas Council on Family Violence

- d. All rules applicable to active appellate, district, and statutory county court judges, except Rule 2(a)(1), are also applicable to retired and former appellate, district, statutory county court judges if they are subject to assignment.
- e. A constitutional county judge whose only judicial duties are conducting hearings under Chapter 61 of the Texas Alcoholic Beverage Code or conducting marriage ceremonies is exempt from the continuing judicial education requirement for any fiscal year for which the judge files an affidavit with the Registrar stating that the judge's only judicial duties are conducting hearings under Chapter 61 of the Texas Alcoholic Beverage Code or conducting marriages ceremonies.

RULE 3. JUSTICES OF THE PEACE.

- a. Each Justice of the Peace will, as an official duty:

- (1) complete within one year after taking office, an eighty (80) hour live course of instruction from the Texas Justice Court Training Center in the performance of the duties of office and the bail course described by Article 17.024(a)(1), Code of Criminal Procedure (an initial eight (8) hour training that includes content described by Article 17.0501 of the Code of Criminal Procedure). Forty (40) of the required hours must be met by attending a live course, provided by the Texas Justice Court Training Center. The remaining forty (40) hours may consist of hours achieved by electronic means through course(s) provided by the Texas Justice Court Training Center; and
- (2) in each fiscal year thereafter, complete twenty (20) hours of instruction approved by a justice court education committee in the performance of the duties of office. At least ten (10) of the total required hours must be met by attending courses, provided by the Texas Justice Court Training Center. The remaining hours may be achieved through course(s) sponsored by any approved provider. Up to ten (10) hours of the total hours may be satisfied via electronic course(s). At least ten (10) of the total hours must include instruction regarding substantive, procedural, and evidentiary law in civil matters in accordance with Section 27.005(a) of the Government Code; and
- (3) in each following state fiscal biennium, the bail course described by Article 17.024(a)(2), Code of Criminal Procedure (a two (2) hour continuing education course).
- (4) for purposes of removal under Chapter 87, Local Government Code, "incompetency" in the case of a justice of the peace includes the failure of the justice to successfully complete the training as described under Rule

3(a)(1-3).

- (5) in every fiscal year that ends in 0 or 5, complete two hours of course instruction related to understanding relevant issues of child welfare and youth diversion, including issues related to mental health and children with disabilities as required by Section 22.1105 of the Government Code. See Rule 12(a). The training may consist of either a course of instruction provided by the Texas Justice Court Training Center at which instruction is achieved by electronic means or any live course of instruction, substantive, procedural, and evidentiary law in civil matters in accordance with Section 27.005(a) of the Government Code; and
- b. All electronic courses must include interactive components and the participation time in electronic courses must be verified.
- c. Except for the limitations provided in Rule 3(a), a justice court education committee may not deny course credit to a Justice of the Peace who receives approval for such credit through another justice court education committee. A justice court education committee may approve or pre-approve courses taken from the following list of qualifying entities for courses in performance of duties of office:
 - (1) Texas Justice Court Training Center
 - (2) V.G. Young Institute of County Government
 - (3) Texas Department of Health and Human Services
 - (4) National Judicial College, Reno
 - (5) Local, state, or national bar association
 - (6) Texas District and County Attorney's Association
 - (7) Texas Municipal Court Education Center
 - (8) Texas Association of Counties
 - (9) Office of Secretary of State
 - (10) Any accredited law school
 - (11) Texas Trial Lawyers Association
 - (12) Texas Association of Defense Counsel
 - (13) National Council of Juvenile and Family Court Judges
 - (14) Texas Criminal Defense Lawyers Association
 - (15) The Texas Center for the Judiciary
 - (16) Texas Justice Court Judges Association
 - (a) Grant funds may not be used to pay for the cost of training from the aforementioned training entities, except for the Texas Justice Court Training Center.
- d. A person who serves in the dual capacity as a Justice of the Peace and as a municipal judge may be permitted to receive credit toward fulfillment of the requirements of the Rules of Judicial Education for each office by attending a

course of instruction for either office, provided that the curriculum is pertinent to the duties and responsibilities of each office.

The determination of the applicability of the course to each office shall be made on a case-by-case basis by a judicial education committee having jurisdiction over the office in accordance with that committee's procedures.

- e. Only courses of instruction completed through a continuing education program approved by a justice court education committee can be utilized to satisfy the requirement of Rule 3(a)(1).
- f. The Texas Justice Court Training Center will be the keeper of records for credit hours approved for all justices of the peace for the purpose of fulfilling Rules 9(b) and 10.
- g. A justice court education committee may make rules regarding attendance at their training events and may deny costs for an attendee who violates those rules.
- h. Once Rule 3(a)(1) has been satisfied, Justices of the Peace who are also licensed attorneys may:
 - (1) obtain training sponsored by the organizations listed in Rule 2(c) in order to satisfy the educational requirements of Rule 3(a)(2) and 3(b), including up to ten (10) hours of education achieved by electronic means in each fiscal year; and
 - (2) obtain training sponsored by the organizations listed in Rule 2(c) in order to satisfy the educational requirements of Rule 3(a)(5), including education achieved by electronic means.
- i. Justices of the Peace who have been out of office for 4 or more years and then return to office must satisfy Rule 3(a)(1).
- j. Temporary appointees under Section 27.055 of the Government Code are exempt from Rule 3.
- k. Justices of the Peace who are appointed to fill an absence or vacancy under Section 27.052 of the Government Code must satisfy Rule 3, beginning at the date of appointment.
- l. Justices of the Peace who have been suspended by the State Commission on Judicial Conduct are also suspended from the requirements of Rule 3 for the pendency of their suspension.

RULE 4. JUDICIAL OFFICERS.

- a. Definitions. The term "judicial officer" under this Rule refers to a full-time

associate judge appointed pursuant to Chapter 201 of the Family Code, or to a full-time or part-time master, magistrate, or referee appointed pursuant to Chapter 54 or 54A of the Government Code as required by the Court of Criminal Appeals under Section 74.025.

b. Each judicial officer will, as an official duty:

(1) complete within one year after taking office, at least 12 hours of instruction in the administrative duties of office and substantive procedural and evidentiary laws unless the judicial officer has previously complied with this requirement and has been absent from the bench less than one year before taking the present office;

(2) each fiscal year thereafter, complete at least 12 hours of instruction in substantive, procedural and evidentiary laws and court administration; and

*The Texas Center for the Judiciary has an exception to Rule 4(b) and may use bench dates for reporting periods.

c. Instruction credit completed during any fiscal year in excess of the minimum number of hours required may be applied to the following fiscal year's requirement.

d. Those training programs sponsored by the organizations listed in Rule 2(c) can be utilized to satisfy the requirements of this rule.

Any exceptions to the reporting rules must be pre-approved by the Court of Criminal Appeals.

RULE 5. MUNICIPAL COURT JUDGES.

a. Each municipal court judge will, as an official duty:

(1) within one year after taking office, complete a minimum of 16 hours of live instruction at a seminar or clinic from the Texas Municipal Courts Education Center (TMCEC) in the performance of the duties of office if a licensed attorney, or a minimum of 32 hours of in-person, continuous instruction if not a licensed attorney; and

(2) each fiscal year thereafter, complete a minimum of 16 hours of instruction from the Texas Municipal Courts Education Center in the performance of the duties of office. A judge must complete at least eight hours of live instruction from a TMCEC seminar or clinic. A judge may complete the remaining eight hours through approved live TMCEC trainings, approved online education, or a combination of approved live events and online education.

- (3) in every fiscal year that ends in 0 or 5, complete two hours of course instruction related to youth diversion and understanding relevant issues of child welfare, including issues related to mental health and children with disabilities as required by Section 22.1105 of the Government Code. See Rule 12(a).
- b. A person who serves in the dual capacity as a municipal judge and as a justice of the peace may be permitted to receive credit toward fulfillment of the requirements of the rules of judicial education for each office by attending a course of instruction for either office, provided that the curriculum is pertinent to the duties and responsibilities of each office. The determination of the applicability of the course to each or either office shall be made by the judicial education committee having jurisdiction over each office in accordance with that committee's procedures. Eligibility for credit for this subsection is conditioned on the judge first completing two years of instruction pertaining to the duties of the office of municipal judge from the Texas Municipal Courts Education Center, as required by Rule 5(a).
- c. After serving as a municipal court judge for a period of two years and meeting the judicial education requirement each year as required by Rule 5(a), a judge may attend an alternate course approved by the Municipal Courts Education Committee. The alternate course must provide at least eight continuous hours of live presentation. A judge may complete the remaining eight hours through approved live trainings, approved online education, or a combination of approved live events and online education. An approved alternate course may be selected only every other year.

RULE 6. COURT COORDINATORS.

- a. Each court coordinator of a district or statutory county court shall annually complete 16 hours of continuing education, unless the court coordinator files with the Texas Center for the Judiciary, Inc., the prescribed form, signed by the judge or commissioners court of the county employing the court coordinator certifying that state and local funds are not available for the court coordinator's continuing education.
- b. In addition to the programs provided in Rule 2(c), programs of the following organizations can be utilized to satisfy the requirements of Rule 6(a):
 - (1) The Texas Association of Court Administration
 - (2) The Texas Office of Court Administration
 - (3) The National Association of Court Management
 - (4) The Institute for Court Management of the National Center for State Courts
 - (5) The Justice Management Institute
 - (6) A state college or university or local community college
 - (7) A program sponsored by a local court administrative office and approved by the local administrative judge or local presiding judge
 - (8) Other programs as approved by the Court of Criminal Appeals Education

Committee (Judicial Advisory Committee, Texas Center Board of Directors)

- c. Instruction credit completed during any fiscal year in excess of the minimum number of hours required may be applied to the following fiscal year's requirement.
- d. Each court coordinator who attends an approved program or performs an approved activity will certify the event on a form provided by the Texas Center for the Judiciary, Inc.
- e. Before August 1, the Texas Center will advise any coordinator subject to Rule 6 who has not accumulated the minimum number of hours of education that fiscal year of the deficiency.
- f. If the coordinator does not file a funding exemption or comply with the 16-hour requirement by August 31, the Texas Center will notify the sitting judge of that court of the delinquency.

RULE 7. OPERATION OF GRANTS.

- a. Grants shall be awarded by the Court of Criminal Appeals for the period of the state fiscal year. Completed applications for grant funding shall be submitted to the Court of Criminal Appeals on or before the first day of July preceding the fiscal year for which the grant is applied.
- b. Grants shall be awarded based on qualitative information provided in the Uniform Grant Application Narrative section of the completed grant application.
- c. All grants shall be conducted in accordance with the following:
 - (1) applicable state laws and rules of the Court of Criminal Appeals, and regulations, policies, and guidelines promulgated pursuant thereto; and
 - (2) terms, conditions, standards, or stipulations of grant agreements and conditions.
- d. Grantees shall be audited both in financial performance and program performance by the Court of Criminal Appeals.

RULE 8. COURSE CREDIT.

- a. A judge or judicial officer attending a program will earn one hour of credit for each hour of instruction actually attended. Judges or judicial officers who serve as instructors at approved programs will receive credit for three times the presentation time.
- b. Grantees are encouraged to provide courses of instruction that are statutorily mandated for those judges or judicial officers required to take such courses.

RULE 9. CERTIFICATION AND RECORDS.

- a. Each judge or judicial officer who attends an approved program or performs an approved activity will certify the event on a form approved by each entity's Educational Committee. This certification will be sent to the Registrar named in the form, to be entered on records maintained for that purpose. Records will be retained for three years.
- b. After the end of each grant year, the Registrar will report to the applicable Education Committee the name of any judge or judicial officer who has not accumulated the minimum hours of education for that year, including such judges who are leaving office and do not plan to run for another term.

RULE 10. WAIVERS OF COMPLIANCE.

- a. Upon receipt of the reports required by Rule 9(b), the applicable Education Committee will advise the named judges or judicial officers of the deficiency. Within 30 days of the receipt of such notice, the judge or judicial officer may submit a statement of the reasons that prevented compliance. Thereafter, unless the applicable Committee grants a waiver for good cause shown, it will report the name of the judge or judicial officer to the State Commission on Judicial Conduct by November 1.
- b. Thereafter, the applicable Committee shall not communicate with the judge or judicial officer as to their status except to refer them to the Commission on Judicial Conduct.

RULE 11. EDUCATIONAL LEAVE.

All judges or judicial officers covered by these Rules are granted such educational leave as may be required to fulfill the requirements of these Rules.

RULE 12. STATUTORILY MANDATED TRAINING.

- a. Judicial-education entities shall provide training as required by the following statutes:

<u>Tx. Gov't Code</u>	<u>Title</u>
Sec. 22.111, Gov't. Code	Training for Prosecuting Attorneys Related to Punishment Enhancement Because of Bias or Prejudice
Sec. 22.1105, Gov't. Code	Judicial Instruction Related to Certain Alleged Child Offenders & Youth Diversion
Sec. 22.1106, Gov't. Code	Judicial Instruction Related to Court-Ordered Outpatient Mental Health Services

Sec. 22.012, Gov't. Code	Training Related to Diversions
Sec. 22.013, Gov't. Code	Judicial Instruction Related to Guardianship Issues
Sec. 22.0133, Gov't. Code	Judicial, Court Investigator, and Court Visitor Training Related to Guardianships
Sec. 22.110, Gov't. Code	Judicial Instruction Related to Family Violence, Sexual Assault, Trafficking of Persons, Child Abuse and Neglect, & Elder Abuse and Neglect (including dynamics of family violence)
Sec. 41.110, Gov't. Code	Training Related to Family Violence
Sec. 41.111, Gov't. Code	Training Related to Prosecuting Attorney's Duty to Disclose Exculpatory and Mitigating Evidence

- b. Judicial Education entities shall provide training in ethics, which must include information about issues related to race, fairness, ethnic sensitivity and cultural awareness.
- c. Definitions, as related to Sec. 22.110, Gov't. Code, are as follows:
 - (1) The term "judicial officer" in this rule refers to a district judge or a judge of a statutory county court;
 - (2) The term "judicial officer" in this rule refers to an associate judge appointed under Chapter 54 of this code, or Chapter 201 of the Family Code, or to a master, referee or magistrate.
- d. As related to training required by Sec. 22.110, Gov't. Code: the Texas Center for the Judiciary is the designated reporter for a judge or judicial officer that does not comply with the requirements of this section to the State Commission on Judicial Conduct.
- e. As related to training required by Sec. 22.110, each judicial officer, as defined above in Subsection (c), who is in office on September 1, 2023, must complete the training required by this section as amended not later than December 1, 2025. A judge or judicial officer subject to this section may no longer submit an affidavit to exempt them from the training requirements.

- (1) Within the judge's first term of office or the judicial officer's first four years of service is to complete and provide certification of completion of 12 hours of training that include at least:
 - i. four (4) hours dedicated to issues related to trafficking of persons, child abuse and neglect, and elder abuse and neglect that cover at least two of the topics described in Subsections (d)(8) through (12) and (d)(14);
 - ii. six (6) hours dedicated to the training described by Subsections (f)(5), (6) and (7);
 - iii. and one hour dedicated to the training on dynamics of family violence;
 - (2) each judge and judicial officer during each additional term in office or four years of service is to complete and provide certification of completion of an additional five (5) hours of training that include at least:
 - i. two (2) hours dedicated to the training described by Subsections (f)(11) and (12); and
 - ii. one hour dedicated to dynamics of family violence; and
 - (3) each judge of a court with primary responsibility for family law or family violence matters is to complete and provide certification of completion of an additional hour of training in dynamics of family violence.
 - (4) All rules applicable to judicial officers are also applicable to retired and former judicial officers if they are subject to assignment.
 - (5) Pursuant to Sec. 22.110(b-1), Gov't. Code, the rules adopted exempt from the training requirements each judge or judicial officer, including an associate judge, who files an affidavit stating the judge or judicial officer does not hear cases involving family violence, sexual assault, trafficking of persons, child abuse and neglect, or elder abuse and neglect.
- f. Pursuant to Sec. 22.110, Gov't. Code, instruction must include training on the following:
- (1) statutory and case law relating to videotaping child's testimony and relating to competency of children to testify;
 - (2) methods for eliminating the trauma to the child caused by the court process;
 - (3) case law, statutory law, and procedural rules relating to family violence, sexual assault, trafficking of persons, and child abuse and neglect;

- (4) methods for providing protection of victims of family violence, sexual assault, trafficking of persons, and child abuse and neglect;
- (5) available community and state resources for counseling and other aid to victims and to offenders;
- (6) gender bias in the judicial process;
- (7) dynamics and effects of being a victim of sexual assault, trafficking of persons, or child abuse and neglect;
- (8) dynamics of sexual abuse of children, including child abuse accommodation syndrome and grooming
- (9) impact of substance abuse on an unborn child and on a person's ability to care for a child;
- (10) issues of attachment and bonding between children and caregivers;
- (11) issues of child development that pertain to trafficking of persons and child abuse and neglect;
- (12) medical findings regarding physical abuse, sexual abuse, trafficking of persons, and child abuse and neglect;
- (13) dynamics of family violence; and
- (14) elder abuse and neglect

g. As related to training required by Sec. 41.111, Gov't. Code:

- (1) The term "prosecuting attorney" in this subsection means any county attorney, district attorney, criminal district attorney, assistant county attorney, assistant district attorney, or assistant criminal district attorney who represents the state in the prosecution of felony or misdemeanor criminal offenses other than Class C misdemeanors. The term includes any attorney acting as a county attorney, district attorney, criminal district attorney pro tem, or any attorney otherwise acting as a special prosecutor. The term does not include an attorney holding one of those positions who exclusively practices civil law.
- (2) Within 180 days of assuming duties as a prosecuting attorney, a person shall complete a one-hour course of study relating to the duty of a prosecuting attorney to disclose exculpatory and mitigating evidence in a criminal case.
- (3) Each prosecuting attorney who completes the training described in Subsection g(2) shall complete additional training within four calendar years from the year of their initial training, and every four years thereafter.
- (4) The training described in Sec. 41.111, Gov't. Code, may be delivered in multiple formats, including live, web-based, and audio- and/or visually recorded.
- (5) Pursuant to Ch. 56.006, Gov't. Code, the Court shall monitor the program

performance of entities receiving grant funds. Further, pursuant to Sec. 41.111, Gov't. Code, the Court is required to adopt rules to ensure the training of prosecutors is specific with respect to a prosecuting attorney's duties regarding the disclosure of exculpatory and mitigating evidence in a criminal case and must be consistent with case law and the Texas Disciplinary Rules of Professional Conduct. A provider of training required by Sec. 41.111, Gov't. Code:

- i. shall provide to the Court, prior to the training, course materials so the Court may approve the content of the training;
 - ii. shall develop a method of certifying completion of the training required; and
 - iii. shall provide to the Court an annual report of all prosecuting attorneys completing the required training by January 31st of the following year.
- h. Definitions, as related to Sec. 22.0133, Gov't. Code and Sec. 1054.157, Estates Code, are as follows:
 - (1) "Alternatives to guardianship" has the same meaning as is assigned in Section 1002.0015 the Estates Code.
 - (2) "Court investigator" means a person appointed under Subchapter D of Chapter 1054 of the Estates Code.
 - (3) "Court visitor" means a person appointed to conduct evaluations of wards and file reports with the court under Subchapter C of Chapter 1054 of the Estates Code.
 - (4) "Probate judge" means a constitutional county court judge, statutory county court judge, statutory probate judge, or any associate judge who has jurisdiction over guardianship.
 - (5) "Proposed ward" means a person for whom an application for the appointment of a guardian has been filed but who is not under guardianship.
 - (6) "Supports and services" has the same meaning as is assigned in Section 1002.031 of the Estates Code.
 - (7) "Ward" means a person under guardianship.
- i. As related to the Guardianship training under Gov't Code 22.013 and 22.0133, Sec. 22.0133 is an additional requirement:

- (1) A probate judge who is in office on September 1, 2023, must complete:
 - i. one hour of education on alternatives to guardianship and supports and services available to proposed wards and wards by December 1, 2025; and
 - ii. one hour of education on alternatives to guardianship and supports and services available to proposed wards and wards every two years thereafter.
 - iii. A probate judge who assumes office after September 1, 2023, must complete one hour of education on alternatives to guardianship and supports and services available to proposed wards and wards every two years from the probate judge's anniversary of assuming office.
 - iv. The probate judge must certify completion consistent with Rule 9 of the Rules of Judicial Education.
- (2) A court investigator or a court visitor must complete two (2) hours of education on guardianship every two years. Of the two hours of education, the court investigator or the court visitor must complete one hour of education on alternatives to guardianship and supports and services available to proposed wards and wards.
 - i. Certification. The court investigator and the court visitor must file with each appointing court a certificate or other proof of completion.
- (3) Nothing in this rule excuses completion of other education requirements mandated by law or rule.
- (4) Programs sponsored by the following organizations may be used to satisfy the education requirements of these rules:
 - i. programs listed in Rule 2(c); and
 - ii. any other program approved by the Supreme Court, in consultation with the Court of Criminal Appeal and the Judicial Branch Certification Commission.
 - iii. A provider of a continuing education program, a probate judge, a court investigator, or a court visitor may request approval of a program under Subsection (4)(ii). The request must be accompanied by an outline of the materials that describe the course content, identify the presenters, indicate the time allotted to each segment, and provide the date and location of the program.

RULE 13. ISSUES CONCERNING SEX OFFENDER CHARACTERISTICS.

Grantees training board-certified family-law attorneys and criminal, county, and district attorneys are responsible for training on issues concerning sex-offender characteristics, in accordance with Senate Concurrent Resolution 16, issued May 24, 1995.

RULE 14. TRAINING ON DUTIES REGARDING BAIL.

- a. Who are Magistrates: Article 2.09 of the Code of Criminal Procedure lists each individual who is a magistrate and thus subject to training on duties regarding bail.
- b. Each magistrate and judge is required to complete the training courses developed by the Department of Public Safety that relate to the use of the statewide telecommunications system maintained by the department in order to obtain criminal history record information pursuant Article 17.0501, Code of Criminal Procedure.
- c. A magistrate is in compliance with the training requirements of Article 17.024, Code of Criminal Procedure if:
 - (1) Not later than the 90th day after the magistrate takes office, the magistrate successfully completes the course described by Article 17.024(a)(1), Code of Criminal Procedure (an initial eight (8) hour training that includes content described by Article 17.0501 of the Code of Criminal Procedure);
 - (2) The magistrate successfully completes the course described by Article 17.024(a)(1), Code of Criminal Procedure (an initial eight (8) hour training that includes content described by Article 17.0501 of the Code of Criminal Procedure); and
 - (3) The magistrate demonstrates competency as provided by the course certification process that the magistrate has successfully completed the training required under this Article and has demonstrated competency of the course content.