

GOVERNMENT CODE

TITLE 2. JUDICIAL BRANCH

SUBTITLE B. JUDGES

CHAPTER 39. JUDICIAL EDUCATION REQUIREMENTS

Sec. 39.001. APPLICABILITY. This chapter applies to a person elected to or holding any of the following judicial offices:

- (1) chief justice or justice of the supreme court;
- (2) presiding judge or judge of the court of criminal appeals;
- (3) chief justice or justice of a court of appeals;
- (4) district judge, including a criminal district judge; and
- (5) judge of a statutory county court.

Added by Acts 2023, 88th Leg., R.S., Ch. 716 (H.B. 2384), Sec. 3, eff. September 1, 2023.

Sec. 39.002. JUDICIAL INSTRUCTION REQUIREMENTS. (a) The supreme court, in consultation with the court of criminal appeals, shall adopt rules on the judicial training a person must complete not later than the first anniversary of the date the person assumes a judicial office, subject to Subsection (b). The rules must require the person to complete at least 30 hours of instruction.

(b) Subsection (a) does not apply to a person who has been absent from judicial office for less than one year before assuming a judicial office and who has previously completed the requirements of Subsection (a).

(c) A judge must annually complete at least 16 hours of instruction described by Subsection (a) after the first year of the judge's term.

(d) The rules adopted under this section may provide for a deferral or exemption for a person who is unable to timely complete the training or instruction due to a medical or physical disability.

(e) This section does not affect any funds appropriated to or grants administered by the court of criminal appeals under Chapter 56.

Added by Acts 2023, 88th Leg., R.S., Ch. 716 (H.B. 2384), Sec. 3, eff. September 1, 2023.

Sec. 39.003. SUSPENSION. The State Commission on Judicial Conduct shall issue an order suspending any judge who fails to meet the education requirements under Section 39.002 until the judge demonstrates compliance with the requirements.

Added by Acts 2023, 88th Leg., R.S., Ch. 716 (H.B. 2384), Sec. 3, eff. September 1, 2023.

Sec. 39.004. REMOVAL FROM OFFICE. (a) For purposes of Section 1-a, Article V, Texas Constitution, a judge who is noncompliant with the education requirements under Section 39.002 for more than one year has engaged in wilful or persistent conduct that is clearly inconsistent with the proper performance of a judge's duties sufficient to subject the judge to removal from office.

(b) The attorney general shall file a petition under Section 66.002, Civil Practice and Remedies Code, against a judge who is subject to removal as provided by Subsection (a) if presented with evidence by the State Commission on Judicial Conduct establishing probable grounds that the judge engaged in conduct described by Subsection (a).

Added by Acts 2023, 88th Leg., R.S., Ch. 716 (H.B. 2384), Sec. 3, eff. September 1, 2023.