

TEXAS EDUCATION AGENCY
Application for Certification as an
Independent Hearing Examiner

GENERAL INFORMATION

1. Applicant's Name: _____
2. Office Address: _____
3. Office Telephone Number(s): _____
4. Office Facsimile Number(s): _____
5. Office email address: _____
6. State Bar of Texas License Number: _____
7. Year Licensed by the State of Texas: _____

8. Have you been convicted, given probation (whether through deferred adjudication or otherwise) or fined for a felony, a crime of moral turpitude or a crime that directly relates to the duties of an independent hearing examiner in the public-school setting?

_____ Yes _____ No

If your answer is yes, provide full details of the criminal action, including cause number, copies of judgment, probation orders, stipulations of evidence, and judicial confession on a separate sheet.

9. Please describe the areas of your practice for the last three years, assigning a percentage of your time you spent on an annual basis to each area of law you practice. _____

10. Please describe your experience in the last three years in the area of litigation, specifying cases in which you spent a total of 10% of your practice taking substantial responsibility for taking part in the various processes of a contested evidentiary proceeding and in which at some point you personally propounded and/or defended against questions put to a witness under oath.

REPRESENTATIONS AND ASSURANCES

(Initial at the beginning of each representation or assurance to signify that you are making the statement.)

_____1. I represent that I and the law firm with which I am associated do not serve as an agent or representative of a school district, a teacher in any dispute with a school district, or an organization of school employees, school administrators, or school boards.

_____2. I represent that I am of good moral character and have not been convicted, been given probation (whether through deferred adjudication or otherwise), or fined for a felony, a crime of moral turpitude, or a crime that directly related to the duties of an independent hearing examiner in a public-school setting.

_____3. I represent and assure that I am currently licensed as an attorney by the State of Texas and that I am a member in good standing of the State Bar of Texas.

_____4. I represent and assure that within the last five years, my State of Texas bar license has not been reprimanded, either privately or publicly.

_____5. I represent and assure that within the last five years, my State of Texas bar license has not been suspended, either probated or otherwise.

_____6. I represent and assure that within the last five years, my State of Texas bar license has not been revoked.

_____7. I represent and assure that I have engaged in the practice of law on a full-time basis, as defined by the Texas Board of Legal Specialization, for at least five years.

_____8. I represent that during the three years immediately preceding this application, I have devoted a minimum of 50% of my time practicing law in some combination of the following areas, civil litigation, administrative law, school law, or labor law, with a total of 10% of my practice involving substantial responsibility for taking part in a contested evidentiary proceeding, convened pursuant to law, in which I personally propounded and/or defended against questions put to a witness under oath.

_____9. I represent, if certified, I will seek and receive credit for three hours of continuing legal education in the area of school law and seven hours of civil trial advocacy during the calendar year in which I am certified.

_____10. I represent that I currently maintain an office or offices within the state of Texas.

_____11. I represent that the telephone and facsimile numbers and the email address listed above provide messaging services during normal

_____12. I agree to attend meetings of independent hearing examiners in Austin, Texas, at my expense.

_____13. I agree to comply with all reporting and procedural requirements established by the commissioner of education.

_____14. I agree to comply with all requirements of the commissioner regarding allowable fees and costs to be charged as an independent hearing examiner.

_____15. I understand that certification as an independent hearing examiner expires on December 31 of each calendar year and that reapplication is required to continue as an independent hearing examiner.

_____16. Upon directive from the agency and as a condition of continued certification, I agree to submit all information required for the mandatory national criminal history check for inclusion in the Department of Public Safety’s education clearinghouse database; information will include, but is not limited to social security number, date of birth, Texas drivers’ license number, home address and current email address.

CONTINUING DUTIES

(Initial at the beginning of each statement to signify that you will perform the duties described.)

_____1. If selected as a certified examiner, I acknowledge that I have the continuing duty to disclose to the commissioner grievance matters which result in the reprimand, either publicly or privately, suspension, either probated or otherwise, or revocation of my license. (continued)

