

**AGENDA**  
**NOTICE OF MEETING OF THE CITY COUNCIL OF**  
**SHAVANO PARK, TEXAS**

**This notice is posted pursuant to the Texas Open Meetings Act. Notice hereby given that the City Council of the City of Shavano Park, Texas will conduct a Special City Council Meeting on Monday, November 14, 2022 at 6:00 p.m. at 900 Saddletree Court, Shavano Park City Council Chambers for the purpose of considering the following agenda:**

The meeting agenda and agenda packet are posted online at [www.shavanopark.org](http://www.shavanopark.org).

**1. CALL MEETING TO ORDER**

**2. PLEDGE OF ALLEGIANCE AND INVOCATION**

**3. CITIZENS TO BE HEARD**

The City Council welcomes “Citizens to be Heard.” If you wish to speak, you must follow these guidelines. **As a courtesy to your fellow citizens and out of respect to our fellow citizens, we request that if you wish to speak that you follow these guidelines.**

- The Mayor will recognize those citizens who have signed up prior to the start of the meeting.
- Pursuant to Resolution No. R-2019-011 citizens are given three minutes (3:00) to speak during “Citizens to be Heard.”
- Members of the public may only speak once and cannot pass the individual’s time allotment to someone else
- Direct your comments to the entire Council, not to an individual member
- Show the Council members the same respect and courtesy that you expect to be shown to you

The Mayor will rule any disruptive behavior, including shouting or derogatory statements or comments, out of order. Continuation of this type of behavior could result in a request by the Mayor that the individual leave the meeting, and if refused, an order of removal. In compliance with the Texas Open Meetings Act, no member of City Council may deliberate on citizen comments. (Attorney General Opinion –JC 0169)

**4. CITY COUNCIL COMMENTS**

Pursuant to TEX. GOV’T CODE §551.415(b), the Mayor and each City Council member may announce city events/community interests and request that items be placed on future City Council agendas. “Items of Community Interest” include:

- expressions of thanks, congratulations, or condolences;
- information regarding holiday schedules;
- an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in status of a person’s public office or public employment is not honorary or salutary recognition for purposes of this subdivision;

- a reminder about an upcoming event organized or sponsored by the governing body;
- information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and
- announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after posting of the agenda

## **5. AGENDA ITEMS**

**5.1. Discussion / action - Ordinance O-2022-011 establishing the City of Shavano Park Court as a Court of Record (final reading) - City Manager**

**5.2. Discussion / action - Ordinance O-2022-013 appointing Judge Gerald Reamey as the Municipal Judge and Judge Ilse Bailey as the Alternate Municipal Judge for the City of Shavano Park Court of Record, Division #1 for a term ending April 2023 (administrative) - City Manager**

## **6. ADJOURNMENT**

Executive Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of TEX. GOV'T CODE CHAPTER 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy TEX. GOV'T CODE §551.144(c) and the meeting is conducted by all participants in reliance on this opinion. The Council may vote and/or act upon each of the items set out in this agenda. In addition, the City Council for the City of Shavano Park has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter authorized by Texas Government Code Sections 551.071 (Consultation with Attorney); 551.072 (Deliberations related to Real Property); and Section 551.074 (Personnel Matters).

### **Attendance by Other Elected or Appointed Officials – NOTICE OF POTENTIAL QUORUM:**

It is anticipated that members of City Council or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

The facility is wheelchair accessible and accessible parking spaces are also available in the front and sides of the building. The entry ramp is located in the front of the building. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the City Secretary at 210-493-3478 x240 or TDD 1-800-735-2989.

**CERTIFICATION:**

I hereby certify that the above Notice of Meeting was posted on the City Hall bulletin board on the 10th day of November 2022 at 3:47 p.m. at a place convenient and readily accessible to the general public at all times, and to the City's website, [www.shavanopark.org](http://www.shavanopark.org), in compliance with Chapter 551, Texas Government Code

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Trish Nichols  
City Secretary

## CITY COUNCIL AGENDA FORM

Meeting Date: 14 November 2022

Agenda item: 5.1

Prepared by: Curtis Leeth / Bill Hill

Reviewed by: Bill Hill

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### **AGENDA ITEM DESCRIPTION:**

Discussion / possible action – Ordinance O-2022-011 establishing the CoSP Municipal Court of Record (first reading) – City Manager



**Attachments for Reference:** 1) Municipal Court of Record Analysis  
2) Draft Ordinance for a Municipal Court of Record  
3) Additional Materials concerning a Court of Record  
4) Summary of Cases Appealed by City and Court Summary Activity by Cities

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**BACKGROUND / HISTORY:** Approximately, 184 of 915 Texas Municipal Courts are established as Courts of Record. Since 2013, city staff has reviewed facts and considered whether the Municipal Court should be established as a Court of Record. In July 2014, City Council received a recommendation from Judge Takas to establish a Municipal Court of Record for the City of Shavano Park. In November 2014, the City Manager brought forward a recommendation to become a Court of Record; however, City Council did not approve the recommendation. City Staff has continued to research the advantages and disadvantages of establishing a court of record.

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**DISCUSSION:** Recently, staff updated the analysis on becoming a Municipal Court of Record (see attached PowerPoint). Additional materials concerning becoming a Court of Record include a comparison of many of local cities (18 of 26 cities are Courts of Record) and an article written in 2006, which provides a good overview. Included in the packet are summary statistics comparing cases appealed by different cities and court summary activities by Cities.

Research indicates there is no significant additional costs (in dollars or staff time) to establishing a Court of Record, while doing so will likely render provide a more efficient disposition of cases arising in the City. Court proceedings may become more formalized with additional record-keeping requirements, but electronic recording is sufficient and current staff meet legal requirements of a Court of Record. The City would likely see a reduction in appeals.

On October 14<sup>th</sup>, City Council approved Ordinance O-2022-011 as first reading.

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**COURSES OF ACTION:** Council approve the ordinance providing for a Municipal Court of Record in Shavano Park; or alternatively take no action.

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**FINANCIAL IMPACT:** Minimal to none; see attached brief for more details.

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**STAFF RECOMMENDATION:** To approve Ordinance O-2022-011 establishing the CoSP Municipal Court of Record (final reading)



## Analysis for Court of Record

October 2022

Bill Hill



## Problem

Should the CoSP Municipal Court become  
a Court of Record

## Purpose

To present analysis for CoSP's Municipal  
Court to remain a Court Not of Record or  
to become a Court of Record



## Court of Record

In common law jurisdictions, a court of record is a trial court in which a court clerk or a court reporter takes down a record of proceedings. That written record (and all other evidence) is preserved at least long enough for all appeals to be exhausted, or for some further period of time provided by law (for example, in some states, death penalty statutes provide that all evidence must be preserved for an extended period of time).

## Court Not of Record

Oral proceedings are not recorded, and the judge makes his or her decision based on memory. In most "not of record" proceedings, the parties can and usually do appear personally, without lawyers.

**NOTE: CoSP Court is currently a “Court Not of Record”**





## Sec. 30.00003. CREATION OF MUNICIPAL COURTS OF RECORD.

- (a) The governing body may by ordinance create a municipal court of record if the governing body determines that the creation of the court is necessary to provide a more efficient disposition of the cases arising in the municipality.
- (b) The ordinance may establish as many municipal courts of record as needed as determined by the governing body.
- (c) Except as provided by Subsection (d), the ordinance shall give each court a numerical designation, beginning with "Municipal Court of Record No. 1."
- (d) If a municipality has a unified court of record, that court shall be the "Municipal Court of Record in the City of (name of municipality)" and the municipality may establish by ordinance divisions, beginning with "Division No. 1."
- (e) A municipal court of record may not exist concurrently with a municipal court that is not a municipal court of record in the municipality.
- (f) A municipal court of record has no terms and may sit for any time for the transaction of business of the court.

<http://www.statutes.legis.state.tx.us/SOTWDocs/GV/htm/GV.30.htm>



Sec. 30.00005. JURISDICTION.

(a) A municipal court of record has the jurisdiction provided by general law for municipal courts.

(b) The court has jurisdiction over criminal cases arising under ordinances authorized by Sections

[215.072](#), [217.042](#), [341.903](#), and [551.002](#), Local Government Code. (Home Rule Cities Only)

(c) The governing body may by ordinance provide that the court has concurrent jurisdiction with a justice court in any precinct in which the municipality is located in criminal cases that arise within the territorial limits of the municipality and are punishable only by fine. (N/A – no ETJ)

(d) The governing body of a municipality by ordinance may provide that the court has:

(1) civil jurisdiction for the purpose of enforcing municipal ordinances enacted under Subchapter [A](#), Chapter [214](#), Local Government Code, or Subchapter [E](#), Chapter [683](#), Transportation Code;

(2) concurrent jurisdiction with a district court or a county court at law under Subchapter [B](#), Chapter [54](#), Local Government Code, within the municipality's territorial limits and property owned by the municipality located in the municipality's extraterritorial jurisdiction for the purpose of enforcing health and safety and nuisance abatement ordinances; and

(3) authority to issue:

(A) search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation; and

(B) seizure warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises.

(e) The court has concurrent jurisdiction with a district court and a justice court over expunction proceedings relating to the arrest of a person for an offense punishable by fine only.



- Subchapter A is substandard buildings regulations under Chapter 214 (our building regulations authority referenced frequently):  
<https://statutes.capitol.texas.gov/Docs/LG/htm/LG.214.htm#214.001>
- Subchapter E is abatement of junked vehicles under Chapter 683 of Transportation Code (authority for our inoperable vehicles ordinance):  
<https://statutes.capitol.texas.gov/Docs/TN/htm/TN.683.htm#683.071>
- Existing Warrant Authority
  - Search
  - Arrest
- Court of Record Warrant Authority
  - Evidentiary

# Minimum Requirements



*Together We Can!*

## Minimum Acceptable Requirements:

- ☐ An [City Ordinance](#) for the creation of a Municipal Court of Record and the term of the Judge (Ch. 30, Sec. 03)
- ✓ A judge that is an attorney (Ch. 30, Sec. 06)
  - 2 or more years of experience practice of law in the state of Texas
- ☐ Appointment of clerk of the municipal court of record (Ch. 30, Sec. 09)
- ☐ A good quality electronic recording device (Ch. 30, Sec. 10)
  - [At a minimum, recording must be kept for a 20-day period](#)
- ☐ If a case is appealed, the proceedings shall be transcribed from the recording by an official court reporter (contracted separately paid by appellant).

Reference: Texas Government Code, Chapter 30, Sections: 3,6,9,10



- In a Non-record Municipal Court, a defendant may appeal to the judgment of the municipal court to the appellate court handling municipal court appeals, and have a *trial de novo*, (i.e. a completely new trial on the entire case conducted as if there had been no trial in the first instance)
- A Municipal Court of Record ruling may still be appealed to the next appellate Court (but on the merits of the case / not a trial de novo, (i.e. Not a completely new trial on the entire case conducted as if there had been no trial in the first instance))
- In a Non-record Municipal Court, a defendant may skip a non-record municipal court altogether by entering a plea and appealing the case to the appellate court
- A trial in a Municipal Court of Record must be recorded by a court reporter or by an electronic recording device
  - Hollywood Park, Hill Country Village, Windcrest *use an electronic recording device*
- In a Non-record Municipal Court, cases appealed are retried at County Court and the City will incur additional costs
- **The same technology required to video record council meetings is sufficient to record court proceedings**
- The Court and Security Technology Funds can be used to buy required equipment



- A Municipal Court of Record is required to have either a trained Court Recorder or can appoint a staff member as a Court of Record Clerk and/or also appoint a Deputy Municipal Court of Record Clerk (responsible to record and maintain court proceedings)
- The majority of Municipal Courts are not Courts of Record
- Municipal Court activity can be reviewed from the Texas Office of Court Administration website (Court Activity Reporting and Directory System)
- During the period from September 1, 2011 thru August 31<sup>st</sup>, 2022
  - CoSP disposed of 24,387 cases
    - Cases appealed before trial – (2x) / after trial – (12x)
  - Windcrest disposed of 64,388 cases
    - Cases appealed before trial – (0x) / after trial – (0x)
  - Kirby disposed of 31,374 cases
    - Cases appealed before trial – (0x) / after trial – (0x)
  - Castle Hills disposed of 66,652 cases
    - Cases appealed before trial – (2x) / after trial – (1x)
  - Hill Country Village disposed of 12,152 cases
    - Cases appealed before trial – (0x) / after trial – (1x)



ALAMO HEIGHTS	NO
BALCONES HEIGHTS	NO
BULVERDE	YES
CASTLE HILLS	YES
CHINA GROVE	YES
CONVERSE	YES
ELMENDORF	YES
FAIR OAKS RANCH	NO
GARDEN RIDGE	YES
GREY FOREST	YES
HELOTES	NO
HILL COUNTRY VILLAGE	YES
HOLLYWOOD PARK	YES
KIRBY	YES

LEON VALLEY	YES
LIVE OAK	YES
OLMOS PARK	NO
SAN ANTONIO	YES
SCHERTZ	YES
SELMA	YES
SHAVANO PARK	NO
SOMERSET	NO
TERRELL HILLS	NO
UNIVERSAL CITY	YES
VON ORMY	YES
WINDCREST	YES



- Should decrease the number of appeals to the county and dismissals at the county
- The enforcement of code violations and city-ordinance violations should improve because defendants cannot avoid a municipal court proceeding
  - The city maintains local control over these violations
- The defendant will not be able appeal the judgment of the municipal court to the appellate court by appealed by a trial *de novo*, (i.e. a completely new trial on the entire case conducted as if there had been no trial in the first instance)... then this will potentially save approximately 6 months or longer in final disposition (Municipal Court cases heard in County court are not likely resolved quickly)
- The defendant may not skip a non-record municipal court by entering a plea and appealing the case to the appellate court
- Section 30.00005 (Ch. 30 Municipal Court of Record) gives the city's governing body the authority to provide additional jurisdictional powers to the court by ordinance
- A judge of a municipal court of record has the greater authority to issue certain type of search warrants





- ~~The City will incur the cost of purchasing and installing a quality electronic recording device (*one time cost/not significant/uses Court tech/security funds*)~~
- Requires some extra work to record / archive recording (*but not significant*)
- The judge must be an attorney (*limiting; but should not an issue*)
- The Judge will serve two year terms and is not easily replaced except for cases of misconduct
- May place more focus on what is happening in the Courtroom. Since the court proceedings in a court of record are recorded, the conduct of the judge, prosecutor, the defendant, defendant's attorney, and witnesses are recorded and are subject to scrutiny by the public and the appellate court if the case is appealed
- The conduct of the Court may change from an informal setting to a more formal setting (specifically during cases that will be tried). This may require some more detail in terms of identifying witness information and more formal recording/preparation of the exhibits



## Sec. 30.00010. COURT REPORTER.

(a) The municipality shall provide a court reporter to preserve a record in cases tried before a municipal court of record. The court reporter must meet the qualifications provided by law for official court reporters. The reporter shall be compensated by the municipality in the manner determined by the governing body.

(b) The court reporter may use written notes, transcribing equipment, video or audio recording equipment, or a combination of those methods to record the proceedings of the court. The reporter shall keep the record for the 20-day period beginning the day after the last day of the proceeding, trial, or denial of motion for new trial, or until any appeal is final, whichever occurs last.

(c) The court reporter is not required to record testimony in a case unless the judge or one of the parties requests a record.

(d) Instead of providing a court reporter, the governing body may provide that the proceedings may be recorded by a good quality electronic recording device. If the governing body authorizes the electronic recording, the court reporter is not required to be present to certify the reporter's record. The recording shall be kept for the 20 day period beginning the day after the last day of the court proceeding, trial, or denial of motion for new trial, whichever occurs last. If a case is appealed, the proceedings shall be transcribed from the recording by an official court reporter.

<http://www.statutes.legis.state.tx.us/SOTWDocs/GV/htm/GV.30.htm>

# CoSP Draft Concept



*Together We Can!*

- City Council approves Municipal Court of a Court of Record by Ordinance designating the Municipal Court of Record and the term of the Judge at two years and authorizes City Manager to appoint Court Clerk
- City Manager appoints current Court Clerk as the Municipal Court of Record Clerk and the Water Utility Office Manager as a Deputy Court Clerk
- Court uses existing video/audio recording capabilities to meet the recording requirements
- Recordings required for next court day
- Retain recording for 30-day period



# Recommendation



*Together We Can!*

City Council approves an ordinance appointing the CoSP Municipal Court as a Court of Record



# BACKUP



## City of Windcrest (5600)

- Part-time Judge
  - Term of 2 years
- Part-time Prosecutor Attorney
- 3 full-time Clerks
- 1 Assistant Court Administrator (City Secretary)
- They use Granicus as their video recording
  - The recording is kept for a 20-day period

## City of Bulverde (4800)

- Part-time Judge
  - Term of 2 years
- Clerk of the Municipal Court of Record
- Deputy Clerk
- Court Reporter *or* Electronic recording at discretion of Council

## City of Seguin (26,600)

- Part-time Judge (Up-to 12 hours)
  - Term of 2 years
- Full-time City Attorney
- 5 full-time Clerks
- Electronic Recording System
  - The recording is kept for a 90-day period
- Municipal Court Technology Fund

## City of Kirby (8200)

- Part-time Judge,
  - Term of 2 years
- Clerk of the Municipal Court of Record
- Electronic recording
  - The recording is kept for a 20-day period



## Sec. 30.00006. JUDGE.

- (a) A municipal court of record is presided over by one or more municipal judges.
- (b) The governing body shall by ordinance appoint its municipal judges.
- (c) A municipal judge must:
  - (1) be a resident of this state;
  - (2) be a citizen of the United States;
  - (3) be a licensed attorney in good standing; and
  - (4) have two or more years of experience in the practice of law in this state.
- (d) The governing body shall provide by ordinance for the term of office of its municipal judges. The term must be for a definite term of two or four years.
- (e) The municipal judge shall take judicial notice of state law and the ordinances and corporate limits of the municipality. The judge may grant writs of mandamus, attachment, and other writs necessary to the enforcement of the jurisdiction of the court and may issue writs of habeas corpus in cases in which the offense charged is within the jurisdiction of the court. A municipal judge is a magistrate and may issue administrative search warrants.
- (f) The municipal judges within a municipality may exchange benches and act for each other in any proceeding pending in the courts. An act performed by any of the judges is binding on all parties to the proceeding.
- (g) A person may not serve as a municipal judge if the person is employed by the same municipality. A municipal judge who accepts employment with the municipality vacates the judicial office.
- (h) The governing body shall determine the salary of a municipal judge. The amount of a judge's salary may not be diminished during the judge's term of office. The salary may not be based directly or indirectly on fines, fees, or costs collected by the court.

<http://www.statutes.legis.state.tx.us/SOTWDocs/GV/htm/GV.30.htm>



## Sec. 30.00009. CLERK; OTHER PERSONNEL.

(a) The governing body shall by ordinance provide for the appointment of a clerk of the municipal courts of record. The municipal clerk shall keep the records of the municipal courts of record, issue process, and generally perform the duties that a clerk of a county court at law exercising criminal jurisdiction performs for that court. In addition, the clerk shall maintain an index of all court judgments in the same manner as county clerks are required by law to prepare for criminal cases arising in county courts.\*

(b) The governing body may provide deputy clerks, warrant officers, and other personnel as needed for the proper operation of the courts.

(c) The clerk and other court personnel perform their duties under the direction and control of the presiding judge.

(d) The governing body shall by ordinance provide for the hiring, direction, supervision, and removal of the personnel authorized in the annual budget for the clerk's office.

<http://www.statutes.legis.state.tx.us/SOTWDocs/GV/htm/GV.30.htm>

\*Note: These tasks are currently performed by our court clerk





## Constraints:

- The judge must be an attorney with at least two years of experience practicing law in Texas

## Assumptions:

- A case is less likely be appealed if the Municipal Court was a Court of Record
- If a Court of Record, some cases that have gone to trial may not have (since means to appeal are reduced)
- If a Court of Record, the City will have more power to enforce city ordinances
- Appealed cases at County Court will likely take months and in some cases longer.

## Court of Record Common Methods

- **Electronic reporting:** This reporting method uses specialized audio equipment in order to record court proceedings
- **Stenographic:** Stenotypists record all statements made in official proceedings
- **Voice writing:** a court reporter repeats proceedings directly into a stenomask or voice silencer—a hand-held mask containing one or two microphones and voice-dampening materials.

## **ORDINANCE NO. O-2022-011**

**AN ORDINANCE AMENDING CHAPTER 10 – COURT, OF THE CITY OF SHAVANO PARK, TEXAS CODE OF ORDINANCES TO ESTABLISH MUNICIPAL COURT OF RECORD NO. 1; ABOLISHING THE MUNICIPAL COURT NOT OF RECORD; CONFERRING SPECIFIC JURISDICTION ON THE COURT; PROVIDING FOR PROCEDURES FOR APPOINTMENT OF JUDGES AND CLERKS; PROVIDING FOR COURT REPORTING; PROVIDING A CUMULATIVE & CONFLICTS CLAUSE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, Texas Government Code Sec. 30.00003 authorizes the governing body of a municipality to create a municipal court of record to provide a more efficient disposition of cases arising in the municipality; and

**WHEREAS**, City Council of the City of Shavano Park determines that the creation of a municipal court of record is necessary to provide a more efficient disposition of cases arising in the City of Shavano Park; and

**WHEREAS**, the City Council of the City of Shavano Park has determined that this ordinance is in the best interest of the general welfare and public safety of the City of Shavano Park.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHAVANO PARK, TEXAS:**

### **I ESTABLISHMENT**

The City of Shavano Park, Texas, Municipal Court of Record, is hereby established. The Municipal Court of Record shall be a unified court of record and shall be called the "Municipal Court of Record No. 1 in the City of Shavano Park."

### **II ABOLISHMENT**

The Municipal Court Not of Record in the City of Shavano Park is hereby abolished and its jurisdiction is hereby assumed by Municipal Court of Record No. 1 in the City of Shavano Park.

### **III**

#### **CODE AMENDMENT**

Chapter 10, Article I. – IN GENERAL of the City of Shavano Park Code of Ordinances hereby amended to read as follows:

#### **Sec. 10-1. Municipal Court of Record Established**

The City of Shavano Park, Texas, Municipal Court of Record, is hereby established. The Municipal Court of Record shall be a unified court of record and shall be called the "Municipal Court of Record No. 1 in the City of Shavano Park."

#### **Sec. 10-2. Jurisdiction**

- (a) In accordance with Texas Government Code Sec. 30.00005(a), the court shall have jurisdiction as provided by general law for municipal courts;
- (b) In accordance with Texas Government Code Sec. 30.00005(b), the court shall have jurisdiction over criminal cases arising under ordinances authorized by Sections 215.072, 217.042, 341.903, and 551.002 of the Texas Local Government Code;
- (c) In accordance with Texas Government Code Sec. 30.00005(d), City Council of the City of Shavano Park hereby provides the court jurisdiction as following:
  - (1) civil jurisdiction for the purpose of enforcing municipal ordinances enacted under Subchapter A, Chapter 214, Local Government Code 1 or Subchapter E, Chapter 683, Transportation Code;
  - (2) concurrent jurisdiction with a district court or a county court at law under Subchapter B, Chapter 54, Local Government Code, within the municipality's territorial limits and property owned by the municipality located in the municipality's extraterritorial jurisdiction for the purpose of enforcing health and safety and nuisance abatement ordinances; and
  - (3) authority to issue:
    - i. search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation; and
    - ii. seizure warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises.
- (d) In accordance with Texas Government Code Sec. 30.00005(e), The court has concurrent jurisdiction with a district court and a justice court over expunction proceedings relating to the arrest of a person for an offense punishable by fine only.

### **Sec. 10-3. Municipal Court Judges**

- (a) In accordance with Texas Government Code Sec. 30.00006, City Council shall appoint by ordinance a Municipal Judge who shall be the presiding judge of the Municipal Court of Record No. 1, provided such appointee must:
  - (1) be a resident of Texas;
  - (2) be a citizen of the United States;
  - (3) be a licensed attorney in good standing;
  - (4) have two or more years of experience in the practice of law in Texas; and
  - (5) not otherwise be employed by the City of Shavano Park.
- (b) The presiding Municipal Judge shall have all the powers and duties of the office as prescribed by Texas Government Code Sec. 30.00006 and Sec. 30.00007.
- (c) The term of office for municipal court judges is hereby established as two years.
- (d) The compensation of municipal court judges shall be set by City Council. In accordance with Texas Government Code Sec. 30.00006(h), the amount of a judge's salary shall not be diminished during the judge's term of office. The salary shall not be based directly or indirectly on fines, fees, or costs collected by the court.
- (e) The City Council shall appoint by ordinance one person as Alternate Municipal Judge who shall meet the qualifications of the Municipal Judge and be empowered to sit for the presiding Municipal Judge when said Judge is temporarily unable to act. While sitting for the presiding Judge, the appointee shall have all powers and duties of the office. The Alternate Municipal Judge appointment shall be effective for a term of two years. Compensation for the Alternate Municipal Judge shall follow Sec. 10-3(d) of this Code.
- (f) It shall be the responsibility of the presiding Municipal Judge and the appointed alternate to successfully complete all continuing judicial education required by Tex. Government Code Ch. 30 or other applicable State law. The costs of such education, including tuition and reasonable travel expenses, shall be borne by the City.
- (g) A Municipal Judge may be removed from office at any time for the reasons stated and by the procedure provided for the removal of members of a municipal governing body in Subchapter B, Chapter 21, Local Government Code.

### **Sec. 10-4. Municipal Court Prosecutors**

The City Council shall appoint a Municipal Court Prosecutor and alternate Municipal Court Prosecutor. The Municipal Court Prosecutor or his alternate shall conduct all prosecution in the Municipal Court of Record No. 1 in the City of Shavano Park on behalf of the City. Each shall be licensed to practice law in the State and a

member in good standing of the State Bar. The Prosecutor and alternate Prosecutor shall be appointed for an indefinite term to serve at the pleasure of the City Council and shall receive compensation as the City Council may determine.

#### **Sec. 10-5. Municipal Court Clerk**

The City Manager shall appoint a clerk of the municipal court of record, and may provide other personnel as needed for the proper operation of the courts. All such personnel shall be subject to budgetary allocations of the City Council of the City of Shavano Park. The municipal clerk shall:

- (a) keep the records of the municipal courts of record, issue process, and generally perform the duties that a clerk of a county court at law exercising criminal jurisdiction performs for that court. In addition, the clerk shall maintain an index of all court judgments in the same manner as county clerks are required by law to prepare for criminal cases arising in county courts.
- (b) The clerk and other court personnel perform their duties under the direction and control of the presiding judge.

#### **Sec. 10-6. Municipal Court Reporter**

In accordance with Texas Government Code Section 30.00010(d), instead of providing a court reporter, City Council hereby provides that court proceedings shall be recorded by a good quality electronic recording device.

- (a) Such recording shall be kept for the 20-day period beginning the day after the last day of the court proceeding, trial, or denial of motion for new trial, whichever occurs last.
- (b) If a case is appealed, the proceedings shall be transcribed from the recording by an official court reporter.

#### **Sec. 10-7 – 10-20. Reserved.**

### **IV CUMULATIVE CLAUSE**

That this ordinance shall be cumulative of all provisions of the City of Shavano Park, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

### **V SEVERABILITY**

That it is hereby declared to be the intention of the City Council of the City of Shavano Park that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance

should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

## **VI PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government

## **VII EFFECTIVE DATE**

This ordinance shall be effective upon passage and publication as required by State and Local law.

**PASSED AND APPROVED** on the first reading by the City Council of the City of Shavano Park this the 24th day of October, 2022.

**PASSED AND APPROVED** on the second reading by the City Council of the City of Shavano Park this the \_\_\_\_\_ day of November, 2022.

\_\_\_\_\_  
**ROBERT WERNER, MAYOR**

Attest:

\_\_\_\_\_  
**TRISH NICHOLS, CITY SECRETARY**

COURT OF RECORD FOR BEXAR COUNTY

ALAMO HEIGHTS	NO
BALCONES HEIGHTS	NO
CASTLE HILLS	YES
CHINA GROVE	YES
CONVERSE	YES
ELMENDORF	YES
FAIR OAKS RANCH	NO
HELOTES	NO
HILL COUNTRY VILLAGE	YES
HOLLYWOOD PARK	YES
KIRBY	YES
LEON VALLEY	YES
LIVE OAK	YES
OLMOS PARK	NO
SAN ANTONIO	YES
SCHERTZ	YES
SELMA	YES
SHAVANO PARK	NO
SOMERSET	NO
TERRELL HILLS	NO
UNIVERSAL CITY	YES
VON ORMY	YES
WINDCREST	YES

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# Should Your Municipal Court Become a Court of Record?

By Paul Isham, Attorney-at-Law

This article addresses why your city might want to create a court of record, the requirements of a court of record, and the change in the court operation when becoming a court of record.

There are some 870 plus municipal courts in Texas and approximately 75 of them are municipal courts of record. Of the 100 Texas cities that had a 2004 estimated population of 25,000 or more, 36 of them have courts of record and 32 of those courts were created by special legislation. Prior to the passage of H.B. 731 during the 76<sup>th</sup> Legislature, effective September 1, 1999, creating Chap. 30, Subchapter A, Texas Government Code, cities had to create municipal courts of record by specific legislation. Thirty-eight cities had obtained special legislation to create a municipal court of record prior to 1999. Special legislation for an additional six cities was passed during the 1999 Legislative Session, and four more special acts have been passed since 1999. The 1999 Act, referred to as the Uniform Municipal Courts of Record Act, allows any municipality to create a municipal court of record by the adoption of an ordinance pursuant to the provisions of Subchapter A.

Originally, the provisions of Subchapter A did not apply to cities that obtained specific legislation. In 2003, the 78<sup>th</sup> Legislature passed H.B. 2799 which applied the provisions of Subchapter A to each municipality listed in Chapter 30, but provided that if the provisions of Subchapter A conflict with a specific provision for a particular municipality, the specific provision controls. Cities may still seek specific legislation to create a

municipal court of record if they desire some specific provision that is not enumerated in the Uniform Act. Since the passage of the Uniform Act in 1999, only about 27 Texas cities have converted to municipal courts of record pursuant to the provisions of the act.

## Advantages and Disadvantages of Being a Court of Record

### Advantages:

In a non-record municipal court, a defendant may appeal the judgment of the municipal court to the appellate court handling municipal court appeals, usually a county court at law or county court, and have a trial *de novo*, (*i.e.*, a completely new trial on the entire case conducted as if there had been no trial in the first instance). A defendant may even skip a non-record municipal court altogether by entering a plea and appealing the case to the appellate court. This is informally referred to as a “leapfrog appeal.” The subsequent trial in the county court controls the outcome of the case. The trial *de novo* at the county level is eliminated by having a municipal court of record.

A municipal court of record should decrease the number of appeals to the county and the dismissals at the county level. For the 2005 calendar year, 3,246 cases were appealed from non-record municipal courts in cities with a population of 50,000<sup>1</sup> or more while 1,258 cases were appealed from the municipal courts of record in cities within the same population bracket. If the 1,127 cases that were appealed in the City of Houston are removed from the statistics, only 131 cases were appealed in the remaining cities with

courts of record with populations greater than 50,000. For cities with populations between 25,000 and 50,000, 2,690 cases were appealed from non-record municipal courts, while only seven were appealed from municipal courts of record.<sup>2</sup> A reduction in the number of appeals results in a reduction in the municipal court’s workload with regard to processing appeals.

A municipal court of record will reduce the burden on the county court system since the number of appeals will decrease. The integrity of the municipal court improves since the Code of Criminal Procedure and the Rules of Appellate Procedure govern the trial of cases before municipal courts of record<sup>3</sup> and the proceedings are recorded. A municipal court of record should also reduce police officers’ overtime and reduce the time spent in court by city inspectors and other witnesses since they will only have to appear for the trial at the municipal level. The need to have witnesses available for a *de novo* trial at the county level is eliminated. Some cities report that police officer morale improves, and more citations are issued by officers in cities that have a court of record.

A trial in a municipal court of record is recorded by a court reporter or by an electronic recording device. Appeals of the judgment in the municipal court of record are based on alleged errors made during the municipal court trial. A trial *de novo* is not permitted and the appellate court renders a disposition of the appeal based on the transcript from the municipal court, the briefs submitted by the parties, and oral arguments, unless the case is submitted



to the appellate court without oral argument.

The enforcement of code violations and city-ordinance violations improves because defendants cannot avoid a municipal court proceeding (*i.e.*, no “leapfrog appeals”).<sup>4</sup> The city maintains local control over these violations, appeals are decreased because the violators cannot simply enter a plea and then appeal the case to the county, and if a case is appealed and the judgment affirmed, the fine assessed at the municipal court level is imposed and collected by the municipal court. Thus, defendants cannot negotiate a lower fine amount at the county level which is kept by the county.

In addition to the jurisdiction granted by general law for a municipal court, a municipal court of record has additional authority specifically granted to it by Section 30.00005, and that section also gives the city’s governing body the authority to provide additional jurisdictional powers to the court by ordinance. The jurisdiction of a municipal court of record is more thoroughly discussed later in this article.

### **Disadvantages:**

The disadvantages of creating a municipal court of record include the requirement that the judge be an attorney<sup>5</sup>; the procedure for removing an unsatisfactory judge; the cost of additional court personnel to assist with recording devices, record keeping, trial dockets, paperwork, *etc.*; the cost, if any, to the city of having an appointed court reporter, although the cost of preparing the reporter’s record is paid by the appellant; the possible need for additional office space; possible change in the organizational relationship between the judge(s) and court personnel; and courtroom space. The city will also incur the cost of purchasing and

installing a good quality electronic recording device<sup>6</sup> although some cities that use the council chambers as a courtroom already have the necessary recording equipment in place. A city with a court of record may also experience additional trial dockets, trials and time spent by court personnel, including the judge and prosecutor, in conducting trials. The court’s increased trial activity may require additional staff. Also, if the city’s judge and prosecutor are not full-time, the city may experience an increase in costs for the additional time spent by the judge and prosecutor in handling the trial docket.

As indicated below, the appellant must pay the costs for the court reporter to prepare the reporter’s record unless he/she is indigent. In the case of an appeal by an indigent person, the city would absorb the costs of the reporter’s record. The cost of a reporter will vary depending on locale, but Haltom City pays a court reporter \$150 for four hours of work.

Since the court proceedings in a court of record are recorded, the conduct of the judge, prosecutor, the defendant, defendant’s attorney, and witnesses are recorded and are subject to scrutiny by the public and the appellate court if the case is appealed. This factor can be positive or negative, depending on the conduct of the participants in the trial. Finally, a more formalized municipal court proceeding may be threatening to *pro se* defendants that appear before the municipal court.

### **Jurisdiction of the Court**

In addition to the jurisdiction granted any municipal court, a municipal court of record acquires additional jurisdiction pursuant to the Uniform Act and may be granted further jurisdiction by action of the governing

body in creating the court of record. A judge of a municipal court of record has the authority to issue a search warrant to search for and seize contraband subject to forfeiture while a municipal judge of a non-record municipal court does not have this authority.<sup>7</sup> The judge also has the authority to grant writs of *mandamus*, attachments and other writs necessary to the enforcement of the jurisdiction of the court and may issue writs of *habeas corpus* in cases in which the offense charged is within the jurisdiction of the municipal court.<sup>8</sup>

A municipal court of record has additional jurisdiction over criminal cases arising under ordinances authorized by Section 215.072 (inspection of dairies, slaughterhouses or slaughter pens, in or outside the municipal limits, from which milk or meat is furnished to the residents of the city), Section 217.042 (defining and prohibiting any nuisance within the limits of the municipality and within 5,000 feet outside the city limits), Section 341.903 (home-rule municipality policing the following areas owned and located outside the city (1) parks and grounds, (2) lakes and land contiguous to and used in connection with a lake, and (3) speedways and boulevards), and Section 401.002 (home-rule city prohibiting the pollution or degradation of a stream, drain, recharge feature, recharge area, or tributary that may constitute or recharge the source of water supply of the city, and may provide for the protection of and may police any watersheds. The authority granted by this provision for the protection of recharge area or recharge features of groundwater aquifers is limited to cities with a population greater than 750,000 and the groundwater constitutes more than 75% of the city’s source of water supply) of the Local Government Code (L.G.C.). In addition, the governing body of a city

by ordinance may provide that:

- (1) the court has civil jurisdiction for the purpose of enforcing municipal ordinances enacted under Subchapter A, Chapter 214, L.G.C.,<sup>9</sup> Subchapter E, Chapter 683, Transportation Code;<sup>10</sup>
- (2) concurrent jurisdiction with a district court or a county court at law under Subchapter B, Chapter 54, L.G.C.,<sup>11</sup> within the municipality's territorial limits and property owned by the municipality located in the city's extraterritorial jurisdiction for the purpose of enforcing health and safety and nuisance abatement ordinances; and
- (3) authority to issue:
  - (a) search warrants for the purpose of investigating health and safety or nuisance abatement ordinance violations; and
  - (b) seizure warrants for the purpose of securing, removing or demolishing the offending property and removing debris from the premises.<sup>12</sup>

Section 30.00006, L.G.C., provides that a municipal judge of a court of record, acting as a magistrate, can issue administrative search warrants. Article 18.05, Code of Criminal Procedure, authorizes any magistrate, including a municipal judge of a non-record municipal court, the authority to issue warrants for fire, health and code inspections. However, Subsection (e) of Art. 18.05 provides that a search warrant may not be issued to a code enforcement official of a county with a population of 2.4 million or more for the purpose of allowing the inspection of specified premises to determine the presence of an unsafe building condition or a violation of a building regulation, statute or ordinance. It can be argued

that the authority set-out in Sec. 30.00006 with regard to the issuance of administrative search warrants would take precedence over the exclusion of Art. 18.05(e) so that a judge of a municipal court of record in a county with a population of 2.4 million or more has the authority to issue a search warrant for inspection of an unsafe building or violation of a building regulation, statute or ordinance.

### Requirements

In addition to the requirement for an attorney-judge,<sup>13</sup> the conversion to a municipal court of record requires that the governing body appoint the clerk and a court reporter. The presiding judge shall supervise and control the operation and clerical functions of the administrative department of the court, including the clerk and other personnel necessary for the proper operation of the court, during the proceedings of the court.<sup>14</sup> However, the governing body shall by ordinance provide for the appointment of the clerk of the municipal court and may provide for the hiring, direction, supervision, and removal of deputy clerks, warrant officers and other personnel necessary for the proper operation of the courts and as authorized in the annual budget for the clerk's office.<sup>15</sup> Normally, home-rule cities provide that the city manager/administrator shall appoint the clerk and other court personnel. In general law cities, the governing body appoints any officer, including the clerk, which it considers necessary for the operation of the city<sup>16</sup> unless the city has adopted the city manager form of government.

City governing bodies may provide that the city manager/administrator, the presiding judge or the governing body be responsible for the administration of the clerk's office. There is a potential for conflict if the city manager/administrator is given

the responsibility to hire, direct, supervise, and remove the clerk and other court personnel, but the court clerk and other court personnel perform their duties under the direction and control of the presiding judge.<sup>17</sup> Cities should be cognizant of this potential conflict when contemplating creating a municipal court of record.

The clerk is charged with the responsibility of preparing the clerk's record if a case is appealed from the municipal court of record.<sup>18</sup> The council shall by ordinance designate the presiding judge, municipal court clerk or the court administrator with the responsibility of supervising the selection of persons for jury service.<sup>19</sup>


Chapter 30 also requires that the municipal court of record have a court reporter who meets the qualifications provided by law for official court reporters. The reporter shall be compensated by the city in the manner determined by the governing body. The court reporter is charged with the responsibility of preserving the record of cases tried before a municipal court of record. The court reporter may use written notes, transcribing equipment, video or audio recording equipment, or a combination of these methods to record the proceedings. Instead of providing a court reporter, the governing body of the city may provide that the proceedings be recorded by a good quality electronic recording device.<sup>20</sup> In considering converting your court to a municipal court of record, you should factor in the cost of acquiring a proper recording device. The court reporter is not required to be present during the proceedings in order to certify the reporter's record. If there is an appeal of the case, a court reporter must prepare a reporter's record from the recording.<sup>21</sup>

The city can charge an appellant a \$25

fee for the preparation of the clerk's record and also charge for the actual cost of the reporter for preparing the reporter's record including transcription of the proceedings. Thus, these costs are absorbed by the appellant unless the court determines that the appellant is indigent. If the appellant prevails on appeal, the \$25 fee is refunded, but not the cost of preparing the reporter's record.<sup>22</sup>

## Conclusion

If your municipal court is experiencing a large number of appeals, you may wish to consider creating a municipal court of record. If not, the additional costs incurred by creating a municipal court of record may not justify establishing such a court. Cities that have created municipal courts of record have experienced a drastic reduction in the number of appeals filed in their courts. For FY05, 5,937 cases were appealed from non-record municipal courts in cities with a population of 25,000 or more, while only 137 cases were appealed in the cities (excluding appeals in the City of Houston) with courts of record.<sup>23</sup> Furthermore, a court will likely see an increase in annual revenues as a result of the reduction in the number of appeals. In addition, the enforcement of code violations and city ordinance violations improves because defendants cannot avoid a municipal court proceeding. Cities also may want to create a court of record in order to give its municipal judge additional jurisdictional powers, particularly in the area of issuing search warrants.

TMCEC has compiled a packet of information, including a sample ordinance, with regard to creating a municipal court of record. Please contact the TMCEC office at 512/320-8274, 800/252-3718, or by email at [tmcec@tmcec.com](mailto:tmcec@tmcec.com) if you would like a copy of this information. 

<sup>1</sup> 2005 estimated population from Office of Court Administration's (OCA) statistics.

<sup>2</sup> Data taken from OCA's Municipal Courts Summary of Reported Activity.

<sup>3</sup> Sec. 30.00023, Gov't Code.

<sup>4</sup> According to OCA's statistics for 2005, 1,809 city-ordinance violations were appealed from non-record municipal courts while only eight were appealed from municipal courts of record in cities with a population greater than 25,000.

<sup>5</sup> The City of Bullard was successful in obtaining special legislation that does not require its municipal judge to be an attorney. Sec. 30.01482, Gov't Code.

<sup>6</sup> Such a device could cost upwards of \$3,000 or more.

<sup>7</sup> Art. 18.01(h) and Art. 18.02(12), Code of Crim. Proc.

<sup>8</sup> Sec. 30.0006(e), Gov't Code.

<sup>9</sup> Dangerous structures.

<sup>10</sup> Junked vehicles – public nuisance and abatement.

<sup>11</sup> Municipal health and safety ordinances – civil actions and civil penalties.

<sup>12</sup> Sec. 30.00005, Gov't Code.

<sup>13</sup> The city council also must establish a term of two or four years for the municipal judge(s). Sec. 30.00006, Gov't Code. The judge must be a licensed attorney in good standing with two or more years of experience in the practice of law in Texas. Also see Sec. 30.01482 allowing the City of Bullard to have a non-attorney judge.

<sup>14</sup> Secs. 30.00007 & 30.00009, Gov't Code.

<sup>15</sup> Sec. 30.0009, Gov't Code.

<sup>16</sup> Secs. 22.071, 23.051 & 24.051, L.G.C.

<sup>17</sup> See Texas Code of Judicial Conduct, Canon 3 C.(2) that provides that "a judge should require staff, court officials and others subject to the judge's direction and control to observe the standards of fidelity and diligence that apply to the judge and to refrain from manifesting bias or prejudice in the performance of their official duties."

<sup>18</sup> Sec. 30.00017, Gov't Code.

<sup>19</sup> Sec. 30.00013(b), Gov't Code.

<sup>20</sup> Sec. 30.00010, Gov't Code.

<sup>21</sup> Sec. 30.00010, Gov't Code.

<sup>22</sup> Secs. 30.00014 & 30.00019, Gov't Code.

<sup>23</sup> Data taken from OCA's Municipal Courts Summary of Reported Activity.

Paul Isham is an attorney in Lago Vista. He works with TMCEC on special projects.

## Court of Record?

Please email [tmcec@tmcec.com](mailto:tmcec@tmcec.com) if your court has become a court of record (or is in the process) by ordinance pursuant to the provisions of Subchapter A in Chapter 30 of the Texas Government Code.

## GOVERNMENT CODE

## TITLE 2. JUDICIAL BRANCH

## SUBTITLE A. COURTS

## CHAPTER 30. MUNICIPAL COURTS OF RECORD

## SUBCHAPTER A. GENERAL LAW FOR MUNICIPAL COURTS OF RECORD

Sec. 30.00001. SHORT TITLE; APPLICATION. (a) This chapter may be cited as the Uniform Municipal Courts of Record Act.

(b) This subchapter applies to:

- (1) each municipality listed in this chapter; and
- (2) each other municipality in which the governing body of the municipality has created a municipal court of record as authorized by Section 30.00003.

(c) If a provision of this subchapter conflicts with a specific provision for a particular municipality, the specific provision controls.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.481 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999; Acts 2003, 78th Leg., ch. 1127, Sec. 1, eff. Sept. 1, 2003.

Sec. 30.00002. DEFINITIONS. In this subchapter:

(1) "Appellate court" means:

(A) the county criminal court, the county criminal court of appeals, or the municipal court of appeals; or

(B) the county court at law if there is no county criminal court, county criminal court of appeals, or municipal court of appeals.

(2) "Governing body" means the legislative body of a municipality, without regard to the name or title given to any particular body.

(3) "Municipality" means an incorporated city, town, or village.

(4) "Presiding judge" means the presiding municipal judge, chief judge, or administrative judge.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.482 by Acts 1997, 75th Leg., ch.

165, Sec. 8.02, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00003. CREATION OF MUNICIPAL COURTS OF RECORD. (a) The governing body may by ordinance create a municipal court of record if the governing body determines that the creation of the court is necessary to provide a more efficient disposition of the cases arising in the municipality.

(b) The ordinance may establish as many municipal courts of record as needed as determined by the governing body.

(c) Except as provided by Subsection (d), the ordinance shall give each court a numerical designation, beginning with "Municipal Court of Record No. 1."

(d) If a municipality has a unified court of record, that court shall be the "Municipal Court of Record in the City of (name of municipality)" and the municipality may establish by ordinance divisions, beginning with "Division No. 1."

(e) A municipal court of record may not exist concurrently with a municipal court that is not a municipal court of record in the municipality.

(f) A municipal court of record has no terms and may sit for any time for the transaction of business of the court.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.483 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00004. ABOLITION OF COURT. If the governing body of the city finds that a municipal court of record is unnecessary, the governing body shall by ordinance declare the office of the municipal judge vacant at the end of the term for which the judge was last selected. Any cases then pending shall be transferred to a court with proper jurisdiction of the offense.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.484 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.



Sec. 30.00005. JURISDICTION. (a) A municipal court of record has the jurisdiction provided by general law for municipal courts.

(b) The court has jurisdiction over criminal cases arising under ordinances authorized by Sections 215.072, 217.042, 341.903, and 551.002, Local Government Code.

(c) The governing body may by ordinance provide that the court has concurrent jurisdiction with a justice court in any precinct in which the municipality is located in criminal cases that arise within the territorial limits of the municipality and are punishable only by fine.

(d) The governing body of a municipality by ordinance may provide that the court has:

(1) civil jurisdiction for the purpose of enforcing municipal ordinances enacted under Subchapter A, Chapter 214, Local Government Code, or Subchapter E, Chapter 683, Transportation Code;

(2) concurrent jurisdiction with a district court or a county court at law under Subchapter B, Chapter 54, Local Government Code, within the municipality's territorial limits and property owned by the municipality located in the municipality's extraterritorial jurisdiction for the purpose of enforcing health and safety and nuisance abatement ordinances; and

(3) authority to issue:

(A) search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation; and

(B) seizure warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises.

(e) The court has concurrent jurisdiction with a district court and a justice court over expunction proceedings relating to the arrest of a person for an offense punishable by fine only.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.485 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 1093, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.77(1), eff. April 1, 2009.

Acts 2017, 85th Leg., R.S., Ch. 1149 (H.B. 557), Sec. 7, eff. September 1, 2017.

Sec. 30.00006. JUDGE. (a) A municipal court of record is presided over by one or more municipal judges.

(b) The governing body shall by ordinance appoint its municipal judges.

(c) A municipal judge must:

- (1) be a resident of this state;
- (2) be a citizen of the United States;
- (3) be a licensed attorney in good standing; and
- (4) have two or more years of experience in the practice of law in this state.

(d) The governing body shall provide by ordinance for the term of office of its municipal judges. The term must be for a definite term of two or four years.

(e) The municipal judge shall take judicial notice of state law and the ordinances and corporate limits of the municipality. The judge may grant writs of mandamus, attachment, and other writs necessary to the enforcement of the jurisdiction of the court and may issue writs of habeas corpus in cases in which the offense charged is within the jurisdiction of the court. A municipal judge is a magistrate and may issue administrative search warrants.

(f) The municipal judges within a municipality may exchange benches and act for each other in any proceeding pending in the courts. An act performed by any of the judges is binding on all parties to the proceeding.

(g) A person may not serve as a municipal judge if the person is employed by the same municipality. A municipal judge who accepts employment with the municipality vacates the judicial office.

(h) The governing body shall determine the salary of a municipal judge. The amount of a judge's salary may not be diminished during the judge's term of office. The salary may not be based directly or indirectly on fines, fees, or costs collected by the court.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.486 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00007. PRESIDING JUDGE. (a) If there is more than one municipal judge in the municipality, the governing body of the municipality shall appoint one of the judges as the presiding judge.

(b) The presiding judge shall:

(1) maintain a central docket for cases filed within the territorial limits of the municipality over which the municipal courts of record have jurisdiction;

(2) provide for the distribution of cases from the central docket to the individual municipal judges to equalize the distribution of business in the courts;

(3) request the jurors needed for cases that are set for trial by jury;

(4) temporarily assign judges or substitute judges to exchange benches and to act for each other in a proceeding pending in a court if necessary for the expeditious disposition of business in the courts;

(5) supervise and control the operation and clerical functions of the administrative department of each court, including the court's personnel, during the proceedings of the court; and

(6) establish a court security committee to adopt security policies and procedures for the courts served by the presiding judge that is composed of:

(A) the presiding judge, or the presiding judge's designee, who serves as presiding officer of the committee;

(B) a representative of the law enforcement agency or other entity that provides the primary security for the court;

(C) a representative of the municipality; and

(D) any other person the committee determines necessary to assist the committee.

(c) A court security committee may recommend to the governing body the uses of resources and expenditures of money for courthouse security, but may not direct the assignment of those resources or the expenditure of those funds.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.486 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Redesignated from Sec. 30.00006(d), (e) by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 190 (S.B. 42), Sec. 4, eff. September 1, 2017.

Sec. 30.00008. VACANCIES: TEMPORARY REPLACEMENT. (a) If a vacancy occurs in the office of municipal judge of a court of record, the governing



body shall by ordinance or charter provide for the appointment of a qualified person to fill the office for the remainder of the unexpired term.

(b) The governing body may appoint one or more qualified persons to be available to serve for a municipal judge who is temporarily absent due to illness, family death, continuing legal or judicial education programs, or any other reason. The presiding judge, or the municipal judge if there is no presiding judge, shall select one of the qualified persons appointed by the governing body to serve during the absence of a municipal judge. The substitute judge, while serving as a municipal judge, has all the powers and shall discharge all the duties of a municipal judge. A substitute judge must meet the qualifications prescribed for the municipal judge.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Amended by Acts 1989, 71st Leg., ch. 1248, Sec. 34, eff. Sept. 1, 1989.

Renumbered from Government Code Sec. 30.487 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00007 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.000085. REMOVAL OF JUDGE. A municipal judge of a general law municipality may be removed from office at any time for the reasons stated and by the procedure provided for the removal of members of a municipal governing body in Subchapter B, Chapter 21, Local Government Code. A municipal judge of a home-rule municipality may be removed from office by the governing body for the reasons stated and by the procedures provided for the removal of judges in the charter of the municipality or, if the charter does not provide for the removal of judges, as provided by Section 1-a, Article V, Texas Constitution, or by the procedure provided for the removal of members of a municipal governing body in Subchapter B, Chapter 21, Local Government Code.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Amended by Acts 2001, 77th Leg., ch. 402, Sec. 19, eff. Sept. 1, 2001.

Sec. 30.00009. CLERK; OTHER PERSONNEL. (a) The governing body shall by ordinance provide for the appointment of a clerk of the municipal courts of record. The municipal clerk shall keep the records of the municipal courts of record, issue process, and generally perform the duties that a clerk of a county court at law exercising criminal jurisdiction performs for that court. In addition, the clerk shall maintain an index of

all court judgments in the same manner as county clerks are required by law to prepare for criminal cases arising in county courts.

(b) The governing body may provide deputy clerks, warrant officers, and other personnel as needed for the proper operation of the courts.

(c) The clerk and other court personnel perform their duties under the direction and control of the presiding judge.

(d) The governing body shall by ordinance provide for the hiring, direction, supervision, and removal of the personnel authorized in the annual budget for the clerk's office.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.488 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00008 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00010. COURT REPORTER. (a) The municipality shall provide a court reporter to preserve a record in cases tried before a municipal court of record. The court reporter must meet the qualifications provided by law for official court reporters. The reporter shall be compensated by the municipality in the manner determined by the governing body.

(b) The court reporter may use written notes, transcribing equipment, video or audio recording equipment, or a combination of those methods to record the proceedings of the court. The reporter shall keep the record for the 20-day period beginning the day after the last day of the proceeding, trial, or denial of motion for new trial, or until any appeal is final, whichever occurs last.

(c) The court reporter is not required to record testimony in a case unless the judge or one of the parties requests a record.

(d) Instead of providing a court reporter, the governing body may provide that the proceedings may be recorded by a good quality electronic recording device. If the governing body authorizes the electronic recording, the court reporter is not required to be present to certify the reporter's record. The recording shall be kept for the 20-day period beginning the day after the last day of the court proceeding, trial, or denial of motion for new trial, whichever occurs last. If a case is appealed, the proceedings shall be transcribed from the recording by an official court reporter.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.489 by Acts 1997, 75th Leg., ch.

165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00009 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 37 (S.B. 1014), Sec. 1, eff. May 9, 2005.

Sec. 30.00011. PROSECUTIONS. All prosecutions in municipal courts of record shall be conducted as provided by Article 45.03, Code of Criminal Procedure.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987. Renumbered from Government Code Sec. 30.490 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00010 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00012. COURT FACILITIES. The governing body shall provide courtrooms, jury rooms, offices, office furniture, libraries, law books, and other facilities and supplies that the governing body determines are necessary for the proper operation of the municipal courts of record.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.000123. LOCATION OF COURT PROCEEDINGS AND TERMS AND SESSIONS OF COURT FOLLOWING CERTAIN DISASTERS. (a) Notwithstanding any other law, if a disaster, as defined by Section 418.004, precludes a municipal court of record from conducting its proceedings at the location assigned for the proceedings, the presiding judge of the administrative judicial region, with the approval of the judge of the affected municipal court of record, may designate for the proceedings an alternate location:

(1) in the corporate limits of the municipality; or

(2) outside the corporate limits of the municipality at the location the presiding judge determines is closest in proximity to the municipality that allows the court to safely and practicably conduct its proceedings, provided the presiding judge of the administrative judicial region for the designated location approves if that presiding judge is not the presiding judge making the designation.

(b) Notwithstanding any other law, if a disaster, as defined by Section 418.004, precludes a municipal court of record from holding its terms, the presiding judge of the administrative judicial region, with the approval of the judge of the affected municipal court of record, may designate the terms and sessions of court.

Added by Acts 2019, 86th Leg., R.S., Ch. 507 (S.B. 40), Sec. 14, eff. June 7, 2019.

Sec. 30.000125. SEAL. (a) The governing body shall provide each municipal court of record with a seal.

(b) The seal's appearance and use must substantially conform to Article 45.02, Code of Criminal Procedure, but must include the phrase "Municipal Court of/in \_\_\_\_\_, Texas."

Added by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.000126. COMPLAINT; PLEADING. Complaints and pleadings must substantially conform to the relevant provisions of Chapters 27 and 45, Code of Criminal Procedure.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00013. JURY. (a) Ordinances, rules, and procedures concerning a trial by a jury, including the summoning of jurors, must substantially conform to Chapter 45, Code of Criminal Procedure.

(b) The presiding judge, the municipal court clerk, or the court administrator, as determined by ordinance, shall supervise the selection of persons for jury service.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.492 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00012 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00014. APPEAL. (a) A defendant has the right of appeal from a judgment or conviction in a municipal court of record. The state has the right to appeal as provided by Article 44.01, Code of Criminal Procedure. The county criminal courts or county criminal courts of appeal in the county in which the municipality is located or the municipal courts of appeal have jurisdiction of appeals from a municipal court of record. If there is no county criminal court, county criminal court of appeal, or municipal court of appeal, the county courts at law have jurisdiction of an appeal. If a county does not have a county court at law under Chapter 25, the county court has jurisdiction of any appeal.

(b) The appellate court shall determine each appeal from a municipal court of record conviction and each appeal from the state on the basis of the errors that are set forth in the appellant's motion for new trial and that are presented in the clerk's record and reporter's record prepared from the proceedings leading to the conviction or appeal. An appeal from the municipal court of record may not be by trial de novo.

(c) To perfect an appeal, the appellant must file a written motion for new trial with the municipal clerk not later than the 10th day after the date on which judgment is rendered. The motion must set forth the points of error of which the appellant complains. The motion or an amended motion may be amended by leave of court at any time before action on the motion is taken, but not later than the 20th day after the date on which the original or amended motion is filed. The court may for good cause extend the time for filing or amending, but the extension may not exceed 90 days from the original filing deadline. If the court does not act on the motion before the expiration of the 30 days allowed for determination of the motion, the original or amended motion is overruled by operation of law.

(d) To perfect an appeal, the appellant must also give notice of the appeal. If the appellant requests a hearing on the motion for new trial, the appellant may give the notice of appeal orally in open court on the overruling of the motion. If there is no hearing, the appellant must give a written notice of appeal and must file the notice with the court not later than the 10th day after the date on which the motion is overruled. The court may for good cause extend that time period, but the extension may not exceed 90 days from the original filing deadline.

(e) If the defendant is in custody, the appeal is perfected when the notice of appeal is given as provided by Article 44.13, Code of Criminal Procedure.

(f) Repealed by Acts 2019, 86th Leg., R.S., Ch. 1352 (S.B. 346), Sec. 4.40(5), eff. January 1, 2020.

(g) The defendant shall pay the fee for an actual transcription of the proceedings.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.493 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00013 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 37 (S.B. 1014), Sec. 2, eff. May 9, 2005.

Acts 2017, 85th Leg., R.S., Ch. 380 (H.B. 4147), Sec. 1, eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 1352 (S.B. 346), Sec. 4.15, eff. January 1, 2020.

Acts 2019, 86th Leg., R.S., Ch. 1352 (S.B. 346), Sec. 4.40(5), eff. January 1, 2020.

Sec. 30.00015. APPEAL BOND. (a) If the defendant is not in custody, the defendant may not take an appeal until the defendant files an appeal bond with the municipal court of record. The bond must be approved by the court and must be filed not later than the 10th day after the date on which the motion for new trial is overruled. If the defendant is in custody, the defendant shall be committed to jail unless the defendant posts the appeal bond.

(b) The appeal bond must be in the amount of \$100 or double the amount of the fines and costs adjudged against the defendant, whichever is greater.

(c) The bond must:

(1) state that the defendant was convicted in the case and has appealed; and

(2) be conditioned on the defendant's immediate and daily personal appearance in the court to which the appeal is taken.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.494 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00014 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00016. RECORD ON APPEAL. The record on appeal must substantially conform to the provisions relating to the preparation of a record on appeal in the Texas Rules of Appellate Procedure and the Code of Criminal Procedure.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.495 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00015 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00017. CLERK'S RECORD. The clerk's record must substantially conform to the provisions relating to the preparation of a clerk's record

in the Texas Rules of Appellate Procedure and the Code of Criminal Procedure.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.496 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00016 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 37 (S.B. 1014), Sec. 3, eff. May 9, 2005.

Sec. 30.00018. **BILLS OF EXCEPTION.** Bills of exception must substantially conform to the provisions relating to the preparation of bills of exception in the Texas Rules of Appellate Procedure and the Code of Criminal Procedure.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.497 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00017 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00019. **REPORTER'S RECORD.** (a) A reporter's record included in the record on appeal must substantially conform to the provisions relating to the preparation of a reporter's record in the Texas Rules of Appellate Procedure and the Code of Criminal Procedure.

(b) The appellant shall pay for the reporter's record.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.498 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00018 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 37 (S.B. 1014), Sec. 4, eff. May 9, 2005.

Sec. 30.00020. **TRANSFER OF RECORD.** (a) Not later than the 60th day after the date on which the notice of appeal is given or filed, the parties must file with the municipal clerk:

(1) the reporter's record;

(2) a written description of material to be included in the clerk's record in addition to the required material; and

(3) any material to be included in the clerk's record that is not in the custody of the clerk.

(b) On completion of the record, the municipal judge shall approve the record in the manner provided for record completion, approval, and notification in the court of appeals.

(c) After the court approves the record, the clerk shall promptly send the record to the appellate court clerk for filing. The appellate court clerk shall notify the defendant and the prosecuting attorney that the record has been filed.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.499 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00019 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 37 (S.B. 1014), Sec. 5, eff. May 9, 2005.

Sec. 30.00021. BRIEF ON APPEAL. (a) An appellant's brief on appeal from a municipal court of record must present points of error in the manner required by law for a brief on appeal to the court of appeals.

(b) The appellant must file the brief with the appellate court clerk not later than the 15th day after the date on which the clerk's record and reporter's record are filed with that clerk. The appellant or the appellant's attorney must certify that the brief has been properly mailed to the appellee.

(c) The appellee must file the appellee's brief with the appellate court clerk not later than the 15th day after the date on which the appellant's brief is filed.

(d) Each party, on filing the party's brief with the appellate court clerk, shall deliver a copy of the brief to the opposing party and to the municipal judge.

(e) The record and the briefs on appeal shall be limited as far as possible to the questions relied on for reversal.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.500 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00020 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 37 (S.B. 1014), Sec. 6, eff. May 9, 2005.

Sec. 30.00022. NEW TRIAL. The trial court shall decide from the briefs of the parties whether the appellant should be permitted to withdraw



the notice of appeal and be granted a new trial by the court. The court may grant a new trial at any time before the record is filed with the appellate court.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00023. COURT RULES. (a) Except as modified by this subchapter, the Code of Criminal Procedure and the Texas Rules of Appellate Procedure govern the trial of cases before the municipal courts of record. The courts may make and enforce all rules of practice and procedure necessary to expedite the trial of cases before the courts that are not inconsistent with law.

(b) The appellate courts may make and enforce all rules of practice and procedure that are not inconsistent with law and that are necessary to expedite the dispatch of appeals from the municipal courts of record.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.501 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00021 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00024. DISPOSITION ON APPEAL. (a) According to the law and the nature of the case, the appellate court may:

- (1) affirm the judgment of the municipal court of record;
- (2) reverse and remand for a new trial;
- (3) reverse and dismiss the case; or
- (4) reform and correct the judgment.

(b) Unless the matter was made an issue in the trial court or it affirmatively appears to the contrary from the clerk's record or reporter's record, the appellate court shall presume that:

- (1) venue was proven in the trial court;
- (2) the jury, if any, was properly impaneled and sworn;
- (3) the defendant was arraigned and pleaded to the complaint; and
- (4) the municipal judge certified the charge before it was read to the jury.

(c) In each case decided by the appellate court, the court shall deliver a written opinion or order either sustaining or overruling each assignment of error presented. The court shall set forth the reasons for its decision. The appellate court clerk shall mail copies of the decision to the parties and to the municipal judge as soon as the decision is rendered.

(d) The appellate court may determine the rules for oral argument. The parties may submit the case on the record and briefs without oral argument.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.  
Renumbered from Government Code Sec. 30.502 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00022 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.  
Amended by:

Acts 2005, 79th Leg., Ch. 37 (S.B. 1014), Sec. 7, eff. May 9, 2005.

Sec. 30.00025. CERTIFICATE OF APPELLATE PROCEEDINGS. (a) When the judgment of the appellate court becomes final, the clerk of that court shall certify the proceedings and the judgment and shall mail the certificate to the municipal clerk. The municipal clerk shall file the certificate with the papers in the case and note the certificate on the case docket.

(b) If the municipal court of record judgment is affirmed, to enforce the judgment the court may:

- (1) forfeit the bond of the defendant;
- (2) issue a writ of capias for the defendant;
- (3) issue an execution against the defendant's property;
- (4) order a refund for the defendant's costs; or
- (5) conduct an indigency hearing at the court's discretion.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.  
Renumbered from Government Code Sec. 30.503 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00023 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00026. EFFECT OF ORDER OF NEW TRIAL. If the appellate court awards a new trial to the appellant, the case stands as if a new trial had been granted by the municipal court of record.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.  
Renumbered from Government Code Sec. 30.504 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00024 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Sec. 30.00027. APPEALS TO COURT OF APPEALS. (a) The appellant has the right to appeal to the court of appeals if:

(1) the fine assessed against the defendant exceeds \$100 and the judgment is affirmed by the appellate court; or

(2) the sole issue is the constitutionality of the statute or ordinance on which a conviction is based.

(b) The provisions of the Code of Criminal Procedure relating to direct appeals from a county or a district court to the court of appeals apply to the appeal, except that:

(1) the record and briefs on appeal in the appellate court constitute the record and briefs on appeal to the court of appeals unless the rules of the court of criminal appeals provide otherwise; and

(2) the record and briefs shall be filed directly with the court of appeals.

Added by Acts 1987, 70th Leg., ch. 811, Sec. 1, eff. Aug. 31, 1987.

Renumbered from Government Code Sec. 30.505 by Acts 1997, 75th Leg., ch. 165, Sec. 8.02, eff. Sept. 1, 1997. Renumbered from Sec. 30.00025 and amended by Acts 1999, 76th Leg., ch. 691, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1324 (S.B. 480), Sec. 4, eff. June 17, 2011.

#### SUBCHAPTER B. LUBBOCK

Sec. 30.00041. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Lubbock.

(b) In this subchapter, "appellate courts" means the county courts at law of Lubbock County that have criminal appellate jurisdiction.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code Sec. 30.001 by Acts 1997, 75th Leg., ch. 165, Sec. 8.03, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 2, eff. Sept. 1, 1999.

Sec. 30.00044. JUDGE. (a) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(1), eff. Sept. 1, 1999.

(b) A municipal judge is elected by the qualified voters of the city for a term of four years.

(c) A municipal judge must be a licensed attorney in good standing, must have practiced law in this state for five years, and must be a citizen of the United States and of this state. The judge must satisfy the residency requirements pertaining to a member of the city council. A

person may not serve as a municipal judge while the person holds other office or employment with the city government. A municipal judge who takes such an office or employment vacates the judicial office.

(d) to (i) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(1), eff. Sept. 1, 1999.

(j) A municipal judge shall comply with the financial statement requirements under Chapter 572.

(k) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(1), eff. Sept. 1, 1999.

(l) Sections 30.00007(b)(5) and 30.00009(c) and (d) do not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1989, 71st Leg., ch. 1248, Sec. 27, eff. Sept. 1, 1989; Acts 1995, 74th Leg., ch. 76, Sec. 5.95(40), eff. Sept. 1, 1995. Renumbered from Government Code Sec. 30.004 by Acts 1997, 75th Leg., ch. 165, Sec. 8.03, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 3, 139(1), eff. Sept. 1, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. 891), Sec. 3.01(a), eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 872 (H.B. 3014), Sec. 1, eff. September 1, 2019.

Sec. 30.00046. COURT REPORTER. (a) , (b) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(1), eff. Sept. 1, 1999.

(c) Section 30.00010(d) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code Sec. 30.006 by Acts 1997, 75th Leg., ch. 165, Sec. 8.03, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 4, 139(1), eff. Sept. 1, 1999.

Sec. 30.00049. COMPLAINT; PROSECUTION; PLEADING. (a) A proceeding in a municipal court of record commences with a complaint. The complaint must begin "In the name and by the authority of the State of Texas" and must conclude "Against the peace and dignity of the State." If the offense is only covered by an ordinance, it may also conclude "Contrary to the said ordinance."

(b) A complaint before the court may be sworn to before an officer authorized to administer oaths or before the municipal judge, clerk, city

secretary, or city attorney, or the assistant or deputy of the judge, clerk, city secretary, or city attorney, each of whom may administer oaths for that purpose.

(c) A complaint must be in writing and must state:

(1) the name of the accused, if known;

(2) an accurate description of the accused, if the name is unknown;

(3) in plain and intelligible words, the offense with which the accused is charged;

(4) the place where the offense was committed, which must appear to be within the jurisdiction of the court; and

(5) the date on which the offense was committed, which must show that the offense is not barred by limitations.

(d) A prosecution in a court shall be conducted by the city attorney or an assistant or deputy city attorney.

(e) All pleadings must be in writing and must be filed with the clerk.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code Sec. 30.009 by Acts 1997, 75th Leg., ch. 165, Sec. 8.03, eff. Sept. 1, 1997.

#### SUBCHAPTER C. IRVING

Sec. 30.00081. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Irving.

(b) In this subchapter, "appellate courts" means the county criminal courts of Dallas County that have criminal appellate jurisdiction.

Added by Acts 1995, 74th Leg., ch. 477, Sec. 1, eff. June 12, 1995. Renumbered from Government Code, Sec. 30.0241 by Acts 1997, 75th Leg., ch. 165, Sec. 8.05, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 5, eff. Sept. 1, 1999.

Sec. 30.00084. JUDGE. (a) to (g) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(2), eff. Sept. 1, 1999.

(h) In addition to exercising powers under Section [30.00006](#), a municipal judge, with the approval of all parties, may order a defendant and the victim or complainant in a case before the municipal court to engage in mediation or alternative dispute resolution. The city shall provide mediation services and pay all costs of those services.

(i) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(2), eff. Sept. 1, 1999.

(j) Sections 30.00007(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 477, Sec. 1, eff. June 12, 1995.

Renumbered from Government Code, Sec. 30.0244 by Acts 1997, 75th Leg., ch. 165, Sec. 8.05, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 6, 139(2), eff. Sept. 1, 1999.

Sec. 30.00085. CLERK; OTHER PERSONNEL. (a) The city manager of the city may appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 477, Sec. 1, eff. June 12, 1995.

Renumbered from Government Code, Sec. 30.0245 by Acts 1997, 75th Leg., ch. 165, Sec. 8.05, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 7, eff. Sept. 1, 1999.

Sec. 30.00086. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(2), eff. Sept. 1, 1999.

Added by Acts 1995, 74th Leg., ch. 477, Sec. 1, eff. June 12, 1995.

Renumbered from Government Code, Sec. 30.0246 by Acts 1997, 75th Leg., ch. 165, Sec. 8.05, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 8, 139(2), eff. Sept. 1, 1999.

#### SUBCHAPTER D. EL PASO

Sec. 30.00121. SHORT TITLE; APPLICATION. (a) This subchapter may be cited as the El Paso Courts Act.

(b) This subchapter applies to the City of El Paso.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.031 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Sec. 30.00122. DEFINITION. In this subchapter, "appellate court" means the El Paso Municipal Court of Appeals.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.032 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Sec. 30.00123. MARRIAGE CEREMONIES. The judge of the appellate court and each municipal judge may conduct marriage ceremonies in the city.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.033 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Sec. 30.00128. JUDGE. (a) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(3), eff. Sept. 1, 1999.

(b) A municipal judge is elected by the qualified voters of the city for a term of two years unless the city by charter amendment provides for a four-year term as provided by Article XI, Section 11, of the Texas Constitution.

(c), (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(3), eff. Sept. 1, 1999.

(e) The municipal judges shall select by a majority vote of those judges a presiding judge of the municipal courts of record.

(f) The presiding municipal judge may, when necessary for the expeditious disposition of the business of the courts and with the approval of the governing body of the city, divide a municipal court of record into one or more divisions. A division is presided over by an associate municipal judge. A division has concurrent jurisdiction with the other divisions and municipal courts of record. Divisions of the courts may be in concurrent and continuous session, either day or night, at the discretion of the presiding judge. The presiding judge may assign and transfer any case pending in any of the courts or divisions to any other of the courts or divisions. The presiding judge may direct the manner in which cases are filed and docketed. He may assign a case or proceeding pending in any of the courts to the judge of another court or division. He may assign the judge of any of the courts or divisions to try a case or hear a proceeding pending in another court or division.

(g) In addition to complying with Section 30.00006(h), the salary of the presiding judge must be set at an amount that is at least 20 percent more than the salary of the regular municipal judges.

(h) to (k) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(3), eff. Sept. 1, 1999.

(l) Section 30.00007(b) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.038 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 9, 139(3), eff. Sept. 1, 1999.

Sec. 30.00129. COURT CLERK; OTHER PERSONNEL. In addition to satisfying the requirements of Section 30.00009, the governing body of the city shall provide a clerk of the municipal courts of record, deputy clerks, and other municipal court personnel, including at least one bailiff for each court, as necessary for the proper operation of the municipal courts.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.039 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 10, eff. Sept. 1, 1999.

Sec. 30.00130. COURT REPORTER; USE OF CLERK'S RECORDS. (a) To preserve a record in cases tried before the municipal courts of record, the city shall provide a court reporter. The governing body of the city shall determine the qualifications and compensation of the court reporter.

(b) The court reporter may preserve the record of proceedings by written notes, transcribing equipment, recording equipment, or any combination of those methods. The court reporter is not required to take or record testimony in a case in which neither the defendant, the prosecutor, nor the judge demands it.

(c) Testimony, exhibits, and evidence given by a witness in a proceeding in a municipal court of record are solely for the purposes of that proceeding or an appeal from that proceeding, and in any civil proceeding, evidence relating to the testimony, exhibits, evidence, or reproductions of testimony, exhibits, or evidence is privileged and not admissible except for impeachment purposes.

(d) Repealed by Acts 2003, 78th Leg., ch. 1263, Sec. 1.



Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.040 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 11, eff. Sept. 1, 1999; Acts 2003, 78th Leg., ch. 1263, Sec. 1, eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 37 (S.B. 1014), Sec. 8, eff. May 9, 2005.

Sec. 30.00136. CONTINUATION OF MUNICIPAL COURT OF APPEALS. (a) The El Paso Municipal Court of Appeals continues in existence as long as a municipal court of record exists in the city.

(b) If the municipal court of record ordinance is repealed, the appellate court continues in existence as long as there are appeals before it. A reversal and remand for new trial or other order returning a case to the trial court shall be to the municipal court that replaces the municipal courts of record.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.046 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Sec. 30.00137. APPELLATE COURT JURISDICTION. (a) The appellate court has exclusive jurisdiction over all appeals from the municipal courts of record of the city. The county courts at law of El Paso County have no jurisdiction over appeals from municipal courts.

(b) The appellate court and the judge of that court have the power in criminal law matters to issue to the municipal courts and judges of those courts the writs of mandamus, procedendo, prohibition, injunction, and other writs necessary to protect the appellate court's jurisdiction or enforce its judgments.

(c) The appellate court has the power on affidavit or otherwise to ascertain matters of fact necessary to the exercise of its jurisdiction.

(d) The judge of the appellate court is a magistrate within the meaning of the Code of Criminal Procedure, 1965.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.047 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Sec. 30.00138. TERM OF COURT. The appellate court may sit for the transaction of business at any time during the year, and each term begins and ends with the calendar year. The appellate court may use the city council chambers or other appropriate location as its courtroom for argument of cases and other court matters.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.048 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Sec. 30.00139. APPELLATE COURT CLERK. In addition to other duties, the city clerk serves as the appellate court clerk.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.049 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Sec. 30.00140. APPELLATE COURT JUDGE. (a) The appellate judge shall be elected by the qualified voters of the city for a term of two years, unless the city by charter amendment provides for a four-year term as provided by Article XI, Section 11, of the Texas Constitution. The appellate judge must be a citizen of the United States and of this state and must have been a practicing attorney of this state for at least five years immediately preceding his election or appointment.

(b) A vacancy in the appellate court shall be filled by appointment by the governing body of the city. The appointee serves until the next regular municipal election, and at that election the vacancy for the unexpired or full term shall be filled by election by the qualified voters of the city.

(c) The appellate judge shall take the oath of office required for a municipal judge.

(d) An appointed or elected appellate judge may not be removed from office except in the same manner and for the same causes as provided by law for county judges and as provided by Article V, Section 1-a, of the Texas Constitution.

(e) The appellate judge is entitled to compensation from the city as set by the governing body of the city. The judge's compensation may not be diminished but may be increased during his term of office.

(f) The city shall provide the appellate court with necessary clerical help. The appellate judge and the city may agree that the judge

will provide for his own clerical help, and in that event the judge is entitled to additional reasonable compensation by agreement with the city.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.050 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Sec. 30.00141. APPELLATE COURT SEAL. The seal of the appellate court is the same as that provided by law for municipal courts of record, except that the seal must contain the words "Municipal Court of Appeals of the City of El Paso," and the seal shall be judicially noticed.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.051 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Sec. 30.00142. SPECIAL APPELLATE JUDGE. (a) If the appellate judge is unable to act, the governing body of the city may appoint a person, or the appellant and the city attorney in a particular case may agree on a person, to serve as the special appellate judge. The special appellate judge has the powers and duties of the office and is entitled to receive the same compensation as the regular appellate judge for serving as a special appellate judge.

(b) A municipal judge or associate municipal judge may not be appointed or selected as a special appellate judge.

(c) Except as provided by Subsection (d), an appointment of a special appellate judge automatically terminates when the regular appellate judge returns to duty.

(d) If an appellate judge is disqualified from hearing a particular case, the governing body of the city may appoint a person, or the appellant and the city attorney may agree on a person, to serve as the special appellate judge. A special appellate judge appointed or selected under this subsection is entitled to receive the same daily compensation as the regular appellate judge for each day he works on the case he was appointed or selected to hear. An appointment automatically terminates at the time the mandate or mandates issue in the case he was appointed to hear.

(e) A special appellate judge must have the qualifications required of the regular appellate judge and shall, before he begins serving as a special appellate judge, take the oath of office required for a municipal judge.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.052 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Sec. 30.00143. RULES. The appellate judge may make and publish rules of appellate criminal procedure not inconsistent with this subchapter or other law.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.053 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Sec. 30.00144. NEW TRIAL. (a) A motion for new trial is not necessary to authorize an appeal.

(b) If a motion for new trial is made, it must be filed not later than the 10th day after the date of the rendition of the judgment of conviction.

(c) One or more amended motions for new trial may be filed without leave of court before any preceding motion for new trial filed by the movant is overruled if the motion is filed not later than 15 days after the date of the rendition of the judgment of conviction.

(d) If an original or amended motion for new trial is not determined by written order signed not later than 30 days after the date of the rendition of the judgment of conviction, the motion is overruled by operation of law.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.054 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 12, eff. Sept. 1, 1999.

Sec. 30.00145. RIGHT OF APPEAL. (a) A defendant has the right of appeal from a judgment of conviction in the municipal court of record under the rules prescribed by this subchapter. The state has the right of appeal as provided by Article [44.01](#), Code of Criminal Procedure. The El Paso Municipal Court of Appeals has jurisdiction over appeals from the municipal courts of record, and all appeals from convictions in the municipal court of record must be prosecuted in the appellate court, the court of appeals, or the court of criminal appeals by the city attorney or an assistant city attorney.

(b) Section 30.00014 does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.055 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 13, eff. Sept. 1, 1999.

Sec. 30.00146. NO DE NOVO APPEALS. An appeal from the municipal court of record may not be taken to a trial de novo in the appellate court.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.056 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Sec. 30.00147. PERFECTING APPEAL. (a) A defendant, as a condition of perfecting an appeal to the appellate court, must file an appeal bond, unless the defendant is in custody. An appeal may be perfected by timely filing with the municipal court clerk an appeal bond that meets the requirements of Subchapter A. It is not necessary to file a notice of appeal. If the defendant is in custody, the appeal is perfected when notice of appeal is given as provided by Article 44.13, Code of Criminal Procedure.

(b) Repealed by Acts 2019, 86th Leg., R.S., Ch. 1352 (S.B. 346), Sec. 4.40(6), eff. January 1, 2020.

(c) The appeal bond must be filed not later than the 10th day after overruling of the motion or amended motion for new trial, or if there is no motion or amended motion for new trial, not later than the 10th day after the rendition of the judgment of conviction.

(d) For good cause shown, not later than the 100th day after the date of rendition of the judgment of conviction, the appellate court or the court of appeals may permit the filing of an appeal bond or the giving of notice of appeal in the municipal court of record even though the time limits set under this section have expired.

(e) Except for the limitation contained in Subsection (d), the appellate court may, for good cause shown, extend any time limits set in this subchapter for the appellate process.

(f) In a case in which an appellant or the prosecutor files a motion in the appellate court, the opposite party shall be given an opportunity to answer the motion under time limits and conditions set by the appellate court rules.

(g) Repealed by Acts 2019, 86th Leg., R.S., Ch. 1352 (S.B. 346), Sec. 4.40(6), eff. January 1, 2020.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.057 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 14, eff. Sept. 1, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1352 (S.B. 346), Sec. 4.40(6), eff. January 1, 2020.

Sec. 30.00162. DISPOSITION ON APPEAL; PRESUMPTIONS; DECISION. (a) The appellate court may:

- (1) affirm the judgment of the municipal court of record;
- (2) reverse and remand for a new trial;
- (3) reverse and dismiss the case;
- (4) reform and correct the judgment;
- (5) abate the appeal or dismiss the appeal; or
- (6) enter any other appropriate order, as the law and the nature of the case require.

(b) Unless the following matters were made an issue in the trial court or it affirmatively appears to the contrary from the clerk's record or reporter's record, the appellate court shall presume that:

- (1) venue was proven in the court below;
- (2) the jury was properly impaneled and sworn;
- (3) the defendant was arraigned;
- (4) the defendant pleaded to the complaint; and
- (5) the court's charge was certified by the municipal court judge before it was read to the jury.

(c) In each case decided by the appellate court, the court shall deliver a written opinion or order either sustaining or overruling each assignment of error presented and a judgment shall be entered on the opinion or order. If an assignment of error is overruled, no reason need be given by the appellate court, but cases relied on by the court may be cited. If an assignment of error is sustained, the appellate court shall set forth the reasons for the decision and precedent if it exists. The appellate court clerk shall mail copies of the decision and judgment of the appellate court to the parties and to the municipal court clerk as soon as the decision is rendered by the appellate court.

(d) After the decision of the appellate court is delivered, a party desiring a rehearing must present, not later than the 10th day after the date the decision is delivered, to the court a motion for rehearing. The motion must distinctly specify the grounds relied on for rehearing and must be accompanied by written argument in behalf of the motion. Oral argument in support of the motion is not permitted. A reply to a motion for rehearing need not be filed unless requested by the court. If a motion for rehearing is granted, the court may make final disposition of the case without reargument, may order the case resubmitted, with or without oral argument, or may issue other orders appropriate under the circumstances of the particular case. A second motion for rehearing may not be filed by the losing party unless permitted by appellate court rules.

(e) Immediately after a decision of the appellate court becomes final, the clerk of that court shall issue a mandate and a bill of costs in the case to the trial court unless directed to withhold the mandate by the appellate court.

(f) If a decision of the appellate court is appealed to a court of appeals, the appellate court on receipt of the mandate or other order from the court of appeals shall immediately comply with the order or mandate by issuing its own order or mandate and bill of costs, as the case may be. When a decision of a court of appeals becomes final, the clerk of that court shall issue a mandate in the case to the appellate court. A decision of a court of appeals is final as provided by Article 42.045, Code of Criminal Procedure, 1965.

(g) Original papers transmitted as the record on appeal to the court of appeals, on final disposition of the case in the court of appeals or the court of criminal appeals, shall be returned to the court clerk from which they were received. The clerk of each court shall preserve copies of briefs and papers originally filed in that court.

(h) The municipal court clerk and the appellate court clerk shall keep a copy of each decision of the appellate court in a volume or volumes with an index so that the public can inspect the decisions of the appellate court without the necessity of inspecting individual records of each case.

(i) When the mandate of the appellate court is received by the municipal court clerk, the clerk shall file it with the papers in the case and note it on the docket. If the judgment has been affirmed or the appeal is dismissed, a proceeding is not necessary after filing the appellate court mandate in the municipal court of record to enforce the judgment of the court, except to forfeit the bond of the defendant, to issue a capias

for the defendant, or to issue an execution against the defendant's property.

(j) If the appellate court awards a new trial to the defendant, the cause stands as if a new trial had been granted by the municipal court of record, and the defendant shall continue on his appeal bond and shall appear for trial on notification mailed to his address on the appeal bond.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 167, Sec. 5.02(3), eff. Sept. 1, 1987. Renumbered from Government Code, Sec. 30.072 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.

Amended by:

Acts 2005, 79th Leg., Ch. 37 (S.B. 1014), Sec. 9, eff. May 9, 2005.

Sec. 30.00164. ALTERNATE APPELLATE PROCEDURE. (a) If the El Paso Municipal Court of Appeals created by this subchapter is held unconstitutional or invalid, all appeals under this subchapter shall be considered as taken to the county courts at law of El Paso County. Those appeals shall be docketed as provided by county court at law rules. The county courts at law of El Paso County have jurisdiction over those appeals and this subchapter applies to those appeals. One county court at law of El Paso County shall act as the appellate court. That court shall be designated from time to time as the appellate court by the majority vote of the judges of the county courts at law of El Paso County. All appeals pending in the appellate court on the date that any decision becomes final holding the municipal court of appeals unconstitutional or invalid shall be transferred by the appellate court to the county courts at law of El Paso County, and all decisions of the appellate court that have become final on or before that date are valid.

(b) If appeals are taken to the county courts at law of El Paso County under Subsection (a), a reference to "appellate court" in this subchapter means the county court at law of El Paso County that is designated as the appellate court under this section, except that a provision of this subchapter that is inconsistent with the laws, statutes, and rules applicable to creation and organization of the county courts at law of El Paso County will not apply, and an appeal is not tried de novo in the county court at law.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.074 by Acts 1997, 75th Leg., ch. 165, Sec. 8.06, eff. Sept. 1, 1997.



## SUBCHAPTER E. KENNEDALE

Sec. 30.00181. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Kennedale.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 1995, 74th Leg., ch. 180, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.0761 by Acts 1997, 75th Leg., ch. 165, Sec. 8.07, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 15, eff. Sept. 1, 1999.

Sec. 30.00184. JUDGE. (a) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(4), eff. Sept. 1, 1999.

(k) Sections [30.00007](#) (b) (1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 180, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.0764 by Acts 1997, 75th Leg., ch. 165, Sec. 8.07, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 16, 139(4), eff. Sept. 1, 1999.

Sec. 30.001845. MAGISTRATES. (a) The governing body may appoint one or more magistrates in addition to magistrates provided under Article [2.09](#), Code of Criminal Procedure.

(b) A magistrate does not have to possess all the qualifications necessary to be a municipal court of record judge.

(c) A magistrate may not preside over the court or hear contested cases.

(d) A magistrate may:

- (1) conduct an arraignment;
- (2) hold an indigency hearing;
- (3) accept a plea;
- (4) sign a judgment;
- (5) set the amount of a bond; and
- (6) perform other functions under Article [15.17](#), Code of Criminal Procedure.

Added by Acts 2005, 79th Leg., Ch. 569 (H.B. [1394](#)), Sec. 1, eff. June 17, 2005.

Sec. 30.00185. CLERK; OTHER PERSONNEL. (a) The city manager or city administrator of the city shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 180, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.0765 by Acts 1997, 75th Leg., ch. 165, Sec. 8.07, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 17, eff. Sept. 1, 1999.

Sec. 30.00186. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(4), eff. Sept. 1, 1999.

Added by Acts 1995, 74th Leg., ch. 180, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.0766 by Acts 1997, 75th Leg., ch. 165, Sec. 8.07, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 18, 139(4), eff. Sept. 1, 1999.

#### SUBCHAPTER F. SAN ANTONIO

Sec. 30.00221. APPLICATION; DEFINITION. (a) This subchapter applies to the City of San Antonio.

(b) In this subchapter, "appellate courts" means the county courts at law of Bexar County that have criminal appellate jurisdiction.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.081 by Acts 1997, 75th Leg., ch. 165, Sec. 8.08, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 19, eff. Sept. 1, 1999.

Sec. 30.00224. JUDGE. (a) , (b) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(5), eff. Sept. 1, 1999.

(c) In addition to satisfying the requirements of Section 30.00006(c), a municipal judge must have been a resident of the city for at least three years immediately preceding the judge's appointment.

(d) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(5), eff. Sept. 1, 1999.

(k) Section 30.00007(b)(5) does not apply to this subchapter.

(l) In addition to the duties imposed under Sections 30.00007(b)(1)-(4), the presiding judge shall promulgate work rules for the administration of the municipal courts.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 148, Sec. 2.37(a), eff. Sept. 1, 1987; Acts 1989, 71st Leg., ch. 1248, Sec. 28, eff. Sept. 1, 1989. Renumbered from Government Code, Sec. 30.084 by Acts 1997, 75th Leg., ch. 165, Sec. 8.08, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 691, Sec. 20, 139(5), eff. Sept. 1, 1999.

Sec. 30.00225. CLERK; OTHER PERSONNEL. (a) , (b) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(5), eff. Sept. 1, 1999.

(c) Sections 30.00009(c) and (d) do not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 148, Sec. 2.38(a), eff. Sept. 1, 1987. Renumbered from Government Code, Sec. 30.085 by Acts 1997, 75th Leg., ch. 165, Sec. 8.08, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 21, eff. Sept. 1, 1999.

Sec. 30.00226. COURT REPORTER. (a) The city shall provide a court reporter for the purpose of preserving a record in cases tried before the municipal court of record. The person selected as court reporter must meet the qualifications provided by law for official court reporters. The chief administrative officer of the city shall set the compensation of the court reporter on the recommendation of the presiding municipal judge.

(b) The court reporter may preserve the record through written notes, transcribing equipment, recording equipment, or any combination of those methods. The reporter is not required to record testimony in a case in which neither the defendant, the prosecutor, nor the judge demands it.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.086 by Acts 1997, 75th Leg., ch. 165, Sec. 8.08, eff. Sept. 1, 1997.

Sec. 30.00229. COMPLAINT; PROSECUTION; PLEADING. (a) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(5), eff. Sept. 1, 1999.

(e) All pleadings in a municipal court of record must be in writing and must be filed with the clerk.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.089 by Acts 1997, 75th Leg., ch. 165, Sec. 8.08, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 139(5), eff. Sept. 1, 1999.

#### SUBCHAPTER G. MANSFIELD

Sec. 30.00261. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Mansfield.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 1995, 74th Leg., ch. 182, Sec. 1, eff. May 23, 1995. Renumbered from Government Code, Sec. 30.1041 by Acts 1997, 75th Leg., ch. 165, Sec. 8.09, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 22, eff. Sept. 1, 1999.

Sec. 30.00264. JUDGE. (a) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(6), eff. Sept. 1, 1999.

(k) Sections [30.00007](#) (b) (1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 182, Sec. 1, eff. May 23, 1995. Renumbered from Government Code, Sec. 30.1044 by Acts 1997, 75th Leg., ch. 165, Sec. 8.09, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 23, 139(6), eff. Sept. 1, 1999.

Sec. 30.00265. MAGISTRATES. (a) The governing body may appoint one or more magistrates.

(b) A magistrate does not have to possess all the qualifications necessary to be a municipal court of record judge.

(c) A magistrate may not preside over the court or hear contested cases.

(d) A magistrate may:

- (1) conduct an arraignment;
- (2) hold an indigency hearing;
- (3) accept a plea;
- (4) sign a judgment;

(5) set the amount of a bond; and

(6) perform other functions under Article 15.17, Code of Criminal Procedure.

Added by Acts 1995, 74th Leg., ch. 182, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.1045 by Acts 1997, 75th Leg., ch. 165, Sec. 8.09, eff. Sept. 1, 1997.

Sec. 30.00266. CLERK; OTHER PERSONNEL. (a) The city manager of the city shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 182, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.1046 by Acts 1997, 75th Leg., ch. 165, Sec. 8.09, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 24, eff. Sept. 1, 1999.

Sec. 30.00267. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(6), eff. Sept. 1, 1999.

Added by Acts 1995, 74th Leg., ch. 182, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.1047 by Acts 1997, 75th Leg., ch. 165, Sec. 8.09, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 25, 139(6), eff. Sept. 1, 1999.

#### SUBCHAPTER H. WICHITA FALLS

Sec. 30.00301. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Wichita Falls.

(b) In this subchapter, "appellate courts" means the county courts at law of Wichita County that have criminal appellate jurisdiction.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.111 by Acts 1997, 75th Leg., ch. 165, Sec. 8.10, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 26, eff. Sept. 1, 1999.

Sec. 30.00304. JUDGE. (a) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(7), eff. Sept. 1, 1999.

(b) In addition to satisfying the requirements of Section 30.00006(c), a municipal judge must maintain residence in the city during the tenure of office but need not be a resident of the city at the time of the appointment. The judge may not engage in the private practice of law while in office. The judge must execute a bond and take the oath of office required of a county judge.

(c) to (h) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(7), eff. Sept. 1, 1999.

(i) Sections 30.00007(a) and (b)(5) do not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.114 by Acts 1997, 75th Leg., ch. 165, Sec. 8.10, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 27, 139(7), eff. Sept. 1, 1999.

Sec. 30.00305. CLERK. (a) The city manager shall appoint a clerk of the municipal courts of record. The clerk holds office at the pleasure of the city manager and is subject to all city charter provisions, ordinances, and personnel policies relating to non-civil service city employees.

(b) Section 30.00009(c) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 83, Sec. 1, eff. Aug. 31, 1987. Renumbered from Government Code, Sec. 30.115 by Acts 1997, 75th Leg., ch. 165, Sec. 8.10, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 691, Sec. 28, eff. Sept. 1, 1999.

Sec. 30.00306. COURT REPORTER. (a) The city manager shall appoint an official court reporter under Section 30.00010 for the purpose of preserving a record in cases tried before the municipal courts of record. The reporter holds office at the pleasure of the city manager. The city manager may appoint more than one reporter for each court if necessary to dispose of the business of the court without delay. If a reporter is not demanded, a reporter's record may be prepared from mechanical, audio, or video recordings of the proceedings.

(b) Section 30.00010(d) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 83, Sec. 2, eff. Aug. 31, 1987. Renumbered from Government Code, Sec. 30.116 by Acts 1997, 75th Leg., ch. 165, Sec. 8.10, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 691, Sec. 29, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 37 (S.B. 1014), Sec. 10, eff. May 9, 2005.

Sec. 30.00308. CIVIL SERVICE ORDINANCE; VACATION OF COURT. (a) The judges, clerk and deputy clerks, and court reporters of the municipal courts are not classified employees under the city civil service ordinance. The governing body of the city may provide by ordinance that all other employees of the courts may be hired and paid as classified employees under the city civil service ordinance. The judges, clerk and deputy clerks, and court reporters are entitled to receive the same vacation, sick leave, and other benefits that are provided for other nonclassified employees under regulations provided by the governing body by ordinance and may be authorized or required by the governing body to participate in the city retirement program.

(b) If after the establishment of a municipal court of record the governing body finds by ordinance that the condition of the dockets of the other courts of the county does not require the existence of the court to dispose properly of the cases arising in the city, the governing body shall declare the offices of the municipal judge, clerk, court reporter, and other employees of the court to be vacated at the end of the term for which the judge was last appointed. Any case then pending shall be transferred to a court with proper jurisdiction of the offense.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.118 by Acts 1997, 75th Leg., ch. 165, Sec. 8.10, eff. Sept. 1, 1997.

Sec. 30.00310. FILING OF ORIGINAL PAPERS.

Text of section as amended by Acts 1989, 71st Leg., ch. 1020, Sec. 3

The clerk of the municipal courts of record shall file the original papers and proceedings in each case under the direction of the presiding judge. Instead of filing the original papers, papers may be preserved by microfilm or other process that correctly and legibly reproduces or that

forms a medium for copying or reproducing. The filed or preserved papers constitute the records of the courts and a separate record book is not required. Preserved records are admissible in evidence in civil cases as provided by the Texas Rules of Evidence relating to the admissibility of contents of writing, recordings, and photographs. Records, however maintained, shall be destroyed by the court clerk after five years after final disposition of the case. Records, however maintained, relating to parking offenses shall be destroyed by the court clerk after two years after final disposition of the case.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1989, 71st Leg., ch. 1020, Sec. 3, eff. Sept. 1, 1989; renumbered from Government Code, Sec. 30.120 by Acts 1997, 75th Leg., ch. 165, Sec. 8.10, eff. Sept. 1, 1997.

Sec. 30.00310. FILING OF ORIGINAL PAPERS.

Text of section as amended by Acts 1989, 71st Leg., ch. 1248, Sec. 29

(a) The clerk of the municipal courts of record shall file the original complaint and the original of other papers and proceedings in each case under the direction of the presiding judge. The filed original papers constitute the records of the courts and a separate record book is not required.

(b) The clerk shall keep a separate folder for each case, and shall note on the outside of the folder:

- (1) the style of the case;
- (2) the nature of the charged offense;
- (3) the dates that the warrant was issued and returned;
- (4) the date the examination or trial was held;
- (5) whether trial was held by jury or before a judge;
- (6) trial settings;
- (7) any verdict of the jury;
- (8) any judgment of the court;
- (9) any motion for a new trial and the decision on the motion;
- (10) whether an appeal was taken; and
- (11) the date and the manner in which the judgment and sentence were enforced.



Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1989, 71st Leg., ch. 1248, Sec. 29, eff. Sept. 1, 1989. Renumbered from Government Code, Sec. 30.120 by Acts 1997, 75th Leg., ch. 165, Sec. 8.10, eff. Sept. 1, 1997.

#### SUBCHAPTER I. BURLESON

Sec. 30.00341. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Burleson.

(b) In this subchapter, "appellate courts" means the county courts at law of Johnson County that have criminal appellate jurisdiction.

Added by Acts 1995, 74th Leg., ch. 181, Sec. 1, eff. May 23, 1995. Renumbered from Government Code, Sec. 30.1341 by Acts 1997, 75th Leg., ch. 165, Sec. 8.11, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 30, eff. Sept. 1, 1999.

Sec. 30.00344. JUDGE. (a) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(8), eff. Sept. 1, 1999.

(k) Sections 30.00007(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 181, Sec. 1, eff. May 23, 1995. Renumbered from Government Code, Sec. 30.1344 by Acts 1997, 75th Leg., ch. 165, Sec. 8.11, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 31, 139(8), eff. Sept. 1, 1999.

Sec. 30.00345. CLERK; OTHER PERSONNEL. (a) The city manager of the city shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 181, Sec. 1, eff. May 23, 1995. Renumbered from Government Code, Sec. 30.1345 by Acts 1997, 75th Leg., ch. 165, Sec. 8.11, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 32, eff. Sept. 1, 1999.

Sec. 30.00346. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(8), eff. Sept. 1, 1999.

Added by Acts 1995, 74th Leg., ch. 181, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.1346 by Acts 1997, 75th Leg., ch. 165, Sec. 8.11, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 33, 139(8), eff. Sept. 1, 1999.

#### SUBCHAPTER J. FORT WORTH

Sec. 30.00381. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Fort Worth.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.141 by Acts 1997, 75th Leg., ch. 165, Sec. 8.12, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 34, eff. Sept. 1, 1999.

Sec. 30.00384. JUDGE. (a) , (b) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(9), eff. Sept. 1, 1999.

(c) The judge must maintain residence in the city during the tenure of office.

(d) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(9), eff. Sept. 1, 1999.

(k) Sections 30.00007(b)(1), (2), (3), and (5) do not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 148, Sec. 2.40(a), eff. Sept. 1, 1987; Acts 1987, 70th Leg., ch. 599, Sec. 1, eff. June 18, 1987; Acts 1991, 72nd Leg., ch. 290, Sec. 1, eff. Aug. 26, 1991. Renumbered from Government Code, Sec. 30.144 by Acts 1997, 75th Leg., ch. 165, Sec. 8.12, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 691, Sec. 35, 139(9), eff. Sept. 1, 1999.

Sec. 30.00385. CLERK. (a) The city manager with the consent of the governing body of the city shall appoint a clerk of the municipal courts of record. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Section 30.00009(c) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.145 by Acts 1997, 75th Leg., ch. 165, Sec. 8.12, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 36, eff. Sept. 1, 1999.

Sec. 30.00388. CIVIL SERVICE ORDINANCE; VACATION OF COURT. (a) The judges, clerk and deputy clerks, and court reporters of the municipal courts of record are not classified employees under civil service, charter, or ordinance provisions. The governing body of the city may provide by ordinance that all other employees of the courts may be hired and paid as classified employees under civil service, charter, or ordinance provisions. Judges, clerks, deputy clerks, and court reporters are entitled to receive the same vacation, sick leave, and other benefits that are provided for other nonclassified employees under regulations provided by the governing body by ordinance and may be authorized or required by the governing body to participate in the city retirement program.

(b) If after the establishment of a municipal court of record the governing body finds by ordinance that the condition of the dockets of the other courts of the county does not require the existence of the court to properly dispose of the cases arising in the city, the governing body shall declare the offices of the municipal judge, clerk, court reporter, and other employees of the court to be vacated at the end of the term for which the judge was last appointed. Any case then pending shall be transferred to a court with proper jurisdiction of the offense.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.148 by Acts 1997, 75th Leg., ch. 165, Sec. 8.12, eff. Sept. 1, 1997.

#### SUBCHAPTER K. GRAND PRAIRIE

Sec. 30.00421. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Grand Prairie.

(b) In this subchapter, "appellate courts" means the county criminal courts of Dallas County that have criminal appellate jurisdiction.

Added by Acts 1995, 74th Leg., ch. 163, Sec. 1, eff. May 23, 1995. Renumbered from Government Code, Sec. 30.1641 by Acts 1997, 75th Leg., ch. 165, Sec. 8.13, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 37, eff. Sept. 1, 1999.

Sec. 30.00426. JUDGE. (a) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(10), eff. Sept. 1, 1999.

(k) Sections 30.00007(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 163, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.1646 by Acts 1997, 75th Leg., ch. 165, Sec. 8.13, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 38, 139(10), eff. Sept. 1, 1999.

Sec. 30.00427. CLERK; OTHER PERSONNEL. (a) The city manager shall appoint a clerk of a municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 163, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.1647 by Acts 1997, 75th Leg., ch. 165, Sec. 8.13, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 39, eff. Sept. 1, 1999.

Sec. 30.00428. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section 30.00010. The reporter shall be compensated by the city in the manner determined by the city manager.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(10), eff. Sept. 1, 1999.

Added by Acts 1995, 74th Leg., ch. 163, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.1648 by Acts 1997, 75th Leg., ch. 165, Sec. 8.13, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 40, 139(10), eff. Sept. 1, 1999.

#### SUBCHAPTER L. SWEETWATER

Sec. 30.00461. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Sweetwater.

(b) In this subchapter, "appellate courts" means the County Court of Nolan County.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.171 by Acts 1997, 75th Leg., ch. 165, Sec. 8.14, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 41, eff. Sept. 1, 1999.

Sec. 30.00464. JUDGE. (a) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(11), eff. Sept. 1, 1999.

(b) A municipal judge must be a licensed attorney in good standing in this state. The judge must be a citizen of the United States and of this state. The judge must maintain residence in the city during the tenure of office but need not be a resident of the city at the time of the appointment.

(c) to (e) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(11), eff. Sept. 1, 1999.

(f) Section 30.00007(b)(5) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.174 by Acts 1997, 75th Leg., ch. 165, Sec. 8.14, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 42, 139(11), eff. Sept. 1, 1999.

Sec. 30.00465. CLERK; OTHER PERSONNEL. (a) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(11), eff. Sept. 1, 1999.

(b) The governing body of the city shall provide deputy clerks, warrant officers, and other personnel, including at least one bailiff for each court, as needed for the proper operation of the courts.

(c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(11), eff. Sept. 1, 1999.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.175 by Acts 1997, 75th Leg., ch. 165, Sec. 8.14, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 139(11), eff. Sept. 1, 1999.

Sec. 30.00466. COURT REPORTER. (a) The municipal judge shall appoint a court reporter under Section 30.00010, whose qualifications shall be determined by the judge or, if there is more than one municipal judge, by the presiding municipal judge.

(b) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(11), eff. Sept. 1, 1999.

(c) Section [30.00010](#)(d) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.176 by Acts 1997, 75th Leg., ch. 165, Sec. 8.14, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 43 and 139(11), eff. Sept. 1, 1999

#### SUBCHAPTER M. CROWLEY

Sec. 30.00491. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Crowley.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 1995, 74th Leg., ch. 193, Sec. 1, eff. May 23, 1995. Renumbered from Government Code, Sec. 30.1881 by Acts 1997, 75th Leg., ch. 165, Sec. 8.15, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 44, eff. Sept. 1, 1999.

Sec. 30.00494. JUDGE. (a) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(12), eff. Sept. 1, 1999.

(k) Sections [30.00007](#)(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 193, Sec. 1, eff. May 23, 1995. Renumbered from Government Code, Sec. 30.1884 by Acts 1997, 75th Leg., ch. 165, Sec. 8.15, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 45, 139(12), eff. Sept. 1, 1999.

Sec. 30.004945. MAGISTRATES. (a) The governing body may appoint one or more magistrates in addition to magistrates provided under Article [2.09](#), Code of Criminal Procedure.

(b) A magistrate does not have to possess all the qualifications necessary to be a municipal court of record judge.

(c) A magistrate may not preside over the court or hear contested cases.

(d) A magistrate may:

- (1) conduct an arraignment;
- (2) hold an indigency hearing;
- (3) accept a plea;
- (4) sign a judgment;

- (5) set the amount of a bond; or
- (6) perform other functions under Article 15.17, Code of Criminal Procedure.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 46, eff. Sept. 1, 1999.

Sec. 30.00495. CLERK; OTHER PERSONNEL. (a) The city manager or city administrator of the city shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 193, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.1885 by Acts 1997, 75th Leg., ch. 165, Sec. 8.15, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 47, eff. Sept. 1, 1999.

Sec. 30.00496. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(12), eff. Sept. 1, 1999.

Added by Acts 1995, 74th Leg., ch. 193, Sec. 1, eff. May 23, 1995.

Renumbered from Government Code, Sec. 30.1886 by Acts 1997, 75th Leg., ch. 165, Sec. 8.15, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 48, 139(12), eff. Sept. 1, 1999.

#### SUBCHAPTER N. LONGVIEW

Sec. 30.00531. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Longview.

(b) In this subchapter, "appellate courts" means the County Court of Gregg County.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.201 by Acts 1997, 75th Leg., ch. 165, Sec. 8.16, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 49, eff. Sept. 1, 1999.

Sec. 30.00534. JUDGE. (a) to (e) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(13), eff. Sept. 1, 1999.

(f) Section 30.00007(b)(5) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.204 by Acts 1997, 75th Leg., ch. 165, Sec. 8.16, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 50, 139(13), eff. Sept. 1, 1999.

Sec. 30.00536. COURT REPORTER. The municipal judge shall appoint the court reporter under Section 30.00010.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.206 by Acts 1997, 75th Leg., ch. 165, Sec. 8.16, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 51, 139(13), eff. Sept. 1, 1999; Acts 2003, 78th Leg., ch. 1260, Sec. 1, eff. June 20, 2003.

#### SUBCHAPTER O. PANTEGO

Sec. 30.00561. APPLICATION; DEFINITION. (a) This subchapter applies to the town of Pantego.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 1995, 74th Leg., ch. 274, Sec. 1, eff. Aug. 28, 1995. Renumbered from Government Code, Sec. 30.2191 by Acts 1997, 75th Leg., ch. 165, Sec. 8.17, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 52, eff. Sept. 1, 1999.

Sec. 30.00564. JUDGE. (a) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(14), eff. Sept. 1, 1999.

(k) Sections 30.00007(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 274, Sec. 1, eff. Aug. 28, 1995. Renumbered from Government Code, Sec. 30.2194 by Acts 1997, 75th Leg., ch. 165, Sec. 8.17, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 53, 139(14), eff. Sept. 1, 1999.



Sec. 30.00565. CLERK; OTHER PERSONNEL. (a) The city manager of the town shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the town's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the town charter, and town ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 274, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.2195 by Acts 1997, 75th Leg., ch. 165, Sec. 8.17, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 54, eff. Sept. 1, 1999.

Sec. 30.00566. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(14), eff. Sept. 1, 1999.

Added by Acts 1995, 74th Leg., ch. 274, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.2196 by Acts 1997, 75th Leg., ch. 165, Sec. 8.17, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 55, 139(14), eff. Sept. 1, 1999.

#### SUBCHAPTER P. MIDLAND

Sec. 30.00601. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Midland.

(b) In this subchapter, "appellate courts" means the County Court of Midland County.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.231 by Acts 1997, 75th Leg., ch. 165, Sec. 8.18, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 56, eff. Sept. 1, 1999.

Sec. 30.00604. JUDGE. (a) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(15), eff. Sept. 1, 1999.

(b) In addition to satisfying the requirements of Section 30.00006(c), a municipal judge must maintain residence in the city during the tenure of office but need not be a resident of the city at the time of the appointment. The judge shall serve full time and may not engage in the private practice of law while in office.

(c) to (e) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(15), eff. Sept. 1, 1999.

(f) Section 30.00007(b)(5) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.234 by Acts 1997, 75th Leg., ch. 165, Sec. 8.18, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 5, 139(15), eff. Sept. 1, 1999.

Sec. 30.00605. CLERK; OTHER PERSONNEL. (a) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(15), eff. Sept. 1, 1999.

(b) The governing body of the city shall provide deputy clerks, warrant officers, and other personnel, including at least one bailiff for each court, as needed for the proper operation of the municipal courts of record.

(c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(15), eff. Sept. 1, 1999.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.235 by Acts 1997, 75th Leg., ch. 165, Sec. 8.18, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 139(15), eff. Sept. 1, 1999.

Sec. 30.00606. COURT REPORTER. (a) The municipal judge shall appoint the court reporter under Section 30.00010, who must meet qualifications determined by the judge or, if there is more than one judge, by the presiding municipal judge. The governing body of the city shall set the compensation of the court reporter on the recommendation of the presiding judge.

(b) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(15), eff. Sept. 1, 1999.

(c) Section 30.00010(d) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.236 by Acts 1997, 75th Leg., ch. 165, Sec. 8.18, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 58, 139(15), eff. Sept. 1, 1999.

#### SUBCHAPTER Q. RIVER OAKS

Sec. 30.00631. APPLICATION; DEFINITION. (a) This subchapter applies to the City of River Oaks.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 1995, 74th Leg., ch. 653, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.2481 by Acts 1997, 75th Leg., ch. 165, Sec. 8.19, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 59, eff. Sept. 1, 1999.

Sec. 30.00634. JUDGE. (a) to (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(16), eff. Sept. 1, 1999.

(d) In addition to exercising powers under Section 30.00006(e), a municipal judge shall devote as much time to the office as it requires.

(e) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(16), eff. Sept. 1, 1999.

(k) Sections 30.00007(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 653, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.2484 by Acts 1997, 75th Leg., ch. 165, Sec. 8.19, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 60, 139(16), eff. Sept. 1, 1999.

Sec. 30.00635. MAGISTRATES. (a) The governing body may appoint one or more magistrates in addition to magistrates provided under Article 2.09, Code of Criminal Procedure.

(b) A magistrate does not have to possess all the qualifications necessary to be a municipal court of record judge.

(c) A magistrate may not preside over the court or hear contested cases.

(d) A magistrate may:

- (1) conduct an arraignment;
- (2) hold an indigency hearing;
- (3) accept a plea;
- (4) sign a judgment;
- (5) set the amount of a bond; and
- (6) perform other functions under Article 15.17, Code of Criminal Procedure.

Added by Acts 1995, 74th Leg., ch. 653, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.2485 by Acts 1997, 75th Leg., ch. 165, Sec. 8.19, eff. Sept. 1, 1997.

Sec. 30.00636. CLERK; OTHER PERSONNEL. (a) The city administrator of the city shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 653, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.2486 by Acts 1997, 75th Leg., ch. 165, Sec. 8.19, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 61, eff. Sept. 1, 1999.

Sec. 30.00637. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(16), eff. Sept. 1, 1999.

Added by Acts 1995, 74th Leg., ch. 653, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.2487 by Acts 1997, 75th Leg., ch. 165, Sec. 8.19, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 62, 139(16), eff. Sept. 1, 1999.

Sec. 30.00653. JOINT COURTS: CREATION. (a) The governing body of the city may contract with one or more municipalities that have municipal courts of record to establish a joint municipal court of record to serve the contracting municipalities.

(b) A joint municipal court of record created under this section replaces each municipality's individual municipal court of record.

Added by Acts 1995, 74th Leg., ch. 653, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.2503 by Acts 1997, 75th Leg., ch. 165, Sec. 8.19, eff. Sept. 1, 1997.

Sec. 30.00654. JOINT COURT: JUDGES. (a) Notwithstanding any other law, a joint municipal court of record created under Section 30.2503 is presided over by a municipal judge or alternate municipal judge who is

appointed by the governing bodies of the contracting municipalities for a two-year term.

(b) The judge of a joint municipal court of record may be removed from office by the governing bodies of the contracting municipalities at any time for incompetency, misconduct, malfeasance, or inability to perform the tasks of the office.

Added by Acts 1995, 74th Leg., ch. 653, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.2504 by Acts 1997, 75th Leg., ch. 165, Sec. 8.19, eff. Sept. 1, 1997.

Sec. 30.00655. JOINT COURTS: JURISDICTION. (a) The jurisdiction of a joint municipal court of record created under Section 30.2503 is the combined jurisdiction of the municipal courts of the contracting municipalities.

(b) An appeal from a joint municipal court of record created under Section 30.2503 is to the county criminal court of the county in which the offense occurred. If that county does not have a county criminal court, appeal is to the county court of law of the county.

Added by Acts 1995, 74th Leg., ch. 653, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.2505 by Acts 1997, 75th Leg., ch. 165, Sec. 8.19, eff. Sept. 1, 1997.

Sec. 30.00656. JOINT COURT: PROSECUTING ATTORNEY. A municipality that contracts under Section 30.2503 may provide its own prosecuting attorney or the contracting municipalities may agree on the selection of one or more prosecuting attorneys.

Added by Acts 1995, 74th Leg., ch. 653, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.2506 by Acts 1997, 75th Leg., ch. 165, Sec. 8.19, eff. Sept. 1, 1997.

Sec. 30.00657. JOINT COURT: APPLICABLE LAW. (a) The municipalities by contract shall select one of the contracting municipality's enabling statutes as the source of applicable procedural requirements for the operation of the joint municipal court of record established under Section 30.2503.

(b) All of the provisions of the statute selected under Subsection (a) apply to the operation of the joint municipal court of record. If

there is a conflict with any of the provisions in Sections 30.2503-30.2506, those sections control.

(c) Any matter that is not governed by the contracting municipalities' enabling legislation or other law shall be resolved by the contract entered into under Section 30.2503.

Added by Acts 1995, 74th Leg., ch. 653, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.2507 by Acts 1997, 75th Leg., ch. 165, Sec. 8.19, eff. Sept. 1, 1997.

#### SUBCHAPTER R. HOUSTON

Sec. 30.00671. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Houston.

(b) In this subchapter, "appellate courts" means the county criminal courts of Harris County that have criminal appellate jurisdiction.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.261 by Acts 1997, 75th Leg., ch. 165, Sec. 8.20, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 63, eff. Sept. 1, 1999.

Sec. 30.00674. JUDGE. (a) to (f) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(17), eff. Sept. 1, 1999.

(g) A municipal judge may only be removed under Article V, Section 1-a, of the Texas Constitution.

(h) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(17), eff. Sept. 1, 1999.

(i) Sections 30.00007(b)(5) and 30.000085 do not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1989, 71st Leg., ch. 1248, Sec. 30, eff. Sept. 1, 1989. Renumbered from Government Code, Sec. 30.264 by Acts 1997, 75th Leg., ch. 165, Sec. 8.20, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 691, Sec. 64, 139(17), eff. Sept. 1, 1999.

Sec. 30.00675. CLERK; OTHER PERSONNEL. (a) , (b) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(17), eff. Sept. 1, 1999.

(c) Section 30.00009(c) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.265 by Acts 1997, 75th Leg., ch. 165, Sec. 8.20, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 65, 139(17), eff. Sept. 1, 1999.

Sec. 30.00676. COURT REPORTER. (a) Each municipal judge may appoint an official court reporter under Section 30.00010 to transcribe the trial proceedings, including testimony, voir dire examinations, objections, and final arguments.

(b) Section 30.00010(d) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.266 by Acts 1997, 75th Leg., ch. 165, Sec. 8.20, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 66, eff. Sept. 1, 1999.

#### SUBCHAPTER S. MARSHALL

Sec. 30.00701. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Marshall.

(b) In this subchapter, "appellate courts" means the County Court of Harrison County.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.291 by Acts 1997, 75th Leg., ch. 165, Sec. 8.21, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 67, eff. Sept. 1, 1999.

Sec. 30.00704. JUDGE. (a) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(18), eff. Sept. 1, 1999.

(b) In addition to exercising powers under Section 30.00006(e), a municipal judge shall devote as much time to the office as it requires.

(c) to (e) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(18), eff. Sept. 1, 1999.

(f) Section 30.00007(b)(5) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.294 by Acts 1997, 75th Leg., ch. 165, Sec. 8.21, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 68, 139(18), eff. Sept. 1, 1999.

Sec. 30.00706. COURT REPORTER. (a) The municipal judge shall appoint the court reporter under Section 30.00010.

(b) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(18), eff. Sept. 1, 1999.

(c) Section 30.00010(d) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.296 by Acts 1997, 75th Leg., ch. 165, Sec. 8.21, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 69, 139(18), eff. Sept. 1, 1999.

#### SUBCHAPTER T. AUSTIN

Sec. 30.00731. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Austin.

(b) In this subchapter, "appellate courts" means the county courts at law of Travis County that have criminal appellate jurisdiction.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.321 by Acts 1997, 75th Leg., ch. 165, Sec. 8.22, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 70, eff. Sept. 1, 1999.

Sec. 30.00734. JUDGE. (a) to (f) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(19), eff. Sept. 1, 1999.

(g) In addition to satisfying the requirements of Section 30.00006(c), a municipal judge must have been a resident of the city for the two-year period immediately preceding appointment.

(h) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(19), eff. Sept. 1, 1999.

(i) Section 30.00007(b)(5) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.324 by Acts 1997, 75th Leg., ch. 165, Sec. 8.22, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 71, 139(19), eff. Sept. 1, 1999.

Sec. 30.00736. CLERK; OTHER PERSONNEL. (a) The governing body of the city shall appoint a clerk of the municipal courts of record, who shall be known as the municipal clerk. The municipal clerk serves at the pleasure of the governing body. The clerk shall perform, as applicable,



the duties prescribed by law for the county clerk of a county court at law and any other duty necessary to issue process and conduct business of the court. The clerk may administer oaths and affidavits and make certificates and affix the court's seal to those certificates. In addition, the clerk shall:

(1) maintain central docket records for all cases filed in the municipal courts of record; and

(2) maintain an index of all court judgments in the same manner as county clerks are required by law to prepare for criminal cases arising in county courts.

(b) With the consent of the governing body of the city, the clerk may appoint one or more deputy clerks to act for and on behalf of the clerk.

(c) The governing body of the city shall provide the courts with other municipal court personnel that the governing body determines necessary for the proper operation of the courts. Those persons shall perform their duties under the direction and control of the clerk of the municipal court or the municipal judge to whom assigned. The governing body shall determine the salaries of the court personnel.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1989, 71st Leg., ch. 1248, Sec. 31, eff. Sept. 1, 1989. Renumbered from Government Code, Sec. 30.326 by Acts 1997, 75th Leg., ch. 165, Sec. 8.22, eff. Sept. 1, 1997.

#### SUBCHAPTER U. ODESSA

Sec. 30.00771. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Odessa.

(b) In this subchapter, "appellate courts" means the county courts at law of Ector County that have criminal appellate jurisdiction.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.351 by Acts 1997, 75th Leg., ch. 165, Sec. 8.23, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 73, eff. Sept. 1, 1999.

Sec. 30.00774. JUDGE. (a) to (e) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(20), eff. Sept. 1, 1999.

(f) Section [30.00007](#)(b)(5) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1997, 75th Leg., ch. 235, Sec. 3, eff. Sept. 1, 1997. Renumbered from Government Code, Sec. 30.354 by Acts 1997, 75th Leg., ch. 165, Sec. 8.23, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 691, Sec. 74, 139(20), eff. Sept. 1, 1999.

Sec. 30.00778. CLERK; OTHER PERSONNEL. (a) The city manager shall provide for the appointment of a clerk of the municipal courts of record, who shall be known as the municipal clerk. The municipal clerk shall perform, as applicable, the duties prescribed by law for the county clerk of a county court at law. In addition, the clerk shall:

(1) maintain central docket records for all cases filed in the municipal courts of record; and

(2) maintain an index of all municipal court of record judgments in the same manner as county clerks are required by law to prepare for criminal cases arising in county courts.

(b) The governing body of the city shall provide the courts with other municipal court personnel that the governing body determines necessary for the proper operation of the courts. Those persons shall perform their duties under the direction and control of the clerk or the municipal judge to whom assigned. The governing body shall determine the salaries of the court personnel.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1989, 71st Leg., ch. 1248, Sec. 32, eff. Sept. 1, 1989. Amended by Acts 1997, 75th Leg., ch. 235, Sec. 6, eff. Sept. 1, 1997. Renumbered from Government Code, Sec. 30.358 by Acts 1997, 75th Leg., ch. 165, Sec. 8.23, eff. Sept. 1, 1997.

Sec. 30.00779. RECORDING OF PROCEEDINGS; COURT REPORTER. (a) to (e) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(20), eff. Sept. 1, 1999.

(f) Section [30.00010](#)(d) does not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1997, 75th Leg., ch. 235, Sec. 7, eff. Sept. 1, 1997. Renumbered from Government Code, Sec. 30.359 by Acts 1997, 75th Leg., ch. 165, Sec. 8.23, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 691, Sec. 75, 139(20), eff. Sept. 1, 1999.

Sec. 30.007801. PROSECUTION BY CITY ATTORNEY. All prosecutions in a municipal court of record must be conducted by the city attorney or an assistant or deputy city attorney.

Added by Acts 1997, 75th Leg., ch. 235, Sec. 8, eff. Sept. 1, 1997.  
Transferred from Government Code, Section 30.3601 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(19), eff. September 1, 2009.

Sec. 30.007802. COMPLAINT; PLEADING. (a) A complaint filed in a municipal court of record must begin "In the name and by authority of the State of Texas" and must conclude "Against the peace and dignity of the State."

(b) Complaints must comply with Article 45.17, Code of Criminal Procedure.

(c) Pleadings must be in writing and must be filed with the municipal court clerk.

Added by Acts 1997, 75th Leg., ch. 235, Sec. 8, eff. Sept. 1, 1997.  
Transferred from Government Code, Section 30.3602 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(19), eff. September 1, 2009.

Sec. 30.007803. JURY. (a) A person brought before a municipal court of record and charged with an offense is entitled to be tried by a jury of six persons, unless that right is waived according to law.

(b) A juror for the court must have the qualifications required of jurors by law and must be a resident of the city.

(c) A juror is entitled to receive the compensation for each day and each fraction of a day in attendance on a municipal court of record jury as provided by Chapter 61.

(d) The clerk of the court shall establish a fair, impartial, and objective juror selection process.

Added by Acts 1997, 75th Leg., ch. 235, Sec. 8, eff. Sept. 1, 1997.  
Transferred from Government Code, Section 30.3603 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(19), eff. September 1, 2009.

Sec. 30.007804. COURT RULES. (a) Except as modified by this subchapter, the Code of Criminal Procedure as applied to county courts at law governs the trial of cases before municipal courts of record.

(b) Bonds must be payable to the state for the use and benefit of the city. The court may not assess court costs other than warrant fees, capias

fees, and other fees authorized for municipal courts of record.

(c) A peace officer may serve a process issued by a municipal court of record.

(d) A conviction, judgment, and sentence are in the name of the state, and the state recovers from the defendant the fine and fees for the use and benefit of the city.

(e) Fines, fees, costs, and bonds shall be paid to the clerk of the court, who shall deposit them in the city general fund.

Added by Acts 1997, 75th Leg., ch. 235, Sec. 8, eff. Sept. 1, 1997.

Transferred from Government Code, Section 30.3604 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(19), eff. September 1, 2009.

#### SUBCHAPTER V. DALLAS

Sec. 30.00811. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Dallas.

(b) In this subchapter, "appellate courts" means the county criminal courts of Dallas County that have criminal appellate jurisdiction.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Renumbered from Government Code, Sec. 30.381 by Acts 1997, 75th Leg., ch. 165, Sec. 8.24, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 76, eff. Sept. 1, 1999.

Sec. 30.00814. JUDGE. (a) to (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(21), eff. Sept. 1, 1999.

(d) In addition to performing duties under Sections 30.00007(b)(1) and (4), the administrative municipal judge shall promulgate work rules for the administration of the municipal courts.

(e), (f) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(21), eff. Sept. 1, 1999.

(g) Sections 30.00007(b)(2), (3), and (5) do not apply to this subchapter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 157, Sec. 2, 3, eff. Aug. 31, 1987. Renumbered from Government Code, Sec. 30.384 by Acts 1997, 75th Leg., ch. 165, Sec. 8.24, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 691, Sec. 77, 139(21), eff. Sept. 1, 1999.

Sec. 30.00818. CLERK; OTHER PERSONNEL. (a) The governing body shall provide for the appointment of a clerk of the municipal courts of record, who shall be known as the municipal clerk. The municipal clerk shall perform for the municipal courts of record, as applicable, the duties prescribed by law for the county clerk of a county court at law. In addition, the clerk shall maintain central docket records for all cases filed in the municipal courts of record.

(b) The governing body of the city shall provide the courts with other municipal court personnel that the governing body determines necessary for the proper operation of the courts. Those persons shall perform their duties under the direction and control of the clerk of the municipal court or the municipal judge to whom assigned. The governing body shall determine the salaries of the court personnel.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 157, Sec. 4, eff. Aug. 31, 1987; Acts 1989, 71st Leg., ch. 1248, Sec. 33, eff. Sept. 1, 1989. Renumbered from Government Code, Sec. 30.388 by Acts 1997, 75th Leg., ch. 165, Sec. 8.24, eff. Sept. 1, 1997.

#### SUBCHAPTER W. ARLINGTON

Sec. 30.00851. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Arlington.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 1993, 73rd Leg., ch. 575, Sec. 1, eff. Aug. 30, 1993. Renumbered from Government Code, Sec. 30.421 by Acts 1997, 75th Leg., ch. 165, Sec. 8.25, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 78, eff. Sept. 1, 1999.

Sec. 30.00854. JUDGE. (a) to (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(22), eff. Sept. 1, 1999.

(d) In addition to satisfying the requirements of Section [30.00006](#)(c), a municipal judge shall devote as much time to the office as it requires.

(e) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(22), eff. Sept. 1, 1999.

(k) Sections [30.00007](#)(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1993, 73rd Leg., ch. 575, Sec. 1, eff. Aug. 30, 1993.  
Renumbered from Government Code, Sec. 30.424 by Acts 1997, 75th Leg., ch. 165, Sec. 8.25, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 79, 139(22), eff. Sept. 1, 1999.

Sec. 30.00855. CLERK; OTHER PERSONNEL. (a) The city manager of the city shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1993, 73rd Leg., ch. 575, Sec. 1, eff. Aug. 30, 1993.  
Renumbered from Government Code, Sec. 30.425 by Acts 1997, 75th Leg., ch. 165, Sec. 8.25, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 80, eff. Sept. 1, 1999.

Sec. 30.00856. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(22), eff. Sept. 1, 1999.

Added by Acts 1993, 73rd Leg., ch. 575, Sec. 1, eff. Aug. 30, 1993.  
Renumbered from Government Code, Sec. 30.426 by Acts 1997, 75th Leg., ch. 165, Sec. 8.25, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 81, 139(22), eff. Sept. 1, 1999.

#### SUBCHAPTER X. GARLAND

Sec. 30.00891. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Garland.

(b) In this subchapter, "appellate courts" means the county criminal courts of Dallas County that have criminal appellate jurisdiction.

Added by Acts 1987, 70th Leg., ch. 161, Sec. 1, eff. May 25, 1987.  
Renumbered from Government Code, Sec. 30.451 by Acts 1997, 75th Leg., ch. 165, Sec. 8.26, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 82, eff. Sept. 1, 1999.

Sec. 30.00894. JUDGE. (a) to (f) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(23), eff. Sept. 1, 1999.

(g) Sections 30.00007(b)(5) and 30.00008(b) do not apply to this subchapter.

Added by Acts 1987, 70th Leg., ch. 161, Sec. 1, eff. May 25, 1987. Amended by Acts 1997, 75th Leg., ch. 1342, Sec. 2, eff. Sept. 1, 1997. Renumbered from Government Code, Sec. 30.454 by Acts 1997, 75th Leg., ch. 165, Sec. 8.26, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 691, Sec. 83, 139(23), eff. Sept. 1, 1999.

Sec. 30.00895. CLERK. (a) The city manager shall appoint a clerk of the municipal courts of record. The clerk or the clerk's deputies shall keep the records of the municipal courts of record, issue process, and generally perform the duties for the courts that a clerk of a county court exercising criminal jurisdiction is required by law to perform for that court. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(a), (c), and (d) do not apply to this subchapter.

Added by Acts 1987, 70th Leg., ch. 161, Sec. 1, eff. May 25, 1987. Renumbered from Government Code, Sec. 30.455 by Acts 1997, 75th Leg., ch. 165, Sec. 8.26, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 84, eff. Sept. 1, 1999.

Sec. 30.00896. COURT REPORTER. (a) The official court reporter shall be appointed by the chief judge under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(23), eff. Sept. 1, 1999.

Added by Acts 1987, 70th Leg., ch. 161, Sec. 1, eff. May 25, 1987. Amended by Acts 1997, 75th Leg., ch. 1342, Sec. 3, eff. Sept. 1, 1997. Renumbered from Government Code, Sec. 30.456 by Acts 1997, 75th Leg., ch. 165, Sec. 8.26, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 691, Sec. 85, 139(23), eff. Sept. 1, 1999.

#### SUBCHAPTER Y. AMARILLO

Sec. 30.00931. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Amarillo.

(b) In this subchapter, "appellate courts" means the county courts at law in Potter and Randall counties.

Added by Acts 1987, 70th Leg., ch. 694, Sec. 1, eff. Sept. 1, 1987.

Renumbered from Government Code, Sec. 30.521 by Acts 1997, 75th Leg., ch. 165, Sec. 8.27, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 86, eff. Sept. 1, 1999.

Sec. 30.00934. JUDGE. (a) A municipal judge need not be a resident of the city at the time of appointment but must, in addition to satisfying the requirements of Section 30.00006(c), maintain residence in the city during the term of office. The judge shall devote full time to the duties of that office and may not engage in the private practice of law while in office. The restrictions on the residency of and private practice by a municipal judge do not apply to a judge employed to work less than 40 hours per week.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(24), eff. Sept. 1, 1999.

(e) The governing body of the city shall appoint a judge to be the presiding municipal judge who shall, in addition to performing duties under Sections 30.00007(b)(1), (3), and (4), assign cases among the judges.

(f) Sections 30.00007(b)(2) and (5) do not apply to this subchapter.

Added by Acts 1987, 70th Leg., ch. 694, Sec. 1, eff. Sept. 1, 1987.

Renumbered from Government Code, Sec. 30.524 by Acts 1997, 75th Leg., ch. 165, Sec. 8.27, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 87, 139(24), eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 182 (H.B. 596), Sec. 1, eff. May 27, 2005.

Sec. 30.00937. CLERK; OTHER PERSONNEL. The city manager of the city shall provide for the appointment of a municipal court clerk to serve as clerk of the municipal courts of record. The municipal court clerk shall perform the duties prescribed by ordinance and by applicable law and may hire, direct, and remove the personnel authorized in the annual budget for the clerk's office.

Added by Acts 1987, 70th Leg., ch. 694, Sec. 1, eff. Sept. 1, 1987.

Renumbered from Government Code, Sec. 30.527 by Acts 1997, 75th Leg., ch. 165, Sec. 8.27, eff. Sept. 1, 1997.



Sec. 30.00939. COURT REPORTER. (a) For the purpose of preserving a record in cases tried before the municipal court, the city manager shall provide an official court reporter who has the qualifications provided by law for official court reporters.

(b), (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(24), eff. Sept. 1, 1999.

(d) Section 30.00010(d) does not apply to this subchapter.

Added by Acts 1987, 70th Leg., ch. 694, Sec. 1, eff. Sept. 1, 1987.

Renumbered from Government Code, Sec. 30.529 by Acts 1997, 75th Leg., ch. 165, Sec. 8.27, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 88, 139(24), eff. Sept. 1, 1999.

#### SUBCHAPTER Z. ADDISON

Sec. 30.00971. APPLICATION; DEFINITION. (a) This subchapter applies to the town of Addison.

(b) In this subchapter, "appellate courts" means the county criminal courts of Dallas County that have criminal appellate jurisdiction.

Added by Acts 1987, 70th Leg., ch. 1003, Sec. 1, eff. June 19, 1987.

Renumbered from Government Code, Sec. 30.651 by Acts 1997, 75th Leg., ch. 165, Sec. 8.28, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 89, eff. Sept. 1, 1999.

Sec. 30.00976. JUDGE. (a) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(25), eff. Sept. 1, 1999.

(e) Section 30.00007(b)(5) does not apply to this subchapter.

Added by Acts 1987, 70th Leg., ch. 1003, Sec. 1, eff. June 19, 1987.

Renumbered from Government Code, Sec. 30.656 by Acts 1997, 75th Leg., ch. 165, Sec. 8.28, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 90, 139(25), eff. Sept. 1, 1999.

Sec. 30.00977. CLERK. The city manager, with the consent of the governing body of the city, shall appoint a clerk of the municipal courts of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

Added by Acts 1987, 70th Leg., ch. 1003, Sec. 1, eff. June 19, 1987.  
Renumbered from Government Code, Sec. 30.657 by Acts 1997, 75th Leg., ch. 165, Sec. 8.28, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 91, eff. Sept. 1, 1999.

Sec. 30.00978. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section [30.00010](#).

(b) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(25), eff. Sept. 1, 1999.

(c) The court reporter is not required to record testimony in a case unless the judge or one of the parties requests a record. A party's request for a record must be in writing and filed with the court before trial.

(d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(25), eff. Sept. 1, 1999.

Added by Acts 1987, 70th Leg., ch. 1003, Sec. 1, eff. June 19, 1987.  
Amended by Acts 1993, 73rd Leg., ch. 877, Sec. 1, eff. Aug. 30, 1993.  
Renumbered from Government Code, Sec. 30.658 by Acts 1997, 75th Leg., ch. 165, Sec. 8.28, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 691, Sec. 92, 139(25), eff. Sept. 1, 1999.

#### SUBCHAPTER AA. GRAPEVINE

Sec. 30.01011. APPLICATION; DEFINITION. (a) This subchapter applies to the city of Grapevine.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 1991, 72nd Leg., ch. 50, Sec. 1, eff. Aug. 26, 1991.  
Renumbered from Government Code, Sec. 30.691 by Acts 1997, 75th Leg., ch. 165, Sec. 8.29, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 93, eff. Sept. 1, 1999.

Sec. 30.01014. JUDGE. (a) to (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(26), eff. Sept. 1, 1999.

(d) In addition to satisfying the requirements of Section [30.00006](#)(c), a municipal judge must maintain residence in the city during the tenure of office and must be a resident of the city at the time of appointment or election. The judge shall devote as much time to the office as it requires.

(e) to (i) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(26), eff. Sept. 1, 1999.

(j) An alternate judge must have the same qualifications as a municipal judge, except that an alternate judge may, but need not be, a resident of the city.

(k) Sections 30.00007(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1991, 72nd Leg., ch. 50, Sec. 1, eff. Aug. 26, 1991.

Renumbered from Government Code, Sec. 30.694 by Acts 1997, 75th Leg., ch. 165, Sec. 8.29, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 94, 139(26), eff. Sept. 1, 1999.

Sec. 30.01015. CLERK; OTHER PERSONNEL. (a) The city manager of the city shall appoint a clerk of the municipal courts of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1991, 72nd Leg., ch. 50, Sec. 1, eff. Aug. 26, 1991.

Renumbered from Government Code, Sec. 30.695 by Acts 1997, 75th Leg., ch. 165, Sec. 8.29, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 95, eff. Sept. 1, 1999.

Sec. 30.01016. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(26), eff. Sept. 1, 1999.

Added by Acts 1991, 72nd Leg., ch. 50, Sec. 1, eff. Aug. 26, 1991.

Renumbered from Government Code, Sec. 30.696 by Acts 1997, 75th Leg., ch. 165, Sec. 8.29, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 96, 139(26), eff. Sept. 1, 1999.

#### SUBCHAPTER BB. HURST

Sec. 30.01051. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Hurst.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 1993, 73rd Leg., ch. 340, Sec. 1, eff. Aug. 30, 1993.

Renumbered from Government Code, Sec. 30.721 by Acts 1997, 75th Leg., ch. 165, Sec. 8.30, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 97, eff. Sept. 1, 1999.

Sec. 30.01054. JUDGE. (a) to (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(27), eff. Sept. 1, 1999.

(d) In addition to exercising powers under Section 30.00006(e), a municipal judge shall devote as much time to the office as it requires.

(e) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(27), eff. Sept. 1, 1999.

(k) Sections 30.00007(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1993, 73rd Leg., ch. 340, Sec. 1, eff. Aug. 30, 1993.

Renumbered from Government Code, Sec. 30.724 by Acts 1997, 75th Leg., ch. 165, Sec. 8.30, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 98, 139(27), eff. Sept. 1, 1999.

Sec. 30.01055. CLERK; OTHER PERSONNEL. (a) The city manager of the city shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1993, 73rd Leg., ch. 340, Sec. 1, eff. Aug. 30, 1993.

Renumbered from Government Code, Sec. 30.725 by Acts 1997, 75th Leg., ch. 165, Sec. 8.30, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 99, eff. Sept. 1, 1999.

Sec. 30.01056. COURT REPORTER. (a) The presiding judge shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(27), eff. Sept. 1, 1999.

Added by Acts 1993, 73rd Leg., ch. 340, Sec. 1, eff. Aug. 30, 1993.

Renumbered from Government Code, Sec. 30.726 by Acts 1997, 75th Leg., ch. 165, Sec. 8.30, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 100, 139(27), eff. Sept. 1, 1999.

## SUBCHAPTER CC. CARROLLTON

Sec. 30.01091. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Carrollton.

(b) In this subchapter, "appellate courts" means the county criminal courts of Dallas County that have criminal appellate jurisdiction.

Added by Acts 1993, 73rd Leg., ch. 324, Sec. 1, eff. May 29, 1993.

Renumbered from Government Code, Sec. 30.851 by Acts 1997, 75th Leg., ch. 165, Sec. 8.31, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 101, eff. Sept. 1, 1999.

Sec. 30.01096. JUDGE. (a) In addition to satisfying the requirements of Section 30.00006(c), a presiding municipal judge must maintain residence in the city during the tenure of office. The municipal judge shall devote full time to the duties of the office as necessary.

(b), (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(28), eff. Sept. 1, 1999.

(d) Section 30.00007(b)(5) does not apply to this subchapter.

(e) A municipal court of record may be presided over by an assistant municipal judge.

Added by Acts 1993, 73rd Leg., ch. 324, Sec. 1, eff. May 29, 1993.

Renumbered from Government Code, Sec. 30.856 by Acts 1997, 75th Leg., ch. 165, Sec. 8.31, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 102, 139(28), eff. Sept. 1, 1999.

Sec. 30.010975. AUTOMATIC RESIGNATION. If the municipal judge or an assistant municipal judge announces a candidacy or becomes a candidate in a general, special, or primary election, for any office of profit or trust under the laws of the state or the United States, the announcement or the candidacy constitutes an automatic resignation of the appointment, effective the date of the announcement or candidacy.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 103, eff. Sept. 1, 1999.

Sec. 30.01098. CLERK; OTHER PERSONNEL. (a) The city manager shall appoint a clerk of the municipal court of record who shall be known as the municipal court clerk. The clerk may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office.

(b), (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(28), eff. Sept. 1, 1999.

(d) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1993, 73rd Leg., ch. 324, Sec. 1, eff. May 29, 1993.

Renumbered from Government Code, Sec. 30.858 by Acts 1997, 75th Leg., ch. 165, Sec. 8.31, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 104, 139(28), eff. Sept. 1, 1999.

Sec. 30.01099. COURT REPORTER. (a) The city shall provide a court reporter for the purpose of preserving a record in cases tried before the municipal court of record. The clerk of the court shall appoint the court reporter, who must meet the qualifications provided by law for official court reporters.

(b) to (e) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(28), eff. Sept. 1, 1999.

Added by Acts 1993, 73rd Leg., ch. 324, Sec. 1, eff. May 29, 1993.

Renumbered from Government Code, Sec. 30.859 by Acts 1997, 75th Leg., ch. 165, Sec. 8.31, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 139(28), eff. Sept. 1, 1999.

#### SUBCHAPTER DD. WHITE SETTLEMENT

Sec. 30.01131. APPLICATION; DEFINITION. (a) This subchapter applies to the City of White Settlement.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 1995, 74th Leg., ch. 630, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.881 by Acts 1997, 75th Leg., ch. 165, Sec. 8.32, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 105, eff. Sept. 1, 1999.

Sec. 30.01134. JUDGE. (a) to (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(29), eff. Sept. 1, 1999.

(d) In addition to exercising powers under Section 30.00006(e), a municipal judge shall devote as much time to the office as it requires.

(e) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(29), eff. Sept. 1, 1999.

(k) Sections 30.00007(b) (1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 630, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.884 by Acts 1997, 75th Leg., ch. 165, Sec. 8.32, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 106, 139(29), eff. Sept. 1, 1999.

Sec. 30.01135. CLERK; OTHER PERSONNEL. (a) The city manager of the city shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 630, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.885 by Acts 1997, 75th Leg., ch. 165, Sec. 8.32, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 107, eff. Sept. 1, 1999.

Sec. 30.01136. COURT REPORTER. (a) The presiding judge shall appoint the court reporter under Section 30.00010.

(b) to (e) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(29), eff. Sept. 1, 1999.

Added by Acts 1995, 74th Leg., ch. 630, Sec. 1, eff. Aug. 28, 1995.

Renumbered from Government Code, Sec. 30.886 by Acts 1997, 75th Leg., ch. 165, Sec. 8.32, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 108, 139(29), eff. Sept. 1, 1999.

Sec. 30.01137. MAGISTRATES. (a) The governing body may appoint one or more magistrates to act on behalf of a municipal court of record or a municipal court in the city of White Settlement.

(b) A magistrate is not required to possess all the qualifications necessary to be a municipal court of record judge.

(c) A magistrate may not preside over the court or hear contested cases.

(d) A magistrate may:

- (1) conduct an arraignment;
- (2) hold an indigency hearing;
- (3) accept a plea;

- (4) sign a judgment;
- (5) set the amount of a bond; and
- (6) perform other functions under Article 15.17, Code of Criminal Procedure.

Added by Acts 2009, 81st Leg., R.S., Ch. 1076 (H.B. 4750), Sec. 1, eff. June 19, 2009.

Sec. 30.01148. DISPOSITION ON APPEAL. (a) to (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(29), eff. Sept. 1, 1999.

(d) Section 30.00009(c) does not apply to this subchapter.

Added by Acts 1995, 74th Leg., ch. 630, Sec. 1, eff. Aug. 28, 1995.  
Renumbered from Government Code, Sec. 30.898 by Acts 1997, 75th Leg., ch. 165, Sec. 8.32, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 109, 139(29), eff. Sept. 1, 1999.

#### SUBCHAPTER EE. EULESS

Sec. 30.01171. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Euless.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 1993, 73rd Leg., ch. 325, Sec. 1, eff. Aug. 30, 1993.  
Renumbered from Government Code, Sec. 30.916 by Acts 1997, 75th Leg., ch. 165, Sec. 8.33, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 110, eff. Sept. 1, 1999.

Sec. 30.01174. JUDGE. (a) to (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(30), eff. Sept. 1, 1999.

(d) In addition to exercising powers under Section 30.00006(e), a municipal judge shall devote as much time to the office as it requires.

(e) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(30), eff. Sept. 1, 1999.

(k) Sections 30.00007(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1993, 73rd Leg., ch. 325, Sec. 1, eff. Aug. 30, 1993.  
Renumbered from Government Code, Sec. 30.919 by Acts 1997, 75th Leg., ch.



165, Sec. 8.33, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 111, 139(30), eff. Sept. 1, 1999.

Sec. 30.01175. CLERK; OTHER PERSONNEL. (a) The city manager of the city shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1993, 73rd Leg., ch. 325, Sec. 1, eff. Aug. 30, 1993.

Renumbered from Government Code, Sec. 30.920 by Acts 1997, 75th Leg., ch. 165, Sec. 8.33, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 112, eff. Sept. 1, 1999.

Sec. 30.01176. COURT REPORTER. (a) The presiding judge shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(30), eff. Sept. 1, 1999.

Added by Acts 1993, 73rd Leg., ch. 325, Sec. 1, eff. Aug. 30, 1993.

Renumbered from Government Code, Sec. 30.921 by Acts 1997, 75th Leg., ch. 165, Sec. 8.33, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 113, 139(30), eff. Sept. 1, 1999.

#### SUBCHAPTER FF. DENTON

Sec. 30.01211. APPLICATION; DEFINITION. (a) This subchapter applies to the city of Denton.

(b) In this subchapter, "appellate courts" means the county courts at law of Denton County that have criminal appellate jurisdiction.

Added by Acts 1993, 73rd Leg., ch. 884, Sec. 1, eff. Aug. 30, 1993.

Renumbered from Government Code, Sec. 30.981 by Acts 1997, 75th Leg., ch. 165, Sec. 8.34, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 114, eff. Sept. 1, 1999.

Sec. 30.01216. JUDGE. (a) The municipal judge shall devote as much time as necessary to perform the duties of the office.

(b), (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(31), eff. Sept. 1, 1999.

Added by Acts 1993, 73rd Leg., ch. 884, Sec. 1, eff. Aug. 30, 1993.  
Renumbered from Government Code, Sec. 30.986 by Acts 1997, 75th Leg., ch. 165, Sec. 8.34, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 115, 139(31), eff. Sept. 1, 1999.

Sec. 30.01218. CLERK; OTHER PERSONNEL. (a) The city manager shall appoint a clerk of the municipal court of record who shall be known as the "municipal court clerk."

(b) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(31), eff. Sept. 1, 1999.

(c) The clerk may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office.

Added by Acts 1993, 73rd Leg., ch. 884, Sec. 1, eff. Aug. 30, 1993.  
Renumbered from Government Code, Sec. 30.988 by Acts 1997, 75th Leg., ch. 165, Sec. 8.34, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 139(31), eff. Sept. 1, 1999.

Sec. 30.01219. COURT REPORTER. (a) The presiding judge shall appoint the court reporter under Section [30.00010](#).

(b) to (e) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(31), eff. Sept. 1, 1999.

Added by Acts 1993, 73rd Leg., ch. 884, Sec. 1, eff. Aug. 30, 1993.  
Renumbered from Government Code, Sec. 30.989 by Acts 1997, 75th Leg., ch. 165, Sec. 8.34, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 116, 139(31), eff. Sept. 1, 1999.

#### SUBCHAPTER GG. LAKE WORTH

Sec. 30.01251. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Lake Worth.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 1997, 75th Leg., ch. 182, Sec. 1, eff. May 21, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 117, eff. Sept. 1, 1999.

Sec. 30.01254. JUDGE. (a) to (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(32), eff. Sept. 1, 1999.

(d) In addition to exercising powers under Section 30.00006(e), a municipal judge shall devote as much time to the office as it requires.

(e) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(32), eff. Sept. 1, 1999.

(k) Sections 30.00007(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1997, 75th Leg., ch. 182, Sec. 1, eff. May 21, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 118, 139(32), eff. Sept. 1, 1999.

Sec. 30.01255. MAGISTRATES. (a) The governing body may appoint one or more magistrates in addition to magistrates provided under Article 2.09, Code of Criminal Procedure.

(b) A magistrate does not have to possess all the qualifications necessary to be a municipal court of record judge.

(c) A magistrate may not preside over the court or hear contested cases.

(d) A magistrate may:

- (1) conduct an arraignment;
- (2) hold an indigency hearing;
- (3) accept a plea;
- (4) sign a judgment;
- (5) set the amount of a bond; and

(6) perform other functions under Article 15.17, Code of Criminal Procedure.

Added by Acts 1997, 75th Leg., ch. 182, Sec. 1, eff. May 21, 1997.

Sec. 30.01256. CLERK; OTHER PERSONNEL. (a) The city administrator of the city shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(b) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 1997, 75th Leg., ch. 182, Sec. 1, eff. May 21, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 119, eff. Sept. 1, 1999.

Sec. 30.01257. COURT REPORTER. (a) The presiding judge shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(32), eff. Sept. 1, 1999.

Added by Acts 1997, 75th Leg., ch. 182, Sec. 1, eff. May 21, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 120, 139(32), eff. Sept. 1, 1999.

Sec. 30.01273. JOINT COURTS: CREATION. (a) The governing body of the city may contract with one or more municipalities that have municipal courts of record to establish a joint municipal court of record to serve the contracting municipalities.

(b) A joint municipal court of record created under this section replaces each municipality's individual municipal court of record.

Added by Acts 1997, 75th Leg., ch. 182, Sec. 1, eff. May 21, 1997.

Sec. 30.01274. JOINT COURT: JUDGES. (a) Notwithstanding any other law, a joint municipal court of record created under Section 30.01273 is presided over by a municipal judge or alternate municipal judge who is appointed by a majority vote of each of the governing bodies of the contracting municipalities for a two-year term.

(b) The judge of a joint municipal court of record may be removed from office by the governing bodies of the contracting municipalities at any time for incompetency, misconduct, malfeasance, or inability to perform the tasks of the office.

Added by Acts 1997, 75th Leg., ch. 182, Sec. 1, eff. May 21, 1997.

Sec. 30.01275. JOINT COURTS: JURISDICTION. (a) The jurisdiction of a joint municipal court of record created under Section 30.01273 is the combined jurisdiction of the municipal courts of the contracting municipalities.

(b) An appeal from a joint municipal court of record created under Section 30.01273 is to the county criminal court of the county in which the offense occurred. If that county does not have a county criminal court, appeal is to the county court of law of the county.

Added by Acts 1997, 75th Leg., ch. 182, Sec. 1, eff. May 21, 1997.

Sec. 30.01276. JOINT COURT: PROSECUTING ATTORNEY. A municipality that contracts under Section 30.01273 may provide its own prosecuting

attorney or the contracting municipalities may agree on the selection of one or more prosecuting attorneys.

Added by Acts 1997, 75th Leg., ch. 182, Sec. 1, eff. May 21, 1997.

Sec. 30.01277. JOINT COURT: APPLICABLE LAW. (a) The municipalities by contract shall select one of the contracting municipality's enabling statutes as the source of applicable procedural requirements for the operation of the joint municipal court of record established under Section [30.01273](#).

(b) All of the provisions of the statute selected under Subsection (a) apply to the operation of the joint municipal court of record. If there is a conflict with any of the provisions in Sections 30.01273-30.01276, those sections control.

(c) Any matter that is not governed by the contracting municipalities' enabling legislation or other law shall be resolved by the contract entered into under Section [30.01273](#).

Added by Acts 1997, 75th Leg., ch. 182, Sec. 1, eff. May 21, 1997.

## SUBCHAPTER II. LEWISVILLE

Sec. 30.01321. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Lewisville.

(b) In this subchapter, "appellate courts" means the county courts at law of Denton County that have criminal appellate jurisdiction.

Added by Acts 1997, 75th Leg., ch. 87, Sec. 1, eff. May 15, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 125, eff. Sept. 1, 1999.

Sec. 30.01326. JUDGE. (a) to (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(34), eff. Sept. 1, 1999.

(d) In addition to exercising powers under Section [30.00006](#)(e), a municipal judge shall devote as much time to the office as it requires.

(e), (f) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(34), eff. Sept. 1, 1999.

(g) Section [30.00007](#)(b)(5) does not apply to this subchapter.

Added by Acts 1997, 75th Leg., ch. 87, Sec. 1, eff. May 15, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 126, 139(34), eff. Sept. 1, 1999.

Sec. 30.01328. CLERK; OTHER PERSONNEL. (a) The city manager of the city shall appoint a clerk of the municipal court of record who shall be known as the "Lewisville Municipal Court Clerk."

(b) The clerk may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office.

(c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(34), eff. Sept. 1, 1999.

Added by Acts 1997, 75th Leg., ch. 87, Sec. 1, eff. May 15, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 139(34), eff. Sept. 1, 1999.

Sec. 30.01329. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section [30.00010](#).

(b) to (e) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(34), eff. Sept. 1, 1999.

Added by Acts 1997, 75th Leg., ch. 87, Sec. 1, eff. May 15, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 127, 139(34), eff. Sept. 1, 1999.

#### SUBCHAPTER JJ. DALWORTHINGTON GARDENS

Sec. 30.01371. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Dalworthington Gardens.

(b) In this subchapter, "appellate courts" means the county criminal courts of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 1997, 75th Leg., ch. 935, Sec. 1, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 128, eff. Sept. 1, 1999.

Sec. 30.01374. JUDGE. (a) to (c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(35), eff. Sept. 1, 1999.

(d) In addition to exercising powers under Section [30.00006](#)(e), a municipal judge shall devote as much time to the office as it requires.

(e) to (j) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(35), eff. Sept. 1, 1999.

(k) Sections [30.00007](#)(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 1997, 75th Leg., ch. 935, Sec. 1, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 129, 139(35), eff. Sept. 1, 1999.

Sec. 30.01375. CLERK; OTHER PERSONNEL. The city secretary shall be, ex officio, the clerk of the municipal court of record and may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office. The clerk or the clerk's deputies shall keep the records of the municipal courts of record, issue process, and generally perform the duties for the courts that a clerk of the county court exercising criminal jurisdiction is required by law to perform for that court. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

Added by Acts 1997, 75th Leg., ch. 935, Sec. 1, eff. Sept. 1, 1997.

Sec. 30.01376. COURT REPORTER. (a) The clerk of the court shall appoint the court reporter under Section 30.00010.

(b) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(35), eff. Sept. 1, 1999.

Added by Acts 1997, 75th Leg., ch. 935, Sec. 1, eff. Sept. 1, 1997.

Amended by Acts 1999, 76th Leg., ch. 691, Sec. 130, 139(35), eff. Sept. 1, 1999.

#### SUBCHAPTER KK. RICHARDSON

Sec. 30.01401. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Richardson.

(b) In this subchapter, "appellate courts" means the county criminal courts of Dallas County that have criminal appellate jurisdiction.

Added by Acts 1997, 75th Leg., ch. 1044, Sec. 1, eff. June 19, 1997.

Amended by Acts 1999, 76th Leg., ch. 691, Sec. 131, eff. Sept. 1, 1999.

Sec. 30.01406. JUDGE. (a) , (b) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(36), eff. Sept. 1, 1999.

(c) A municipal judge is entitled to receive compensation or a salary and other benefits set by the governing body of the city. The judge's compensation or salary may not be diminished during the term of office. The compensation or salary may not be based directly or indirectly on fines, fees, or other costs that the municipal judge is required by law to collect during a term of office.

(d) Section 30.00007 does not apply to this subchapter.

Added by Acts 1997, 75th Leg., ch. 1044, Sec. 1, eff. June 19, 1997.

Amended by Acts 1999, 76th Leg., ch. 691, Sec. 132, 139(36), eff. Sept. 1, 1999.

Sec. 30.01408. CLERK; OTHER PERSONNEL. (a) The city manager shall appoint a clerk of the municipal court of record who shall be known as the municipal court clerk.

(b) The clerk or the clerk's deputies shall keep the records of the municipal courts of record, issue process, and generally perform the duties for the court that a clerk of the county court exercising criminal jurisdiction is required by law to perform for that court. The clerk shall perform the duties in accordance with statutes, the city charter, and city ordinances.

(c) The clerk, the city manager, or the person designated as court administrator by the city manager may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office.

(d) Section 30.00009(c) does not apply to this subchapter.

Added by Acts 1997, 75th Leg., ch. 1044, Sec. 1, eff. June 19, 1997.

Amended by Acts 1999, 76th Leg., ch. 691, Sec. 133, eff. Sept. 1, 1999.

#### SUBCHAPTER LL. COPPELL

Sec. 30.01441. APPLICATION; DEFINITION. (a) This subchapter applies to the City of Coppell.

(b) In this subchapter, "appellate courts" means the county criminal courts of Dallas County that have criminal appellate jurisdiction.

Added by Acts 1997, 75th Leg., ch. 366, Sec. 1, eff. May 27, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 134, eff. Sept. 1, 1999.

Sec. 30.01446. JUDGE. (a) to (d) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(37), eff. Sept. 1, 1999.

(e) A municipal judge is entitled to compensation or a salary and other benefits set by the governing body of the city. The governing body may not base the compensation or salary directly or indirectly on fines, fees, or costs collected by the court.

(f) Section 30.00007 does not apply to this subchapter.



Added by Acts 1997, 75th Leg., ch. 366, Sec. 1, eff. May 27, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 135, 139(37), eff. Sept. 1, 1999.

Sec. 30.01448. CLERK; OTHER PERSONNEL. (a) The city manager shall appoint a clerk of the municipal court of record.

(b) The clerk may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office, including deputies and bailiffs as may be necessary or appropriate.

(c) Repealed by Acts 1999, 76th Leg., ch. 691, Sec. 139(37), eff. Sept. 1, 1999.

Added by Acts 1997, 75th Leg., ch. 366, Sec. 1, eff. May 27, 1997. Amended by Acts 1999, 76th Leg., ch. 691, Sec. 139(37), eff. Sept. 1, 1999.

#### SUBCHAPTER MM. BULLARD

Sec. 30.01481. APPLICATION. This subchapter applies to the City of Bullard.

Added by Acts 2001, 77th Leg., ch. 499, Sec. 1, eff. June 11, 2001.

Sec. 30.01482. QUALIFICATIONS OF JUDGE. (a) A municipal judge must be:

- (1) a resident of this state; and
- (2) a citizen of the United States.

(b) Section 30.00006(c) does not apply to this subchapter.

Added by Acts 2001, 77th Leg., ch. 499, Sec. 1, eff. June 11, 2001.

#### SUBCHAPTER NN. TYLER

Sec. 30.01511. APPLICATION. This subchapter applies to the City of Tyler.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01512. JUDGE. (a) A municipal court of record is presided over by a municipal judge appointed to office by the city manager in the manner provided by the city charter.

(b) If the city manager appoints more than one municipal judge under Subsection (a), the city manager shall appoint one of the municipal judges

as the presiding municipal judge.

(c) A municipal judge is entitled to a salary from the city the amount of which is determined by the city manager. A municipal judge's salary may not be diminished during the judge's term of office. A municipal judge's salary may not be based directly or indirectly on fines, fees, or costs collected by the court.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01513. CLERK; OTHER PERSONNEL. The city manager shall provide a clerk of the municipal courts of record. The city manager shall provide deputy clerks, warrant officers, and other personnel as needed for the proper operation of the municipal courts of record. The clerk and other court personnel shall perform their duties under the direction and control of the city manager.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01514. COURT REPORTER. The municipal court clerk shall appoint the court reporter.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01515. APPEAL. The County Court of Smith County has jurisdiction over an appeal.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

#### SUBCHAPTER OO. SANSOM PARK

Sec. 30.01541. APPLICATION. This subchapter applies to the City of Sansom Park.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01542. MAGISTRATES. (a) The governing body may appoint one or more magistrates in addition to magistrates provided under Article 2.09, Code of Criminal Procedure.

(b) A magistrate does not have to possess all the qualifications necessary to be a municipal court of record judge.

- (c) A magistrate may not preside over the court or hear contested cases.
- (d) A magistrate may:
- (1) conduct an arraignment;
  - (2) hold an indigency hearing;
  - (3) accept a plea;
  - (4) sign a judgment;
  - (5) set the amount of a bond; and
  - (6) perform other functions under Article [15.17](#), Code of Criminal Procedure.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01543. CLERK; OTHER PERSONNEL. The city administrator of the city shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01544. COURT REPORTER. The clerk of the court shall appoint the court reporter.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01545. APPEAL. The county criminal courts of Tarrant County have jurisdiction over an appeal.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01546. JOINT COURTS: CREATION. (a) The governing body of the city may contract with one or more municipalities that have municipal courts of record to establish a joint municipal court of record to serve the contracting municipalities.

(b) A joint municipal court of record created under this section replaces each municipality's individual municipal court of record.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01547. JOINT COURT: JUDGES. (a) Notwithstanding any other law, a joint municipal court of record created under Section [30.01546](#) is

presided over by a municipal judge or alternate municipal judge who is appointed by a majority vote of each of the governing bodies of the contracting municipalities for a two-year term.

(b) The judge of a joint municipal court of record may be removed from office as provided by Section 30.000085 by the governing bodies of the contracting municipalities at any time for incompetency, misconduct, malfeasance, or inability to perform the tasks of the office.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01548. JOINT COURTS: JURISDICTION. (a) The jurisdiction of a joint municipal court of record created under Section 30.01546 is the combined jurisdiction of the municipal courts of the contracting municipalities.

(b) An appeal from a joint municipal court of record created under Section 30.01546 is to the county criminal court of the county in which the offense occurred. If that county does not have a county criminal court, appeal is to the county court of law of the county.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01549. JOINT COURT: PROSECUTING ATTORNEY. A municipality that contracts under Section 30.01546 may provide its own prosecuting attorney or the contracting municipalities may agree on the selection of one or more prosecuting attorneys.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01550. JOINT COURT: APPLICABLE LAW. (a) The municipalities by contract shall select one of the contracting municipality's enabling statutes as the source of applicable procedural requirements for the operation of the joint municipal court of record established under Section 30.01546.

(b) All of the provisions of the statute selected under Subsection (a) apply to the operation of the joint municipal court of record. If there is a conflict with any of the provisions in Sections 30.01546-30.01549, those sections control.

(c) Any matter that is not governed by the contracting municipalities' enabling legislation or other law shall be resolved by the contract entered into under Section 30.01546.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

#### SUBCHAPTER PP. FARMERS BRANCH

Sec. 30.01591. APPLICATION. This subchapter applies to the City of Farmers Branch.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01592. CREATION. On creation of the initial municipal court of record, the governing body of the city shall determine the method of selecting the judge of a municipal court of record by:

- (1) adopting an ordinance that provides for the appointment of a municipal judge by the governing body of the city;
- (2) adopting an ordinance that provides for the election of a municipal judge by the qualified voters of the city; or
- (3) ordering an election in which the qualified voters of the city determine whether a municipal judge is appointed by the governing body of the city or elected.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01593. CLERK; OTHER PERSONNEL. (a) The city manager shall appoint a clerk of the municipal court of record, who shall be known as the municipal court clerk.

(b) The clerk may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01594. COURT REPORTER. The clerk of the court shall appoint the court reporter.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01595. APPEAL. The county criminal courts of appeal of Dallas County have jurisdiction of appeals from the municipal courts of record.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

## SUBCHAPTER QQ. HILL COUNTRY VILLAGE

Sec. 30.01631. APPLICATION. This subchapter applies to the City of Hill Country Village.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01632. CLERK; OTHER PERSONNEL. The city secretary shall be, ex officio, the clerk of the municipal court of record and may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01633. COURT REPORTER. The clerk of the court shall appoint the court reporter.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01634. APPEAL. The county courts at law of Bexar County have jurisdiction over an appeal.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

## SUBCHAPTER RR. RIO BRAVO

Sec. 30.01691. APPLICATION. This subchapter applies to the City of Rio Bravo.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01692. CLERK; OTHER PERSONNEL. The city manager or city administrator of the city shall appoint a clerk of the municipal court of record who may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01693. COURT REPORTER. The clerk of the court shall appoint the court reporter.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

Sec. 30.01694. APPEAL. The county courts at law of Webb County have jurisdiction over an appeal.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 136, eff. Sept. 1, 1999.

#### SUBCHAPTER SS. LIVE OAK

Sec. 30.01721. APPLICATION. This subchapter applies to the City of Live Oak.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 137, eff. Sept. 1, 1999.

Sec. 30.01722. CLERK; OTHER PERSONNEL. The city secretary shall be, ex officio, the clerk of the municipal court of record and may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 137, eff. Sept. 1, 1999.

Sec. 30.01723. COURT REPORTER. The clerk of the court shall appoint the court reporter.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 137, eff. Sept. 1, 1999.

Sec. 30.01724. APPEAL. The county courts at law of Bexar County have jurisdiction over an appeal.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 137, eff. Sept. 1, 1999.

#### SUBCHAPTER TT. FLOWER MOUND

Sec. 30.01751. APPLICATION. This subchapter applies to the Town of Flower Mound.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 138, eff. Sept. 1, 1999.

Sec. 30.017515. JUDGE. (a) A municipal court of record is presided over by a municipal judge.

(b) A municipal judge is appointed by the mayor with the concurrence of the governing body of the municipality and serves at the pleasure of the governing body.

(c) A municipal judge shall:

(1) devote as much time to the office as necessary; and

(2) take judicial notice of state law, municipal ordinances, and the corporate limits of the municipality.

(d) If there is more than one municipal judge appointed under Subsection (b), the mayor shall appoint one of the judges as the presiding municipal judge.

(e) A municipal judge is entitled to a salary from the municipality, the amount of which is determined by the governing body of the municipality. The amount of a municipal judge's salary may not be based directly or indirectly on fines, fees, or costs collected by the court.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 138, eff. Sept. 1, 1999.

Sec. 30.01752. COURT REPORTER. The municipal court clerk shall appoint the court reporter. The town manager shall set the compensation of the court reporter.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 138, eff. Sept. 1, 1999.

Sec. 30.01753. APPEAL. The appropriate county court of Denton County having jurisdiction over appeals from municipal courts shall have jurisdiction over any appeal.

Added by Acts 1999, 76th Leg., ch. 691, Sec. 138, eff. Sept. 1, 1999.

#### SUBCHAPTER UU. WESTLAKE

Sec. 30.01781. APPLICATION; DEFINITION. (a) This subchapter applies to the Town of Westlake located in Tarrant and Denton counties.

(b) In this subchapter, "appellate courts" means the county courts at law of Tarrant County that have criminal appellate jurisdiction.

Added by Acts 2001, 77th Leg., ch. 602, Sec. 1, eff. June 11, 2001.

#### SUBCHAPTER VV. TROPHY CLUB

Sec. 30.01811. APPLICATION; DEFINITION. (a) This subchapter applies to the Town of Trophy Club located in Tarrant and Denton counties.

(b) In this subchapter, "appellate courts" means the county courts at law of Denton County that have criminal appellate jurisdiction.



Added by Acts 2001, 77th Leg., ch. 903, Sec. 1, eff. June 14, 2001.

#### SUBCHAPTER WW. LAREDO

Sec. 30.01821. APPLICATION. This subchapter applies to the city of Laredo.

Added by Acts 2007, 80th Leg., R.S., Ch. 897 (H.B. 2617), Sec. 1, eff. June 15, 2007.

Sec. 30.01822. JUDGE. (a) A municipal court of record is presided over by a municipal judge.

(b) A municipal judge is elected at large by the qualified voters of the city of Laredo for a term of four years. Except as provided by Subsection (d), a municipal judge may not serve more than two terms.

(c) A municipal judge must:

- (1) be a licensed attorney in this state; and
- (2) be a resident of the city of Laredo.

(d) A municipal judge may serve the remainder of an unexpired term to which the judge was elected or appointed and serve two additional terms.

(e) A municipal judge is entitled to the salary provided by ordinance of the governing body of the city.

Added by Acts 2007, 80th Leg., R.S., Ch. 897 (H.B. 2617), Sec. 1, eff. June 15, 2007.

Sec. 30.01823. CLERK; OTHER PERSONNEL. (a) The governing body of the city by majority vote shall appoint a clerk of a municipal court of record. The clerk must be nominated by the city manager.

(b) The clerk serves at the pleasure of the governing body of the city, and the employment status of the clerk is equivalent to a department director.

(c) In addition to the powers and duties provided by Section 30.00009, the clerk may:

- (1) administer oaths and affidavits;
- (2) make certificates and affix the seal of the municipal court of record to the certificates; and
- (3) perform any act necessary to issue process and conduct the business of the court.

(d) The governing body may provide other personnel, including associate municipal judges.

(e) The governing body may authorize the appointment of deputy clerks, who may act for and on behalf of the clerk, as necessary for the proper operation of a municipal court of record.

(f) The clerk shall hire, direct, and remove the personnel authorized for the clerk's office in the city's annual budget.

Added by Acts 2007, 80th Leg., R.S., Ch. 897 (H.B. [2617](#)), Sec. 1, eff. June 15, 2007.

#### SUBCHAPTER XX. BEDFORD

Sec. 30.01881. APPLICATION. This subchapter applies to the City of Bedford.

Added by Acts 2003, 78th Leg., ch. 773, Sec. 1, eff. June 20, 2003.

Sec. 30.01882. JUDGE. The governing body of the city may determine by ordinance whether a municipal judge is appointed by the governing body or elected by the qualified voters of the city by a majority vote. A municipal judge serves for a term of three years.

Added by Acts 2003, 78th Leg., ch. 773, Sec. 1, eff. June 20, 2003.

#### SUBCHAPTER YY. MESQUITE

Sec. 30.01891. APPLICATION; DEFINITIONS. (a) This subchapter applies to the city of Mesquite.

(b) In this subchapter:

(1) "Appellate courts" means the county courts at law of Dallas County that have criminal appellate jurisdiction.

(2) "Municipal court administrator" means the clerk of the municipal courts of record.

Added by Acts 2011, 82nd Leg., R.S., Ch. 155 (H.B. [1889](#)), Sec. 1, eff. January 1, 2012.

Sec. 30.01892. JUDGE. Sections [30.00007](#)(b)(1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 2011, 82nd Leg., R.S., Ch. 155 (H.B. [1889](#)), Sec. 1, eff. January 1, 2012.

Sec. 30.01893. COURT RULES. The presiding judge shall adopt rules not inconsistent with this subchapter or other law for the municipal courts of record to provide efficiency, uniformity, and fairness in the conduct of the business of the courts. The rules may:

- (1) address courtroom decorum and attire;
- (2) address court protocol;
- (3) govern the hearing of pleas, motions for continuance, motions to withdraw and for substitution, and pretrial motions;
- (4) establish procedures related to a defendant's failure to appear;
- (5) establish procedures related to a defendant's indigency or inability to pay fines; and
- (6) address warrant procedures.

Added by Acts 2011, 82nd Leg., R.S., Ch. 155 (H.B. 1889), Sec. 1, eff. January 1, 2012.

Sec. 30.01894. MUNICIPAL COURT ADMINISTRATOR; OTHER PERSONNEL. (a) The city manager shall appoint a municipal court administrator to serve as the clerk of the municipal courts of record.

(b) The municipal court administrator shall:

- (1) perform, as applicable, the duties prescribed by law for the county clerk of a county court at law;
- (2) maintain central docket records for all cases filed in the municipal courts of record;
- (3) maintain an index of all municipal courts of record judgments in the same manner as county clerks are required by law to prepare for criminal cases arising in county courts; and
- (4) request the jurors needed for cases that are set for trial by jury.

(c) The municipal court administrator may hire, direct, supervise, and remove personnel authorized in the city's annual budget for the clerk's office in accordance with the city's general government policies and procedures manual and subject to approval by the city manager.

(d) Sections 30.00009(c) and (d) do not apply to this subchapter.

Added by Acts 2011, 82nd Leg., R.S., Ch. 155 (H.B. 1889), Sec. 1, eff. January 1, 2012.

Sec. 30.01895. COURT REPORTER. The municipal court administrator shall appoint the court reporter under Section 30.00010.

Added by Acts 2011, 82nd Leg., R.S., Ch. 155 (H.B. [1889](#)), Sec. 1, eff. January 1, 2012.

#### SUBCHAPTER ZZ. CORPUS CHRISTI

Sec. 30.01901. APPLICATION; DEFINITIONS. (a) This subchapter applies to the city of Corpus Christi.

(b) In this subchapter:

(1) "Appellate courts" means the county courts at law of Nueces County that have criminal appellate jurisdiction.

(2) "Municipal court director" means the clerk of the municipal courts of record.

Added by Acts 2007, 80th Leg., R.S., Ch. 441 (S.B. [2009](#)), Sec. 1, eff. June 15, 2007.

Sec. 30.01902. JUDGE. Sections [30.00007](#) (b) (1), (2), (3), and (5) do not apply to this subchapter.

Added by Acts 2007, 80th Leg., R.S., Ch. 441 (S.B. [2009](#)), Sec. 1, eff. June 15, 2007.

Sec. 30.01903. MUNICIPAL COURT DIRECTOR; OTHER PERSONNEL. (a) The city manager shall appoint a municipal court director to serve as the clerk of the municipal courts of record.

(b) The municipal court director shall perform, as applicable, the duties prescribed by law for the county clerk of a county court at law. In addition, the municipal court director shall:

(1) maintain central docket records for all cases filed in the municipal courts of record;

(2) maintain an index of all municipal court of record judgments in the same manner as county clerks are required by law to prepare for criminal cases arising in county courts; and

(3) request the jurors needed for cases that are set for trial by jury.

(c) The municipal court director may hire, direct, and remove the personnel authorized in the city's annual budget for the clerk's office.

(d) Sections [30.00009](#) (c) and (d) do not apply to this subchapter.

Added by Acts 2007, 80th Leg., R.S., Ch. 441 (S.B. 2009), Sec. 1, eff. June 15, 2007.

Sec. 30.01904. COURT REPORTER. The municipal court director shall appoint the court reporter under Section 30.00010.

Added by Acts 2007, 80th Leg., R.S., Ch. 441 (S.B. 2009), Sec. 1, eff. June 15, 2007.

## **Summary**

Chapter 30 of the Texas Government Code sets forth the statutory requirements for creation of Municipal Courts of Record, unless established by specific legislation. The ordinance would need to repeal the existing Chapter 7 – Municipal Court. A charter amendment may be necessary to modify the language regarding the qualifications of a municipal court judge, See FOR Charter Section V Departmental and Administrative Organization, Section. 5.03(B). Other amendments can always be considered at the Council’s discretion.

## **Legal Requirements**

Chapter 30 identifies that a governing body may by ordinance create a municipal court of record. The ordinance creating the Municipal Court of Record:

1. Must provide that the creation of such is necessary to provide a more efficient disposition of the cases arising in the municipality. Section 30.00003(a).
2. May establish as many municipal courts of record as needed as determined by the governing body. Section 30.00003(b).
3. Must give each court a numerical designation, beginning with “Municipal Court of Record No. 1.” Section 30.00003(c).
4. May identify that the municipal court not of record will not exist concurrently with the municipal court of record. Section 30.00003(e)
5. Must provide that it may sit for any time as needed for the transaction of business of the court, there are no terms. Section 30.00003(f).
6. Must provide that it has the jurisdiction provided by general law for municipal courts. 30.00005(a).
7. Must provide that it has jurisdiction over criminal cases arising under ordinances authorized by Sections 215.072, 217.042, 341.903, and 551.002, Local Government Code. Section 30.00005(b).
8. May provide that it has concurrent jurisdiction with a justice court in any precinct in which the municipality is located in criminal cases that arise within the territorial limits of the municipality and are punishable only by fine. Section 30.00005(c).
9. May provide that the court has:
  - (1) civil jurisdiction for the purpose of enforcing municipal ordinances enacted under Subchapter A, Chapter 214, Local Government Code, or Subchapter E, Chapter 683, Transportation Code;
  - (2) concurrent jurisdiction with a district court or a county court at law under Subchapter B, Chapter 54, Local Government Code, within the municipality's territorial limits and

property owned by the municipality located in the municipality's extraterritorial jurisdiction for the purpose of enforcing health and safety and nuisance abatement ordinances; and

(3) authority to issue:

(A) search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation; and

(B) seizure warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises. Section 30.0005(d).

10. Must provide that it has concurrent jurisdiction with a district court and a justice court over expunction proceedings relating to the arrest of a person for an offense punishable by fine only. Section 30.00005(e).
11. Must provide for the term of office of its municipal judges which must be for a definite term of two or four years. Section 30.00006(d).
12. If a vacancy occurs in the office of municipal judge of a court of record, must provide for the appointment of a qualified person to fill the office for the remainder of the unexpired term, if not identified by Charter. Section 30.00008(a).
13. Must provide for the appointment of a clerk of the municipal courts of record and may provide for deputy clerks, warrant officers, and other personnel as needed for the proper operation of the courts. Section 30.00009(a) and (b).
14. Must provide for the hiring, direction, supervision, and removal of the personnel authorized in the annual budget for the clerk's office. Section 30.00009(d).

### **Additional Considerations**

Section 30.00006 provides that the judge must:

- (1) be a resident of this state;
- (2) be a citizen of the United States;
- (3) be a licensed attorney in good standing; and
- (4) have two or more years of experience in the practice of law in this state. 30.00006 (b) and (c).

All of these conditions are not contained within your Charter but can be delineated within the ordinance.

The governing body shall determine the salary of a municipal judge. The amount of a judge's salary may not be diminished during the judge's term of office. The salary may not be

based directly or indirectly on fines, fees, or costs collected by the court. Section 30.00006(h). Section 30.000085 provides that a municipal judge of a home-rule municipality may be removed from office by the governing body for the reasons stated and by the procedures provided for the removal of judges in the charter of the municipality. The City's current Charter provisions are not in conflict with these requirements. The municipal judge may not also be employed by the same municipality. Section 30.00006(g).

The municipal judge shall take judicial notice of state law and the ordinances and corporate limits of the municipality. The judge may grant writs of mandamus, attachment, and other writs necessary to the enforcement of the jurisdiction of the court and may issue writs of habeas corpus in cases in which the offense charged is within the jurisdiction of the court. A municipal judge is a magistrate and may issue administrative search warrants. Section 30.00006(e).

Section 30.00010 requires a municipality to provide either:

- (1) a court reporter to preserve a record in cases tried before a municipal court of record. 30.00010(a); or
- (2) Instead of providing a court reporter, the governing body may provide that the proceedings may be recorded by a good quality electronic recording device. 30.00010(d).

Section 30.000125 requires the governing body to provide each municipal court of record with a seal. The seal's appearance and use must substantially conform to Article 45.02, Code of Criminal Procedure, but must include the phrase "Municipal Court of/in \_\_\_\_\_, Texas."

There are additional requirements under Chapter 30 for the conduct of the Court, trial proceedings and appeals that the Municipal Court of Record would need to conform to as well. Sections 30.000123 - .00027.



**Municipal Courts**  
**Summary of Cases Appealed by City**  
**September 1, 2011 to August 31, 2022**

2021 City Population		CRIMINAL CASES												CIVIL/ ADMINISTRATIVE CASES	
		Traffic Misdemeanors						Non-Traffic Misdemeanors							
		Non-Parking		Parking		City Ordinance		Penal Code		Other State Law		City Ordinance			
		After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial
Carrizo Springs	5,368	7	8	0	0	0	0	0	0	0	0	13	8	0	0
Carrollton	119,097	16	3	0	0	0	0	6	0	0	0	2	0	2	6
Carthage	6,779	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Castle Hills	4,116	1	2	0	0	0	0	0	0	0	0	0	0	0	0
Castroville	2,680	0	101	0	0	0	0	0	10	0	0	1	0	0	0
Cedar Hill	45,028	102	1,233	0	13	0	0	17	45	27	417	21	10	0	0
Cedar Park	48,937	10	9	0	0	0	0	3	1	0	0	3	2	1	0
Celeste	814	6	17	0	0	0	0	0	0	0	1	0	0	0	0
Celina	6,028	36	86	0	0	0	0	0	0	4	4	0	0	0	0
Center	5,193	44	12	3	0	0	1	5	0	1	0	0	0	0	0
Chandler	2,734	4	83	0	2	0	3	0	5	0	18	0	1	0	0
Channing	363	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Charlotte	1,715	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Chateau Woods															
Chico	1,002	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Childress	6,105	2	144	0	5	0	0	0	0	0	23	0	0	0	0
Chillicothe	707	0	1	0	0	0	0	0	0	0	0	0	0	0	0
China	1,160														
China Grove	1,179	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Cibolo	15,349	12	20	0	0	0	0	2	1	1	0	1	0	0	0
Cisco	3,899	61	139	0	0	0	0	5	0	6	4	1	0	0	0
Clarendon	2,026	0	27	0	0	0	0	0	1	0	0	0	0	0	0
Clarksville	3,285	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Clarksville City	865	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Claude	1,196	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Clear Lake Shores	1,063	39	67	0	0	0	0	0	0	14	21	0	0	0	0
Cleburne	29,337	3,189	2,294	1	0	30	6	238	119	258	151	455	88	0	0
Cleveland	7,675	1	2	0	0	8	1	1	1	0	0	0	0	0	0
Clifton	3,442	1	31	0	0	0	1	0	1	2	17	0	2	0	2
Clint	926	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Clute	11,211	6	0	0	0	0	0	0	0	6	0	0	0	0	0
Clyde	3,713	16	168	0	0	0	0	0	4	0	10	0	0	0	0
Cockrell Hill	4,193	463	1,478	3	4	0	0	146	539	3	9	2	3	0	0

**Municipal Courts**  
**Summary of Cases Appealed by City**  
**September 1, 2011 to August 31, 2022**

City Population		CRIMINAL CASES												CIVIL/ ADMINISTRATIVE CASES		
		Traffic Misdemeanors						Non-Traffic Misdemeanors								
		Non-Parking		Parking		City Ordinance		Penal Code		Other State Law		City Ordinance				
		After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	
Hart	1,114	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Haskell	3,322	0	3	0	0	0	0	0	1	0	0	0	0	0	0	1
Haslet	1,517	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hawk Cove	483	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Hawkins	1,278	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0
Hawley	634	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Hearne	4,459	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Heath	6,921	9	5	1	0	0	0	0	0	5	4	1	0	0	0	0
Hedwig Village	2,557	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Helotes	7,341	1	47	0	9	0	0	0	3	0	12	0	0	0	0	0
Hemphill	1,198	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
Hempstead	5,770	30	6	0	0	0	0	0	0	1	0	6	0	0	0	0
Henderson	13,712	39	0	0	0	0	0	7	0	2	0	2	0	0	0	0
Henrietta	3,141	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hereford	15,370	2	231	0	0	0	0	0	3	0	2	0	3	0	0	0
Hewitt	13,549	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hickory Creek	3,247	2	645	0	0	0	0	0	26	1	2	0	1	0	0	0
Hico	1,379	1	3	0	0	0	0	0	0	0	0	0	1	0	0	0
Hidalgo	11,198	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Highland Haven	431	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Highland Park	8,564	277	4,603	1	13	0	0	2	16	16	39	1	17	0	0	0
Highland Village	15,056	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hill Country Village	985	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hillsboro	8,456	317	7	4	0	5	0	6	0	29	1	0	0	0	0	0
Hilshire Village	746	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hitchcock	6,961	38	52	0	0	0	0	4	3	9	9	4	4	0	0	0
Holiday Lakes	1,107	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Holland	1,121	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0
Holliday	1,758	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hollywood Park	3,062	35	715	0	0	0	0	0	222	0	19	1	7	0	0	0
Hondo	8,803	9	47	0	0	0	0	3	8	1	2	0	0	0	0	0
Honey Grove	1,668	6	14	0	0	0	0	0	1	0	0	0	0	0	0	0
Hooks	2,769	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

**Municipal Courts**  
**Summary of Cases Appealed by City**  
**September 1, 2011 to August 31, 2022**

City Population		CRIMINAL CASES												CIVIL/ ADMINISTRATIVE CASES	
		Traffic Misdemeanors						Non-Traffic Misdemeanors							
		Non-Parking		Parking		City Ordinance		Penal Code		Other State Law		City Ordinance			
		After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial
Jefferson	2,106	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Jersey Village	7,620	5	5	0	0	0	0	1	0	1	2	0	0	0	0
Jewett	1,167	5	1	0	0	0	0	0	0	0	0	0	0	0	0
Joaquin	824	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Johnson City	1,656	3	1	0	0	0	0	1	9	1	0	0	0	0	0
Jones Creek	2,020	2	3	0	0	0	0	0	0	0	0	0	0	0	0
Jonestown	1,834	4	4	0	0	0	0	2	0	0	0	0	0	0	0
Josephine	812	3	11	0	0	0	0	0	0	0	0	0	0	0	0
Joshua	5,910	182	0	1	0	0	0	0	0	160	0	36	0	0	0
Jourdanton	3,871	71	140	0	0	0	0	1	12	0	14	0	0	0	0
Junction	2,574	0	25	0	0	0	0	0	0	0	0	0	0	0	0
Justin	3,246	4	133	0	0	0	0	0	4	2	21	1	2	0	0
Karnes City	3,042	10	4	0	0	0	1	0	0	3	1	1	1	0	0
Katy	14,102	28	9	0	0	0	0	2	1	0	0	0	0	0	0
Kaufman	6,703	0	3	0	0	0	0	0	2	1	1	0	1	0	0
Keene	6,106	108	565	3	21	1	4	2	1	24	12	5	1	0	0
Keller	39,627	2	0	0	0	2	0	0	0	0	0	1	0	2	0
Kemah	1,773	50	70	3	0	0	0	26	24	5	13	1	0	0	0
Kemp	1,154	4	5	0	0	0	0	0	0	0	0	0	0	0	0
Kempner	1,089	0	10	0	0	0	0	0	0	0	0	0	0	0	0
Kendleton	380														
Kenedy	3,296	2	34	0	0	0	0	0	3	0	0	1	3	0	0
Kenefick	563	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kennedale	6,763	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kerens	1,573	0	9	0	0	0	0	0	0	0	0	0	0	0	0
Kermit	5,708	1	0	0	0	0	0	0	0	1	0	1	0	0	0
Kerrville	22,347	34	27	0	0	0	0	16	36	1	0	3	0	0	0
Kilgore	12,975	1	1	0	0	0	0	0	0	1	1	0	0	0	0
Killeen	127,921	1	0	0	0	0	0	0	0	1	0	2	0	0	2
Kingsville	26,213	22	2	0	0	0	0	1	3	0	0	0	1	0	0
Kirby	8,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kirbyville	2,142	0	3	0	0	0	0	0	0	0	0	0	0	0	0
Knox City	1,130	0	0	0	0	0	0	0	0	0	0	0	0	0	0



**Municipal Courts**  
**Summary of Cases Appealed by City**  
**September 1, 2011 to August 31, 2022**

2021 City Population		CRIMINAL CASES												CIVIL/ ADMINISTRATIVE CASES		
		Traffic Misdemeanors						Non-Traffic Misdemeanors								
		Non-Parking		Parking		City Ordinance		Penal Code		Other State Law		City Ordinance				
		After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	
Santa Rosa	2,873	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Savoy	831	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Schertz	31,465	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Schulenburg	2,852	0	20	0	1	0	0	0	0	0	8	0	0	0	0	0
Scurry	694	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Seabrook	11,952	3	0	0	0	0	0	1	0	1	0	0	0	0	0	0
Seadrift	1,364	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Seagoville	14,835	246	1,403	0	2	0	0	0	0	9	80	20	59	0	0	0
Scagraves	2,417	0	181	0	0	0	0	0	5	0	6	0	0	0	0	0
Sealy	6,019	82	598	0	2	1	1	2	22	2	22	1	6	0	0	0
Seguin	25,175	31	17	0	0	0	0	0	0	0	0	0	0	0	0	0
Selma	5,540	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Seminole	6,430	122	7	0	0	3	0	0	0	114	2	14	0	0	0	0
Seven Oaks	111															
Seven Points	1,455	12	1	0	0	0	0	1	0	1	0	0	0	0	0	0
Seymour	2,740	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
Shady Shores	2,612	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Shallowater	2,484	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0
Shamrock	1,910	0	50	0	2	0	0	0	0	0	2	0	0	0	0	0
Shavano Park	3,035	6	0	0	0	0	0	1	1	0	1	5	0	0	0	0
Shenandoah	2,134	1	6	0	0	0	0	0	0	2	1	0	0	0	0	0
Shepherd	2,319	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sherman	38,521	26	13	0	0	0	0	0	0	6	2	2	1	1	0	0
Shiner	2,069	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Shoreacres	1,493	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
Silsbee	6,611	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simonton	814	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sinton	5,665	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0
Skellytown	473	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Slaton	6,121	3	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Smiley	549	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Smithville	3,817	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Snook	569	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

**Municipal Courts**  
**Summary of Cases Appealed by City**  
**September 1, 2011 to August 31, 2022**

2021 City Population		CRIMINAL CASES												CIVIL/ ADMINISTRATIVE CASES	
		Traffic Misdemeanors						Non-Traffic Misdemeanors							
		Non-Parking		Parking		City Ordinance		Penal Code		Other State Law		City Ordinance			
		After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial	After Trial	Without Trial
Wichita Falls	104,553	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wickett	498	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Willis	5,662	10	73	0	0	0	0	1	1	5	27	0	1	0	0
Willow Park	3,982	19	14	1	1	0	0	3	0	2	0	0	0	0	0
Wills Point	3,524	3	4	0	0	0	0	0	0	0	0	0	4	0	0
Wilmer	3,682	139	3,767	1	4	1	19	6	649	28	1,050	0	8	0	0
Wilson	469	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wimberley	2,626	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Windcrest	5,364	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Windthorst	409	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Winfield	524	0	18	0	0	0	0	0	0	0	1	0	2	0	0
Wink	940	12	0	0	0	0	0	0	0	0	0	4	0	0	0
Winnsboro	3,434	10	0	0	0	0	0	1	0	0	0	0	0	0	0
Winona	576	0	2	0	0	0	0	0	0	0	0	0	0	0	0
Winters	2,562	5	5	0	0	0	0	0	0	0	0	0	0	0	0
Wolfe City	1,412	1	15	0	0	0	0	0	0	0	5	0	0	0	0
Wolfforth	3,670	1	2	0	0	0	0	0	0	0	0	0	0	0	1
Woodbranch	1,282	0	8	0	0	0	0	0	0	0	1	0	0	0	0
Woodcreek	1,457	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Woodsboro	1,512	37	0	0	0	0	0	0	0	1	0	0	0	0	0
Woodville	2,586	59	16	0	0	0	0	7	0	6	0	0	0	0	0
Woodway	8,452	2	2	0	0	0	0	0	0	0	0	1	0	0	0
Wortham	1,073	0	4	0	4	0	0	0	0	0	0	0	0	0	0
Wylie	41,427	117	76	1	0	2	4	26	16	1	4	4	5	0	0
Yoakum	5,815	1	2	0	0	0	0	0	1	0	1	0	0	0	0
Yorktown	2,092	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Zavalla	713	0	32	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS	19,202,586	70,002	80,503	1,300	695	270	183	4,087	6,397	12,208	14,719	7,723	3,948	599	863

**Municipal Courts**  
**Activity by City Summary**  
**September 1, 2011 to August 31, 2022**  
**(Cities Listed in Alphabetical Order)**

City	2021 Population	CIVIL/ADMINISTRATIVE CASES						CRIMINAL CASES					
		Active Pending 9/1/11	Reactive- vated	Added	Disposed	Placed on Inactive Status	Active Pending 8/31/22	Active Pending 9/1/11	Reactive- vated	Added	Disposed	Placed on Inactive Status	Active Pending 8/31/22
Brownsboro	1,229	0	0	0	0	0	0	1,850	3,242	26,179	24,404	4,485	3,194
Brownsville	187,831	0	1	151	181	0	0	112,614	206,553	603,327	741,723	148,349	36,830
Brownwood	18,770	0	0	0	0	0	0	547	4,654	25,740	22,687	5,195	3,061
Bruceville-Eddy	1,426	0	0	0	0	0	0	2,631	11,082	41,785	39,060	16,262	358
Bryan	86,866	0	0	371	191	0	38	8,277	111,738	134,653	135,650	116,583	2,598
Bryson	447	0	0	0	0	0	0	0	0	0	0	0	0
Buckholts	372	0	0	0	0	0	0	919	523	23,893	12,479	2,273	0
Buda	15,643	0	0	0	0	0	0	872	4,763	22,656	16,013	8,078	0
Buffalo	1,789	0	0	0	0	0	0	1,193	6,396	19,965	13,392	6,478	8,720
Buffalo Springs	459	0	0	0	0	0	0	0	0	0	0	0	0
Bullard	3,706	0	0	0	0	0	0	243	6,959	25,377	15,731	10,432	6,439
Bulverde	5,996	0	0	0	0	0	0	1,720	15,856	75,590	56,931	24,395	0
Bunker Hill	3,761	0	0	0	0	0	0	1,215	5,530	20,572	16,121	7,031	4,202
Burkburnett	10,975	0	0	0	0	0	0	1,315	3,330	14,032	12,827	3,927	1,931
Burleson	51,618	0	0	0	0	0	0	2,403	24,739	88,290	86,204	26,331	2,900
Burnet	6,676	0	0	0	0	0	0	857	2,342	11,567	12,060	2,813	388
Burton	283	0	0	0	0	0	0	385	666	4,043	3,672	1,295	0
Cactus	3,050	0	0	0	0	0	0	2,567	0	7,548	6,709	0	3,418
Caddo Mills	2,321	0	0	0	0	0	0	992	1,964	13,802	11,184	2,347	1,784
Caldwell	4,109	0	0	0	0	0	0	316	1,699	13,865	7,702	3,376	4,045
Calvert	962	0	0	0	0	0	0	9,748	1	22,915	20,791	0	6,289
Cameron	5,352	0	0	0	0	0	0	1,078	3,039	15,535	12,639	4,401	0
Camp Wood	508												
Canadian	2,248	0	0	0	0	0	0	0	0	3	3	0	0
Caney City	188	0	0	0	0	0	0	6	0	307	188	6	0
Canton	4,312	0	0	0	0	0	0	1,219	4,527	13,796	14,002	4,534	1,338
Canyon	15,221	0	0	1	1	0	0	6,240	4,780	30,439	37,295	3,269	1,292
Carrizo Springs	4,833	0	0	0	0	0	0	1,865	5,560	33,491	15,973	9,600	0
Carrollton	133,251	0	2	714	416	2	286	16,101	67,510	423,859	418,197	89,677	8,119
Carthage	6,533	0	0	0	0	0	0	1,377	1,423	27,869	25,552	1,082	0
Castle Hills	3,947	0	0	7	2	0	5	6,759	27,466	81,149	66,652	34,918	13,850
Castroville	3,005	0	0	0	0	0	0	4,654	8,106	26,222	19,884	13,828	5,297
Cedar Hill	48,557	0	0	1	0	0	0	2,983	24,808	84,530	80,417	29,333	3,016
Cedar Park	78,693	18	0	202	205	1	28	8,176	30,053	80,005	88,719	28,478	1,539
Celeste	822	0	0	0	0	0	0	687	0	4,444	3,756	25	0



**Municipal Courts**  
**Activity by City Summary**  
**September 1, 2011 to August 31, 2022**  
(Cities Listed in Alphabetical Order)

City	2021 Population	TOTAL CASES					
		Active Pending 9/1/11	Reactive- vated	Added	Disposed	Placed on Inactive Status	Active Pending 8/31/22
Hill Country Village	940	147	1,843	12,404	12,152	1,810	412
Hillsboro	8,305	1,738	12,150	63,037	58,101	17,764	0
Hilshire Village	806	0	0	0	0	0	0
Hitchcock	7,408	15,654	13,167	31,592	31,109	14,167	15,260
Holiday Lakes	1,022	0	66	726	754	121	0
Holland	1,086	10	439	8,569	6,974	1,421	930
Holliday	1,570	83	515	1,777	1,910	445	45
Hollywood Park	3,106	821	4,023	20,049	17,107	4,818	3,052
Hondo	8,387	2,151	6,030	12,485	11,607	6,749	2,423
Honey Grove	1,753	486	102	4,525	4,125	511	0
Hooks	2,514	326	858	2,687	2,363	835	628
Horizon City	23,162	1,436	8,697	61,378	48,492	17,022	0
Horseshoe Bay	4,490	107	1,050	5,384	4,523	1,636	514
Houston	2,288,250	452,625	2,935,859	8,238,561	8,685,379	2,495,724	395,355
Howardwick	371	0	4	12	11	4	0
Howe	3,615	751	561	10,520	10,378	1,825	1,010
Hubbard	1,402	2,406	1,487	16,366	11,001	1,862	0
Hudson	4,986	3,037	4,568	12,211	14,496	3,973	1,529
Hudson Oaks	2,478	426	3,496	7,567	8,709	2,752	321
Hughes Springs	1,543	82	217	2,235	2,172	804	54
Humble	16,396	5,826	59,169	156,923	149,538	56,388	16,024
Hunters Creek Village	4,314	2,515	1,360	19,322	14,944	3,504	0
Huntington	2,019	6,396	3,454	30,742	27,957	5,709	0
Huntsville	46,288	2,787	27,738	129,885	122,635	34,313	3,461
Hurst	40,055	10,736	61,022	172,310	167,166	63,397	13,747
Hutchins	5,566	1,490	13,077	29,565	24,370	11,186	8,022
Hutto	30,855	1,269	6,305	29,628	37,429	6,506	0
Idalou	2,152	250	973	3,872	3,163	1,547	412
Indian Lake	851	86	26	2,165	1,150	3	0
Ingleside	9,898	1,298	8,972	21,484	19,803	8,835	0
Ingram	1,813	565	460	3,839	3,745	726	372
Iowa Colony	10,883	2	632	15,947	11,877	1,356	0
Iowa Park	6,547	60	1,322	5,332	4,802	1,386	763
Iraan	1,037	0	0	232	226	0	0
Irving	254,198	161,078	120,752	529,357	548,701	126,342	136,322

**Municipal Courts**  
**Activity by City Summary**  
**September 1, 2011 to August 31, 2022**  
**(Cities Listed in Alphabetical Order)**

City	2021 Population	TOTAL CASES					
		Active Pending 9/1/11	Reactiv- ated	Added	Disposed	Placed on Inactive Status	Active Pending 8/31/22
Kerrville	24,477	2,119	9,364	55,148	56,957	8,439	1,238
Kilgore	13,383	11,858	7,682	42,865	33,453	8,752	59,541
Killeen	156,261	13,708	68,702	265,545	262,306	64,217	33,178
Kingsville	25,069	7,828	25,883	61,488	61,562	26,258	8,385
Kirby	8,100	6,455	13,140	33,405	31,374	15,002	18,412
Kirbyville	2,003	1,039	1,533	11,272	6,190	1,617	6,066
Knox City	1,052	22	1	1,789	1,043	0	766
Kosse	454	0	738	10,633	7,919	1,801	1,285
Kountze	2,163	893	4,640	22,939	20,184	6,549	1,759
Kress	608	0	0	0	1	0	0
Krugerville	1,920	197	1,450	16,164	14,102	2,350	645
Krum	5,823	305	1,494	10,717	7,497	1,769	0
Kyle	51,789	3,020	22,562	74,853	66,548	24,616	0
La Coste	1,107	183	1,475	1,628	2,582	676	55
La Feria	6,814	1,057	5,334	30,856	22,850	11,127	3,289
La Grange	4,423	4,032	3,393	9,601	18,626	17,646	2,491
La Grulla	1,207	0	0	9,907	1,398	79	2,608
La Joya	4,587	11,294	12,506	46,009	27,550	25,141	0
La Marque	18,697	7,334	14,361	63,862	63,398	21,630	1,304
La Porte	35,964	9,539	25,390	147,979	144,609	30,339	8,176
La Vernia	1,154	62	436	9,203	7,512	478	0
La Villa	2,712	0	0	0	0	0	0
La Ward	189	0	0	0	0	0	0
Lacy Lakeview	7,090	649	6,384	12,517	13,862	5,239	663
Ladonia	612	6	0	9	9	0	0
Lago Vista	9,348	1,341	1,456	14,317	14,035	1,876	1,622
Laguna Vista	3,605	16,285	2,520	16,775	8,436	5,593	0
Lake Bridgeport	349	0	0	74	86	1	2
Lake City	458	0	0	0	0	0	0
Lake Dallas	7,722	1,829	10,307	42,675	37,557	11,780	0
Lake Jackson	27,879	4,315	17,391	69,503	69,886	22,125	2,923
Lake Tanglewood	706	6	0	194	258	0	0
Lake Worth	4,674	6,670	20,683	70,768	76,384	19,408	5,528
Lakeport	972	368	2,370	6,401	6,135	2,222	0
Lakeside	1,624	237	4,186	21,536	16,772	6,699	2,423



**Municipal Courts**  
**Activity by City Summary**  
**September 1, 2011 to August 31, 2022**  
**(Cities Listed in Alphabetical Order)**

City	2021 Population	TOTAL CASES					
		Active Pending 9/1/11	Reactive- vated	Added	Disposed	Placed on Inactive Status	Active Pending 8/31/22
Shallowater	2,940	103	31	751	786	50	0
Shamrock	1,773	753	63	2,836	2,947	85	744
Shavano Park	3,569	2,479	7,345	24,649	24,387	7,814	2,273
Shenandoah	3,593	490	2,122	259	2,434	449	135
Shepherd	2,045	298	92	430	292	3	770
Sherman	44,873	1,364	14,388	65,892	116,220	13,460	6,524
Shiner	2,154	121	2	1,482	1,395	2	328
Shoreacres	1,530	492	5,132	13,401	11,584	4,611	1,091
Silsbee	6,851	1,609	11,101	32,214	31,363	10,669	4,182
Simonton	642	0	0	10	15	0	0
Sinton	5,562	927	1,990	10,092	7,995	3,635	1,433
Skellytown	394	54	18	207	200	26	69
Slaton	5,811	1,476	2,289	6,735	6,349	2,422	0
Smiley	480	0	106	2,171	1,653	373	0
Smithville	4,047	1,502	943	10,962	9,902	1,040	0
Snook	519	0	0	1	1	0	0
Snyder	11,264	1,061	3,383	24,282	24,184	4,266	277
Socorro	36,236	191	4,489	79,307	77,948	5,868	1,281
Somerset	1,765	801	2,221	9,238	5,054	3,451	7,808
Somerville	1,329	0	0	14,594	14,498	1	1,474
Sonora	2,462	1,027	607	10,055	8,232	1,345	217
Sour Lake	1,792	455	1,453	13,209	11,983	1,622	0
South Houston	15,878	32,382	24,152	108,074	62,390	34,238	68,012
South Padre Island	2,061	10,922	4,894	37,598	32,821	6,508	0
Southlake	31,105	9,022	16,289	152,543	149,008	19,201	0
Southmayd	1,013	90	370	11,958	14,442	671	406
Southside Place	1,826	8,975	9,357	52,576	47,059	12,357	0
Spearman	3,087	3	0	1,594	998	0	601
Splendora	1,780	2,396	9,381	46,741	41,691	15,012	0
Spring Valley Village	4,217	2,811	16,904	94,990	75,446	18,931	20,287
Springtown	3,355	2,295	9,690	35,145	32,240	9,721	0
Spur	740	494	44	1,371	1,042	99	0
Stafford	17,364	8,518	26,914	126,713	105,362	39,721	0
Stagecoach	588	261	1,321	4,029	4,106	1,259	0
Stamford	2,977	505	642	3,781	3,456	1,032	0

**Municipal Courts**  
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**September 1, 2011 to August 31, 2022**  
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City	2021 Population	TOTAL CASES					
		Active Pending 9/1/11	Reactive- vated	Added	Disposed	Placed on Inactive Status	Active Pending 8/31/22
Whiteface	371	0	0	46	34	0	0
Whitehouse	8,734	1,990	2,874	19,648	17,713	2,392	6,410
Whitesboro	4,217	98	737	8,128	6,922	1,445	0
Whitewright	1,753	469	467	7,026	5,999	580	0
Whitney	2,033	1,180	2,976	8,863	7,472	3,908	804
Wichita Falls	102,988	13,669	75,391	264,421	259,640	96,488	0
Wickett	410	0	0	0	0	0	0
Willis	6,710	669	5,655	16,416	13,879	6,083	2,778
Willow Park	5,194	2,604	1,905	28,580	23,994	254	5,132
Wills Point	3,863	2,668	3,079	16,533	15,921	3,377	0
Wilmer	5,332	4,086	42,246	114,000	92,876	55,205	12,648
Wilson	444	0	0	16	10	0	6
Wimberley	2,877	0	8	900	812	32	0
Windcrest	5,828	2,185	23,090	94,125	64,388	43,162	11,862
Windthorst	344	0	0	0	0	0	0
Winfield	422	1,675	0	13,560	12,041	0	0
Wink	882	62	493	3,066	1,654	1,045	995
Winnsboro	3,527	387	2,945	17,120	15,858	3,712	1,430
Winona	643	1,250	753	6,569	6,539	496	660
Winters	2,365	231	7	677	294	1,474	0
Wolfe City	1,406	406	134	1,130	569	153	0
Wolfforth	6,008	2,166	721	11,338	10,537	2,420	0
Woodbranch	1,420	335	5,904	19,976	12,413	7,053	0
Woodcreek	1,804	0	0	428	406	1	0
Woodsboro	1,299	950	0	13,719	9,294	38	5,844
Woodville	2,440	995	9,122	21,601	20,388	9,119	1,260
Woodway	9,474	937	9,708	31,851	32,371	9,652	539
Wortham	1,002	1,762	0	15,275	9,972	0	6,729
Wylie	59,394	1,615	7,040	29,267	29,922	7,038	776
Yoakum	5,923	254	2,104	10,692	9,324	3,300	391
Yorktown	1,811	639	149	6,956	5,919	532	0
Zavalla	607	0	1,348	16,868	15,563	2,528	3,920
<b>TOTALS</b>	<b>22,169,474</b>	<b>8,801,861</b>	<b>18,220,131</b>	<b>58,489,770</b>	<b>58,070,373</b>	<b>20,316,372</b>	<b>6,163,615</b>

CM, Per your request.....

*Question: "Government Code Chapter 30, Section 30.0005 says a judge from a Court of Record has the Authority to issue search warrants for the purpose of investigating health and safety or nuisance abatement ordinance violation. Doesn't our judge currently have this authority and what I don't see in the code is an authority for evidentiary warrants as the judge was discussing."*

A magistrate's authority is detailed in multiple locations within the Code of Criminal Procedure (CCP Chapter 15 for Arrest & Chapter 18 for Searches) along with the Local Government Code Chapter 29 and Chapter 30. A majority of the 'types of warrants' that a magistrate can issue are related to and restricted by, the type of warrant being sought, as they are numerous. There really is no 'easy chart' or quick definition other than to highlight what they can or rather cannot do. Even as a Court of Record, when the ordinance is adopted, it will need to specify the authority granted to the magistrate in particular circumstances.

As a Court of Record:

Texas Local Government Code Chapter 30, Section 30.0005(d) outlines that only the governing body of a municipality **BY ORDINANCE**, may provide that the court has:

- (1) civil jurisdiction for the purpose of enforcing municipal ordinances enacted under Subchapter [A](#), Chapter [214](#), Local Government Code, or Subchapter [E](#), Chapter [683](#), Transportation Code;
- (2) concurrent jurisdiction with a district court or a county court at law under Subchapter [B](#), Chapter [54](#), Local Government Code, within the municipality's territorial limits and property owned by the municipality located in the municipality's extraterritorial jurisdiction for the purpose of enforcing health and safety and nuisance abatement ordinances; and
- (3) authority to issue:
  - (A) search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation; and
  - (B) seizure warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises.

Essentially to break it down:

- Existing Warrant Authority
  - Most Search Warrants (some are reserved for district court judges and above)
    - Excluding any warrant searching for property or items constituting evidence of an offense or person who committed the offense (aka Evidentiary Search Warrants)
    - Excluding any warrant regarding Chapter 59 Forfeiture contraband
  - Arrest Warrants
- Court of Record Warrant Authority
  - All presently existing powers listed as a Non Court of Record; plus these listed below:

- Search Warrants for property or items constituting evidence of an offense or person who committed the offense (aka Evidentiary Search Warrants)
- Search Warrants regarding Chapter 59 Forfeiture contraband
- Search Warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation
- Seizure Warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises
- Arrest Warrants



**Gene Fox**

**Chief of Police**

Shavano Park Police Department