

THE BRIEF



Information for Texas Municipalities about Texas Municipal Courts (January 2019)

The 86th Texas Legislature and Municipal Courts

Once upon a time, issues pertaining to municipal courts in Texas were seldom front and center at the Texas Capitol during session. Things have changed. Today, issues pertaining to municipal courts regularly play a prominent role. (Last session, the Texas Municipal Courts Education Center tracked more than 1,225 bills. 209 became law.)

Each regular session of the Texas Legislature lasts 140 days. The 86th Regular Legislature began on January 8, 2019. Because the Texas Legislature only meets every other year, many proposals are formulated prior to the first day of session. The result is that many proposals are pre-filed. This session, more than 450 bills were filed by noon on the first day pre-filings were accepted. (You can search legislation at the [Texas Legislature Online](#).)

People at city hall are likely aware of the Texas Municipal League and its [legislative program](#) which monitors a wide range of issues including municipal courts issues. Some readers may also be aware that the Texas Court Clerks Association (an affiliate of TML) also monitors legislation of interest to municipal courts.

City officials and municipal employees may not be familiar with the Texas Judicial Council or the Texas Municipal Courts Association.

Texas Judicial Council

The Texas Judicial Council is the policy arm of the Texas judiciary. Some of the most important legislation pertaining to municipal courts in the last decade is the result of recommendations made by the Judicial Council. The Council is composed of [16 ex-officio and six appointed members](#). It is chaired by the Chief Justice of the Supreme Court with the Presiding Judge of the Court of Criminal Appeals as Vice-Chair. The Chief Justice appoints 10 judicial members, including two municipal judges. The Lieutenant Governor appoints two members of the Senate, and the Speaker of the House of Representatives appoints one member of the House with the chair of the Judiciary and Civil Jurisprudence Committee serving on the Council. The Governor appoints six citizen members to the Council, three of which are members of the State Bar of Texas and two of which must not be licensed to practice law.

Judicial Council committees met throughout 2018. Reports were published and adopted in June 2018. Legislative recommendations were adopted in September 2018.

Heading into the 86th Legislature, the Judicial Council has announced 17 legislative priorities. Recommendations and detailed reports are available [on-line](#). Those pertaining to municipal courts include:

- Improving Data Collection and Transparency
- Improving the Judiciary's Response to Disasters
- Enhancing Court Security

- Improving Transparency from the State Commission on Judicial Conduct
- Combatting Opioid Abuse
- Bail Modernization
- Addressing the Needs of Those with Mental Health Concerns
- Addressing the Needs of Youth in Class C Misdemeanor Matters
- Increasing the Age Requirement for Municipal Judges
 - Non-Record Municipal Courts:
 - 25 years old if an attorney,
 - 30 years old if non-attorney.
- Increasing the Requirements for Judges in Municipal Courts of Record
 - Requiring municipal judges in courts of record to have the same qualifications as a district judge
 - Currently district judges are required to have four years of legal experience while judges in municipal courts of record are only required to have two years of legal experience.

Texas Municipal Courts Association

The Texas Municipal Courts Association ([TMCA](#)), which has more than 1,000 members throughout the state, maintains an active legislative program that focuses on issues of interest to municipal courts. The TMCA [legislative committee](#) consists of members appointed by the TMCA President. The committee works with membership to identify legislative priorities. In cooperation with the President, the committee members plan and carry out its legislative program during session. TMCA regularly collaborates with membership, other organizations and local governments to represent municipal courts interests at the Capitol.

The Brief is a periodic briefing for Texas mayors, city council members, and other local officials highlighting issues and increasing awareness and understanding of municipal courts in the Lone Star State. For more information, visit: www.tncec.com/c3. Follow on Twitter @C3forTexas

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