

CHAPTER 148

S.B. No. 895

AN ACT

relating to conforming the Judicial Title of the Government Code to certain Acts of the 69th Legislature, conforming that title to amendments to the constitution proposed by the 69th Legislature and adopted by the voters, and to nonsubstantively codifying in that title certain related statutes.

Be it enacted by the Legislature of the State of Texas:

ARTICLE I. CONFORMING CODE TO CONSTITUTIONAL CHANGES

SECTION 1.01. The laws in this article are amended to conform to the changes made by the adoption of the constitutional amendments proposed by Senate Joint Resolution No. 14, Acts of the 69th Legislature, Regular Session, 1985.

SECTION 1.02. Section 22.201, Government Code, is amended to read as follows:

Sec. 22.201. *COURTS OF APPEALS* [~~SUPREME JUDICIAL~~] DISTRICTS. (a) The state is divided into 14 *courts of appeals* [~~supreme judicial~~] districts with a court of appeals in each district.

(b) The First *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Austin, Brazoria, Brazos, Burleson, Chambers, Colorado, Fort Bend, Galveston, Grimes, Harris, Trinity, Walker, Waller, and Washington.

(c) The Second *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Archer, Clay, Cooke, Denton, Hood, Jack, Montague, Parker, Tarrant, Wichita, Wise, and Young.

(d) The Third *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Bastrop, Bell, Blanco, Burnet, Caldwell, Coke, Comal, Concho, Fayette, Hays, Irion, Lampasas, Lee, Llano, McCulloch, Milam, Mills, Runnels, San Saba, Schleicher, Sterling, Tom Green, Travis, and Williamson.

(e) The Fourth *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Atascosa, Bandera, Bexar, Brooks, Dimmit, Duval, Edwards, Frio, Gillespie, Guadalupe, Jim Hogg, Jim Wells, Karnes, Kendall, Kerr, Kimble, Kinney, LaSalle, McMullen, Mason, Maverick, Medina, Menard, Real, Starr, Sutton, Uvalde, Val Verde, Webb, Wilson, Zapata, and Zavala.

(f) The Fifth *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Collin, Dallas, Grayson, Hunt, Kaufman, Rockwall, and Van Zandt.

(g) The Sixth *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Bowie, Camp, Cass, Delta, Fannin, Franklin, Gregg, Harrison, Hopkins, Hunt, Lamar, Marion, Morris, Panola, Red River, Rusk, Titus, Upshur, and Wood.

(h) The Seventh *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crosby, Dallam, Deaf Smith, Dickens, Donley, Floyd, Foard, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, Kent, King, Lamb, Lipscomb, Lubbock, Lynn, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Terry, Wilbarger, Wheeler, and Yoakum.

(i) The Eighth *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Andrews, Brewster, Crane, Crockett, Culberson, Ector, El Paso, Gaines, Glasscock, Hudspeth, Jeff Davis, Loving, Martin, Midland, Pecos, Presidio, Reagan, Reeves, Terrell, Upton, Ward, and Winkler.

(j) The Ninth *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Angelina, Hardin, Jasper, Jefferson, Liberty, Montgomery, Newton, Orange, Polk, San Jacinto, and Tyler.

(k) The Tenth *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Bosque, Brazos, Coryell, Ellis, Falls, Freestone, Hamilton, Hill, Johnson, Leon, Limestone, Madison, McLennan, Navarro, Robertson, and Somervell.

(l) The Eleventh *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Baylor, Borden, Brown, Callahan, Coleman, Comanche, Dawson, Eastland, Erath, Fisher, Haskell, Howard, Jones, Knox, Mitchell, Nolan, Palo Pinto, Scurry, Shackelford, Stephens, Stonewall, Taylor, and Throckmorton.

(m) The Twelfth *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Anderson, Cherokee, Gregg, Henderson, Hopkins, Houston, Kaufman, Nacogdoches, Panola, Rains, Rusk, Sabine, San Augustine, Shelby, Smith, Upshur, Van Zandt, and Wood.

(n) The Thirteenth *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Aransas, Bee, Calhoun, Cameron, DeWitt, Goliad, Gonzales, Hidalgo, Jackson,

Kenedy, Kleberg, Lavaca, Live Oak, Matagorda, Nueces, Refugio, San Patricio, Victoria, Wharton, and Willacy.

(o) The Fourteenth *Court of Appeals* [~~Supreme Judicial~~] District is composed of the counties of Austin, Brazoria, Brazos, Burleson, Chambers, Colorado, Fort Bend, Galveston, Grimes, Harris, Trinity, Walker, Waller, and Washington.

SECTION 1.03. Section 22.202(a), Government Code, is amended to read as follows:

(a) The Court of Appeals for the First *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of Houston.

SECTION 1.04. Section 22.202(c), Government Code, is amended to read as follows:

(c) The counties other than Harris County composing the First and Fourteenth *Courts of Appeals* [~~Supreme Judicial~~] Districts shall annually reimburse Harris County for the costs incurred by Harris County during its previous fiscal year for:

- (1) supplemental salaries and fringe benefits for the justices for those courts; and
- (2) furnishings, equipment, supplies, and utility expenses for those courts.

SECTION 1.05. Section 22.202(e), Government Code, is amended to read as follows:

(e) The Commissioners Court of Harris County shall provide each county liable for the expenses with a statement of that county's share. The statement must be approved by the chief justices of the courts of appeals of the First and Fourteenth *Courts of Appeals* [~~Supreme Judicial~~] Districts.

SECTION 1.06. Section 22.202(g), Government Code, is amended to read as follows:

(g) The First Court of Appeals may transact its business in any county in the First *Court of Appeals* [~~Supreme Judicial~~] District as the court determines necessary and convenient.

SECTION 1.07. Section 22.202(i), Government Code, is amended to read as follows:

(i) Subject to Subchapter A, Chapter 73, the clerks of the First and the Fourteenth *Courts of Appeals* [~~Supreme Judicial~~] Districts may from time to time equalize the dockets of the two courts by transferring cases from one court to the other. The court to which the case is transferred has jurisdiction over the matter.

SECTION 1.08. Section 22.203(a), Government Code, is amended to read as follows:

(a) The Court of Appeals for the Second *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of Fort Worth.

SECTION 1.09. Section 22.204(a), Government Code, is amended to read as follows:

(a) The Court of Appeals for the Third *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of Austin.

SECTION 1.10. Section 22.206, Government Code, is amended to read as follows:

Sec. 22.206. FIFTH COURT OF APPEALS. The Court of Appeals for the Fifth *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of Dallas.

SECTION 1.11. Section 22.207(a), Government Code, is amended to read as follows:

(a) The Court of Appeals for the Sixth *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of Texarkana.

SECTION 1.12. Section 22.208, Government Code, is amended to read as follows:

Sec. 22.208. SEVENTH COURT OF APPEALS. The Court of Appeals for the Seventh *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of Amarillo.

SECTION 1.13. Section 22.209(a), Government Code, is amended to read as follows:

(a) The Court of Appeals for the Eighth *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of El Paso.

SECTION 1.14. Section 22.210(a), Government Code, is amended to read as follows:

(a) The Court of Appeals for the Ninth *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of Beaumont.

SECTION 1.15. Section 22.211(a), Government Code, is amended to read as follows:

(a) The Court of Appeals for the Tenth *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of Waco.

SECTION 1.16. Section 22.212(a), Government Code, is amended to read as follows:

(a) The Court of Appeals for the Eleventh *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of Eastland.

SECTION 1.17. Section 22.213(a), Government Code, is amended to read as follows:

(a) The Court of Appeals for the Twelfth *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of Tyler.

SECTION 1.18. Section 22.214(a), Government Code, is amended to read as follows:

(a) The Court of Appeals for the Thirteenth *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of Corpus Christi.

SECTION 1.19. Section 22.215(a), Government Code, is amended to read as follows:

(a) The Court of Appeals for the Fourteenth *Court of Appeals* [~~Supreme Judicial~~] District shall be held in the City of Houston.

SECTION 1.20. Section 22.215(c), Government Code, is amended to read as follows:

(c) The Fourteenth Court of Appeals may transact its business in any county in the First *Court of Appeals* [~~Supreme Judicial~~] District as the court determines necessary and convenient.

SECTION 1.21. Section 22.216(a), Government Code, is amended to read as follows:

(a) The Court of Appeals for the First *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and eight [~~associate~~] justices.

SECTION 1.22. Section 22.216(b), Government Code, is amended to read as follows:

(b) The Court of Appeals for the Second *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and six [~~associate~~] justices.

SECTION 1.23. Section 22.216(c), Government Code, is amended to read as follows:

(c) The Court of Appeals for the Third *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and five [~~associate~~] justices.

SECTION 1.24. Section 22.216(d), Government Code, is amended to read as follows:

(d) The Court of Appeals for the Fourth *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and six [~~associate~~] justices.

SECTION 1.25. Section 22.216(e), Government Code, is amended to read as follows:

(e) The Court of Appeals for the Fifth *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and 12 [~~associate~~] justices.

SECTION 1.26. Section 22.216(f), Government Code, is amended to read as follows:

(f) The Court of Appeals for the Sixth *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and two [~~associate~~] justices.

SECTION 1.27. Section 22.216(g), Government Code, is amended to read as follows:

(g) The Court of Appeals for the Seventh *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and three [~~associate~~] justices.

SECTION 1.28. Section 22.216(h), Government Code, is amended to read as follows:

(h) The Court of Appeals for the Eighth *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and three [~~associate~~] justices.

SECTION 1.29. Section 22.216(i), Government Code, is amended to read as follows:

(i) The Court of Appeals for the Ninth *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and two [~~associate~~] justices.

SECTION 1.30. Section 22.216(j), Government Code, is amended to read as follows:

(j) The Court of Appeals for the Tenth *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and two [~~associate~~] justices.

SECTION 1.31. Section 22.216(k), Government Code, is amended to read as follows:

(k) The Court of Appeals for the Eleventh *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and two [~~associate~~] justices.

SECTION 1.32. Section 22.216(l), Government Code, is amended to read as follows:

(l) The Court of Appeals for the Twelfth *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and two [~~associate~~] justices.

SECTION 1.33. Section 22.216(m), Government Code, is amended to read as follows:

(m) The Court of Appeals for the Thirteenth *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and five [~~associate~~] justices.

SECTION 1.34. Section 22.216(n), Government Code, is amended to read as follows:

(n) The Court of Appeals for the Fourteenth *Court of Appeals* [~~Supreme Judicial~~] District consists of a chief justice and eight [~~associate~~] justices.

SECTION 1.35. Section 22.221(d), Government Code, is amended to read as follows:

(d) Concurrently with the supreme court, the court of appeals of a *court of appeals* [~~supreme judicial~~] district in which a person is restrained in his liberty, or a justice of the court of appeals, may issue a writ of habeas corpus when it appears that the restraint of liberty is by virtue of an order, process, or commitment issued by a court or judge because of the violation of an order, judgment, or decree previously made, rendered, or entered by the court or judge in a divorce case, wife or child support case, or child custody case. Pending the hearing of an application for a writ of habeas corpus, the court of appeals or a justice of the court of appeals may admit to bail a person to whom the writ of habeas corpus may be granted.

SECTION 1.36. Section 24.007, Government Code, is amended to read as follows:

Sec. 24.007. [~~ORIGINAL CIVIL~~] JURISDICTION. *The district court has* [~~In addition to~~] the jurisdiction *provided* [~~conferred~~] by Article V, Section 8, of the Texas Constitution [~~, the district court has original civil jurisdiction of cases of dissolution of marriage~~].

SECTION 1.37. Subchapter A, Chapter 24, Government Code, is amended by adding Section 24.020 to read as follows:

Sec. 24.020. JURISDICTION OVER COMMISSIONERS COURT. The district court has appellate jurisdiction and general supervisory control over the commissioners court, with the exceptions and regulations prescribed by law.

SECTION 1.38. Section 26.041, Government Code, is amended to read as follows:

Sec. 26.041. GENERAL JURISDICTION; CHANGES. A [~~Except as otherwise provided by law, a~~] county court has the jurisdiction conferred by [~~Article V, Section 16, of the Texas Constitution and by~~] this subchapter *and other law*.

SECTION 1.39. Section 26.042, Government Code, is amended to read as follows:

Sec. 26.042. [~~ORIGINAL~~] CIVIL JURISDICTION [~~CONCURRENT WITH JUSTICE COURTS~~]; JUVENILE JURISDICTION. (a) A county court has concurrent jurisdiction with the justice courts in civil cases in which the matter in controversy exceeds \$200 in value but does not exceed \$1,000, exclusive of interest.

(b) A county court has juvenile jurisdiction as provided by Section 23.001.

(c) If under Subchapter E a county court has original concurrent jurisdiction with the justice courts in all civil matters in which the justice courts have jurisdiction, an appeal or writ of error may not be taken to the court of appeals from a final judgment of the county court in a civil case in which:

(1) the county court has appellate or original concurrent jurisdiction with the justice courts; and

(2) the judgment or amount in controversy does not exceed \$100, exclusive of interest and costs.

(d) *A county court has concurrent jurisdiction with the district court in civil cases in which the matter in controversy exceeds \$500 but does not exceed \$1,000, exclusive of interest.*

(e) *A county court has appellate jurisdiction in civil cases over which the justice courts have original jurisdiction in cases in which the judgment appealed from or the amount in controversy exceeds \$20, exclusive of costs.*

SECTION 1.40. Section 26.043, Government Code, is amended to read as follows:

Sec. 26.043. CIVIL MATTERS IN WHICH COUNTY COURT IS WITHOUT JURISDICTION. A county court does not have jurisdiction in:

- (1) a suit to recover damages for slander or defamation of character;
- (2) a suit for the enforcement of a lien on land;
- (3) a suit in behalf of the state for escheat;
- (4) a suit for divorce;
- (5) a suit for the forfeiture of a corporate charter;
- (6) a suit for the trial of the right to property valued at \$500 or more and levied on under a writ of execution, sequestration, or attachment; ~~[or]~~
- (7) an eminent domain case; *or*
- (8) *a suit for the recovery of land.*

SECTION 1.41. Section 26.045, Government Code, is amended to read as follows:

Sec. 26.045. ORIGINAL CRIMINAL JURISDICTION. (a) *Except as provided by Subsection (c), a [A] county court has exclusive original jurisdiction of misdemeanors other than misdemeanors involving official misconduct and cases in which the highest fine that may be imposed is \$200 or less.*

(b) *Except as provided by Subsection (c), a [A] county court has jurisdiction in the forfeiture and final judgment of bonds and recognizances taken in criminal cases within the court's jurisdiction.*

(c) *A county court that is in a county with a criminal district court does not have any criminal jurisdiction.*

SECTION 1.42. Subchapter D, Chapter 26, Government Code, is amended by adding Section 26.051 to read as follows:

Sec. 26.051. WRIT POWER. *A county judge, in either term time or vacation, may grant writs of mandamus, injunction, sequestration, attachment, garnishment, certiorari, and supersedeas and all other writs necessary to the enforcement of the court's jurisdiction.*

SECTION 1.43. Section 30.069(b), Government Code, is amended to read as follows:

(b) The appellant's and the state's briefs and the statement of facts must conform to the requirement of Texas Rules of Post Trial and Appellate Procedure in Criminal Cases for briefs and statements of facts in the courts of appeals, unless the rules of the Court of Appeals of the Eighth *Court of Appeals* ~~[Supreme Judicial]~~ District or the rules of the court of criminal appeals provide otherwise.

SECTION 1.44. Section 31.001, Government Code, is amended to read as follows:

Sec. 31.001. AUTHORITY FOR COUNTY PAYMENT OF COMPENSATION. The commissioners courts in the counties of each of the 14 *courts of appeals* ~~[supreme judicial]~~ districts may pay an amount not to exceed \$15,000 a year to each of the justices of the courts of appeals residing within the *court of appeals* ~~[supreme judicial]~~ district that includes those counties. The payment is for all judicial and administrative services performed by the justices.

SECTION 1.45. Section 31.003(a), Government Code, is amended to read as follows:

(a) The total of additional compensation authorized by this chapter to be paid to the individual justices of a *court of appeals* ~~[supreme judicial]~~ district may not exceed the total additional compensation authorized to be paid to any district judge residing within the same *court of appeals* ~~[supreme judicial]~~ district.

SECTION 1.46. Section 32.015(d), Government Code, is amended to read as follows:

(d) The combined yearly salary from the county and the state received by each judge of the district courts of Bexar County may not exceed an amount equal to \$1,000 less than

the combined yearly salary from the state and county received by each justice of the court of appeals in the *court of appeals* [~~supreme-judicial~~] district in which Bexar County is located.

SECTION 1.47. Section 32.020(b), Government Code, is amended to read as follows:

(b) The salary may not exceed the amount necessary to make the combined yearly salary received by the judge from state and county sources equal to \$1,000 less than the combined yearly salary from state and county sources received by an associate justice of the Court of Appeals of the First *Court of Appeals* [~~Supreme-Judicial~~] District.

SECTION 1.48. Section 32.029(b), Government Code, is amended to read as follows:

(b) The combined yearly salary from state and county sources received by each judge may not exceed an amount equal to \$1,000 less than the combined yearly salary from state and county sources received by each justice of the court of appeals in the *court of appeals* [~~supreme-judicial~~] district in which those districts are located.

SECTION 1.49. Section 32.031(b), Government Code, is amended to read as follows:

(b) The combined yearly salary received by each district judge from state and county sources may not exceed an amount equal to \$1,000 less than the combined yearly salary from state and county sources received by each associate justice of the Thirteenth *Court of Appeals* [~~Supreme-Judicial~~] District.

SECTION 1.50. Section 32.062(b), Government Code, is amended to read as follows:

(b) The combined yearly salary from state and county sources received by each judge may not exceed an amount equal to \$1,000 less than the combined yearly salary from state and county sources received by each justice of the court of appeals of the *court of appeals* [~~supreme-judicial~~] district in which those districts are located.

SECTION 1.51. Section 32.071(d), Government Code, is amended to read as follows:

(d) The combined yearly salary from state and county sources received by each judge of the district courts of El Paso County may not exceed an amount equal to \$1,000 less than the combined yearly salary from state and county sources received by each justice of the court of appeals in the *court of appeals* [~~supreme-judicial~~] district in which El Paso County is located.

SECTION 1.52. Section 32.079(d), Government Code, is amended to read as follows:

(d) The combined yearly salary from state and county sources received by each judge may not exceed an amount that is equal to \$1,000 less than the combined yearly salary from state and county sources received by each associate justice of the court of appeals in the *court of appeals* [~~supreme-judicial~~] district in which Fort Bend County is located.

SECTION 1.53. Section 32.084(b), Government Code, is amended to read as follows:

(b) The combined yearly salary from state and county sources received by each Galveston County district court judge may not exceed an amount equal to \$1,000 less than the combined yearly salary from state and county sources received by each justice of the court of appeals in the *court of appeals* [~~supreme-judicial~~] district in which Galveston County is located.

SECTION 1.54. Section 32.088(b), Government Code, is amended to read as follows:

(b) The combined yearly salary from state and county sources received by each judge may not exceed an amount equal to \$1,000 less than the combined yearly salary from state and county sources received by each justice of the court of appeals of the *court of appeals* [~~supreme-judicial~~] district in which those districts are located.

SECTION 1.55. Section 32.120(b), Government Code, is amended to read as follows:

(b) The combined yearly salary from state and county sources received by each judge may not exceed an amount equal to \$1,000 less than the combined yearly salary from state and county sources received by each justice of the court of appeals of the *court of appeals* [~~supreme-judicial~~] district in which those districts are located.

SECTION 1.56. Section 32.161(b), Government Code, is amended to read as follows:

(b) The salary may not exceed the amount necessary to make the combined yearly salary received by each judge from state and county sources equal to \$1,000 less than the

combined yearly salary from state and county sources received by each associate justice of the Court of Appeals of the First *Court of Appeals* [~~Supreme Judicial~~] District.

SECTION 1.57. Section 32.170(d), Government Code, is amended to read as follows:

(d) The combined yearly salary from state and county sources received by each judge may not exceed an amount equal to \$1,000 less than the combined yearly salary from state and county sources received by each associate justice of the court of appeals of the *court of appeals* [~~supreme-judicial~~] district in which Montgomery County is located.

SECTION 1.58. Section 32.196(b), Government Code, is amended to read as follows:

(b) The combined yearly salary from state and county sources received by each judge may not exceed an amount equal to \$1,000 less than the combined yearly salary from state and county sources received by each justice of the court of appeals of the *court of appeals* [~~supreme-judicial~~] district in which those districts are located.

SECTION 1.59. Section 32.235(b), Government Code, is amended to read as follows:

(b) The combined yearly salary from state and county sources received by each judge may not exceed an amount that is \$1,000 less than the combined yearly salary from state and county sources received by each justice of the court of appeals of the *court of appeals* [~~supreme-judicial~~] district in which those districts are located.

SECTION 1.60. Section 32.241(b), Government Code, is amended to read as follows:

(b) The salary may not exceed the amount necessary to make the combined yearly salary received by the judge from state and county sources equal to \$1,000 less than the combined yearly salary from state and county sources received by an associate justice of the Court of Appeals of the First *Court of Appeals* [~~Supreme-Judicial~~] District.

SECTION 1.61. Section 51.201(b), Government Code, is amended to read as follows:

(b) The clerk must reside within a county that is part of the *court of appeals* [~~supreme-judicial~~] district of the court of appeals making the appointment.

SECTION 1.62. Section 51.207(b), Government Code, is amended to read as follows:

(b) The fees are:

- (1) for cases appealed to and filed in the court of appeals from the district and county courts within its *court of appeals* [~~supreme-judicial~~] district \$50
- (2) motion for leave to file petition for writ of mandamus, prohibition, injunction, and other similar proceedings originating in the court of appeals \$20
- (3) additional fee if the motion under Subdivision (2) is granted.. \$30
- (4) motion to file or to extend time to file record on appeal from district or county court..... \$5.

SECTION 1.63. Section 71.035(c), Government Code, is amended to read as follows:

(c) The duty provided by this section to supply information may be enforced by writ of mandamus in:

- (1) the district court of the county of residence of the respondent if the petition for mandamus is filed against a district clerk or a clerk, judge, or other official of a trial court other than a district court;
- (2) the court of appeals for the *court of appeals* [~~supreme-judicial~~] district in which the respondent resides if the petition for mandamus is filed against a district judge or a clerk of a court of appeals; or
- (3) the supreme court in any other case.

ARTICLE II. CONFORMING CODE TO STATUTORY CHANGES AND MAKING ADDITIONS TO THE CODE

SECTION 2.01. (a) Chapter 21, Government Code, is amended to codify Article 15, Revised Statutes, and Section 27.053, Government Code, by adding Section 21.005 to read as follows:

Sec. 21.005. DISQUALIFICATION. A judge or a justice of the peace may not sit in a case if either of the parties is related to him by affinity or consanguinity within the third degree.

(b) Article 15, Revised Statutes, is repealed.

(c) Section 27.053, Government Code, is repealed.

SECTION 2.02. Chapter 21, Government Code, is amended to add definitions for terms used in Chapter 25, Government Code, by adding Section 21.008 to read as follows:

Sec. 21.008. DEFINITIONS. In this title:

(1) "County court" means the court created in each county by Article V, Section 15, of the Texas Constitution.

(2) "Statutory county court" means a county court created by the legislature under Article V, Section 1, of the Texas Constitution, including county courts at law, statutory probate courts, county criminal courts, county criminal courts of appeals, and county civil courts at law.

(3) "County judge" means the judge of the county court.

SECTION 2.03. Sections 22.002(d) and 22.221(c), Government Code, are repealed to conform to the Government Code to the repeal of the law from which they were derived by Section 9(a)(5), Chapter 211, Acts of the 69th Legislature, Regular Session, 1985.

SECTION 2.04. (a) Subchapter B, Chapter 22, Government Code, is amended to conform to Sections 1-7, Chapter 685, Acts of the 69th Legislature, Regular Session, 1985, by adding Sections 22.108 and 22.109 to read as follows:

Sec. 22.108. (a) RULES OF APPELLATE PROCEDURE IN CRIMINAL CASES. The court of criminal appeals is granted rulemaking power to promulgate rules of posttrial, appellate, and review procedure in criminal cases except that its rules may not abridge, enlarge, or modify the substantive rights of a litigant.

(b) *The court of criminal appeals may promulgate a comprehensive body of rules of posttrial, appellate, and review procedure in criminal cases and from time to time may promulgate a specific rule or rules of posttrial, appellate, or review procedure in criminal cases or an amendment or amendments to a specific rule or rules. Rules and amendments adopted under this subsection are effective at the time the court of criminal appeals considers expedient in the interest of a proper administration of justice. The rules and amendments to rules remain in effect unless and until disapproved, modified, or changed by the legislature. The clerk of the court of criminal appeals shall file with the secretary of state the rules or amendments to rules promulgated by the court of criminal appeals under this subsection. The secretary of state shall report the rules or amendments to rules to the next regular session of the legislature by mailing a copy of the rules or amendments to rules to each elected member of the legislature on or before December 1 immediately preceding the session.*

(c) *The rules of posttrial, appellate, and review procedure in criminal cases shall be published in the Texas Register and in the Texas Bar Journal. The court of criminal appeals may adopt the method it considers expedient for the printing and distribution of the rules.*

Sec. 22.109. RULES OF EVIDENCE IN CRIMINAL CASES. (a) The court of criminal appeals has the full rulemaking power in the promulgation of rules of evidence in the trials of criminal cases, except that its rules may not abridge, enlarge, or modify the substantive rights of a litigant.

(b) *The court of criminal appeals may promulgate a comprehensive body of rules of evidence in the trials of criminal cases and from time to time may promulgate a specific rule or rules of evidence or an amendment or amendments to a specific rule or rules. Rules and amendments adopted under this subsection are effective at the time the court of criminal appeals considers expedient in the interest of a proper administration of justice. The rules and amendments to rules remain in effect unless and until disapproved by the legislature. The secretary of state shall report the rules or amendments to rules to the next regular session of the legislature by mailing*

a copy of the rules or amendments to rules to each elected member of the legislature on or before December 1 immediately preceding the session.

(c) The rules of evidence in the trials of criminal cases shall be published in the Texas Register and in the Texas Bar Journal. The court of criminal appeals may adopt the method it considers expedient for the printing and distribution of the rules.

(b) Sections 1-7, Chapter 685, Acts of the 69th Legislature, Regular Session, 1985 (Article 1811f, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.05. (a) Section 22.203, Government Code, is amended to conform to the enactment of Article 1812b, Revised Statutes, by the 69th Legislature, Regular Session, 1985, by adding Subsections (c)-(g) to read as follows:

(c) The Court of Appeals for the Second Court of Appeals District is composed of a chief justice and of six justices holding places numbered consecutively beginning with Place 2.

(d) The designation of offices and places under this section identifies the offices and places for all purposes, including identification on official ballots for primary and general elections notwithstanding Section 52.092, Election Code.

(e) A vacancy in the office of justice or chief justice of the Court of Appeals for the Second Court of Appeals District shall be filled by designation of office and, in the case of a justice, by designation of place.

(f) The court by a majority vote of its members shall promulgate rules establishing a seniority system to determine which office and place is held by each member of the court. The chief justice shall file the names and place numbers of the court members with the secretary of state and the clerk of the court.

(g) If any additional offices of justices of the court are created, the designation for those offices shall be in consecutive numerical order beginning with Place 8. If two or more offices of justice are created to take effect the same date, and the legislature does not specify places for those offices, the court shall by rule determine places for each office. If the court does not determine places before a person is appointed or elected to fill the initial vacancy, the places are determined by the seniority system established as provided by Subsection (f).

(b) Article 1812b, Revised Statutes, is repealed.

SECTION 2.06. (a) Section 22.204, Government Code, is amended to conform to Sections 1-3, Chapter 370, Acts of the 69th Legislature, Regular Session, 1985, by adding Subsections (c)-(f) to read as follows:

(c) The counties other than Travis County composing the Third Court of Appeals District shall annually reimburse Travis County for the costs incurred by Travis County during its previous fiscal year for supplemental salaries and fringe benefits for the justices of that court of appeals.

(d) Each county, including Travis County, shall pay a share based on the proportion its population bears to the total population of all the counties in the district according to the most recent federal census.

(e) A county shall pay its share not later than the 60th day after the beginning of the county's fiscal year.

(f) The Commissioners Court of Travis County shall provide each county liable for the reimbursement with a statement of that county's share. The statement must be approved by the chief justice of the Court of Appeals for the Third Court of Appeals District.

(b) Sections 1-3, Chapter 370, Acts of the 69th Legislature, Regular Session, 1985 (Article 1817e-1, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.07. (a) Section 22.205, Government Code, is amended to conform to the adoption of the constitutional amendment proposed by Senate Joint Resolution No. 14, Acts of the 69th Legislature, Regular Session, 1985, and to conform to the enactment of Article 1817g, Revised Statutes, by the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 22.205. **FOURTH COURT OF APPEALS.** (a) The Court of Appeals for the Fourth Court of Appeals [~~Supreme Judicial~~] District shall be held in the City of San Antonio.

(b) *The court may transact its business at the county seat of any of the counties within its district, as the court determines is necessary and convenient, except that all cases originating in Bexar County that the court hears shall be heard and transacted in that county. However, the court may not meet outside of Bexar County more than three times a year.*

(b) Article 1817g, Revised Statutes, is repealed.

SECTION 2.08. (a) Section 24.135(b), Government Code, is repealed to conform to Section 2, Chapter 569, Acts of the 69th Legislature, Regular Session, 1985.

(b) Section 2, Chapter 569, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.09. (a) Section 24.137, Government Code, is amended to conform to Section 2, Chapter 926, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 24.137. **35TH JUDICIAL DISTRICT (BROWN[~~—COLEMAN,~~] AND MILLS COUNTIES).** (a) The 35th Judicial District is composed of Brown[~~—Coleman,~~] and Mills counties.

(b) In addition to other jurisdiction provided by law, each district court in Mills County has the civil jurisdiction of a county court.

(c) The terms of the 35th District Court begin:

(1) in Brown County on the first Mondays in February, June, and November; *and*

(2) [~~in Coleman County on the first Mondays in April and September; and~~

(3)] in Mills County on the first Mondays in January, May, and October.

(b) Section 2, Chapter 926, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.10. (a) Section 24.184(b), Government Code, is repealed to conform to Section 3, Chapter 81, Acts of the 69th Legislature, Regular Session, 1985.

(b) Section 3, Chapter 81, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.11. (a) Section 24.199(b), Government Code, is amended to conform to Section 1, Chapter 300, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(b) The terms of the 97th District Court begin[:

(1) [~~in Archer County]~~ on the first Mondays in January *and* [~~—April,~~] July[~~—and October;~~

(2) [~~in Clay County on the first Mondays in February, May, August, and November; and~~

(3) [~~in Montague County on the first Mondays in March, June, September, and December].~~

(b) Section 1, Chapter 300, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.12. (a) Section 24.217, Government Code, is amended to conform to Sections 2 and 3, Chapter 248, Acts of the 69th Legislature, 1985, by adding Subsection (h) to read as follows:

(h) *In addition to other jurisdiction provided by law, the district court having jurisdiction in Upshur County has the civil and criminal jurisdiction, other than probate jurisdiction, of a county court. All civil and criminal matters within the concurrent jurisdiction of the county and district courts must be filed with the county clerk in the county court.*

(b) Sections 2 and 3, Chapter 248, Acts of the 69th Legislature, Regular Session, 1985 (Article 1970-387, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.13. (a) Section 24.466(b), Government Code, is amended to conform to Section 1, Chapter 926, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(b) The 289th District Court shall give *primary preference to cases and proceedings under Titles 2 and 3, Family Code, and secondary preference to criminal cases.*

(b) Section 1, Chapter 926, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.14. (a) Section 24.482, Government Code, is amended to conform to Section 1, Chapter 545, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 24.482. 336TH JUDICIAL DISTRICT (FANNIN AND GRAYSON COUNTIES). (a) The 336th Judicial District is composed of Fannin and Grayson counties.

(b) *The terms of the 336th District Court begin on the first Mondays in January, April, July, and October of each year.*

(b) Section 1, Chapter 545, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.15. (a) Section 24.490, Government Code, is amended to conform to Section 1, Chapter 53, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 24.490. 344TH JUDICIAL DISTRICT (CHAMBERS COUNTY). (a) The 344th Judicial District is composed of Chambers County.

(b) *The terms of court of the 344th District Court begin on the first Mondays in June and December of each year.*

(b) Section 1, Chapter 53, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.16. Subchapter C, Chapter 24, Government Code, is amended to conform to Section 3.155, Judicial Districts Act of 1969 (Article 199a, Vernon's Texas Civil Statutes), as added by Section 1, Chapter 957, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 24.506 to read as follows:

Sec. 24.506. 361ST JUDICIAL DISTRICT (BRAZOS COUNTY). (a) *The 361st Judicial District is composed of Brazos County.*

(b) *The 361st District Court shall have and exercise jurisdiction in misdemeanor cases as well as the jurisdiction prescribed by general law for district courts.*

SECTION 2.17. Subchapter C, Chapter 24, Government Code, is amended to conform to Section 3.156, Judicial Districts Act of 1969 (Article 199a, Vernon's Texas Civil Statutes), as added by Section 2, Chapter 957, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 24.507 to read as follows:

Sec. 24.507. 362ND JUDICIAL DISTRICT (DENTON COUNTY). *The 362nd Judicial District is composed of Denton County.*

SECTION 2.18. (a) Section 24.604(f), Government Code, is amended to conform to Section 25, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(f) A retired judge appointed to sit for the regular judge under this section shall receive for the services actually performed the same salary that the regular judge is entitled to receive for those services. The amount to be paid for the services shall be paid in the same manner as the regular judge is paid on certification by the presiding judge of the administrative judicial district that the retired judge has rendered the services and is entitled to receive the salary. The payment shall be made from the item in the judiciary section, comptroller's department, of the appropriations act providing for payment of salaries of district judges and criminal district judges. This section does not entitle the retired judge of a special juvenile court or a domestic relations court to participate in the *Judicial Retirement System of Texas Plan One or the Judicial Retirement System of*

Texas Plan Two [~~state judicial retirement system~~]. None of the salary paid to a retired judge sitting for the regular judge may be deducted or paid out of the salary of the regular judge.

(b) Section 25, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.19. (a) Chapter 24, Government Code, is amended to conform to Sections 1-14, Chapter 797, Acts of the 69th Legislature, Regular Session, 1985, by adding Subchapter F to read as follows:

**SUBCHAPTER F. REAPPORTIONMENT OF
JUDICIAL DISTRICTS**

Sec. 24.941. DECLARATION OF POLICY. It is the policy of the state that the administration of justice shall be prompt and efficient and that, for this purpose, the judicial districts of the state shall be reapportioned as provided by this subchapter so that the district courts of various judicial districts have judicial burdens that are as nearly equal as possible.

Sec. 24.942. DEFINITIONS. In this subchapter:

(1) "Board" means the Judicial Districts Board established by Article V, Section 7a, of the Texas Constitution.

(2) "Reapportionment" means the redistribution of the judicial districts of the state by designating the county or counties to be included in each judicial district and may affect any or all of the judicial districts and counties of the state under either the original reapportionment made under this subchapter or a reapportionment at a time subsequent to an original reapportionment.

(3) "Reapportionment order" means an order adopted by the board that reapportions the judicial districts of the state.

Sec. 24.943. OFFICIAL DUTY. Service on the board is an official duty of each of the officers named in Article V, Section 7a, of the Texas Constitution.

Sec. 24.944. DUTIES. The board shall reapportion the judicial districts authorized by Article V, Section 7, of the Texas Constitution by statewide reapportionment of the districts and, as the necessity for additional reapportionment appears, by redesignating, in one or more reapportionment orders, the county or counties that comprise the specific judicial districts affected by those reapportionment orders. The board shall investigate from time to time the necessity of and appropriate locations for new judicial districts and shall advise the legislature of its findings. The board shall inform itself on all matters bearing on its duties.

Sec. 24.945. RULES AND CONDITIONS FOR REAPPORTIONMENT. (a) The reapportionment of the judicial districts of the state by the board is subject to the rules and conditions provided by Subsections (b)-(d).

(b) Reapportionment of the judicial districts shall be made on a determination of fact by the board that the reapportionment will best promote the efficiency and promptness of the administration of justice in the state by equalizing as nearly as possible the judicial burdens of the district courts of the various judicial districts. In determining the reapportionment that best promotes the efficiency and promptness of the administration of justice, the board shall consider:

(1) the numbers and types of cases filed in the district courts of the counties to be affected by the reapportionment;

(2) the numbers and types of cases disposed of by dismissal or judgment in the district courts of those counties;

(3) the numbers and types of cases pending in the district courts of those counties;

(4) the number of district courts in those counties;

(5) the population of the counties;

(6) the area to be covered by a judicial district; and

(7) the actual growth or decline of population and district court case load in the counties to be affected.

(c) Each judicial district affected by a reapportionment must contain one or more complete counties except as provided by this section. More than one judicial district may contain the same county or counties. If more than one county is contained in a judicial district, the territory of the judicial district must be contiguous.

(d) Subject to the other rules and conditions in this section, a judicial district in a reapportionment under this subchapter may:

(1) be enlarged in territory by including an additional county or counties in the district, but a county having a population as large or larger than the population of the judicial district being reapportioned may not be added to the judicial district;

(2) be decreased in territory by removing a county or counties from the district;

(3) have both a county or counties added to the district and a county or counties removed from it; or

(4) be removed to another location in the state so that the district contains an entirely different county or counties.

(e) The legislature, the Judicial Districts Board, or the Legislative Redistricting Board may not redistrict the judicial districts to provide for any judicial district smaller in size than an entire county except as provided by this subsection. Judicial districts smaller in size than the entire county may be created subsequent to a general election in which a majority of the persons voting on the proposition adopt the proposition "to allow the division of _____ County into judicial districts composed of parts of _____ County." A redistricting plan may not be proposed or adopted by the legislature, the Judicial Districts Board, or the Legislative Redistricting Board in anticipation of a future action by the voters of any county.

Sec. 24.946. **PROCEDURE.** (a) The board shall meet in accordance with its own rules. The board shall meet at least once in each interim between regular sessions of the legislature and shall exercise its reapportionment powers only in the interims between regular legislative sessions. Meetings of the board shall be subject to the provisions of the open meetings law, Chapter 271, Acts of the 60th Legislature, Regular Session, 1967 (Article 6252-17, Vernon's Texas Civil Statutes), except as otherwise provided by this subchapter. A reapportionment may not be ordered in the interim immediately following a regular session of the legislature in which a valid and subsisting statewide reapportionment of judicial districts is enacted by the legislature. Unless the legislature enacts a statewide reapportionment of the judicial districts following each federal decennial census, the board shall convene not later than the first Monday of June of the third year following the year in which the federal decennial census is taken to make a statewide reapportionment of the districts. The board shall complete its work on the reapportionment and file its order with the secretary of state not later than August 31 of the same year. If the Judicial Districts Board fails to make a statewide apportionment by that date, the Legislative Redistricting Board established by Article III, Section 28, of the Texas Constitution shall make a statewide reapportionment of the judicial districts not later than the 150th day after the final day for the Judicial Districts Board to make the reapportionment, and that apportionment takes effect as provided by Sections 24.948 and 24.949.

(b) The board shall adopt its own rules of procedure and has the power to make investigations, hold hearings, compel by subpoena the attendance and testimony of witnesses and the production of records, administer oaths, and do all things necessary in its judgment to carry out its duties.

(c) On the request of the chairman, a peace officer shall serve a subpoena issued by the board. The officer shall serve the subpoena in the same manner as a subpoena issued by a district court is served. If the person to whom a subpoena is directed fails to comply, the board may bring suit in the district court to enforce the subpoena. If the court determines that good cause exists for the issuance of the subpoena, the court shall order compliance. The court may modify the requirements of a subpoena that

the court determines are unreasonable. Failure to comply with the order of the district court is punishable as contempt.

(d) The board may provide for the compensation of subpoenaed witnesses. The amount of compensation may not exceed the amount paid to a witness subpoenaed by a district court in a civil proceeding.

Sec. 24.947. REAPPORTIONMENT ORDERS. Any judicial reapportionment order adopted by the board must be approved by a record vote of the majority of the membership of both the senate and house of representatives before the order can become effective and binding.

Sec. 24.948. EFFECT OF REAPPORTIONMENT. (a) After the effective date of a reapportionment order, the judicial districts affected by the order contain only the counties designated for the judicial districts in the reapportionment order, and the district courts shall have and exercise jurisdiction coextensive with the newly defined limits of the judicial districts in all actions, proceedings, matters, and causes of which district courts have jurisdiction under the constitution and laws of the state.

(b) If a county in which any part of the jurisdiction vested by general law in the county court has been transferred or made concurrent in a district court is removed by reapportionment under this subchapter from the judicial districts of all district courts having the county court jurisdiction, the board shall specify whether, after the effective date of the reapportionment order, the transferred county court jurisdiction is vested in the district court of the judicial districts in which the county is included under the reapportionment order or whether the transferred county court jurisdiction is revested in the county court.

(c) If the office of district attorney is authorized by law in or for a judicial district, a reapportionment under this subchapter does not change the county or counties included in the district for purposes of election, functions, duties, and authority of the district attorney, his assistants, and their successors in office.

Sec. 24.949. PENDING CASES AND PROCEEDINGS. (a) If a county is removed from a judicial district and placed or left in another judicial district by reapportionment under this subchapter, the district clerk of that county shall, on the effective date of the reapportionment order, transfer and properly docket to the court of a judicial district in which the county is located the cases and proceedings in that county on the docket of the court of the judicial district from which the county is removed, with all records, documents, and instruments on file in connection with the cases and proceedings. If a county is removed from a judicial district and placed or left in more than one judicial district, the clerk shall transfer the cases and proceedings to the district court of the judicial district for that county having the lowest numerical designation.

(b) If cases or other proceedings are transferred from a district court to another district court in accordance with this subchapter, all writs, processes, bonds, bail bonds, recognizances, complaints, informations and indictments, and any other matters returnable to the court from which the cases or proceedings were transferred are returnable to the court to which the cases or proceedings are transferred and are as valid as if they had been made returnable originally to that court.

Sec. 24.950. EQUALIZATION OF DOCKETS. The judges of the district courts may equalize their dockets in all counties in which there are two or more district courts. The judge of a district court, on motion of a party, on agreement of the parties, or on the judge's own motion, may transfer a cause or proceeding on the judge's docket to the docket of one of the other district courts.

Sec. 24.951. CONCURRENT JURISDICTION. If a county is located in two or more judicial districts by reapportionment under this subchapter, all the district courts in the county have concurrent civil and criminal jurisdiction within the territorial limits of the county.

Sec. 24.952. TERMS OF COURTS. The terms of the district court of a judicial district affected by reapportionment under this subchapter shall be the terms provided by the board in the reapportionment order affecting the judicial district. In the

absence of a provision by the board, the terms of the district court, until otherwise prescribed by law, begin on the first Mondays in January and July of each year and continue until the time for convening the next regular term of the court. Each district court may hold as many sessions of court in each county each year as the judge considers expedient.

Sec. 24.953. OFFICERS OF COURT. In a county placed in a different or additional judicial district by reapportionment under this subchapter, the district clerk, sheriff, constables, county attorney, and district attorney or criminal district attorney of the county, and their assistants and successors in office, shall be the respective officers of all district courts of the county, including the courts of the different or additional judicial districts. Each officer shall perform all the duties and functions of his office relative to all the district courts of the county.

Sec. 24.954. QUARTERS FOR COURTS. The commissioners court of a county that is newly included in a judicial district by reapportionment under this subchapter shall provide suitable quarters, facilities, and personnel for the district court of the judicial district.

(b) Sections 1-14, Chapter 797, Acts of the 69th Legislature, Regular Session, 1985 (Article 199b, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.20. (a) Chapter 24, Government Code, is amended to conform to Section 27, Chapter 889, Acts of the 68th Legislature, Regular Session, 1983, by adding Subchapter G to read as follows:

SUBCHAPTER G. PROVISIONS APPLICABLE TO SPECIFIC COUNTIES

Sec. 24.961. ANNEX OR BRANCH COURTS IN HARRIS COUNTY. The district courts in Harris County may not sit in more than one location. The courts may not establish an annex or branch court.

(b) Section 27, Chapter 889, Acts of the 68th Legislature, Regular Session, 1983, is repealed.

SECTION 2.21. (a) Section 26.025, Government Code, is amended to conform to Section 24, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 26.025. QUALIFICATIONS OF RETIRED JUDGE. To be appointed a special judge under Section 26.023 or 26.024, a retired judge must:

(1) be a former judge who has:

- (A) served at least eight years as a county judge in this state; or
- (B) served as a district judge in this state; and

(2) have qualified for *service retirement under the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two [judicial retirement]*.

(b) Section 24, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.22. (a) Subchapter E, Chapter 26, Government Code, is amended to conform to Section 3, Chapter 944, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 26.111 to read as follows:

Sec. 26.111. BASTROP COUNTY. (a) If the county judge is licensed to practice law in this state, the County Court of Bastrop County has jurisdiction concurrent with the County Court at Law of Bastrop County over all causes and proceedings, civil and criminal, juvenile and probate, original and appellate, over which by the constitution and general laws of this state county courts have jurisdiction.

(b) If the county judge is not licensed to practice law in this state, the County Court of Bastrop County has concurrent jurisdiction with the county court at law only in probate proceedings, administrations of estates, guardianship proceedings, mental illness proceedings, and juvenile jurisdiction as provided by Section 26.042(b).

(b) Section 3, Chapter 944, Acts of the 69th Legislature, Regular Session, 1985 (Article 1970-393, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.23. (a) Subchapter E, Chapter 26, Government Code, is amended to conform to Section 1(g), Chapter 842, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 26.161 to read as follows:

Sec. 26.161. DENTON COUNTY. The County Court of Denton County has the general jurisdiction of a probate court but has no other civil or criminal jurisdiction.

(b) Section 1(g), Chapter 842, Acts of the 69th Legislature, Regular Session, 1985 (Article 1970-352b, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.24. (a) Section 26.173, Government Code, is amended to conform to Section 1, Chapter 81, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 26.173. FALLS COUNTY. The County Court of Falls County has:

(1) the general jurisdiction of a probate court;

(2) ~~and~~ juvenile jurisdiction as provided by Section 26.042(b); and

(3) *original and appellate jurisdiction in all matters over which county courts have jurisdiction under the constitution and laws of this state* ~~[but has no other civil or criminal jurisdiction].~~

(b) Section 1, Chapter 81, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.25. (a) Subchapter E, Chapter 26, Government Code, is amended to conform to Section 1, Chapter 948, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 26.175 to read as follows:

Sec. 26.175. FAYETTE COUNTY. In addition to other jurisdiction provided by law, the County Court of Fayette County has the following jurisdiction if the county judge is licensed to practice law in this state and practiced law for at least two years prior to his appointment or election:

(1) *jurisdiction over cases and proceedings under the Family Code;*

(2) *eminent domain jurisdiction; and*

(3) *concurrent civil jurisdiction with the district court in cases in which the matter in controversy exceeds \$500 and does not exceed \$20,000.*

(b) Section 1, Chapter 948, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.26. (a) Section 26.226, Government Code, is amended to conform to Section 11, Chapter 55, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 26.226. JOHNSON COUNTY. ~~[(a)]~~ The County Court of Johnson County has:

(1) the general jurisdiction of a probate court;

(2) *juvenile jurisdiction as provided by Section 26.042(b); and*

(3) ~~[has concurrent]~~ original and appellate jurisdiction ~~[with the district court in Johnson County]~~ over all ~~[civil and criminal]~~ matters over which county courts have ~~[within the]~~ jurisdiction under the constitution and laws of this state ~~[of the county court].~~

~~[(b) All civil and criminal matters within the jurisdiction of the county court must be filed with the district clerk in the district court.~~

~~[(c) The judge of the district court shall act as presiding judge between the district and county courts and may assign to the county court original or appellate cases that are within the county court's jurisdiction. The assignment shall be made by docket notation.~~

~~[(d) The district clerk of Johnson County shall perform all clerical functions of the county court as to matters within the concurrent jurisdiction of the county and district courts. The district clerk shall charge the fees set by law for county courts in any case within the courts' concurrent jurisdiction.]~~

(b) Section 11, Chapter 55, Acts of the 69th Legislature, Regular Session, 1985 (Article 1970-335a, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.27. (a) Section 24.119, Government Code, is amended to conform to Section 12, Chapter 55, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 24.119. 18TH JUDICIAL DISTRICT (JOHNSON AND SOMERVELL COUNTIES). (a) The 18th Judicial District is composed of Johnson and Somervell counties.

(b) ~~[In addition to other jurisdiction provided by law, the district court in Johnson County has concurrent jurisdiction with the County Court of Johnson County in all civil and criminal matters over which the county court would have original or appellate jurisdiction. The district courts have control over the assignment of the cases as prescribed by Section 26.226.~~

~~[(e)]~~ The terms of the 18th District Court in each county in the district begin on the first Mondays in January and July.

(b) Section 12, Chapter 55, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.28. (a) Section 26.260, Government Code, is amended to conform to Section 1, Chapter 569, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 26.260. MASON COUNTY. The County Court of Mason County has:

- (1) the general jurisdiction of a probate court;
- (2) ~~[and]~~ juvenile jurisdiction as provided by Section 26.042(b); and
- (3) *original and appellate jurisdiction in all matters over which county courts have jurisdiction under the constitution and general laws of this state* ~~[but has no other civil or criminal jurisdiction].~~

(b) Section 1, Chapter 569, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.29. (a) Section 26.298, Government Code, is amended to conform to Section 2, Chapter 81, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 26.298. ROBERTSON COUNTY. The County Court of Robertson County has:

- (1) the general jurisdiction of a probate court;
- (2) ~~[and]~~ juvenile jurisdiction as provided by Section 26.042(b); and
- (3) *original and appellate jurisdiction in all matters over which county courts have jurisdiction under the constitution and general laws of this state* ~~[but has no other civil or criminal jurisdiction].~~

(b) Section 2, Chapter 81, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.30. (a) Subchapter E, Chapter 26, Government Code, is amended to conform to Sections 1, 3, 4, and 5, Chapter 248, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 26.330 to read as follows:

Sec. 26.330. UPSHUR COUNTY. (a) *The County Court of Upshur County has the general jurisdiction of a probate court and has concurrent jurisdiction with the district court in all other matters over which county courts are given jurisdiction by the constitution and general laws of this state.*

(b) *All civil and criminal matters within the concurrent jurisdiction of the county and district courts must be filed with the county clerk in the county court.*

(c) *The county judge shall act as presiding judge between the county and district courts and may assign to the district court original or appellate cases that are within the concurrent jurisdiction of the courts. The assignment shall be made by docket notation.*

(d) *The county clerk shall perform all clerical functions of the county court as to matters within the concurrent jurisdiction of the county and district courts. The*

county clerk shall charge the fees set by law for county courts in any case within the courts' concurrent jurisdiction.

(b) Sections 1, 3, 4, and 5, Chapter 248, Acts of the 69th Legislature, Regular Session, 1985 (Article 1970-387, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.31. Section 28.011, Government Code, is amended to correct an incorrect cross-reference in Subdivision (2) to read as follows:

Sec. 28.011. VENUE. An action in small claims court must be brought in the county and precinct in which the defendant resides, except that:

(1) an action on an obligation that the defendant has contracted to perform in a certain county may be brought in that county; and

(2) an action for which venue is proper under Section 15.099 [15.069], Civil Practice and Remedies Code, may be brought as provided by that section.

SECTION 2.32. (a) Section 29.003(a), Government Code, is amended to conform to Section 2, Chapter 329, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(a) A municipal court, *including a municipal court of record*, has exclusive original jurisdiction within the territorial limits of the municipality in all criminal cases that:

(1) arise under the ordinances of the municipality; and

(2) are punishable only by a fine not to exceed:

(A) \$1,000 in all cases arising under municipal ordinances that govern fire safety, zoning, or [and] public health and sanitation, *including dumping of refuse [other than vegetation and litter violations];* or

(B) \$200 in all other cases.

(b) Section 2, Chapter 329, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.33. Sections 29.008 and 29.009, Government Code, are repealed to conform to the repeal of the law from which they were derived by Section 5(b), Chapter 589, Acts of the 69th Legislature, Regular Session, 1985.

SECTION 2.34. (a) Section 30.003, Government Code, is amended to conform to Section 1, Chapter 952, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 30.003. JURISDICTION. (a) A municipal court of record has *the* jurisdiction *provided by general law for municipal courts* [~~within the territorial limits of the city in all criminal cases arising under the ordinances of the city.~~]

~~[(b) The court has concurrent jurisdiction with a justice court in any precinct in which the city is located in criminal cases within the justice court jurisdiction that:~~

~~[(1) arise within the territorial limits of the city; and~~

~~[(2) are punishable only by a fine not to exceed \$200].~~

~~(b) [(e)] The court has jurisdiction over cases arising outside the territorial limits of the city under the ordinances authorized by Subdivision 19 of Article 1175, Revised Statutes.~~

(b) Section 1, Chapter 952, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.35. (a) Section 30.082, Government Code, is amended to conform to Section 1, Chapter 11, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 30.082. CREATION OF ADDITIONAL MUNICIPAL COURTS OF RECORD. [~~The governing body of the city may by ordinance establish the city's existing municipal courts as municipal courts of record.~~] The governing body may by ordinance create additional municipal courts of record if it finds that additional courts are necessary to properly dispose of the cases arising in the city.

(b) Section 1, Chapter 11, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.36. (a) Section 30.083, Government Code, is amended to conform to Section 2, Chapter 11, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 30.083. JURISDICTION. (a) A municipal court of record created under this subchapter has *the jurisdiction provided by general law for municipal courts* [~~within the territorial limits of the city in all criminal cases arising under the ordinances of the city.~~

~~[(b) The court has concurrent jurisdiction with a justice court in any precinct in which the city is located in criminal cases that:~~

~~(1) arise within the territorial limits of the city; and~~

~~(2) are punishable only with a fine not to exceed \$200].~~

(b) [(e)] The court has jurisdiction over cases arising outside the territorial limits of the city under the ordinances authorized by Subdivision 19 of Article 1175, Revised Statutes.

(c) [(d)] Unless the law, charter provision, or ordinance is in conflict with or inconsistent with this subchapter, the following apply to this subchapter:

(1) the general law regarding municipal courts;

(2) the general law regarding justice courts if there is no applicable law for municipal courts;

(3) the charter of the City of San Antonio; and

(4) each city ordinance relating to municipal courts.

(b) Section 2, Chapter 11, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.37. (a) Sections 30.084(b) and (e), Government Code, are amended to conform to Sections 3 and 4, Chapter 11, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(b) *The city shall provide by charter for the appointment or election of a municipal judge.* [~~A municipal judge is elected by the qualified voters of the city for a term of two years notwithstanding a city ordinance or charter provision to the contrary. The governing body of the city may appoint a person with the qualifications required of a municipal judge to serve in a newly created municipal court of record until the next regular city election.]~~

(e) If there is more than one municipal judge, the [judges shall determine which judge shall serve as presiding municipal judge. If the judges are unable to decide, they shall notify the governing body of the city, and the] governing body shall appoint one of the judges to be the presiding municipal judge. If the city has only one municipal judge or only one permanent, full-time municipal judge, that judge is the presiding municipal judge.

(b) Sections 3 and 4, Chapter 11, Acts of the 69th Legislature, Regular Session, 1985, are repealed.

SECTION 2.38. (a) Section 30.085(c), Government Code, is repealed to conform to Section 5, Chapter 11, Acts of the 69th Legislature, Regular Session, 1985.

(b) Section 5, Chapter 11, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.39. (a) Section 30.143, Government Code, is amended to conform to Section 1, Chapter 410, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 30.143. JURISDICTION. (a) A municipal court of record has *the jurisdiction provided by general law for municipal courts* [~~within the territorial limits of the city in all criminal cases arising under the ordinances of the city.~~

~~[(b) The court has concurrent jurisdiction with a justice court in any precinct in which the city is located in criminal cases within the justice court jurisdiction that:~~

~~(1) arise within the territorial limits of the city; and~~

~~(2) are punishable only with a fine not to exceed \$200].~~

(b) ~~[(e)]~~ The court has jurisdiction over cases arising outside the territorial limits of the city under the ordinances authorized by Subdivision 19 of Article 1175, Revised Statutes.

(b) Section 1, Chapter 410, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.40. (a) Sections 30.144(b), (c), and (i), Government Code, are amended to conform to Section 2, Chapter 410, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(b) A municipal judge is *appointed* ~~[elected]~~ by the *governing body* ~~[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 governing body of the city may appoint a qualified person as provided by Subsection (i) to serve in a newly created municipal court of record until the next regular city election].~~

(c) A municipal judge must be a licensed attorney in good standing and must have two or more years of experience in the practice of law in this state and in the county in which the court is located. 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 and must be a resident of the city at the time of the *appointment* ~~[election]~~.

(i) A majority of the governing body of the city shall appoint a qualified person to fill a vacancy in the office of municipal judge ~~[to serve until the next regular municipal election. An appointee may succeed himself if elected].~~

(b) Section 2, Chapter 410, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.41. (a) Section 30.146, Government Code, is amended to conform to Section 3, Chapter 410, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 30.146. COURT REPORTER. (a) *The governing body of the city* ~~[Each municipal judge]~~ shall *provide* ~~[appoint]~~ an official court reporter 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 judge and is entitled to receive a salary set by the governing body. The judge may appoint more than one deputy reporter for each court if necessary to dispose of the business of the court without delay. A reporter is not required to record testimony in a case in which neither the defendant, the prosecutor, nor the judge demands it. The reporter shall perform the duties of office under the direction and control of the judge.]~~

(b) *The court reporter may use written notes, transcribing equipment, recording equipment, or a combination of these methods to prepare a transcript of the proceedings of the court.*

(c) *The court reporter shall certify the official record.*

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

(b) Section 3, Chapter 410, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.42. (a) Section 30.149(d), Government Code, is amended to conform to Section 4, Chapter 410, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(d) *The city marshal* ~~[chief of police]~~ of the city shall in person or by deputy attend the court and perform the duties of bailiff.

(b) Section 4, Chapter 410, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.43. (a) Section 32.054(b), Government Code, is amended to conform to Section 1, Chapter 349, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(b) The salary shall be *set by the commissioners courts at a sum that is at least \$3,500 a year. The salary shall be apportioned between Crosby and Lubbock counties.*

(b) Section 32.152, Government Code, is amended to conform to Section 1, Chapter 349, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 32.152. LUBBOCK COUNTY. (a) The Commissioners Court of Lubbock County shall budget for and pay the judges of the 99th, 137th, [and] 140th, and 237th judicial districts an annual salary *set by the commissioners court at a sum that is at least [of] \$3,500 for performing administrative duties.* The salary shall be paid in equal monthly installments from the county general fund or officers' salary fund. The salary is in addition to the salary paid by the state and any other authorized compensation.

(b) The Commissioners Court of Lubbock County shall budget for and pay the judge of the 72nd Judicial District an annual salary for performing administrative duties. The total supplemental salary paid to the judge by Lubbock and Crosby counties shall be *set by the commissioners courts at a sum that is at least \$3,500. The salary shall be apportioned between the two counties.* The salary shall be paid in equal monthly installments from the county general fund or officers' salary fund. The salary is in addition to the salary paid by the state and any other authorized compensation.

~~[(c) The Commissioners Court of Lubbock County shall pay the judge of the 237th Judicial District a supplemental salary in an amount equal to the supplement paid by the county to the other district judges in the county.]~~

(c) Section 1, Chapter 349, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.44. (a) Section 32.155, Government Code, is amended to conform to Section 1, Chapter 700, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 32.155. McLENNAN COUNTY. (a) The Commissioners Court of McLennan County may pay the judges of the district courts having jurisdiction in the county an annual salary *in an amount set by the commissioners court [of not more than \$5,000] for administrative services.* The salary is in addition to the salary paid by the state.

(b) In addition to the supplemental salary paid under Subsection (a), the Commissioners Court of McLennan County shall pay the district court judges an annual salary of not less than \$1,500 ~~[not more than \$5,000]~~ for services rendered to the juvenile board.

(c) *The combined yearly salary from state and county sources received by each judge may not exceed an amount equal to \$1,000 less than the combined yearly salary from state and county sources received by an associate justice of the court of appeals in the district in which McLennan County is located.*

(b) Section 1, Chapter 700, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.45. (a) Subchapter A, Chapter 32, Government Code, is amended to conform to Section 1, Chapter 7, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 32.221 to read as follows:

Sec. 32.221. TAYLOR COUNTY. (a) *The Commissioners Court of Taylor County may pay the judges of the district courts having jurisdiction in the county an annual salary in an amount set by the commissioners court for services rendered to the county and for performing administrative duties.*

(b) *The salary shall be paid in equal monthly installments.*

(c) *The salary is in addition to the salary paid by the state.*

(b) Section 1, Chapter 7, Acts of the 69th Legislature, Regular Session, 1985 (Article 6819a-55, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.46. (a) Section 32.227, Government Code, is amended to conform to Section 1, Chapter 2, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 32.227. TRAVIS COUNTY. (a) The Commissioners Court of Travis County may pay the judges of the *district courts having jurisdiction in the county* [~~53rd, 98th, 126th, 147th, and 167th judicial districts~~] an annual salary *in an amount set by the commissioners court* [~~not to exceed \$6,000~~] for services rendered and for performing administrative duties.

(b) The salary is in addition to the salary paid by the state and any other authorized compensation.

(c) *The combined yearly salary from state and county sources received by each judge may not exceed an amount equal to \$1,000 less than the combined yearly salary from state and county sources received by an associate justice of the court of appeals in the district in which Travis County is located.*

~~[(b) The Commissioners Court of Travis County shall pay the judges of the 200th, 201st, 250th, 261st, 299th, 331st, 345th, and 353rd judicial districts a supplemental salary in an amount equal to the supplement paid by the county to the other district judges in the county.]~~

(b) Section 1, Chapter 2, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.47. (a) Section 33.003, Government Code, is amended to conform to Section 47, Chapter 729, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 33.003. APPLICATION OF SUNSET ACT. The State Commission on Judicial Conduct is subject to the Texas Sunset Act (Chapter 325), but is not abolished under that Act. The commission shall be reviewed under that Act during the period for review of state agencies abolished September 1, 1997 [~~1987~~], and every 12th year after 1997 [~~1987~~].

(b) Section 47, Chapter 729, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.48. (a) Section 42.006, Government Code, is amended to conform to Section 51, Chapter 729, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 42.006. SUNSET PROVISION. The office of the state prosecuting attorney is subject to the Texas Sunset Act (Chapter 325). Unless continued in existence as provided by that Act, the office is abolished effective September 1, 1997 [~~1987~~].

(b) Section 51, Chapter 729, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.49. (a) Section 43.103, Government Code, is repealed to conform to Sections 6, 15, and 16, Chapter 114, Acts of the 69th Legislature, Regular Session, 1985.

(b) Section 6, Chapter 114, Acts of the 69th Legislature, Regular Session, 1985 (Article 326k-89, Vernon's Texas Civil Statutes), is repealed.

(c) Sections 15 and 16, Chapter 114, Acts of the 69th Legislature, Regular Session, 1985, are repealed.

SECTION 2.50. (a) Section 43.108, Government Code, is amended to conform to Sections 2 and 3, Chapter 972, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 43.108. 21ST JUDICIAL DISTRICT. The voters of Washington[, Lee,] and Burleson counties elect a district attorney for the 21st Judicial District who represents the state in that district court only in those counties.

(b) Sections 2 and 3, Chapter 972, Acts of the 69th Legislature, Regular Session, 1985, are repealed.

SECTION 2.51. (a) Section 43.116, Government Code, is repealed to conform to Sections 8 and 10, Chapter 294, Acts of the 69th Legislature, Regular Session, 1985.

(b) Section 8, Chapter 294, Acts of the 69th Legislature, Regular Session, 1985 (Article 326k-90, Vernon's Texas Civil Statutes), is repealed.

(c) Section 10, Chapter 294, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.52. (a) Section 43.121, Government Code, is amended to conform to Section 1, Chapter 168, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 43.121. 35TH JUDICIAL DISTRICT. (a) The voters of the 35th Judicial District elect a district attorney.

(b) *The district attorney of the 35th Judicial District shall assist the county attorney in Coleman County on his request, or, in the event of the inability of the county attorney to act, on appointment by the judge of the 35th District Court. If there is no county attorney in Coleman County, or if the county attorney does not elect to perform the duties of district attorney before the 35th District Court as provided by Section 45.142(a), the district attorney of the 35th Judicial District shall perform the duties of district attorney before that court in Coleman County.*

(b) Section 44.321(b), Government Code, is amended to conform to Section 1, Chapter 14, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(b) The criminal district attorney shall assist the county attorney of Callahan County or Coleman County on the request of the county attorney or if appointed to do so by the judge of a district court ~~[having jurisdiction]~~ in that county ~~[Callahan County]~~ when the county attorney is unable to act.

(c) Section 45.130(a), Government Code, is amended to conform to Section 1, Chapter 14, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(a) If there is no county attorney in Callahan County, the criminal district attorney in Taylor County shall represent the state in all matters pending before the ~~42nd District Court~~ ~~[district court]~~ in Callahan County.

(d) Subchapter B, Chapter 45, Government Code, is amended to conform to Section 1, Chapter 14, and Section 1, Chapter 168, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 45.142 to read as follows:

Sec. 45.142. COLEMAN COUNTY. (a) The county attorney of Coleman County may perform all duties required of district and county attorneys by general law in all matters pending before the district court in Coleman County.

(b) If the county attorney of Coleman County performs the duties of district attorney before the district courts in Coleman County as provided by Subsection (a), the county attorney is entitled to receive from the state a salary of \$5,000 a year. The county attorney may not receive that salary for a period of time during which the county attorney does not perform those duties. The county attorney may not receive that salary unless he certifies to the comptroller of public accounts that he is performing the duties of district attorney as required and must notify the comptroller immediately if he ceases to perform those duties. The county attorney is also entitled to receive funds from the state for the payment of staff salaries and other office expenses at the same rate as provided in the General Appropriations Act for a district attorney in a single-county district for a period during which the county attorney performs the duties of district attorney.

(c) If there is no county attorney in Coleman County, the criminal district attorney in Taylor County shall represent the state in all matters pending before the 42nd District Court in Coleman County.

(e) Section 1, Chapter 14, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

(f) Section 1, Chapter 168, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.53. Section 43.132(c), Government Code, is amended to conform to the law from which it was derived to read as follows:

(c) The Commissioners Court of Travis County may supplement the salaries paid by the state to the assistant district attorneys *and* to the district attorney.

SECTION 2.54. (a) Section 43.136, Government Code, is amended to conform to Sections 1 and 2, Chapter 113, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 43.136. 69TH JUDICIAL DISTRICT. (a) The voters of the 69th Judicial District elect a district attorney.

(b) *Any commissioners court in the district may supplement the state salary of the district attorney in an amount set by the commissioners court. In addition, a commissioners court may compensate the district attorney for the prosecution of misdemeanors in the manner and amount determined by the commissioners court* [~~An investigator appointed by the district attorney is not required to be a licensed attorney.~~]

~~[(c) Each stenographer employed by the district attorney shall be paid an annual salary of not less than \$2,400 and not more than \$8,250 as determined by the commissioners courts of the counties comprising the district.~~

~~[(d) Each assistant and each investigator employed by the district attorney shall be paid an annual salary of not less than \$4,800 and not more than \$15,000 as determined by the commissioners courts of the counties comprising the district].~~

(b) Section 1, Chapter 449, Acts of the 62nd Legislature, Regular Session, 1971 (Article 326k-66, Vernon's Texas Civil Statutes), as amended by Section 1, Chapter 113, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.55. (a) Section 43.160, Government Code, is amended to conform to Section 2, Chapter 773, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 43.160. 155TH JUDICIAL DISTRICT. The voters of *Austin and Waller counties* [~~the 155th Judicial District~~] elect a district attorney *for the 155th Judicial District who represents the state in that district court only in those counties.*

(b) Section 2, Chapter 773, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.56. Section 43.179, Government Code, is amended to omit the unnecessary designation of Subsection (a) to read as follows:

Sec. 43.179. 355TH JUDICIAL DISTRICT. ~~[(a)]~~ The voters of the 355th Judicial District elect a district attorney who represents the state in all cases before that district court.

SECTION 2.57. (a) Section 44.001, Government Code, is amended to conform to Section 1, Chapter 114; Section 1, Chapter 294; and Section 1, Chapter 339, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 44.001. ELECTION. The voters of each of the following counties elect a criminal district attorney: *Anderson, Bastrop, Bexar, Bowie, Brazoria, Caldwell, Calhoun, Cass, Collin, Dallas, Deaf Smith, Denton, Eastland, Fort Bend, Galveston, Gregg, Harrison, Hays, Hidalgo, Jackson, Jasper, Jefferson, Kaufman, Lubbock, McLennan, Navarro, Randall, Rockwall, Smith, Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker, Wichita, [and] Wood, and Yoakum.*

(b) Section 1, Chapter 114, Acts of the 69th Legislature, Regular Session, 1985 (Article 326k-89, Vernon's Texas Civil Statutes), is repealed.

(c) Section 1, Chapter 294, Acts of the 69th Legislature, Regular Session, 1985 (Article 326k-90, Vernon's Texas Civil Statutes), is repealed.

(d) Section 1, Chapter 339, Acts of the 69th Legislature, Regular Session, 1985 (Article 326k-91, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.58. (a) Subchapter B, Chapter 44, Government Code, is amended to conform to Sections 2, 3, 4, 7, 8, and 10, Chapter 114, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 44.101 to read as follows:

Sec. 44.101. ANDERSON COUNTY. (a) The criminal district attorney of Anderson County must be at least 30 years of age.

(b) The criminal district attorney shall represent the state in all matters in the district and inferior courts in the county. The criminal district attorney shall perform the other duties that are conferred by general law on district and county attorneys.

(c) The criminal district attorney shall collect the fees, commissions, and perquisites that are provided by law for similar services rendered by a district or county attorney.

(d) In addition to the salary paid by the state, the criminal district attorney is entitled to supplemental compensation from the county set by the commissioners court. The supplemental compensation must be in an amount necessary for the total compensation of the criminal district attorney to equal at least 90 percent of the total salary, including supplements, paid to the judge of the 3rd Judicial District by the state and Anderson, Henderson, and Houston counties. The county supplement shall be paid in equal installments, twice monthly, from the officers' salary fund of the county.

(e) The criminal district attorney may appoint a staff composed of at least three assistant criminal district attorneys, and investigators, stenographers, clerks, and any other personnel that the commissioners court authorizes.

(f) Except as limited by this section, the criminal district attorney, with the approval of the commissioners court, shall set the salary of the assistant criminal district attorneys, investigators, stenographers, clerks, and other personnel. The commissioners court shall pay staff salaries in equal installments twice a month from the county officers' salary fund.

(g) In addition to staff salaries, the commissioners court may allow the criminal district attorney, his assistants, and investigators necessary expenses that the commissioners court considers reasonable. The expenses shall be paid as provided by law for other claims of expenses by county employees.

(h) The commissioners court may accept gifts and grants from any foundation, association, or political subdivision for the purpose of financing adequate and effective prosecution programs in the county. Municipalities in the county or district may allocate and grant the sums of money that their respective governing bodies approve to their county government for the support and maintenance of an effective prosecution program.

(b) Sections 2, 3, 4, 7, 8, and 10, Chapter 114, Acts of the 69th Legislature, Regular Session, 1985 (Article 326k-89, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.59. *(a) Section 44.115, Government Code, is amended to conform to Section 1, Chapter 280, Acts of the 69th Legislature, Regular Session, 1985, by adding Subsection (f) to read as follows:*

(f) The Commissioners Court of Bexar County may accept gifts and grants from any individual, partnership, corporation, trust, foundation, association, or governmental entity for the purpose of financing or assisting effective prosecution, crime prevention or suppression, rehabilitation of offenders, or crime victim's assistance in Bexar County.

(b) Section 1, Chapter 280, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.60. *(a) Subchapter B, Chapter 44, Government Code, is amended to conform to Sections 2-6, Chapter 294, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 44.343 to read as follows:*

Sec. 44.343. WICHITA COUNTY. (a) The criminal district attorney shall represent the state in all matters in the district and inferior courts in the county. The criminal district attorney shall perform the other duties that are conferred by general law on district and county attorneys.

(b) *The criminal district attorney shall collect the fees, commissions, and perquisites that are provided by law for similar services rendered by a district or county attorney.*

(b) Sections 2-6, Chapter 294, Acts of the 69th Legislature, Regular Session, 1985 (Article 326k-90, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.61. (a) Subchapter B, Chapter 44, Government Code, is amended to conform to Sections 2-4, Chapter 339, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 44.351 to read as follows:

Sec. 44.351. YOAKUM COUNTY. (a) The criminal district attorney represents the state in all matters in the district and inferior courts in the county. The criminal district attorney shall perform the other duties that are conferred by general law on district and county attorneys.

(b) *The criminal district attorney shall collect the fees, commissions, and perquisites that are provided by law for similar services rendered by a district or county attorney.*

(c) *The criminal district attorney is entitled to receive compensation from the state in the manner and amount provided by law for district attorneys generally.*

(d) *The commissioners court may supplement the salary paid by the state.*

(b) Sections 2-4, Chapter 339, Acts of the 69th Legislature, Regular Session, 1985 (Article 326k-91, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.62. (a) Subchapter B, Chapter 45, Government Code, is amended to conform to Section 1, Chapter 773, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 45.175 to read as follows:

Sec. 45.175. FAYETTE COUNTY. In Fayette County the county attorney of Fayette County shall perform the duties imposed on and have the powers conferred on district attorneys by general law.

(b) Section 1, Chapter 773, Acts of the 69th Legislature, Regular Session, 1985 (Article 331n, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.63. (a) Subchapter B, Chapter 45, Government Code, is amended to conform to Section 1, Chapter 972, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 45.244 to read as follows:

Sec. 45.244. LEE COUNTY. (a) The county attorney of Lee County represents the state in all matters pending before the district courts in Lee County.

(b) *Unless authorized by order adopted by the Commissioners Court of Lee County, the county attorney may not engage in the private practice of law.*

(c) *The county attorney is not entitled to be compensated by the state for salary or office expenses. The county attorney is entitled to the annual compensation set by the Commissioners Court of Lee County.*

(d) *Lee County is not entitled to receive funds under Subchapter C, Chapter 41.*

(b) Section 1, Chapter 972, Acts of the 69th Legislature, Regular Session, 1985 (Article 331o, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.64. (a) Section 46.002, Government Code, is amended to conform to Section 14, Chapter 114, and Section 9, Chapter 294, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter applies only to the following prosecutors:

(1) the district attorneys for the 2nd, [3rd,] 9th, 12th, 21st, 26th, 27th, 29th, [30th,] 31st, 32nd, 34th, 36th, 38th, 39th, 43rd, 47th, 51st, 52nd, 63rd, 64th, 66th, 69th, 70th, 76th, 81st, 85th, 90th, 97th, 105th, 106th, 118th, 119th, 145th, 155th, 159th, 173rd, 196th, 198th, 216th, 220th, 229th, 235th, 266th, 271st, 349th, and 355th judicial districts;

(2) the criminal district attorneys for the counties of *Anderson*, *Bastrop*, *Bexar*, *Brazoria*, *Caldwell*, *Cass*, *Denton*, *Eastland*, *Fort Bend*, *Galveston*, *Gregg*, *Harrison*, *Hays*, *Hidalgo*, *Jackson*, *Jefferson*, *Kaufman*, *Lubbock*, *McLennan*, *Navarro*, *Randall*,

Rockwall, Smith, Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker, Wichita, and Wood; and

(3) the county attorneys performing the duties of district attorneys in the counties of Andrews, Cameron, Castro, Falls, Fannin, Freestone, Grayson, Limestone, Morris, Ochiltree, Red River, Robertson, Rusk, and Willacy.

(b) Section 14, Chapter 114, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

(c) Section 9, Chapter 294, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.65. (a) Section 45.351, Government Code, is repealed to conform to Sections 5 and 6, Chapter 339, Acts of the 69th Legislature, Regular Session, 1985.

(b) Section 5, Chapter 339, Acts of the 69th Legislature, Regular Session, 1985 (Article 326k-91, Vernon's Texas Civil Statutes), is repealed.

(c) Section 6, Chapter 339, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.66. Section 51.207(f), Government Code, is repealed to conform to the repeal of the law from which it was derived by Section 5(a), Chapter 589, Acts of the 69th Legislature, Regular Session, 1985.

SECTION 2.67. (a) Chapter 51, Government Code, is amended to codify Chapter 732, Acts of the 68th Legislature, Regular Session, 1983 (Article 29f, Vernon's Texas Civil Statutes), by adding Subchapter I to read as follows:

SUBCHAPTER I. ELECTRONIC FILING OF CERTAIN DOCUMENTS

Sec. 51.801. DEFINITION. In this subchapter, "electronic filing of documents" means the filing of data transmitted to a district or county clerk or a clerk of a court of appeals by the communication of information, displayed originally in written form, in the form of digital electronic signals transformed by computer and stored on microfilm, magnetic tape, optical disks, or any other medium.

Sec. 51.802. PLACE OF FILING. The place of filing is the receiving station designated by the district or county clerk or the clerk of the court of appeals to which electronic information is transmitted.

Sec. 51.803. SUPREME COURT REGULATION AND APPROVAL. (a) The supreme court shall adopt rules and procedures to regulate the use of electronic copying devices for filing in the courts.

(b) An instrument may only be filed as provided by this subchapter if the district, county, or court of appeals has established a system for receiving electronically transmitted information from an electronic copying device, and the system has been approved by the supreme court. A district or county clerk or clerk of a court of appeals who believes there is justification for use of an electronic filing system in the clerk's office must request approval of the system from the supreme court. The supreme court shall approve or disapprove the system and may withdraw approval any time the system does not meet its requirements.

Sec. 51.804. COMPLETION OF ELECTRONIC FILING. To complete an electronic filing:

(1) the person filing an instrument with the district or county clerk or the clerk of a court of appeals must transmit the instrument electronically;

(2) the receiving station must transmit acknowledgment to the sending party by encoding electronic receipt of the transmission;

(3) the sending station must encode validation of the encoded receipt as correct; and

(4) the receiving station must respond by encoded transcription into the computer system that validation has occurred and that the electronic transmission has been completed.

Sec. 51.805. TRANSMISSION OR DISTRIBUTION OF DATA. (a) A receiving station, on completion of an electronic filing, shall:

- (1) transmit data to the appropriate court as required; and*
- (2) distribute data as required by statute or rule.*

(b) Data must be distributed or transmitted from or through the medium of direct computer transmission, microfilm, magnetic tape, or optical disks, or any other medium approved by the supreme court.

Sec. 51.806. SIGNATURE ON ORIGINAL. (a) If the supreme court determines that each document filed by electronic transmission must be signed in the original, that requirement is satisfied if the sending station at the point of origin maintains a hard copy with the original signature affixed that, on order of the court, shall be filed in original hard copy medium. The electronic transmission of the data to be filed must bear a facsimile or printing of the required signature. The signature may be represented in numerical form. The electronically reproduced document must bear a copy of the signature or its representation in numerical form.

(b) The electronically reproduced document shall be accepted as the signature document for all court-related purposes unless the hard copy with the original signature affixed is requested by one or more parties to a suit or other agent required by statute, law, or other legal requirement. A request under this subsection must be made in the form of a motion to the court. If the court grants the motion, the court shall order that the original be filed with the court.

Sec. 51.807. LOCAL RULES. (a) The courts of a county may adopt local rules that govern the transmission and receipt of documents or reports stored or created in digital electronic or facsimile form and that provide for recognition of those documents as the original record for file or for evidentiary purposes.

(b) The rules shall be submitted to the supreme court for review and adoption as a part of the overall plan or procedure for the electronic filing of documents.

(b) Chapter 732, Acts of the 68th Legislature, Regular Session, 1983 (Article 29f, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.68. (a) Section 52.011(c), Government Code, is amended to conform to Section 8, Chapter 479, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(c) A person who is required to register as a lobbyist under Chapter 305 [422, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-9c, Vernon's Texas Civil Statutes)], because of the person's activities for compensation in or on behalf of a profession related to the operation of the board, or a person who is an owner, officer, or employee of a school or institution engaged in instructing persons in shorthand reporting skills may not serve as a member of the board or act as the general counsel to the board.

(b) Section 8, Chapter 479, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.69. (a) Section 52.014, Government Code, is amended to conform to Section 44, Chapter 729, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 52.014. SUNSET PROVISION. The Court Reporters Certification Board is subject to the Texas Sunset Act (Chapter 325). Unless continued in existence as provided by that Act, the board is abolished September 1, 1997 [1987].

(b) Section 44, Chapter 729, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.70. Section 52.023(b), Government Code, is amended to conform to the law from which it was derived to read as follows:

(b) Part A consists of five minutes of two-voice dictation of questions and answers given at 225 words per minute, five minutes of dictation of jury charges given at 200 words per minute, and five minutes of dictation of selected literary material given at 180 words per minute. Each applicant must personally take down the test material, either in

writing or in voice, and must type a transcript of the material taken down. The applicant may use either a manual or an electric typewriter. The minimum passing grade for *each section* of Part A is 95 percent. A dictionary may be used during Part A. Each applicant has three hours to complete the transcription of Part A. If an applicant finishes before the three hours have elapsed, the applicant may review the transcript but may use only the test material taken down by that applicant to review the transcript. An error is charged for:

- (1) each wrong word;
- (2) each omitted word;
- (3) each word added by the applicant that was not dictated;
- (4) each contraction interpreted by the applicant as two words;
- (5) two words interpreted by the applicant as a contraction;
- (6) each misplaced word;
- (7) each misplaced period that materially alters the sense of a group of words or a sentence;
- (8) each misspelled word;
- (9) the use of the plural or singular if the opposite was dictated; and
- (10) each wrong number.

SECTION 2.71. (a) Subchapter A, Chapter 53, Government Code, is amended to conform to Sections 1–9, Chapter 157, Sections 1–8, Chapter 164, and Sections 1–8, Chapter 299, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

SUBCHAPTER A. BAILIFFS FOR CERTAIN COURTS

Sec. 53.001. MANDATORY APPOINTMENTS. (a) The judges of the 22nd, 30th, 70th, 71st, 78th, 89th, 161st, and 341st district courts, *the judges of the district courts having jurisdiction in Taylor County*, and the judge of the County Court of Harrison County shall each appoint a bailiff.

(b) The judge of the 105th District Court shall appoint an officer of the court in Nueces County as bailiff.

(c) Each criminal district court in Tarrant County must have at least three bailiffs assigned regularly to the court. Each judge of a criminal district court in Tarrant County shall appoint two officers of the court to serve as bailiffs for his court. The county sheriff shall appoint one bailiff for each of the criminal district courts in Tarrant County.

(d) *The judge of the 97th District Court shall appoint a bailiff for each county in the district.*

Sec. 53.002. PERMISSIVE APPOINTMENTS. (a) The judges of the 34th, ~~65th, 120th,~~ 142nd, ~~205th, 210th,~~ 238th, and ~~243rd,~~ 318th, ~~and 327th~~ district courts may each appoint a bailiff.

(b) The judge of the 43rd District Court may appoint one or more bailiffs that he believes are necessary for the efficient administration of the court.

(c) *The judges of the district courts, including family district courts, having jurisdiction in El Paso County and the judges of the county courts at law in El Paso County may each appoint a person to serve the court as bailiff. A bailiff for a district court that is composed of more than one county serves the court in each county of the district.*

Sec. 53.003. EVIDENCE OF APPOINTMENT; NOTIFICATION. (a) An order signed by the appointing judge entered in the minutes of the court is evidence of the appointment of a bailiff under Sections 53.001(a), *53.001(d)*, ~~and~~ 53.002(a), and *53.002(c)*.

(b) The judge of each court listed in *Sections 53.001(d)*, ~~Section~~ 53.002(a), and *53.002(c)* and the judge of the 341st District Court shall give each commissioner court in the judicial district written notification of the bailiff's appointment and date of employment. *The judge of each court listed in Section 53.002(c) shall also give each*

commissioners court written notification of the compensation to be paid by the county.

Sec. 53.004. QUALIFICATIONS. (a) A bailiff in the 22nd, 34th, 70th, 71st, or 161st district court must be a resident of the county in which he serves the court and must be at least 18 years old.

(b) To be eligible to be appointed bailiff in the 30th, [65th,] 78th, 89th, 97th, [120th,] 142nd, [205th, 210th,] 238th, [243rd,] 318th, [327th,] or 341st district court, [or] the County Court of Harrison County, *a court described in Section 53.002(c), or a district court in Taylor County*, a person must be a resident of the county in which the person serves the court and must be at least 21 years old.

Sec. 53.005. TERM OF OFFICE. A bailiff appointed under this subchapter holds office at the will of the judge of the court that the bailiff serves.

Sec. 53.006. DUTIES. (a) A bailiff appointed under Section 53.001, [or] 53.002(a), or 53.002(c) is an officer of the court.

(b) The bailiff shall perform in the court to which the bailiff is appointed all duties imposed on bailiffs under general law and shall perform other duties required by the judge of the court that the bailiff serves.

(c) A bailiff appointed under Section 53.001(d), Section 53.002(a), or Section 53.002(c), or by the judge of the 341st District Court has only the duties assigned by the judge of the court that the bailiff serves.

Sec. 53.007. BAILIFF DEPUTIZED. (a) This section applies to:

- (1) the 22nd, 34th, [65th,] 70th, 71st, 97th, [120th,] 142nd, 161st, [205th, 210th,] 238th, [243rd,] 318th, [327th,] and 341st district courts;
- (2) the County Court of Harrison County; [and]
- (3) the criminal district courts of Tarrant County;
- (4) *the district courts in Taylor County; and*
- (5) *the courts described in Section 53.002(c).*

(b) On the request of the judge of a court to which this section applies, the sheriff of each county in which the court sits shall deputize the bailiff of that court, in addition to other deputies authorized by law.

(c) A request under this section by a judge of a court listed in Section 53.001(d), 53.002(a), or 53.002(c), [or] by the judge of the 341st District Court, *or by the judge of a district court in Taylor County* must be in writing.

Sec. 53.0071. BAILIFF AS PEACE OFFICER. *Unless the appointing judge provides otherwise in the order of appointment, a bailiff appointed under Section 53.002(c) is a "peace officer" for purposes of Article 2.12, Code of Criminal Procedure.*

Sec. 53.008. OATH. The bailiffs of the 22nd, 34th, [65th,] 70th, 97th, [120th,] 142nd, 161st, [205th, 210th,] 238th, [243rd,] 318th, [327th,] and 341st district courts, *the bailiffs of the courts described in Section 53.002(c), and the bailiffs of the district courts in Taylor County* shall each swear to the following oath, to be administered by the judge: "I solemnly swear that I will faithfully and impartially perform all duties as may be required of me by law, so help me God."

Sec. 53.009. COMPENSATION. (a) Each bailiff appointed by a judge of the 30th, 78th, or 89th district court *or appointed by a district judge in Taylor County* is entitled to receive a salary set by the judge and approved by the commissioners court. The salary is paid out of the general fund of the county.

(b) Each bailiff appointed by a judge of the [65th, 120th,] 142nd, [205th, 210th,] 238th, or [243rd,] 318th, [or 327th] district court is entitled to receive from each county in which the court sits the amount of compensation set by the judge in an amount that does not exceed the salary of the chief deputy sheriff of the county. The judge shall give each commissioners court in the district written notification of the amount of compensation to be paid by the county.

(c) The bailiff appointed by the judge of the County Court of Harrison County is entitled to receive a salary set by the judge in an amount that does not exceed the salary

of a deputy sheriff of the county. The salary is paid out of the general fund of the county.

(d) The bailiff appointed by the judge of the 341st District Court is entitled to receive a salary set by the judge in an amount that does not exceed the salary of a full-time deputy sheriff of the county. The salary is paid out of the general fund of the county.

(e) *A bailiff is entitled to receive from the county in which he serves a salary set by the judge in an amount that does not exceed the salary of the chief deputy sheriff of the county. The judge shall give each commissioners court in the district written notification of the amount of compensation to be paid by the county. The salary is paid out of the general fund of the county.*

Sec. 53.0091. COMPENSATION IN EL PASO COUNTY. (a) *Each bailiff appointed under Section 53.002(c) shall be paid an annual salary out of the general fund of El Paso County. The appointing judge shall set the salary in writing, but except as otherwise provided by this section, the annual salary shall be set at \$18,000 on August 26, 1985, and thereafter the \$18,000 annual salary shall increase as provided by Subsection (c).*

(b) *Bailiffs appointed under Section 53.002(c) who held office as bailiffs under Chapter 817, Acts of the 62nd Legislature, Regular Session, 1971 (Article 2292l, Vernon's Texas Civil Statutes), or under Chapter 532, Acts of the 67th Legislature, Regular Session, 1981 (Article 2292o, Vernon's Texas Civil Statutes), on August 25, 1985, are entitled to receive at least the same annual salary or compensation under this section as they received under those Acts on August 26, 1985.*

(c) *For those bailiffs whose annual salary is set at more than \$18,000 as provided by Subsection (b) or (e), any salary increase to become effective in the annual budget of El Paso County for any calendar or fiscal year budget, as the case may be, must be uniform and, except as provided by Subsection (e), the bailiffs are entitled to the same salary increase in those budgets that is approved by the commissioners court for a majority of county employees other than deputy sheriffs. In the annual budget of El Paso County for October 1, 1986, to September 30, 1987, or any subsequent calendar or fiscal year budget, as the case may be, any increase in the salaries of bailiffs in El Paso County must be uniform, and bailiffs are entitled to the same salary increase in those budgets that is approved by the commissioners court for a majority of county employees, other than deputy sheriffs.*

(d) *A person appointed to succeed a bailiff who held office as bailiff under Chapter 817, Acts of the 62nd Legislature, Regular Session, 1971 (Article 2292l, Vernon's Texas Civil Statutes), or under Chapter 532, Acts of the 67th Legislature, Regular Session, 1981 (Article 2292o, Vernon's Texas Civil Statutes), is not entitled to be paid the same annual salary paid to the bailiff he succeeds, but is entitled to receive the annual salary as provided by this section so that the bailiffs' salaries under this section will become uniform with the passage of time. A person appointed to succeed any bailiff before October 1, 1986, is entitled to the \$18,000 annual salary set by Subsection (a). A person appointed to succeed any bailiff on or after October 1, 1986, is entitled to the \$18,000 annual salary set by Subsection (a) or the salary set on the date the bailiff is appointed for a Grade 20 of the El Paso County Job Guide Designation for a new employee under Grade 20, whichever is greater. A bailiff whose annual salary is set on September 30, 1986, at \$18,000 under this section is on October 1, 1986, entitled to any salary increase provided for under Subsection (c) or the salary set on October 1, 1986, for a Grade 20 of the El Paso County Job Guide Designation for a new employee under Grade 20, whichever is greater. After October 1, 1986, all salary increases for bailiffs shall be uniform as provided for in Subsection (c). If a substantial number of those job titles or positions listed on the effective date of this section under Grade 20 of the El Paso County Job Guide Designation are removed from Grade 20 or the El Paso County Job Guide Designation is replaced with some other system for setting employees' salaries under those job titles or positions listed under Grade 20 of the El Paso County Job Guide Designation, on the date a new bailiff is appointed, the starting salary being paid at that time by El Paso County to the functional equivalent of Grade 20 of the El Paso County Job Guide Designation shall be used in place of Grade*

20. In determining the functional equivalent of Grade 20 under this section, the job titles, positions, or their equivalent listed under Grade 20 on August 26, 1985, shall be considered as the only factors.

(e) Notwithstanding Subsections (c) and (d), any bailiff who continues in office under Section 11, Chapter 157, Acts of the 69th Legislature, Regular Session, 1985, and whose annual salary from El Paso County is greater than \$21,000 on August 25, 1985, may not receive a salary increase until the bailiff's salary is equal to the salaries of those bailiffs whose salaries are set on August 26, 1985, at \$20,832. The salaries of those bailiffs appointed under Section 53.002(c) who were El Paso County deputy sheriffs on August 25, 1985, and whose salaries are over \$18,000 but under \$20,832 on that date are set at \$20,832 on August 26, 1985, notwithstanding Subsection (a), and those bailiffs are entitled to the same salary increase that is granted under Subsection (c) to other bailiffs in the annual budget of El Paso County for October 1, 1985, to September 30, 1986.

(b) Sections 1-8, Chapter 157, Acts of the 69th Legislature, Regular Session, 1985 (Article 2292q, Vernon's Texas Civil Statutes), are repealed.

(c) Section 9, Chapter 157, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

(d) Sections 1-8, Chapter 164, Acts of the 69th Legislature, Regular Session, 1985 (Article 2292r, Vernon's Texas Civil Statutes), are repealed.

(e) Sections 1-8, Chapter 299, Acts of the 69th Legislature, Regular Session, 1985 (Article 2292s, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.72. (a) Chapter 53, Government Code, is amended to conform to Sections 1-7, Chapter 977, Acts of the 69th Legislature, Regular Session, 1985, by adding Subchapter D to read as follows:

**SUBCHAPTER D. BAILIFFS FOR FAMILY DISTRICT
COURTS IN HARRIS COUNTY**

Sec. 53.051. OFFICE OF BAILIFF. The judges of the 245th, 246th, 247th, 257th, 308th, 309th, 310th, 311th, and 312th family district courts shall appoint a person to serve their respective courts as bailiff. A bailiff is an officer of the court and performs the duties of the office under the direction and supervision of the judge of the court.

Sec. 53.052. APPOINTMENT. An order signed by the appointing judge and entered on the minutes of the court is evidence of appointment of a bailiff. The judge shall give written notice to the commissioners court and each constable of Harris County of the appointment and date employed.

Sec. 53.053. QUALIFICATIONS. A bailiff must be a citizen of the United States and must be 19 years of age.

Sec. 53.054. BAILIFF AS DEPUTY. On written notice of the appointment from the judge, a constable of said county may deputize the bailiff in addition to other deputies authorized by law.

Sec. 53.055. OATH. The following oath must be administered by the appointing judge to the bailiff appointed under this subchapter: "I solemnly swear that I will perform faithfully and impartially all duties required of me and required by law so help me God."

Sec. 53.056. TERM OF OFFICE. The bailiff holds office at the will of the judge of the court served by the bailiff.

Sec. 53.057. DUTIES. A bailiff shall perform the duties imposed on bailiffs under the general laws of this state and the other duties required by the judge of the court served.

Sec. 53.058. COMPENSATION. The bailiff shall be compensated out of the general fund of the county in an amount to be set by the Commissioners Court of Harris County.

(b) Sections 1-7, Chapter 977, Acts of the 69th Legislature, Regular Session, 1985 (Article 2292u, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.73. Chapter 53, Government Code, is amended to codify the law compiled in Vernon's Texas Civil Statutes as Articles 2292f and 2292g by adding Subchapter E to read as follows:

SUBCHAPTER E. GRAND JURY BAILIFFS IN CERTAIN COUNTIES

Sec. 53.071. GRAND JURY BAILIFFS IN COUNTIES OF 250,000 OR MORE. (a) In any county with a population of 250,000 or more, the judges of the district courts to whom the grand jury reports may, with the commissioners court's approval, appoint not more than seven grand jury bailiffs.

(b) A bailiff appointed under this section is subject to removal without cause at the will of the appointing judge or judges.

Sec. 53.072. GRAND JURY BAILIFFS IN GALVESTON COUNTY. The judge of a district court impaneling a grand jury shall appoint not more than six grand jury bailiffs.

SECTION 2.74. (a) Subchapter A, Chapter 54, Government Code, is amended to conform to Section 1, Chapter 851, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

SUBCHAPTER A. FAMILY LAW MASTERS

Sec. 54.001. APPOINTMENT. (a) A judge of a district court or other court having jurisdiction of suits [~~affecting the parent-child relationship~~] under Title 1, 2, or 4, Family Code, may appoint either a full-time or part-time master to perform the duties authorized by this subchapter if the commissioners court of a county in which the court has jurisdiction authorizes the employment of a master.

(b) If a court has jurisdiction in more than one county, a master appointed by that court may serve only in a county in which the commissioners court has authorized the master's appointment.

(c) If more than one district court or other court having jurisdiction of suits under Title 1, 2, or 4, Family Code, [~~affecting the parent-child relationship~~] has jurisdiction in a county, the commissioners court may authorize the appointment of a master for each court or may authorize one or more masters to share service with two or more courts.

(d) If a master serves more than one court, the master's appointment must be made with the unanimous approval of all the judges under whom the master serves.

Sec. 54.002. QUALIFICATIONS. To be eligible for appointment as a master, a person must have the qualifications required of a district judge [be:

[(1) a resident of this state; and

[(2) licensed to practice law in this state].

Sec. 54.003. COMPENSATION. (a) A master is entitled to the salary determined by the commissioners court of the county in which the master serves.

(b) If a master serves in more than one county, the master is entitled to a salary as determined by agreement of the commissioners courts of the counties in which the master serves.

(c) The master's salary is paid from the county fund available for payment of officers' salaries.

Sec. 54.004. TERMINATION OF SERVICES. (a) A master who serves a single court serves at the will of the judge.

(b) The services of a master who serves more than one court may be terminated by a majority vote of all the judges whom the master serves.

Sec. 54.005. CASE THAT MAY BE REFERRED. (a) Except as provided by Subsection (c), a [A] judge may refer to a master any aspect of a civil case involving a matter over which the court has jurisdiction under Title 1, 2, or 4, Family Code, including the

following, and, after notice to all parties of the time and place of hearing, the master may preside over any hearing enumerated below:

- (1) a hearing for a temporary order in all actions or suits for support by one spouse against another;
- (2) a motion or suit to modify a temporary or final order;
- (3) a suit affecting the parent-child relationship involving temporary orders;
- (4) an application for a temporary injunction involving temporary possession or use of property;
- (5) a habeas corpus proceeding, including any necessary hearing authorized by the Family Code;
- (6) a motion to transfer;
- (7) a motion for contempt for failure or refusal to obey a temporary or final order;
- (8) an action brought under the Uniform Reciprocal Enforcement of Support Act (Chapter 21, Family Code);
- (9) an action for the protection of the family;
- (10) a matter on which the parties agree;
- (11) a matter in which a party is entitled to a default judgment; and
- (12) any other matter referred by the judge that is in the jurisdiction of the court, including pretrial motions, discovery, summary judgments, and other matters governed by the Texas Rules of Civil Procedure.

(b) The judge of a court having appointed a master as provided in this subchapter may also refer to the master a trial on the merits, and the master may preside over the trial unless one or more parties file a written objection. If a party files a written objection, the trial on the merits shall be heard by the court. If neither party files a written objection to a referral to the master for hearing on the merits, there is no right of appeal to the referring court and the judgment of the master becomes final for purposes of appeal to the court of appeals or to the supreme court. All times for appeal are computed in accordance with Section 54.011(a).

(c) The court may not refer a proceeding in which the termination of parental rights is sought or a proceeding in which any party is requesting appointment of a receiver. If the court does refer one of those proceedings, the master may not conduct a hearing and any order issued by a master on those matters is void.

(d) Upon appointment of a master to a district court or courts, any cases under Title 1, 2, or 4, Family Code, may be referred to the master, except as the judge may limit [motion:

~~(1) of contempt for failure or refusal;~~

~~(A) to pay child support, temporary support, or separate maintenance; or~~

~~(B) to comply with a court order concerning possession of or access to a child who has been the subject of a suit affecting the parent-child relationship; or~~

~~(2) to modify a decree in a suit affecting the parent-child relationship that provides for access to or support, conservatorship, or possession of a child].~~

Sec. 54.006. *DUTIES.* ~~[ORDER OF REFERRAL. (a) To refer a case to a master, a judge must issue an order of referral specifying the master's duties.~~

~~(b) The order of referral may:~~

~~(1) limit the powers of a master and direct the master to report only on specific issues, do particular acts, or receive and report on evidence only;~~

~~(2) set the time and place for the hearing;~~

~~(3) prescribe a closing date for the hearing; and~~

~~(4) provide a date for the filing of the master's report.~~

~~[Sec. 54.007. POWERS.]~~ Except as *provided* [limited] by *Section 54.005(c)* [an order of referral], a master to whom a case is referred may:

- (1) conduct hearings;
- (2) hear evidence;
- (3) compel production of relevant evidence;
- (4) rule on admissibility of evidence;
- (5) issue summons for the appearance of witnesses;
- (6) examine witnesses;
- (7) swear witnesses for hearings;
- (8) make findings of fact on evidence;
- (9) formulate conclusions of law;
- (10) recommend the judgment to be made in a case;
- (11) regulate proceedings in a hearing; and

(12) do any act and take any measure necessary and proper for the efficient performance of the *master* [duties required by the order of referral].

~~[Sec. 54.008. NOTICE OF HEARING. Before a master holds a hearing, each party shall be given notice of the time and place of the hearing as provided by law.]~~

Sec. 54.007 [54.009]. *PARTY OR WITNESS.* (a) A *party* or a witness who appears before a master and is sworn is subject to the penalties for perjury provided by law.

(b) A *master* may recommend that the referring court [may] issue attachment against and may recommend that the referring court fine or imprison a *party* or a witness whose failure to appear after being summoned or whose refusal to answer questions has been certified to the court.

(c) *Except as otherwise provided in this subchapter, a master may take testimony in a case over which the district court has jurisdiction and may recommend that the judge enter a final judgment or an interlocutory order.*

Sec. 54.008 [54.010]. *PAPERS TRANSMITTED TO JUDGE.* At the conclusion of a hearing, a master shall transmit to the referring judge any papers relating to the case, including the master's *report* [findings] and a statement that notice of the *report* [findings] and of the right to a hearing before the judge has been given to *all parties* [any principal, minor, and the parent, guardian, or custodian of any principal who is a minor].

Sec. 54.009 [54.011]. *JUDICIAL ACTION ON MASTER'S REPORT.* (a) *Unless the parties have filed a written notice of appeal, a* [A] referring court may adopt, approve, modify, correct, reject, reverse, or recommit for further information a master's report.

(b) If the master recommends a judgment, the court may approve the recommendation and hear further evidence before rendering a judgment.

Sec. 54.010 [54.012]. *HEARING BEFORE JUDGE.* (a) After receiving notice of the master's findings, any principal, *party*, or a minor or the minor's parent, guardian, or custodian is entitled to a hearing before the judge of the referring court.

(b) Notice of the right to a hearing before the judge may be given at the hearing before the magistrate or otherwise as the referring court directs.

(c) A request for a hearing must be filed with the referring court not later than the third day after the date [notice of] the *master signs the report*. *Rule 4, Texas Rules of Civil Procedure, applies to the computation of days under this subsection* [master's findings is received by the principal, minor, parent, guardian, or custodian].

~~[(d) The court may allow the hearing at any time].~~

Sec. 54.011. *APPEAL.* (a) *The first day of the appeal time begins on the day after the master signs the report. All notices of appeal shall be in writing, specifying the portion of the master's ruling that is being appealed. Notice shall be given to opposing counsel.*

(b) *The referring court, after notice to the parties, shall hold the hearing not later than the 30th day after the date on which the request was filed. The request shall state specifically the findings and conclusions of the master that are objected to, and the hearing shall be limited to those findings and conclusions. The parties may present witnesses as in a hearing de novo on the issues in controversy. Failure to appeal a master's report that disposes of all issues or that is either a final judgment or appealable without being a final judgment does not deprive any litigant from appealing directly to the proper court of appeals and to the supreme court. The date of the signing of a judgment is the controlling date for the purposes of appeal.*

Sec. 54.012. EFFECT OF MASTER'S REPORT PENDING APPEAL. Until the review of the master's report by the referring court, the decisions and recommendations of the master, except for orders providing for incarceration, are in full force and effect and are enforceable as an order of the court.

Sec. 54.013. INAPPLICABILITY OF THIS SUBCHAPTER TO CERTAIN MASTERS. Masters appointed by the court pursuant to Rule 171, Texas Rules of Civil Procedure, have all the duties and powers set forth in the order of appointment and are not governed by this subchapter. [DECREE OF COURT. If a hearing before the judge is not requested or the right to a hearing is waived, the findings and recommendations of the master become the decree of the court on adoption by an order of the judge.]

Sec. 54.014. JURY TRIAL DEMANDED. If a jury trial is demanded in a proceeding, the master shall refer the case back to the referring court for a full hearing before the court and jury. The hearing is subject to the usual rules of the court.

Sec. 54.015. IMMUNITY. A master appointed under Section 54.001 has the judicial immunity of a district judge.

Sec. 54.016. ATTENDANCE OF BAILIFF. A bailiff may attend a hearing held by a master if directed by the referring judge.

Sec. 54.017. COURT REPORTER. A court reporter is not required during a hearing held by a master. A party, the master, or the referring judge may provide for a reporter during the hearing. The record may be preserved by any other means approved by the master. The judge or master may tax the expense of the court reporter as costs.

(b) Section 1, Chapter 851, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.75. Subchapter B, Chapter 54, Government Code, is repealed to conform to the repeal of the source law from which it was derived by Section 4, Chapter 851, Acts of the 69th Legislature, Regular Session, 1985.

SECTION 2.76. (a) Chapter 54, Government Code, is amended to conform to Sections 1-16, Chapter 25, Acts of the 69th Legislature, Regular Session, 1985, by adding Subchapter F to read as follows:

SUBCHAPTER F. MASTERS IN DALLAS COUNTY

Sec. 54.501. APPLICATION OF SUBCHAPTER. This subchapter applies to the judges of the:

- (1) *14th, 44th, 68th, 95th, 101st, 116th, 134th, 160th, 162nd, 191st, 192nd, 193rd, and 298th district courts; and*
- (2) *any district courts in Dallas County that are required by law to give preference to civil cases.*

Sec. 54.502. APPOINTMENT OF MASTER. (a) The judges may by majority vote appoint a full-time master for tax suits and any other matters.

(b) The appointment is subject to the approval of the commissioners court.

(c) The master's services may be terminated by a majority vote of the judges.

Sec. 54.503. QUALIFICATIONS. The master must be a citizen of this state who is licensed to practice law in this state.

Sec. 54.504. COMPENSATION. The master is entitled to the compensation set by the commissioners court. The compensation shall be paid from the general fund of the county.

Sec. 54.505. FEES. (a) On each tax case referred to a master, the judge shall set the master's fee, and that fee shall be added as court costs.

(b) On each case referred to a master other than tax cases, the master shall recommend the fee to be charged, but the fee is subject to the approval of the referring judge.

Sec. 54.506. MATTERS THAT MAY BE REFERRED. A judge may refer any matter to the master for a finding.

Sec. 54.507. ORDER OF REFERRAL. (a) To refer a matter to the master, a judge must issue an order of referral specifying the master's duties.

(b) The order of referral may:

(1) limit the powers of the master and direct the master to report only on specific issues, do particular acts, or receive and report on evidence only;

(2) set the time and place for the hearing;

(3) prescribe a closing date for the hearing; and

(4) provide a date for the filing of the master's report.

Sec. 54.508. POWERS. Except as limited by an order of referral, the master may:

(1) conduct hearings;

(2) hear evidence;

(3) compel production of relevant evidence, including books, papers, vouchers, documents, and other writings;

(4) rule on admissibility of evidence;

(5) issue summons for the appearance of witnesses;

(6) examine witnesses;

(7) swear witnesses for hearings;

(8) regulate proceedings in a hearing; and

(9) do any act and take any measure necessary and proper for the efficient performance of the duties required by the order of referral.

Sec. 54.509. RECORD OF EVIDENCE. At the request of a party, the master shall make a record of the evidence offered and excluded. The record must be in the same form as a record of evidence for a trial court.

Sec. 54.510. NOTICE OF HEARING. Before the master holds a hearing, each party shall be given notice of the time and place of the hearing as provided by Rule 21a, Texas Rules of Civil Procedure.

Sec. 54.511. WITNESS. (a) A witness who appears before the master and is sworn is subject to the penalties for perjury provided by law.

(b) A referring court may issue attachment against and may fine or imprison a witness whose failure to appear after being summoned or whose refusal to answer questions has been certified to the court.

Sec. 54.512. PAPERS TRANSMITTED TO JUDGE. At the conclusion of a hearing, the master shall transmit to the referring judge any papers relating to the case, including the master's findings and a statement that notice of the findings and of the right to a hearing before the judge has been given to all parties.

Sec. 54.513. JUDICIAL ACTION ON MASTER'S REPORT. (a) A referring court may adopt, modify, correct, reject, reverse, or recommit for further information the master's report.

(b) If the master recommends a judgment, the court may approve the recommendation and hear further evidence before rendering a judgment.

Sec. 54.514. HEARING BEFORE JUDGE. (a) After receiving notice of the master's findings, any party is entitled to a hearing before the judge of the referring court.

(b) Notice of the right to a hearing before the judge may be given at the hearing before the magistrate or otherwise as the referring court directs.

Sec. 54.515. DECREE OF COURT. If a hearing before the judge is not requested or the right to a hearing is waived, the findings and recommendations of the master become the decree of the court on adoption by an order of the judge.

Sec. 54.516. JURY TRIAL DEMANDED. If a jury trial is demanded in a proceeding, the master shall refer the case back to the referring court for a full hearing before the court and jury. The hearing is subject to the usual rules of the court.

(b) Sections 1-16, Chapter 25, Acts of the 69th Legislature, Regular Session, 1985 (Article 1918f, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.77. (a) Chapter 54, Government Code, is amended to conform to Sections 1-18, Chapter 667, Acts of the 69th Legislature, Regular Session, 1985, by adding Subchapter G to read as follows:

SUBCHAPTER G. FAMILY LAW MASTERS IN DALLAS COUNTY

Sec. 54.601. APPLICATION OF SUBCHAPTER. This subchapter applies only to the district courts in Dallas County that are required by law to give preference to family law cases.

Sec. 54.602. APPOINTMENT OF MASTER. (a) Each judge of a court subject to this subchapter may appoint, with the approval of a majority of the judges subject to this subchapter, a full-time or part-time master to serve his court.

(b) A master appointed under this subchapter serves at the pleasure of the judges and may be terminated by a majority of the judges.

Sec. 54.603. QUALIFICATIONS. To be eligible for appointment as a master, a person must:

- (1) be a resident of this state;*
- (2) have been licensed to practice law in this state for at least four years; and*
- (3) meet the qualifications for appointment as a district judge.*

Sec. 54.604. COMPENSATION. (a) A master appointed under this subchapter is entitled to the compensation set by the commissioners court. The compensation shall be paid from the general fund of the county.

(b) If the judge determines that the nonprevailing party is financially able to pay all or part of the costs of the master's salary, the judge may tax all or part of the master's salary as costs against the nonprevailing party.

Sec. 54.605. CASES THAT MAY BE REFERRED. A judge of a court subject to this subchapter may refer to a master any civil cases involving a matter over which the court has jurisdiction, including:

- (1) a hearing for a temporary order in a divorce action or suit for support by one spouse against another;*
- (2) a motion or suit to modify a temporary or final order;*
- (3) a suit affecting the parent-child relationship involving temporary support, separate maintenance, temporary visitation, or temporary conservatorship;*
- (4) an application for a temporary injunction involving temporary possession or use of property;*
- (5) a habeas corpus action, including any necessary hearing authorized by the Family Code;*
- (6) a motion to transfer a matter that is pending before or after a final order is entered in the original action;*
- (7) a motion for contempt for failure or refusal to obey a temporary or final order;*

(8) *an action brought under the Uniform Reciprocal Enforcement of Support Act (Chapter 21, Family Code);*

(9) *an action brought by the Texas Department of Human Services;*

(10) *a divorce action in which a waiver of citation is on file;*

(11) *a matter on which the parties agree;*

(12) *a matter in which a party is entitled to a default judgment; and*

(13) *any other matter referred by the judge that is in the court's jurisdiction, including pretrial motions, discovery, summary judgments, and other matters governed by the Texas Rules of Civil Procedure.*

Sec. 54.606. ORDER OF REFERRAL. (a) *To refer a case to a master, a judge must issue an order of referral specifying the master's duties.*

(b) *The order of referral may:*

(1) *limit the powers of a master and direct the master to report only on specific issues, do particular acts, or receive and report on evidence only;*

(2) *set the time and place for the hearing;*

(3) *prescribe a closing date for the hearing; and*

(4) *provide a date for the filing of the master's report.*

Sec. 54.607. POWERS. *Except as limited by an order of referral, a master to whom a case is referred may:*

(1) *conduct hearings;*

(2) *hear evidence;*

(3) *compel production of relevant evidence;*

(4) *rule on admissibility of evidence;*

(5) *issue summons for the appearance of witnesses;*

(6) *examine witnesses;*

(7) *swear witnesses for hearings;*

(8) *make findings of fact on evidence;*

(9) *formulate conclusions of law;*

(10) *recommend the judgment to be made or that an interlocutory order be entered in a case;*

(11) *regulate proceedings in a hearing;*

(12) *do any act and take any measure necessary and proper for the efficient performance of the duties required by the order of referral; and*

(13) *preside over a trial on the merits, if all parties consent.*

Sec. 54.608. NOTICE OF HEARING. *Before a master holds a hearing, each party shall be given notice of the time and place of the hearing as provided by the Texas Rules of Civil Procedure.*

Sec. 54.609. WITNESS. (a) *A witness who appears before a master and is sworn is subject to the penalties for perjury provided by law.*

(b) *A referring court may issue attachment against and has the authority of a district court to fine or imprison a witness whose failure to appear after being summoned or whose refusal to answer questions has been certified to the court.*

Sec. 54.610. PAPERS TRANSMITTED TO JUDGE. *At the conclusion of a hearing, a master shall transmit to the referring judge any papers relating to the case, including the master's findings and a statement that notice of the findings and of the right to a hearing before the judge has been given to any party, principal, minor, and the parent, guardian, or custodian of any principal who is a minor.*

Sec. 54.611. JUDICIAL ACTION ON MASTER'S REPORT. (a) *A referring court may adopt, approve, modify, correct, reject, reverse, or recommit for further information a master's report.*

(b) If the master recommends a judgment, the court may approve the recommendation or hear further evidence before rendering a judgment.

Sec. 54.612. HEARING BEFORE JUDGE. (a) After receiving notice of the master's findings, any party, principal, or a minor or the minor's parent, guardian, or custodian is entitled to a hearing before the judge of the referring court.

(b) Notice of the right to a hearing before the judge may be given at the hearing before the magistrate or otherwise as the referring court directs.

(c) A request for a hearing must be filed with the referring court not later than the fifth day after the date the master's findings are signed by the master. The request must state specifically the findings and conclusions of the master that are objected to, and the hearing shall be limited to those findings and conclusions.

(d) The referring court must hold the hearing not later than the 30th day after the date the request was filed. The parties may present witnesses as in a hearing de novo.

Sec. 54.613. DECREE OF COURT. If a hearing before the judge is not requested or the right to a hearing is waived, the findings and recommendations of the master become the decree of the court on adoption by an order of the judge.

Sec. 54.614. MASTER'S FINDING ENFORCEABLE AS COURT ORDER. Until the review provided by Section 54.611 or the hearing provided by Section 54.612 occurs, the decisions and recommendations of the master, when entered as an order of the court, are in full force and effect and are enforceable as an order of the court.

Sec. 54.615. JURY TRIAL DEMAND. If a jury trial is demanded in a case, the master may conduct a hearing for a temporary order or for other matters that are not the subject of a jury determination. The master shall refer the other aspects of the case back to the referring court for a full hearing before the court and jury. The hearing is subject to the usual rules of the court.

Sec. 54.616. JUDICIAL IMMUNITY. A master appointed under this subchapter has the same judicial immunity as a district judge.

Sec. 54.617. COURT PERSONNEL. (a) A bailiff is not required to attend a hearing held by a master appointed under this subchapter, but a party, the master, or the referring judge may provide a bailiff for the hearing.

(b) A court reporter is not required to attend a hearing held by a master appointed under this subchapter, but a party, the master, or the referring judge may provide a court reporter for a hearing.

(c) The judge shall tax the expenses of the bailiff and of the court reporter as costs of court.

Sec. 54.618. REFEREE. A master appointed under this subchapter may serve as a referee under Subsection (g) of Section 51.04, and Section 54.10, Family Code.

(b) Sections 1-18, Chapter 667, Acts of the 69th Legislature, Regular Session, 1985 (Article 1918f-1, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.78. (a) Subtitle D, Title 2, Government Code, is amended to conform to Sections 3, 4, and 7(b)-(f), Chapter 589, Acts of the 69th Legislature, Regular Session, 1985, by adding Chapter 56 to read as follows:

CHAPTER 56. JUDICIAL AND COURT PERSONNEL TRAINING FUND

Sec. 56.001. JUDICIAL AND COURT PERSONNEL TRAINING FUND. (a) The judicial and court personnel training fund is created in the state treasury and shall be administered by the supreme court.

(b) In addition to other court costs, a person shall pay \$1 as a court cost on conviction of any criminal offense, including cases in which probation or deferred adjudication is granted. A conviction that arises under Chapter 173, Acts of the 47th Legislature, Regular Session, 1941 (Article 6687b, Vernon's Texas Civil Statutes), or a conviction under the Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes) is included, except that a conviction arising under any law that regulates pedestrians or the parking of motor vehicles is not included.

(c) Court costs due under this section shall be collected in the same manner as other fines or costs are collected in the case.

(d) The officer collecting the costs in municipal court shall keep separate records of the funds collected as costs under this section and shall deposit the funds in the municipal treasury.

(e) The officer collecting the costs and fees in justice, county, and district courts shall keep separate records of the funds collected under this section and shall deposit the funds in the county treasury.

(f) Each officer collecting court costs under this section shall file the reports required under Section 103.005, Code of Criminal Procedure. If no funds due as costs under this section have been collected in any quarter, the report required for each quarter shall be filed in the regular manner, and the report must state that no funds under this section were collected.

(g) The custodians of municipal and county treasuries shall keep records of the amount of funds on deposit collected under this section and shall send to the comptroller of public accounts not later than the last day of the month following each calendar quarter the funds collected under this section during the preceding quarter. The municipality or county may retain as a collection fee 10 percent of the funds collected under this section. Funds collected are subject to audit by the comptroller and funds expended are subject to audit by the state auditor.

(h) The comptroller shall deposit the funds received under this section in the judicial and court personnel training fund.

(i) On requisition of the supreme court, the comptroller shall draw a warrant on the fund for the amount specified in the requisition for a use authorized in Section 56.003. A warrant may not exceed the amount appropriated for any one fiscal year. At the end of each state fiscal year, any unexpended balance in the fund in excess of \$500,000 shall be transferred to the general revenue fund.

Sec. 56.002. FEES COLLECTED BY CLERKS OF COURTS OF APPEALS. Fifty percent of the fees collected by the clerks of the courts of appeals under Section 51.207 shall be deposited in the state treasury in the judicial and court personnel training fund for the continuing legal education of judges and of court personnel.

Sec. 56.003. USE OF FUNDS. (a) The supreme court may not use more than three percent of the money appropriated in any one fiscal year to hire staff and provide for the proper administration of this chapter.

(b) No more than one-third of the funds appropriated for any fiscal year shall be used for the continuing legal education of judges of appellate courts, district courts, county courts at law, and county courts performing judicial functions as required by the supreme court under Section 74.025 and of their court personnel.

(c) No more than one-third of the funds appropriated for any fiscal year shall be used for the continuing legal education of judges of justice courts as required by the supreme court under Section 74.025 and of their court personnel.

(d) No more than one-third of the funds appropriated for any fiscal year shall be used for the continuing legal education of judges of municipal courts as required by the supreme court under Section 74.025 and of their court personnel.

(e) The supreme court shall grant legal funds to statewide professional associations of judges and other entities whose purposes include providing continuing legal education courses, programs, and projects for judges and court personnel. The grantees of those funds must ensure that sufficient funds are available for each judge to meet the minimum educational requirements set by the supreme court under Section 74.025 before any funds are awarded to a judge for education that exceeds those requirements.

(b) Sections 3 and 4, Chapter 589, Acts of the 69th Legislature, Regular Session, 1985, are repealed.

(c) Sections 7(b)–(f), Chapter 589, Acts of the 69th Legislature, Regular Session, 1985, are repealed.

SECTION 2.79. (a) Section 61.001, Government Code, is amended to conform to Section 1, Chapter 28, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 61.001. *REIMBURSEMENT OF EXPENSES OF JURORS* [~~PAYMENT FOR JURY SERVICE~~]. (a) Each grand juror or petit juror in a civil or criminal case in a district court, criminal district court, county court, county court at law, or justice court is entitled to receive *as reimbursement for travel and other expenses an amount* not less than \$6 nor more than \$30 for each day or fraction of each day served as a juror.

(b) A person who responds to the process of a court but is excused from petit jury service by the court for any cause after his voir dire examination is entitled to receive *as reimbursement for travel and other expenses an amount* not less than \$6 nor more than \$30 for each day or fraction of each day in attendance in court in response to the process.

(c) The commissioners court of each county shall determine annually the *daily reimbursement of expenses* [~~per diem~~] for jurors. The *reimbursement* [~~per diem~~] must be within the minimum and maximum amounts prescribed by this section and paid out of the jury fund of the county.

(d) A check drawn on the jury fund by the district clerk of the county may be transferred by endorsement and delivery and is receivable at par from the holder for all county taxes.

(b) Section 1, Chapter 28, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.80. (a) Section 62.016(j), Government Code, is amended to conform to Section 65, Chapter 159, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(j) This section does not apply to a selection of jurors in a capital case or a mental health *proceeding* [~~commitment~~].

(b) Section 65, Chapter 159, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.81. Section 62.105, Government Code, is amended to conform to the law from which it was derived to read as follows:

Sec. 62.105. *DISQUALIFICATION FOR PARTICULAR JURY*. A person is disqualified to serve as a petit juror in a particular case if he:

- (1) is a witness in the case;
- (2) is interested, directly or indirectly, in the subject matter of the case;
- (3) is related by consanguinity or affinity within the third degree to a party in the case;
- (4) has a *bias or prejudice* in favor of or against a party in the case; or
- (5) has served as a petit juror in a former trial of the same case or in another case involving the same questions of fact.

SECTION 2.82. (a) Section 71.002, Government Code, is amended to conform to Section 49, Chapter 729, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 71.002. *SUNSET PROVISION*. The council is subject to the Texas Sunset Act (Chapter 325). Unless continued in existence as provided by that Act, the council is abolished and this chapter expires effective September 1, 1997 [1987].

(b) Section 49, Chapter 729, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.83. (a) Section 72.001(4), Government Code, is amended to conform to Section 3.001, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), to read as follows:

(4) "Trial court" means any tribunal forming a part of the judiciary, except the supreme court, the court of criminal appeals, and the courts of appeals, *but does not include the commissioners court of a county.*

(b) Section 3.001, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.84. (a) Section 72.002, Government Code, is amended to conform to Section 3.002, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), to read as follows:

Sec. 72.002. EFFECT ON JURISDICTION OR JUDICIAL DISCRETION. This chapter or a rule adopted *by the supreme court* under Section 74.024 ~~[this chapter]~~ does not authorize:

(1) a judge to act in a case *over* [of] which his court would not have potential jurisdiction under the Texas Constitution or other state law; or

(2) an infringement of the judicial discretion of a judge in the trying of a case properly before his court.

(b) Section 3.002, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.85. (a) Section 72.011(a), Government Code, is amended to conform to Section 3.003, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), to read as follows:

(a) The office of court administration is an agency of the state and operates under the direction and supervision of the supreme court *and the chief justice of the supreme court.*

(b) Section 3.003, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.86. (a) Section 72.012, Government Code, is amended to conform to Section 3.004, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), to read as follows:

Sec. 72.012. DIRECTOR. (a) ~~[The supreme court shall appoint the administrative director of the courts.~~

~~[(b) The director serves at the will of the supreme court and acts by authority of and under the direction of the chief justice of the supreme court.~~

[(e)] The director shall:

(1) implement this chapter and direct the operations of the office of court administration; and

(2) as an additional duty of his office, serve as the executive director of the Texas Judicial Council.

(b) ~~[(d)]~~ The director shall devote full time to his official duties.

(b) Section 3.004, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.87. (a) Section 72.021(b), Government Code, is amended to conform to Section 3.005, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), to read as follows:

(b) The director shall study and recommend expenditures *and savings* of funds appropriated for the maintenance and operation of the judicial system.

(b) Section 3.005, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.88. (a) Section 72.023(b), Government Code, is amended to conform to Sections 3.006 and 3.007, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), to read as follows:

(b) The director shall consult with the *regional presiding judges and local administrative judges* and assist them in discharging duties imposed by law or by a rule adopted by the supreme court.

(b) Sections 3.006 and 3.007, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.89. (a) Section 72.024(b), Government Code, is amended to conform to Section 3.008, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), to read as follows:

(b) *The director* [~~He~~] shall recommend:

- (1) a necessary improvement to a method or system;
- (2) a form or other document used to record judicial business; or
- (3) any other change that will promote the efficient administration of justice.

(b) Section 3.008, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.90. (a) Section 72.026, Government Code, is amended to conform to Sections 3.009 and 3.010, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), to read as follows:

Sec. 72.026. RULES. [~~(a)~~] ~~The supreme court shall adopt rules of administration for the efficient administration of justice in the state and as necessary for the enforcement of this chapter.~~

~~[(b)] The supreme court shall request the advice of the court of criminal appeals before adopting rules for the administration of criminal justice.~~

~~[(c)]~~ The director, under the supervision of the chief justice, shall implement a rule of administration or other rules adopted by the supreme court for the efficient administration of justice.

(b) Sections 3.009 and 3.010, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), are repealed.

SECTION 2.91. (a) Section 72.027, Government Code, is amended to conform to Section 3.011, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), to read as follows:

Sec. 72.027. ADDITIONAL DUTIES. The supreme court or the chief justice of the supreme court may assign the director *duties* [~~a duty~~] in addition to those imposed by this chapter.

(b) Section 3.011, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), is repealed.

SECTION 2.92. (a) Section 73.003, Government Code, is amended to conform to Section 1, Chapter 296, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 73.003. ORAL ARGUMENT. (a) Except as provided by Subsection (b), the justices of the court of appeals to which a case is transferred shall hear oral argument, after due notice to the parties or their attorneys, at the place from which the case is originally transferred.

(b) If requested by all parties or their attorneys, the oral argument in a transferred case may be heard in the regular place of the court to which the case is transferred.

(c) *If a case is transferred to a court that regularly sits not more than 35 miles from the place the court from which the case was transferred regularly sits, the court, at the discretion of its chief justice and after notice to the parties or their counsel, may hear oral arguments at the place it regularly sits. For purposes of this subsection, the place where a court of appeals regularly sits is that specified in Subchapter C, Chapter 22, and the mileage between the places is that determined by the comptroller under Subsection c, Section 6, Travel Regulations Act of 1959 (Article 6823a, Vernon's Texas Civil Statutes).*

(d) The actual and necessary traveling and living expenses of the justices in hearing an oral argument at the place from which the case is transferred shall be paid by the state from funds appropriated for that purpose.

(b) Section 1, Chapter 296, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.93. (a) Chapter 74, Government Code, is amended to conform to Sections 1.001-4.013 and 4.015-8.001, Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes), and to conform to Sections 1 and 2, Chapter 698, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

CHAPTER 74. COURT ADMINISTRATION ACT [~~OF DISTRICT COURTS~~]

SUBCHAPTER A. CHIEF JUSTICE [~~GENERAL PROVISIONS~~]

Sec. 74.001. MEETINGS. (a) *The chief justice shall call and preside over an annual meeting of the presiding judges of the administrative judicial regions on a date and at a time and place in the state designated by the chief justice.*

(b) *The chief justice may call and convene additional meetings of the regional presiding judges or local administrative judges that he considers necessary for the promotion of the orderly and efficient administration of justice.*

(c) *At the meetings, the judges shall:*

(1) *study the statistics reflecting the condition of the dockets of the courts of the state to determine the need for the assignment of judges under Subchapter C;*

(2) *compare the regional and local rules of court to achieve the uniformity of rules that is practicable and consistent with local conditions;*

(3) *consider uniformity in the administration of this chapter in the various administrative regions; and*

(4) *promote more effective administration of justice through the use of this chapter.*

(d) *The expenses of the judges attending these meetings shall be paid as provided by Sections 74.043 and 74.061.*

Sec. 74.002. ASSIGNMENT BY CHIEF JUSTICE. (a) *In addition to the assignment of judges by the regional presiding judges as authorized by Subchapter C, the chief justice may assign judges of one or more administrative regions for service in other administrative regions when he considers the assignment necessary for the prompt and efficient administration of justice.*

(b) *A judge assigned by the chief justice shall perform the same duties and functions authorized by Subchapter C that the judge would perform if he were assigned by the presiding judge.*

Sec. 74.003. ASSIGNMENT OF JUSTICES AND APPELLATE JUDGES. (a) *The chief justice of the supreme court may temporarily assign a justice of a court of appeals to another court of appeals regardless of whether a vacancy exists in the court of appeals to which the justice is assigned.*

(b) *The chief justice of the supreme court may assign a qualified retired justice or judge of the supreme court, of the court of criminal appeals, or of a court of appeals to a court of appeals for active service regardless of whether a vacancy exists in the court to which the justice is assigned.*

(c) *An active or retired justice or judge assigned as provided by this section out of the county of his residence is entitled to receive the same expenses and per diem as those allowed a district judge assigned as provided by Subchapter C. The state shall pay the expenses and per diem on certificates of approval by the chief justice of the supreme court or the chief justice of the court of appeals to which the justice or judge is assigned. The compensation authorized by this subsection is in addition to all other compensation authorized by law.*

(d) *An active justice assigned out of the county of his residence as provided by this section is entitled to receive, pro rata for the time serving on assignment, supplemental compensation from the county or counties paying supplemental compensation under Chapter 31 to an associate justice of the court of appeals to which the justice is assigned.*

(e) A retired justice or judge assigned as provided by this section is entitled to receive, pro rata for the time serving on assignment, from money appropriated from the general revenue fund for that purpose, an amount equal to the difference between the total amount of the justice's or judge's judicial retirement benefits and the salary paid by the state to an associate justice of a court of appeals.

(f) A retired justice or judge assigned as provided by this section is entitled to receive, pro rata for the time serving on assignment, supplemental compensation from the county or counties paying supplemental compensation under Chapter 31 to an associate justice of the court of appeals to which the justice or judge is assigned.

Sec. 74.004. SUPERVISION OF OFFICE OF COURT ADMINISTRATION. The chief justice shall direct and supervise the office of court administration.

Sec. 74.005. APPOINTMENT OF REGIONAL PRESIDING JUDGES. (a) The governor, with the advice and consent of the senate, shall appoint one judge in each administrative region as presiding judge of the region.

(b) On the death, resignation, or expiration of the term of office of a presiding judge, the governor immediately shall appoint or reappoint a presiding judge.

Sec. 74.006. SUPREME COURT DUTIES. The chief justice shall ensure that the supreme court executes and implements the court's administrative duties and responsibilities under this chapter.

Sec. 74.007. COMMITTEES. The chief justice, subject to the approval of the supreme court, shall name and appoint members to committees necessary or desirable for the efficient administration of justice or to carry out the provisions of this chapter.

[Sections 74.008–74.020 reserved for expansion]

SUBCHAPTER B. SUPREME COURT

Sec. 74.021. SUPERVISORY AND ADMINISTRATIVE CONTROL. The supreme court has supervisory and administrative control over the judicial branch and is responsible for the orderly and efficient administration of justice.

Sec. 74.022. CHANGES IN NUMBER OF COURTS. (a) The supreme court shall assess the need for adding, consolidating, eliminating, or reallocating existing appellate courts.

(b) The supreme court shall promulgate rules, regulations, and criteria to be used in assessing those needs.

(c) The supreme court shall biennially recommend to the legislature any needed changes in the number or allocation of those courts.

Sec. 74.023. DIRECTOR OF OFFICE OF COURT ADMINISTRATION. (a) The supreme court shall appoint the administrative director of the courts for the office of court administration.

(b) The director serves at the pleasure of the supreme court and shall be subordinate to, and act by the authority and under the direction of, the chief justice.

Sec. 74.024. RULES. (a) The supreme court shall adopt rules of administration setting policies and guidelines necessary or desirable for the operation and management of the court system and for the efficient administration of justice.

(b) The supreme court shall request the advice of the court of criminal appeals before adopting rules affecting the administration of criminal justice.

(c) The supreme court shall consider the adoption of rules relating to:

- (1) time standards for pleading, discovery, motions, and dispositions;
- (2) dismissal of inactive cases from dockets, if the dismissal is warranted;
- (3) judicial accountability for and incentives to avoid delay and to meet time standards;

- (4) penalties for filing frivolous motions;

- (5) *firm trial dates with a strict continuance policy;*
- (6) *restrictive devices on discovery;*
- (7) *a uniform dockets policy;*
- (8) *formalization of mandatory settlement conferences or settlement programs;*
- (9) *standards for selection and management of nonjudicial personnel;*
- (10) *establishment of a monthly statewide information reporting system from individual courts including the number of:*
 - (A) *new cases filed;*
 - (B) *types and numbers of cases filed, terminated, and pending at the beginning and at the end of each month;*
 - (C) *cases pending past established time limits; and*
 - (D) *continuances requested and granted;*
- (11) *emphasis on getting older cases to trial; and*
- (12) *regulation of attorneys with heavy caseloads that inhibit the case flow system.*

Sec. 74.025. EDUCATION PROGRAMS. The supreme court shall, if adequate funding is available for education programs for judges and court personnel, ensure that adequate education programs are available.

[Sections 74.026–74.040 reserved for expansion]

SUBCHAPTER C. ADMINISTRATIVE JUDICIAL REGIONS

Sec. 74.041 [74.001]. DEFINITIONS. In this chapter:

- (1) *“Administrative region [district]” means an administrative judicial region [district] created by Section 74.042 [74.002].*
- (2) *“Chief justice” means the chief justice of the supreme court.*
- (3) *“Presiding judge” means the presiding judge of an administrative region [district].*

Sec. 74.042 [74.002]. ADMINISTRATIVE REGIONS [DISTRICTS]. (a) The state is divided into nine administrative judicial regions [districts].

(b) The First Administrative Judicial Region [District] is composed of the counties of Anderson, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Grayson, Gregg, Harrison, Henderson, Hopkins, Houston, Hunt, Kaufman, Lamar, Marion, Morris, Nacogdoches, Panola, Rains, Red River, Rockwall, Rusk, Shelby, Smith, Titus, Upshur, Van Zandt, and Wood.

(c) The Second Administrative Judicial Region [District] is composed of the counties of Angelina, Bastrop, Brazoria, Brazos, Burleson, Chambers, Fort Bend, Freestone, Galveston, Grimes, Hardin, Harris, Jasper, Jefferson, Lee, Leon, Liberty, Limestone, Madison, Matagorda, Montgomery, Newton, Orange, Polk, Robertson, Sabine, San Augustine, San Jacinto, Trinity, Tyler, Walker, Waller, Washington, and Wharton.

(d) The Third Administrative Judicial Region [District] is composed of the counties of Austin, Bell, Blanco, Bosque, Burnet, Caldwell, Colorado, Comal, Comanche, Coryell, Falls, Fayette, Gonzales, Guadalupe, Hamilton, Hays, Hill, Johnson, Lampasas, Lavaca, Llano, Mason, McLennan, Milam, Navarro, San Saba, Somervell, Travis, and Williamson.

(e) The Fourth Administrative Judicial Region [District] is composed of the counties of Aransas, Atascosa, Bee, Bexar, Calhoun, DeWitt, Dimmit, Frio, Goliad, Jackson, Karnes, LaSalle, Live Oak, Maverick, McMullen, Refugio, San Patricio, Victoria, Webb, Wilson, Zapata, and Zavala.

(f) The Fifth Administrative Judicial Region [District] is composed of the counties of Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, Nueces, Starr, and Willacy.

(g) The Sixth Administrative Judicial *Region* [District] is composed of the counties of Bandera, Brewster, Crockett, Culberson, Edwards, El Paso, Gillespie, Hudspeth, Jeff Davis, Kendall, Kerr, Kimble, Kinney, Medina, Pecos, Presidio, Reagan, Real, Sutton, Terrell, Upton, Uvalde, and Val Verde.

(h) The Seventh Administrative Judicial *Region* [District] is composed of the counties of Andrews, Borden, Brown, Callahan, Coke, Coleman, Concho, Crane, Dawson, Ector, Fisher, Gaines, Garza, Glasscock, Haskell, Howard, Irion, Jones, Kent, Loving, Lynn, Martin, McCulloch, Menard, Midland, Mills, Mitchell, Nolan, Reeves, Runnels, Schleicher, Scurry, Shackelford, Sterling, Stonewall, Taylor, Throckmorton, Tom Green, Ward, and Winkler.

(i) The Eighth Administrative Judicial *Region* [District] is composed of the counties of Archer, Clay, Cooke, Denton, Eastland, Erath, Hood, Jack, Montague, Palo Pinto, Parker, Stephens, Tarrant, Wichita, Wise, and Young.

(j) The Ninth Administrative Judicial *Region* [District] is composed of the counties of Armstrong, Bailey, Baylor, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crosby, Dallam, Deaf Smith, Dickens, Donley, Floyd, Foard, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, King, Knox, Lamb, Lipscomb, Lubbock, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Terry, Wheeler, Wilbarger, and Yoakum.

Sec. 74.043 [74.003]. FACILITIES; FUNDING. (a) Adequate quarters for the operation of each administrative *region* [district] and the preservation of its records shall be provided in the courthouse of the county in which the presiding judge resides.

(b) Except for the salaries, compensation, and expenses provided by state appropriations, the counties composing the administrative *region* [district] shall pay, out of the general funds of the counties, the salaries, compensation, and expenses authorized and incurred to administer this chapter, *including expenses for the purchase of professional liability insurance policies for regional presiding judges.*

(c) Except as provided by Section 74.051 [74.018], the salaries, compensation, and expenses shall be paid *through the county budget process* in proportion to the *population of the county* [number of weeks provided by law for holding district court in the respective counties] and on certificates of approval of the presiding *judge* [judges].

~~[[Sections 74.004–74.010 reserved for expansion]]~~

~~[SUBCHAPTER B. PRESIDING JUDGE]~~

~~[Sec. 74.011. APPOINTMENT. (a) The governor, with the advice and consent of the senate, shall appoint one judge in each administrative district as presiding judge of the district.]~~

~~[(b) On the death, resignation, or expiration of the term of office of a presiding judge, the governor immediately shall appoint or reappoint a presiding judge.]~~

Sec. 74.044 [74.012]. TERM OF PRESIDING JUDGE. A presiding judge serves for a term of office of four years from the date of qualification as the presiding judge.

Sec. 74.045 [74.013]. QUALIFICATIONS OF PRESIDING JUDGE. (a) A presiding judge must be:

- (1) a regularly elected or retired district judge; or
- (2) an active or retired appellate judge with judicial experience on a district court.

(b) If the judge is retired, he must have voluntarily retired from office, must reside within the administrative *region* [district], and must have certified his willingness to serve.

Sec. 74.046. DUTIES OF PRESIDING JUDGE. A presiding judge shall:

- (1) ensure the promulgation of regional rules of administration within policies and guidelines set by the supreme court;
- (2) advise local judges on case flow management and auxiliary court services;

(3) recommend to the chief justice of the supreme court any needs for judicial assignments from outside the region;

(4) recommend to the supreme court any changes in the organization, jurisdiction, operation, or procedures of the region necessary or desirable for the improvement of the administration of justice;

(5) act for a local administrative judge when the local administrative judge does not perform the duties required by Subchapter D;

(6) implement and execute any rules adopted by the supreme court under this chapter;

(7) provide the supreme court or the office of court administration statistical information requested; and

(8) perform the duties assigned by the chief justice of the supreme court.

Sec. 74.047. **AUTHORITY OF PRESIDING JUDGE.** A presiding judge may perform the acts necessary to carry out the provisions of this chapter and to improve the management of the court system and the administration of justice.

~~[Sec. 74.014. **MEETINGS OF PRESIDING JUDGES.** (a) The chief justice shall call and preside over an annual meeting of the presiding judges on a date and at a time and place in the state designated by the chief justice.~~

~~(b) The chief justice may call and convene additional meetings of the presiding judges that he considers necessary for the promotion of the orderly and efficient administration of justice.~~

~~(c) At the meetings, the judges shall:~~

~~(1) study the statistics reflecting the condition of the dockets of the courts of the state to determine the need for the assignment of judges under this chapter;~~

~~(2) compare the local rules of court to achieve the uniformity of rules that is practicable and consistent with local conditions;~~

~~(3) consider uniformity in the administration of this chapter in the various administrative districts; and~~

~~(4) promote more effective administration of justice through the use of this chapter.~~

~~(d) The expenses of the presiding judges attending these meetings shall be paid as provided by Sections 74.003 and 74.038.]~~

Sec. 74.048 [74.015]. **COUNCIL OF JUDGES.** (a) Once each year, the presiding judge shall call a regular meeting of the district *and statutory county court* judges in [of] the [judicial districts composing the] administrative *region* [district] at a time and place designated by the presiding judge. In addition, the presiding judge may call a special meeting of the [district] judges at any time he considers necessary.

(b) The purposes of the meetings or council of judges are consultation and counseling concerning the state of the civil and criminal business in the [district] courts of the administrative *region* [district] and arranging for the disposition of the business pending on the [district] court dockets.

(c) The council of judges shall [may] adopt:

(1) *regional rules of administration within policies and guidelines set by the supreme court;*

(2) rules to regulate and facilitate the order of trials and the recordkeeping in the counties in the *region* [district] in which judges are sent from one *region* [district] to another to aid the disposition of cases; and

(3) [(2)] *other* rules necessary to the practical operation of this chapter.

(d) The [district] judges shall lay before each council of judges:

(1) a list of all pending cases;

(2) the exact status of their dockets; and

(3) other information required by the rules of the council.

Sec. 74.049 [74.016]. PERFORMANCE OF DUTIES BY CHIEF JUSTICE. The chief justice may make assignments within an administrative *region* [district] and perform the other duties of a presiding judge in the following situations:

- (1) on the death or resignation of the presiding judge and until a successor presiding judge is appointed;
- (2) on notification to the chief justice by the presiding judge or other appropriate source that an absence, disabling illness, or other incapacity of the presiding judge prevents the judge from performing his official duties for a period of time and until the presiding judge is again able to perform the duties; and
- (3) in a particular matter in which the presiding judge disqualifies himself from performing the duties of presiding judge in that matter.

Sec. 74.050 [74.017]. ADMINISTRATIVE ASSISTANT. (a) The presiding judge may employ, directly or through a contract with another governmental entity, a full-time or part-time administrative assistant.

(b) An administrative assistant must have the qualifications established by rule of the supreme court.

(c) An administrative assistant shall aid the presiding judge in carrying out the judge's duties under this chapter. The administrative assistant shall:

- (1) perform the duties that are required by the presiding judge and by the rules of administration;
- (2) conduct correspondence for the presiding judge;
- (3) keep a record of the proceedings of the administrative *region* [district] and a complete record of the cases pending in the courts of the administrative *region* [district], including the time of their filing, the style and purposes of the causes, and their final disposition;
- (4) under the direction of the presiding judge, make an annual report of the activities of the administrative *region* [district] and special reports as provided by the rules of administration to the supreme court, which shall be made in the manner directed by the supreme court; and
- (5) attend to other matters that are prescribed by the council of judges.

(d) An administrative assistant, with the approval of the presiding judge, may purchase the necessary office equipment, stamps, stationery, and supplies and employ additional personnel as authorized by the council of judges. The cost shall be divided pro rata among the counties and paid by the counties on the certificate of the presiding judge.

(e) An administrative assistant is entitled to receive the compensation from the state provided by the General Appropriations Act, *from county funds, or from any public or private grant.*

Sec. 74.051 [74.018]. COMPENSATION. (a) In addition to all other compensation, expenses, and perquisites authorized by law, including this chapter, a presiding judge shall receive compensation as provided by this section for performing the duties of a presiding judge.

(b) Except as provided by Subsection (c), a presiding judge shall receive a salary of at least [not to exceed] \$5,000 but not more than \$7,500 a year. The Texas Judicial Council shall set the salary biennially and, in arriving at the amount of the salary, shall consider whether the presiding judge is active in administrative duties, performs part time, or is a retired judge. The salary set by the Texas Judicial Council shall be apportioned according to the number of district courts and statutory county courts in [population of] each judicial district comprising the administrative *region* [district], and the amount apportioned to each judicial district shall be apportioned [to each county comprising the judicial district] according to the population of the counties comprising the *region* [county].

(c) A presiding judge who is a retired district or appellate judge and presides over an administrative *region* [district] with 35 [40] or more district courts or statutory county courts is entitled to an annual salary of not less than \$5,000 a year or more than the

following amount, according to the number of *those* [district] courts in the administrative region [district]:

Number of Courts	Salary Limit
35 [40] to 59	\$15,000
60 to 79	\$25,000
80 or more	\$30,000

(d) The council of judges shall set the salaries under Subsection (c) biennially by majority vote. The salary shall be apportioned according to the *number of district courts and statutory county courts in* [assessed property valuation of] each judicial district comprising the administrative region [district], and that amount shall be apportioned to the counties comprising the judicial district according to the *number of those courts in* [assessed property valuation of] each county.

(e) Each county comprising the administrative region [district] shall pay annually to the presiding judge, out of the officers' salary fund or the general fund of the county, the amount of the salary apportioned to it as provided by this section and the other expenses authorized by this chapter that are not paid by state appropriations. The presiding judge shall place each county's payment of salary and other expenses in an administrative fund, from which the salary and other expenses shall be paid. The salary shall be paid from the administrative fund in 12 equal monthly payments.

~~[[Sections 74.019-74.030 reserved for expansion]~~

~~[SUBCHAPTER C. DISTRICT JUDGES]~~

~~Sec. 74.052 [74.031]. ASSIGNMENT OF JUDGES. (a) Judges may be assigned in the manner provided by this chapter to hold [district] court when *necessary to dispose of accumulated business in the region*;~~

~~(1) the regular judge of the district court is absent or is disabled or disqualified for any cause;~~

~~(2) the regular judge of the district court is present or is trying cases as authorized by the constitution and laws of this state; or~~

~~(3) the office of district judge is vacant].~~

~~(b) This section does not authorize a judge to act in a case over which his own court does not have jurisdiction under the constitution and laws of this state.~~

~~Sec. 74.053. OBJECTION TO ASSIGNED JUDGE. (a) When a judge is assigned under this chapter the presiding judge shall, if it is reasonable and practicable and if time permits, give notice of the assignment to each attorney representing a party to the case that is to be heard in whole or part by the assigned judge.~~

~~(b) If a party to a civil case files a timely objection to the assignment, the judge is disqualified to hear the case.~~

~~(c) An objection under this section must be filed before the first hearing or trial, including pretrial hearings, over which the assigned judge is to preside.~~

~~Sec. 74.054 [74.032]. JUDGES SUBJECT TO ASSIGNMENT. The following judges may be assigned as provided by this chapter by the presiding judge of the administrative region [district] in which the assigned judge resides:~~

~~(1) a regular district judge in this state;~~

~~(2) a district judge who is a retiree under Subtitle E, Title 110B, Revised Statutes, and who has consented to be subject to assignment; and~~

~~(3) a former district judge who:~~

~~(A) is not more than 70 years of age;~~

~~(B) was elected at a general election or appointed by the governor, and has not been defeated for reelection or removed from office by impeachment, the supreme~~

court, the governor on address of the legislature, the State Commission on Judicial Conduct, or the abolishment of the judge's court by the legislature; and

(C) certifies to the presiding judge a willingness to serve and to comply with the prohibitions relating to the practice of law imposed on a retired judge by Section 44.005, Title 110B, Revised Statutes.

Sec. 74.055. LIST OF RETIRED AND FORMER DISTRICT JUDGES SUBJECT TO ASSIGNMENT. (a) Each presiding judge shall maintain a list of retired and former district judges who meet the requirements of this section.

(b) The presiding judge shall divide the list into area specialties of criminal, civil, or domestic relations cases. A retired or former judge may only be assigned to a case in the judge's area of specialty. A judge may qualify for assignment in more than one area of specialty.

(c) To be eligible to be named on the list, a retired or former district judge must:

(1) have served as a judge for at least four years in a district, statutory, or appellate court;

(2) have developed substantial experience in his area of specialty;

(3) not have been removed from office or resigned while under investigation for discipline or removal; and

(4) annually demonstrate that he has completed in the past calendar year at least five days of continuing legal education in courses approved by the state bar or the supreme court.

Sec. 74.056 [74.033]. ASSIGNMENT BY PRESIDING JUDGE. (a) Under rules prescribed by the council of judges, a presiding judge from time to time shall assign the judges of the administrative region [district] to hold special or regular terms of court in any county of the administrative region [district] to try cases and dispose of accumulated business. The assignment may be made during or after the consultation concerning the state of the business of the courts at a meeting of the [district] judges of the administrative region [district] and with or without an additional meeting of the judges.

(b) The presiding judge of one administrative region [district] may request the presiding judge of another administrative region [district] to furnish judges to aid in the disposition of litigation pending in a county [judicial district] in the administrative region [district] of the presiding judge who makes the request.

Sec. 74.057 [74.034]. ASSIGNMENT BY CHIEF JUSTICE. (a) In addition to the assignment of judges by the presiding judges as authorized by this chapter, the chief justice may assign judges of one or more administrative regions [districts] for service in other administrative regions [districts] when he considers the assignment necessary to the prompt and efficient administration of justice.

(b) A judge assigned by the chief justice shall perform the same duties and functions authorized by this chapter that the judge would perform if he were assigned by the presiding judge.

Sec. 74.058 [74.035]. DUTY TO SERVE WHEN ASSIGNED. (a) Except as provided by this chapter [section], a [district] judge assigned by the presiding judge to a court in the same administrative region [district], or to a court in another administrative region [district] at the request of the presiding judge of the other administrative region [district], shall serve in the court or administrative region [district] to which he is assigned.

(b) The presiding judge of a judge's administrative region [district] may relieve the judge of an assignment on presentation of good cause in writing by the assigned judge to the presiding judge.

(c) If the presiding judge refuses to relieve a [district] judge from assignment after receiving from the judge a written statement declining the assignment for good cause, the

[district] judge may, not later than the fifth day after refusal by the presiding judge, petition the chief justice for relief from the assignment for good cause. The chief justice may grant or refuse a petition for relief from assignment at his discretion.

Sec. 74.059 [74.036]. POWERS AND DUTIES. (a) A judge assigned under the provisions of this chapter has all the powers of a district judge.

(b) A [district] judge shall extend the regular terms of the court, or call the special terms, that are necessary to carry out the purposes of this chapter and to dispose of pending litigation. If a term is extended, the other terms of the court may be opened and held as usual, and a term of court in that district does not fail because of the extension. By entering an order on the minutes of the court, the judge of a district court or *statutory county court* or a judge assigned [~~to a district~~] by the presiding judge may convene a special term of the court for the trial of cases, the entry of orders, and the disposition of the business before the court.

(c) A district or *statutory county court* judge shall:

- (1) diligently discharge the administrative responsibilities of the office;
- (2) rule on a case within *90 days* [~~three months~~] after the case is taken under advisement;
- (3) request the presiding judge to assign another judge of the administrative *region* [~~district~~] to hear a motion relating to the recusal of the [district] judge from a case pending in his court; and
- (4) if a suit for the removal of a local official is filed in his court, request the presiding judge to assign another judge of the administrative *region* [district] who is not a resident of the county to hold a regular or special term of court in that county to dispose of the suit.

Sec. 74.060. LIMITATION ON ASSIGNMENT. *An active judge may not, without the judge's consent, be assigned out of the judge's district or county for more than 10 calendar days in a year.*

Sec. 74.061 [74.037]. COMPENSATION WHILE ASSIGNED. (a) The salary, compensation, and expenses of a judge while assigned under this chapter shall be paid in accordance with this chapter and other law of this state.

(b) While serving in a county outside his judicial district or *county*, an active [district] judge is entitled to receive, in addition to his necessary expenses, additional compensation from the county to which he is assigned in an amount not to exceed the difference between the compensation of the assigned judge from all sources, exclusive of the per diem provided by Subsection (f), and the compensation received from all sources by the judge of the court to which he is assigned. The county shall pay the compensation provided by this subsection on approval of the presiding judge of the administrative *region* [district] in which the court to which the judge is assigned is located.

(c) The salary of a retired judge while assigned under this chapter shall be paid out of money appropriated from the general revenue fund for that purpose in an amount equal to the difference between all the retirement benefits received by the judge as a retired district judge and the compensation from all sources of the judge of the court to which he is assigned. The salary of a retired judge while assigned shall be determined pro rata for the period of time that the judge actually sits as the assigned judge.

(d) For services actually performed while assigned under this chapter, a former [district] judge shall receive from county funds and money appropriated by the legislature the same amount of salary, compensation, and expenses that the regular judge is entitled to receive from the county and from the state for those services. The presiding judge of the administrative *region* [district] shall certify to the county and the state the services rendered under this chapter by a former [district] judge and the share to be paid by the state. The amount certified by the presiding judge as the state's share shall be paid from

an item in the Judicial Section—Comptroller's Department of the General Appropriations Act for the payment of salaries of district and criminal district judges.

(e) When a district *or statutory county court* judge is assigned under this chapter to a court outside his own district *or county* [~~and out of his own counties~~], the judge, in addition to all other compensation authorized by law, is entitled to receive his actual expenses in going to and returning from his assignment and his actual living expenses while in the performance of his duties under the assignment. The county in which the duties are performed shall pay the expenses out of the general fund of the county on accounts certified and approved by the presiding judge of the administrative *region* [~~district~~] for that county.

(f) When a district *or statutory county court* judge is assigned under this chapter to a court outside his own district *or county* [~~and out of his own counties~~], the judge, in addition to all other compensation and expenses authorized by law, is entitled to receive a per diem of \$25 for each day or fraction of a day that the judge spends outside his district *or county* [~~and his counties~~] in the performance of his duties under the assignment. The state shall pay the per diem in the same manner that it pays the judge's salary on certificates of approval by the chief justice or the presiding judge of the administrative *region* [~~district~~] in which the judge resides.

Sec. 74.062 [74.038]. EXPENSES AT MEETINGS. A judge who is required to attend an annual or special meeting prescribed by this chapter, in addition to all other compensation allowed by law, is entitled to receive his actual travel expenses going to and returning from the place of the meeting and his actual expenses while attending the meeting.

[Sections 74.063–74.090 [74.039–74.060] reserved for expansion]

[~~SUBCHAPTER D. PROVISIONS APPLICABLE IN CERTAIN COUNTIES~~

[~~Sec. 74.061. ASSIGNMENT IN HARRIS COUNTY. Notwithstanding any other provision of this chapter, neither the chief justice nor the presiding judge of the administrative judicial district in which Harris County is located may assign a judge to a court in Harris County if the regular district judge is present or trying cases unless the assignment is for the regular docket of:~~

[~~(1) the presiding administrative judge and the judge is present attending to administrative duties; or~~

[~~(2) the presiding judge of a court created by the legislature and the judge is trying a capital murder case.]~~

SUBCHAPTER D. ADMINISTRATION BY COUNTY

Sec. 74.091. LOCAL ADMINISTRATIVE JUDGE. (a) *There is a local administrative judge in each county.*

(b) *In a county with two or more district or statutory county courts the judges of those courts shall elect a district judge as local administrative judge for a term of not more than two years. The local administrative judge may not be elected on the basis of rotation or seniority.*

(c) *In a county with only one district judge, the district judge serves as the local administrative judge.*

Sec. 74.092. DUTIES OF LOCAL ADMINISTRATIVE JUDGE. *The local administrative judge shall:*

(1) *implement and execute the local rules of administration, including the assignment, docketing, transfer, and hearing of cases;*

(2) *appoint any special or standing committees necessary or desirable for court management and administration;*

- (3) promulgate local rules of administration if the other judges do not act by a majority vote;
- (4) recommend to the regional presiding judge any needs for assignment from outside the county to dispose of court caseloads;
- (5) supervise the expeditious movement of court caseloads, subject to local, regional, and state rules of administration;
- (6) provide the supreme court and the office of court administration requested statistical and management information;
- (7) set the hours and places for holding court in the county;
- (8) supervise the employment and performance of nonjudicial personnel;
- (9) supervise the budget and fiscal matters of the local courts, subject to local rules of administration; and
- (10) perform other duties as may be directed by the chief justice or a regional presiding judge.

Sec. 74.093. RULES OF ADMINISTRATION. (a) *The district and statutory county court judges in each county shall, by majority votes, adopt local rules of administration.*

(b) *The rules must provide for:*

- (1) *assignment, docketing, transfer, and hearing of all cases, subject to jurisdictional limitations of the district courts and statutory county courts;*
- (2) *designation of court divisions or branches responsible for certain matters;*
- (3) *holding court at least once a week in the county unless in the opinion of the local administrative judge sessions at other intervals will result in more efficient court administration;*
- (4) *fair and equitable division of caseloads; and*
- (5) *plans for judicial vacation, sick leave, attendance at educational programs, and similar matters.*

(c) *The rules may provide for any other matter necessary to carry out this chapter or to improve the administration and management of the court system and its auxiliary services.*

(d) *Rules relating to the transfer of cases or proceedings shall not allow the transfer of cases from one court to another unless the cases are within the jurisdiction of the court to which it is transferred. When a case is transferred from one court to another as provided under this section, all processes, writs, bonds, recognizances, or other obligations issued from the transferring court are returnable to the court to which the case is transferred as if originally issued by that court.*

Sec. 74.094. HEARING CASES. (a) *A district or statutory county court judge may hear and determine a matter pending in any district or statutory county court in the county regardless of whether the matter is preliminary or final or whether there is a judgment in the matter. The judge may sign a judgment or order in any of the courts regardless of whether the case is transferred. The judgment, order, or action is valid and binding as if the case were pending in the court of the judge who acts in the matter. The authority of this subsection applies to an active or retired judge assigned to a court having any district court jurisdiction as provided by Subchapter C or by Subtitle E, Title 110B, Revised Statutes.*

(b) *The judges shall try any case and hear any proceeding as assigned by the local administrative judge.*

(c) *The district clerk shall file, docket, transfer, and assign the cases as directed by the local administrative judge in accordance with the local rules.*

(d) Judges of district courts and statutory county courts may serve as masters and magistrates of courts, other than their own, subject to other provisions of law and court rules.

Sec. 74.095. LIMITATIONS ON ASSIGNMENT. The rules adopted under this chapter do not authorize a judge to act in a case over which his own court does not have jurisdiction under the constitution and laws of this state.

Sec. 74.096. TERMS OF COURT. The terms of all courts covered by this subchapter begin on the first Monday in January and the first Monday in July of each year, except as may otherwise be provided by law. Each term of court continues until the next succeeding term begins.

[Sections 74.097–74.100 reserved for expansion]

SUBCHAPTER E. COURT COORDINATORS

Sec. 74.101. COURT COORDINATORS. (a) The local administrative judge and each district or statutory county court judge may establish a court coordinator system and appoint a court coordinator for his court to improve justice and expedite the processing of cases through the courts.

(b) Each court coordinator serves at the pleasure of the judge who appointed him.

Sec. 74.102. DUTIES. (a) The courts by local administrative rule shall designate the duties of the court coordinators.

(b) To promote uniform and efficient administration of justice in this state, the court coordinators shall cooperate with regional presiding and local administrative judges and state agencies having duties in the area of the operation of the courts.

Sec. 74.103. STAFF. The courts may appoint appropriate staff and support personnel according to the needs in each county.

Sec. 74.104. COMPENSATION. (a) The judges shall determine reasonable compensation for the court coordinators, subject to approval of the commissioners court.

(b) Upon approval by the commissioners court of the position and compensation, the commissioners court of the county shall provide the necessary funding through the county's budget process. County funds may be supplemented in whole or part through public or private grants.

Sec. 74.105. OTHER LAW. This subchapter does not affect other provisions of law relating to the pay and duties of court administrators, court managers, and court coordinators.

[Sections 74.106–74.120 reserved for expansion]

SUBCHAPTER F. TRANSFER OF CASES AND EXCHANGE OF BENCHES BETWEEN CERTAIN COURTS

Sec. 74.121. TRANSFER OF CASES; EXCHANGE OF BENCHES. (a) The judges of constitutional county courts, statutory county courts, justice courts, and small claims courts in a county may transfer cases to and from the dockets of their respective courts, except that a case may not be transferred from one court to another without the consent of the judge of the court to which it is transferred and may not be transferred unless it is within the jurisdiction of the court to which it is transferred. The judges of those courts within a county may exchange benches and courtrooms with each other so that if one is absent, disabled, or disqualified, the other may hold court for him without the necessity of transferring the case. Either judge may hear all or any part of a case pending in court and may rule and enter orders on and

continue, determine, or render judgment on all or any part of the case without the necessity of transferring it to his own docket. A judge may not sit or act in a case unless it is within the jurisdiction of his court. Each judgment and order shall be entered in the minutes of the court in which the case is pending.

(b) When a case is transferred from one court to another as provided by this section, all processes, writs, bonds, recognizances, or other obligations issued from the transferring court are returnable to the court to which the case is transferred as if originally issued by that court. The obligees in all bonds and recognizances taken in and for a court from which a case is transferred, and all witnesses summoned to appear in a court from which a case is transferred, are required to appear before the court to which the case is transferred as if originally required to appear before the court to which the transfer is made.

(b) The following laws are repealed:

(1) Sections 1 and 2, Chapter 698, Acts of the 69th Legislature, Regular Session, 1985;

(2) Subchapter B, Chapter 73, Government Code, to conform to the repeal by Section 5(3), Chapter 732, Acts of the 69th Legislature, Regular Session, 1985, of the law from which it was derived;

(3) Subchapter E, Chapter 75, Government Code, to conform to the repeal by Section 5(4), Chapter 732, Acts of the 69th Legislature, Regular Session, 1985, of the law from which it was derived; and

(4) Sections 1.001–4.013 and 4.015–8.001, Court Administration Act (Article 200a–1, Vernon's Texas Civil Statutes).

SECTION 2.94. (a) Section 75.104, Government Code, is amended to conform to Section 20, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 75.104. QUALIFICATIONS. A senior judge must:

(1) have served as the judge of a district court for 12 years, regardless of whether or not the service was consecutive, exercising primarily criminal, civil, or family court jurisdiction;

(2) have developed an expertise in criminal law, civil law, or family law;

(3) not have been removed from office by impeachment, the supreme court, or the governor on address by the legislature;

(4) *not have been removed from office or involuntarily retired by*~~[-or]~~ the State Commission on Judicial Conduct *or the supreme court;*

(5) *not have resigned from office at a time when an investigation by the State Commission on Judicial Conduct of the applicant's judicial conduct was pending, in progress, or on appeal;*

(6) [(4)] certify a willingness to serve; and

(7) [(5)] be 65 years of age or younger.

(b) Subchapter C, Chapter 75, Government Code, is amended to conform to Section 20, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, by adding Section 75.1041 to read as follows:

Sec. 75.1041. INFORMATION FROM STATE COMMISSION ON JUDICIAL CONDUCT. (a) *The State Commission on Judicial Conduct shall certify to the presiding judge of the First Administrative Judicial District the name of each person who was judge of a district court and who has been involuntarily retired or removed from office or who resigned from office at a time when an investigation by the commission of the person's judicial conduct was pending, in progress, or on appeal.*

(b) *Information certified under this section is confidential, except as to persons entitled under this section to receive the information and except as provided by Article V, Section 1-a, of the Texas Constitution.*

(c) Section 20, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.95. (a) Section 75.107, Government Code, is amended to conform to Section 21, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 75.107. PRACTICE PROHIBITED. (a) A senior district court judge *who is not a retiree of the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two and who is appointed* [~~and confirmed~~] under this subchapter may not, during the term of appointment, appear and plead as an attorney in any court in this state.

(b) *When a person who is a retiree of the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two is appointed under this subchapter, the person becomes ineligible to appear and plead as an attorney in any court in this state. On confirmation of a retiree's appointment under this subchapter, the restriction on the retiree's practice of law becomes permanent. If a retiree's appointment is not confirmed, the restriction ends.*

(b) Section 21, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.96. (a) Section 75.109(b), Government Code, is amended to conform to Section 22, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(b) A senior district court judge appointed under this subchapter who is a retiree of the Judicial Retirement System of Texas *Plan One, the Judicial Retirement System of Texas Plan Two*, or the Texas County and District Retirement System is entitled to compensation, salary, and expenses from the general revenue fund of Dallas County in an amount equal to the amount computed under Subsection (a) less the amount of any annuity the judge receives during the same period from either or both of the retirement systems.

(b) Section 22, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.97. (a) Sections 75.112(a) and (b), Government Code, are amended to conform to Section 23, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(a) A senior district court judge appointed under this subchapter who is a retiree of the Judicial Retirement System of Texas *Plan One, the Judicial Retirement System of Texas Plan Two*, or the Texas County and District Retirement System is entitled to receive retirement benefits otherwise payable during the period an appointment is in effect but may not resume membership or receive credit in any of those retirement systems from which the judge has retired.

(b) A senior district court judge appointed under this subchapter who is not a retiree of the Judicial Retirement System of Texas *Plan One or the Judicial Retirement System of Texas Plan Two* retains or resumes membership *in the appropriate retirement system* and accrues service credit in that retirement system for each month the appointment is in effect.

(b) Section 75.113(a), Government Code, is amended to conform to Section 23, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

(a) Not later than the 15th of each month, the custodian of county funds of Dallas County shall pay or cause to be paid to the Judicial Retirement System of Texas *Plan One and the Judicial Retirement System of Texas Plan Two* at each respective [the] system's office:

(1) a contribution deducted from the compensation of each senior district court judge at the rate required of other members of the *appropriate* system for current service and based on the state salary paid to elected district judges during that period; and

(2) a contribution from the county general revenue fund for each senior district court judge at the effective rate of state contributions to the *appropriate* system, determined, *respectively*, by the Judicial Retirement System of Texas *Plan One* and the *Judicial Retirement System of Texas Plan Two* as a monthly percentage of the salary that would be paid by the state if the judge were an elected district judge that is based on the ratio of legislative appropriations to finance benefits payable from the *appropriate* system to the state salaries payable to contributing members of the system for the period.

(c) Section 23, Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.98. (a) Section 91.008, Government Code, is amended to conform to Section 48, Chapter 729, Acts of the 69th Legislature, Regular Session, 1985, to read as follows:

Sec. 91.008. SUNSET PROVISION. The library is subject to the Texas Sunset Act (Chapter 325). Unless continued in existence as provided by that Act, the library is abolished and this chapter expires September 1, 1997 [1987].

(b) Section 48, Chapter 729, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

SECTION 2.99. Subsections (b)-(e), Article 5139.2, Revised Statutes, are amended to conform to the law from which they were derived to read as follows:

~~(b) [The juvenile board shall appoint a chief juvenile probation officer who shall serve as the chief administrative officer of the family district court at the pleasure of the juvenile board. Subject to approval of the juvenile board, the chief juvenile probation officer shall select as many assistant probation officers and other personnel as are necessary to perform the duties assigned him by the juvenile board.]~~

~~[(e)]~~ The commissioners court may compensate juvenile board members for their duties performed on the juvenile board beyond the compensation otherwise provided for by law, and this compensation is in addition to all other compensation paid by the state or county to district, family district, and county judges. On recommendation of the juvenile board, the commissioners court shall also[

~~[(1) fix the compensation of the chief juvenile probation officer and the members of his staff; and~~

~~[(2) provide the physical facilities necessary to operate the juvenile board.]~~

~~(c) [(d)]~~ The creation of a family district court in a county also creates a juvenile board in that county if one does not exist.

~~(d) [(e)]~~ This article does not affect the composition or organization of a juvenile board existing on September 1, 1977.

SECTION 2.100. The Judicial Districts Act of 1969 (Article 199a, Vernon's Texas Civil Statutes), which was revised in the Government Code as Subchapter C, Chapter 24, but omitted from the repealer of the bill enacting the code, is repealed.

ARTICLE III. STATE BAR ACT, BOARD OF LAW EXAMINERS, AND LICENSING OF ATTORNEYS

SECTION 3.01. Subtitle G, Title 2, Government Code, is amended by adding Chapters 81 and 82 to read as follows:

SUBTITLE G. ATTORNEYS

CHAPTER 81. STATE BAR

SUBCHAPTER A. GENERAL PROVISIONS

- Sec. 81.001. SHORT TITLE
- Sec. 81.002. DEFINITIONS
- Sec. 81.003. SUNSET PROVISION

[Sections 81.004–81.010 reserved for expansion]

SUBCHAPTER B. ADMINISTRATIVE PROVISIONS

- Sec. 81.011. GENERAL POWERS
- Sec. 81.012. PURPOSES
- Sec. 81.013. SEAL
- Sec. 81.014. SUITS
- Sec. 81.015. CONTRACTS
- Sec. 81.016. PROPERTY
- Sec. 81.017. INDEBTEDNESS, LIABILITY, OR OBLIGATION
- Sec. 81.018. CONTRACTUAL OBLIGATIONS
- Sec. 81.019. OFFICERS OF STATE BAR
- Sec. 81.020. BOARD OF DIRECTORS
- Sec. 81.021. OPEN MEETINGS
- Sec. 81.022. ANNUAL BUDGET; PUBLIC BUDGET HEARING
- Sec. 81.023. AUDIT
- Sec. 81.024. RULES
- Sec. 81.025. BAR DISTRICTS
- Sec. 81.026. COMMITTEES AND SECTIONS
- Sec. 81.027. REMOVAL OF DIRECTOR
- Sec. 81.028. TRADE ASSOCIATION EMPLOYEE OR CONSULTANT
- Sec. 81.029. EXECUTIVE DIRECTOR
- Sec. 81.030. GENERAL COUNSEL
- Sec. 81.031. CONFLICT OF INTEREST
- Sec. 81.032. DEPUTY CLERK
- Sec. 81.033. OPEN RECORDS

[Sections 81.034–81.050 reserved for expansion]

SUBCHAPTER C. MEMBERSHIP

- Sec. 81.051. BAR MEMBERSHIP REQUIRED
- Sec. 81.052. MEMBERSHIP CLASSES
- Sec. 81.053. STATUS OF CERTAIN MEMBERSHIP CLASSES
- Sec. 81.054. MEMBERSHIP FEES

[Sections 81.055–81.060 reserved for expansion]

SUBCHAPTER D. ADMISSION TO PRACTICE

- Sec. 81.061. SUPREME COURT JURISDICTION EXCLUSIVE

[Sections 81.062–81.070 reserved for expansion]

SUBCHAPTER E. DISCIPLINE

- Sec. 81.071. DISCIPLINARY JURISDICTION
- Sec. 81.072. DISCIPLINARY PROCEDURES
- Sec. 81.073. GRIEVANCE COMMITTEE DISTRICTS
- Sec. 81.074. GRIEVANCE COMMITTEE POWERS AND DUTIES
- Sec. 81.075. COMPLAINTS
- Sec. 81.076. GRIEVANCE OVERSIGHT COMMITTEE
- Sec. 81.077. DISBARMENT PROCEEDINGS
- Sec. 81.078. DISCIPLINARY PROCEEDINGS

[Sections 81.079–81.090 reserved for expansion]

SUBCHAPTER F. COMMITTEE ON PROFESSIONAL ETHICS

- Sec. 81.091. COMMITTEE ON PROFESSIONAL ETHICS
 Sec. 81.092. COMMITTEE OPINIONS
 Sec. 81.093. PANELS
 Sec. 81.094. CERTAIN COMMITTEE DUTIES
 Sec. 81.095. EXPENSES

[Sections 81.096–81.100 reserved for expansion]

SUBCHAPTER G. UNAUTHORIZED PRACTICE OF LAW

- Sec. 81.101. DEFINITION
 Sec. 81.102. STATE BAR MEMBERSHIP REQUIRED
 Sec. 81.103. UNAUTHORIZED PRACTICE OF LAW COMMITTEE
 Sec. 81.104. DUTIES OF UNAUTHORIZED PRACTICE OF LAW COMMITTEE
 Sec. 81.105. LOCAL COMMITTEES

SUBTITLE G. ATTORNEYS

CHAPTER 81. STATE BAR

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 81.001. *SHORT TITLE.* This chapter may be cited as the State Bar Act. (V.A.C.S. Art. 320a-1, Sec. 1.)

Sec. 81.002. *DEFINITIONS.* In this chapter:

- (1) "State bar" means the State Bar of Texas.
- (2) "Executive director" means the executive director of the state bar.
- (3) "General counsel" means the general counsel of the state bar. (V.A.C.S. Art. 320a-1, Sec. 2 (part); New.)

Sec. 81.003. *SUNSET PROVISION.* The state bar is subject to the Texas Sunset Act (Chapter 325). Unless continued in existence as provided by that chapter, the state bar is abolished and this chapter expires September 1, 1991. (V.A.C.S. Art. 320a-1, Sec. 21.)

[Sections 81.004–81.010 reserved for expansion]

SUBCHAPTER B. ADMINISTRATIVE PROVISIONS

Sec. 81.011. *GENERAL POWERS.* (a) The state bar is a public corporation and an administrative agency of the judicial department of government.

(b) This chapter is in aid of the judicial department's powers under the constitution to regulate the practice of law, and not to the exclusion of those powers.

(c) The Supreme Court of Texas, on behalf of the judicial department, shall exercise administrative control over the state bar under this chapter. (V.A.C.S. Art. 320a-1, Sec. 2 (part).)

Sec. 81.012. *PURPOSES.* In order that the public responsibilities of the legal profession may be more effectively discharged, the state bar has the following purposes:

- (1) to aid the courts in carrying on and improving the administration of justice;
- (2) to advance the quality of legal services to the public;
- (3) to foster and maintain on the part of those engaged in the practice of law high ideals and integrity, learning, competence in public service, and high standards of conduct;
- (4) to provide proper professional services to the members of the state bar;
- (5) to encourage the formation of and activities of local bar associations;

(6) to provide forums for the discussion of subjects pertaining to the practice of law, the science of jurisprudence and law reform, and the relationship of the state bar to the public; and

(7) to publish information relating to the subjects listed in Subdivision (6). (V.A.C.S. Art. 320a-1, Sec. 3.)

Sec. 81.013. *SEAL.* The state bar has an official seal, which may not be used for private purposes. (V.A.C.S. Art. 320a-1, Sec. 4 (part).)

Sec. 81.014. *SUITS.* The state bar may sue and be sued in its own name. (V.A.C.S. Art. 320a-1, Sec. 4 (part).)

Sec. 81.015. *CONTRACTS.* To carry out and promote the objectives of this chapter, the state bar may enter into contracts and do all other acts incidental to those contracts that are necessary or expedient for the administration of its affairs and for the attainment of its purposes. (V.A.C.S. Art. 320a-1, Sec. 4 (part).)

Sec. 81.016. *PROPERTY.* (a) The state bar may acquire by gift, bequest, devise, or other manner any interest in real or personal property.

(b) The state bar may acquire, hold, lease, encumber, and dispose of real and personal property in the exercise of its powers and the performance of its duties under this chapter.

(c) The property of the state bar is held by the state bar for the purposes set out in Section 81.012. (V.A.C.S. Art. 320a-1, Secs. 4 (part), 5.)

Sec. 81.017. *INDEBTEDNESS, LIABILITY, OR OBLIGATION.* (a) An indebtedness, liability, or obligation of the state bar does not:

(1) create a debt or other liability of the state or of any entity other than the state bar or any successor public corporation; or

(2) create any personal liability on the part of the members of the state bar or the members of the board of directors or any authorized person issuing, executing, or delivering any evidence of the indebtedness, liability, or obligation.

(b) The state bar may not create an indebtedness, liability, or obligation that cannot be paid from the receipts for the current year unless approved by referendum of all members of the state bar as provided by Section 81.024. (V.A.C.S. Art. 320a-1, Sec. 6.)

Sec. 81.018. *CONTRACTUAL OBLIGATIONS.* Any bond, note, debenture, evidence of indebtedness, mortgage, deed of trust, assignment, pledge, contract, lease, agreement, or other contractual obligation owed to or by the state bar on June 11, 1979, remains in force and effect according to the terms of the obligation. (V.A.C.S. Art. 320a-1, Sec. 20(d).)

Sec. 81.019. *OFFICERS OF STATE BAR.* (a) The officers of the state bar are the president, president-elect, and immediate past president.

(b) Except as provided by Subsection (c), the officers shall be elected in accordance with rules for the election of officers and directors prepared and proposed by the supreme court as provided by Section 81.024.

(c) The election rules must permit any member's name to be printed on the ballot as a candidate for president-elect if a written petition requesting that action and signed by at least one percent of the membership of the state bar is filed with the executive director at least 30 days before the election ballots are to be mailed to the membership. (V.A.C.S. Art. 320a-1, Sec. 9(a) (part).)

Sec. 81.020. *BOARD OF DIRECTORS.* (a) The governing body of the state bar is the board of directors. The board shall enforce this chapter.

(b) The board is composed of:

(1) the officers of the state bar;

(2) the president, president-elect, and immediate past president of the Texas Young Lawyers Association;

(3) not more than 30 members of the state bar elected by the membership from their district as determined by the board; and

(4) six persons appointed by the supreme court and confirmed by the senate who are not attorneys and who do not have, other than as consumers, a financial interest in the practice of law.

(c) Elected members serve three-year terms. Nonattorney members serve staggered terms of the same length as terms of elected board members. The supreme court shall annually appoint two nonattorney members, with at least one of the two from a list of at least five names submitted by the governor. In making the appointments the supreme court and the governor must attempt to ensure full and fair representation of the general public, including women, ethnic minorities, and retired persons. Each appointment shall be made without regard to race, creed, sex, religion, or national origin. A person who has served more than half of a full term is not eligible for reappointment to the board. (V.A.C.S. Art. 320a-1, Sec. 9(a) (part).)

Sec. 81.021. **OPEN MEETINGS.** Meetings of the board of directors of the state bar are subject to the open meetings law, Chapter 271, Acts of the 60th Legislature, Regular Session, 1967 (Article 6252-17, Vernon's Texas Civil Statutes). (V.A.C.S. Art. 320a-1, Sec. 9(a) (part).)

Sec. 81.022. **ANNUAL BUDGET; PUBLIC BUDGET HEARING.** (a) The executive director of the state bar shall confer with the clerk of the supreme court and shall supervise the administrative staff of the state bar in preparation of the annual budget.

(b) The proposed budget shall be presented annually at a public hearing. Not later than the 30th day before the day the hearing is held, the proposed budget and notice of the time and place of the budget hearing shall be disseminated to the membership of the state bar and to the public.

(c) The executive director shall preside at the budget hearing or, if the executive director is unable to preside, may authorize any employee of the administrative staff or any officer or director of the state bar to preside. Any member of the public may participate in the discussion of any item proposed to be included in the budget.

(d) After the public hearing, the proposed budget shall be submitted to the board of directors for its consideration. The budget adopted by the board of directors shall be submitted to the supreme court for final review and approval. The board of directors, at a regular or special meeting, may amend the budget subject to approval by the supreme court. (V.A.C.S. Art. 320a-1, Secs. 7(a), 9(b) (part), (e) (part).)

Sec. 81.023. **AUDIT.** The state auditor shall audit the financial transactions of the state bar during each fiscal year. The state bar shall pay the expense of the audit. The auditor's report shall be published in the Bar Journal. (V.A.C.S. Art. 320a-1, Sec. 7(b).)

Sec. 81.024. **RULES.** (a) The supreme court shall promulgate the rules governing the state bar. The rules may be amended as provided by this section.

(b) The supreme court may, either as it considers necessary, pursuant to a resolution of the board of directors of the state bar, or pursuant to a petition signed by at least 10 percent of the registered members of the state bar, prepare, propose, and adopt rules or amendments to rules for the operation, maintenance, and conduct of the state bar and the discipline of its members.

(c) When the supreme court has prepared and proposed rules or amendments to rules under this section, the court shall mail a copy of each proposed rule or amendment in ballot form to each registered member of the state bar for a vote.

(d) At the end of the 30-day period following the date the ballots are mailed, the court shall count the returned ballots. An election is valid only if at least 51 percent of the registered members of the state bar vote in the election.

(e) The supreme court shall promulgate each rule and amendment that receives a majority of the votes cast in an election. The rule or amendment takes effect immediately on promulgation by the court.

(f) *The vote shall be open to inspection by any member of the bar or the public.*

(g) *A rule may not be promulgated unless it has been approved by the members of the state bar in the manner provided by this section. (V.A.C.S. Art. 320a-1, Sec. 8.)*

Sec. 81.025. BAR DISTRICTS. (a) *The board of directors shall from time to time reapportion the state into bar districts for electing directors from those districts or to perform any other duty imposed on the state bar by this chapter or the rules of the state bar.*

(b) *In determining the districts, the board must consider the purposes of the state bar as set out in Section 81.012.*

(c) *Any reapportionment is subject to the supreme court's approval. (V.A.C.S. Art. 320a-1, Sec. 9(a) (part).)*

Sec. 81.026. COMMITTEES AND SECTIONS. (a) *The board may create committees and sections as it considers advisable and necessary to carry out the purposes of this chapter.*

(b) *This chapter does not prohibit the appointment of nonattorneys to a committee of the state bar. (V.A.C.S. Art. 320a-1, Sec. 17.)*

Sec. 81.027. REMOVAL OF DIRECTOR. *The board of directors may remove a director from the board at any regular meeting by resolution declaring the director's position vacant if:*

(1) *the director, in the board's determination, has become incapacitated and cannot perform his duties as a director; or*

(2) *the director has been absent, without cause considered adequate by the board, from any two consecutive regular meetings of the board or from a total of four meetings. (V.A.C.S. Art. 320a-1, Sec. 9(a) (part).)*

Sec. 81.028. TRADE ASSOCIATION EMPLOYEE OR CONSULTANT. *A member of the board of directors or an employee of the board may not be an employee or paid consultant of a trade association in the field of board interest. (V.A.C.S. Art. 320a-1, Sec. 9(a) (part).)*

Sec. 81.029. EXECUTIVE DIRECTOR. (a) *The board of directors, by a majority vote, elects the executive director. The executive director serves at the pleasure of the board.*

(b) *The executive director shall execute the policies and directives of the board in all state bar activities except the activities for which the general counsel is given responsibility either by this chapter or by the board.*

(c) *The executive director shall perform the duties usually required of a corporate secretary and other duties as assigned by the board.*

(d) *The executive director shall act as the treasurer of the state bar and shall receive from the clerk of the supreme court state bar funds as provided by this chapter. The funds are subject to audit as provided by Section 81.023.*

(e) *The executive director shall maintain the membership files and shall confer with the clerk of the supreme court as to the maintenance of those files.*

(f) *The executive director must execute a corporate surety bond in an amount determined by the board of directors conditioned on faithful performance of the executive director's duties. The state bar shall pay the premium for the bond.*

(g) *The executive director has no vote on matters before the board of directors. (V.A.C.S. Art. 320a-1, Secs. 9(b) (part), (e) (part).)*

Sec. 81.030. GENERAL COUNSEL. (a) *The board of directors, by a majority vote, elects the general counsel of the state bar. The general counsel holds office at the pleasure of the board.*

(b) *The general counsel must be a member of the state bar.*

(c) *The general counsel shall perform the duties usually expected of and performed by a general counsel.*

(d) *The general counsel shall:*

(1) standardize throughout grievance districts the procedure, method, and practice for the processing of grievance complaints;

(2) receive and maintain on behalf of the state bar the files and records of the grievance committees that pertain to discipline;

(3) expedite and coordinate the state bar's grievance duties imposed by this chapter; and

(4) perform those duties delegated by the board of directors.

(e) On request of a grievance committee, the general counsel may investigate and prosecute grievance actions.

(f) On request of an unauthorized practice of law committee or a grievance committee, the general counsel may investigate and prosecute suits to enjoin members, nonlicensees, and nonmembers of the state bar from the practice of law.

(g) The general counsel may not be a lobbyist registered with the secretary of state. (V.A.C.S. Art. 320a-1, Sec. 9(c).)

Sec. 81.031. CONFLICT OF INTEREST. The executive director and the general counsel of the state bar are subject to the Texas conflict of interest law, Chapter 421, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-9b, Vernon's Texas Civil Statutes). (V.A.C.S. Art. 320a-1, Sec. 9(d).)

Sec. 81.032. DEPUTY CLERK. (a) The clerk of the supreme court, with the permission of the court, may employ a deputy to assist the clerk in discharging the duties imposed on the clerk by this chapter or by rules promulgated under this chapter.

(b) The board of directors of the state bar shall set the deputy's salary. The salary shall be paid from state bar funds. (V.A.C.S. Art. 320a-1, Sec. 9(e) (part).)

Sec. 81.033. OPEN RECORDS. All records of the state bar, except for records pertaining to grievances and records pertaining to the Texas Board of Legal Specialization, are subject to the Texas open records law, Chapter 424, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-17a, Vernon's Texas Civil Statutes). (V.A.C.S. Art. 320a-1, Sec. 9(f).)

[Sections 81.034-81.050 reserved for expansion]

SUBCHAPTER C. MEMBERSHIP

Sec. 81.051. BAR MEMBERSHIP REQUIRED. (a) The state bar is composed of those persons licensed to practice law in this state. Bar members are subject to this chapter and to the rules adopted by the supreme court.

(b) Each person licensed to practice law in this state shall, not later than the 10th day after the person's admission to practice, enroll in the state bar by registering with the clerk of the supreme court. (V.A.C.S. Art. 320a-1, Secs. 10(a) (part), (b) (part).)

Sec. 81.052. MEMBERSHIP CLASSES. (a) A bar membership is of one of four classes: active, inactive, emeritus, or associate.

(b) Each licensed member of the state bar is an active member until the person requests to be enrolled as an inactive member.

(c) An inactive member is a person who:

(1) is eligible for active membership but not engaged in the practice of law in this state; and

(2) has filed with the executive director and the clerk of the supreme court written notice requesting enrollment as an inactive member.

(d) An inactive member at his request may become an active member on application and payment of required fees.

(e) An emeritus member is a person who:

(1) is either an active or inactive member in good standing who is at least 70 years old; and

(2) has filed a written notice requesting enrollment as an emeritus member.

(f) A person enrolled in law school in this state may be enrolled as an associate member. (V.A.C.S. Art. 320a-1, Sec. 10(b) (part).)

Sec. 81.053. *STATUS OF CERTAIN MEMBERSHIP CLASSES.* (a) An inactive member may not practice law, hold an office in the state bar, or vote in any election conducted by the state bar.

(b) An emeritus member has all the privileges of membership in the state bar.

(c) An associate member may not practice law, except as provided by rule promulgated by the supreme court, and may not hold office in the state bar or vote in any election conducted by the state bar. (V.A.C.S. Art. 320a-1, Sec. 10(b) (part).)

Sec. 81.054. *MEMBERSHIP FEES.* (a) The supreme court shall set fees for members of the state bar. The fees, other than those set for associate members, must be set in accordance with Section 81.024.

(b) An emeritus member is not required to pay a membership fee for the year in which the member reaches the age of 70 or any year following that year.

(c) Fees shall be paid to the clerk of the supreme court. The clerk shall retain the fees until distributed to the state bar for expenditure under the direction of the supreme court to administer this chapter.

(d) Fees collected under this chapter may be used only for administering the public purposes provided by this chapter. (V.A.C.S. Art. 320a-1, Secs. 9(e) (part), 10(b) (part), (c).)

[Sections 81.055–81.060 reserved for expansion]

SUBCHAPTER D. ADMISSION TO PRACTICE

Sec. 81.061. *SUPREME COURT JURISDICTION EXCLUSIVE.* Rules governing the admission to the practice of law are within the exclusive jurisdiction of the supreme court. The officers and directors of the state bar do not have authority to approve or disapprove of any rule governing admissions to the practice of law or to regulate or administer those admissions standards. (V.A.C.S. Art. 320a-1, Sec. 11.)

[Sections 81.062–81.070 reserved for expansion]

SUBCHAPTER E. DISCIPLINE

Sec. 81.071. *DISCIPLINARY JURISDICTION.* Each attorney admitted to practice in this state and each attorney specially admitted by a court of this state for a particular proceeding is subject to the disciplinary jurisdiction of the supreme court and its administrative agent, the state bar. (V.A.C.S. Art. 320a-1, Secs. 12(a), 15(c) (part).)

Sec. 81.072. *DISCIPLINARY PROCEDURES.* (a) In furtherance of the supreme court's powers to supervise the conduct of attorneys, this subchapter establishes grievance procedures.

(b) In addition to the minimum standards and procedures provided by this chapter, the supreme court, under Section 81.024 shall prepare, propose, and adopt rules it considers necessary for disciplining, suspending, disbaring, and accepting resignations of attorneys. (V.A.C.S. Art. 320a-1, Sec. 12(b).)

Sec. 81.073. *GRIEVANCE COMMITTEE DISTRICTS.* (a) Disciplinary jurisdiction is divided among grievance committee districts. Each bar district has at least one grievance committee district. The board of directors, with the advice of the director of each bar district, shall determine whether the state bar's grievance duties can be performed effectively by one committee for the entire bar district or if the bar district should be divided into more than one grievance committee district.

(b) If a bar district contains more than one grievance committee, all the grievance committees in the district have concurrent jurisdiction of any complaint docketed by any of the committees in the district. The committee that originally docketed a complaint may, with the consent of another committee in the district, transfer the complaint to the other committee. The district director, to equalize the dockets or for

other good cause, may transfer complaints from one committee to another in the district.

(c) Each grievance committee consists of the number of members that the board of directors considers necessary for the expeditious transaction of committee business.

(d) The president, on recommendation of the director or directors for a district, shall appoint the members of the grievance committee.

(e) Each member of a grievance committee must be a resident of the grievance committee district.

(f) One-third of the total membership of each grievance committee must be representatives of the general public who are not licensed attorneys and who do not have, other than as consumers, a financial interest in the practice of law.

(g) Each committee shall annually select its chairperson. (V.A.C.S. Art. 320a-1, Secs. 12(c), (d), (e).)

Sec. 81.074. GRIEVANCE COMMITTEE POWERS AND DUTIES. (a) Each grievance committee has the powers and duties conferred by this chapter and the powers and duties imposed by supreme court rule as provided by this chapter.

(b) A grievance committee shall consider and investigate any alleged ground for discipline or alleged incapacity of any attorney, either called to its attention or on its own motion, and shall take appropriate action under the disciplinary rules in effect.

(c) Each grievance committee shall maintain records of all matters processed and the disposition of those matters. Committee records are confidential and are not subject to the open records law, Chapter 424, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-17a, Vernon's Texas Civil Statutes). The final action of a committee resulting in a vote to publicly reprimand, suspend, or seek disbarment shall be made public, except that the proceedings resulting in a private reprimand remain confidential. The committee, with the consent of the accused attorney, may disclose final action that clears the attorney of misconduct or that finds no jurisdiction or lack of probable cause to proceed. All records must be forwarded to the general counsel, and the general counsel shall maintain a permanent record of the actions. The permanent record is public for statistical purposes only, but otherwise remains confidential as provided by this section. (V.A.C.S. Art. 320a-1, Secs. 13(a), (b).)

Sec. 81.075. COMPLAINTS. (a) In this section, "complaint" means an allegation of attorney misconduct or attorney mental incompetency that, if established in fact, could subject the attorney to disciplinary action. An inquiry that does not allege an offense cognizable under the Code of Professional Responsibility or under this chapter or that does not show probable cause of professional misconduct is not a complaint and is not within the disciplinary jurisdiction of a grievance committee.

(b) A grievance committee shall docket each inquiry that it determines is a complaint as defined by this section. The committee shall then notify the general counsel, the complainant, and the accused attorney that the complaint has been scheduled for action by the committee. The committee shall periodically report its progress in the matter to the general counsel.

(c) A grievance committee shall act expeditiously on each complaint, and report its action to the general counsel, the complainant, and the accused attorney. If the committee fails to take action on a complaint within a reasonable time, the general counsel shall report the committee's inaction to the president of the state bar and the director or directors for the committee's bar district. After the president is notified as provided by this subsection, the president, with the advice of the board director or directors for the district involved, may transfer the complaint to another grievance committee in the bar district if the district contains another grievance committee. The president may discharge a committee and appoint new members if, after consulting the board director or directors for the district involved, the president determines that the committee should be reconstituted to assure the expeditious transaction of disciplinary business.

(d) A grievance committee may be discharged for failure to report grievance matters to the general counsel. (V.A.C.S. Art. 320a-1, Secs. 13(c), (d), (e).)

Sec. 81.076. GRIEVANCE OVERSIGHT COMMITTEE. (a) The grievance oversight committee shall review the structure, function, and effectiveness of the grievance procedures implemented pursuant to this chapter.

(b) The committee is composed of nine persons appointed by the supreme court. Six members must be members of the state bar, and three members must not be members of the state bar. Of the six bar members, three must be members or former members of grievance committees.

(c) Members serve staggered three-year terms with three members' terms expiring each year.

(d) The supreme court shall designate a chairperson of the committee who serves for one year.

(e) The committee shall report its findings annually to the supreme court and include any recommendations concerning needed changes in grievance procedures or structures.

(f) All necessary and actual expenses of the committee shall be provided for and paid out of the budget of the state bar. (V.A.C.S. Art. 320a-1, Sec. 14.)

Sec. 81.077. DISBARMENT PROCEEDINGS. (a) The supreme court may not adopt or promulgate any rule abrogating the right of trial by jury of either party to a disbarment action in the county of the residence of the accused attorney.

(b) A disbarment proceeding against a resident attorney shall be instituted in a district court in the county of the attorney's residence, but the accused attorney may apply for change of venue under Rule 257, Texas Rules of Civil Procedure.

(c) This chapter does not prohibit a grievance committee from investigating a complaint of professional misconduct alleged to have occurred in the geographical area served by the committee, but any action must be filed in the county of the attorney's residence.

(d) Venue in a disbarment proceeding against a nonresident member of the state bar is in a district court either in Travis County or in any county where the alleged misconduct occurred. (V.A.C.S. Art. 320a-1, Secs. 15(a), (b), (c) (part).)

Sec. 81.078. DISCIPLINARY PROCEEDINGS. (a) Except as provided by Subsection (b), until an attorney has been convicted of the charges for disbarment pending against the attorney in a court of competent jurisdiction, the attorney may be suspended from the practice of law only if the attorney concurs in an order of suspension entered by the grievance committee.

(b) On proof of an attorney's conviction in a trial court of competent jurisdiction of any felony involving moral turpitude or of any misdemeanor involving the theft, embezzlement, or fraudulent misappropriation of money or other property, the district court of the county of the residence of the convicted attorney shall enter an order suspending the attorney from the practice of law during the pendency of any appeals from the conviction. An attorney who has been given probation after the conviction, whether adjudicated or unadjudicated, shall be suspended from the practice of law during the probation.

(c) On proof of final conviction of any felony involving moral turpitude or any misdemeanor involving theft, embezzlement, or fraudulent misappropriation of money or other property, the district court of the county of the residence of the convicted attorney shall enter an order disbarring the attorney.

(d) In an action to disbar any attorney for acts made the basis of a conviction for a felony involving moral turpitude or a misdemeanor involving theft, embezzlement, or fraudulent misappropriation of money or other property, the record of conviction is conclusive evidence of the guilt of the attorney for the crime of which he was convicted.

(e) *Either the grievance committee for the bar district or the general counsel may seek enforcement of this section.*

(f) *This chapter does not prevent prosecution of an attorney in a disciplinary action after conviction for a criminal act based either on the weight of the conviction or on conduct by the attorney that led to the attorney's conviction. (V.A.C.S. Art. 320a-1, Sec. 16.)*

[Sections 81.079–81.090 reserved for expansion]

SUBCHAPTER F. COMMITTEE ON PROFESSIONAL ETHICS

Sec. 81.091. COMMITTEE ON PROFESSIONAL ETHICS. (a) The professional ethics committee consists of nine members of the state bar appointed by the supreme court.

(b) *Members serve three-year terms with the terms of three members expiring each year.*

(c) *The supreme court shall designate a chairperson of the committee who serves for one year.*

(d) *This chapter does not prohibit the supreme court from appointing members of the judicial department to the committee. (V.A.C.S. Art. 320a-1, Sec. 18(a) (part).)*

Sec. 81.092. COMMITTEE OPINIONS. (a) The committee shall, either on its own initiative or when requested to do so by a member of the state bar, express its opinion on the propriety of professional conduct other than on a question pending before a court of this state.

(b) *Except as provided by Section 81.093, an opinion requires the concurrence of a quorum of the committee members.*

(c) *Committee opinions are not binding on the supreme court.*

(d) *As far as possible, the committee must disclose the rationale for its opinion and shall indicate whether it is based on ethical consideration or on disciplinary rules.*

(e) *The committee shall adopt rules it considers appropriate relating to the procedures to be used in expressing opinions. Rules adopted under this subsection take effect when approved by the supreme court. (V.A.C.S. Art. 320a-1, Sec. 18(b) (part).)*

Sec. 81.093. PANELS. The committee may meet in three-member panels to express its opinion on behalf of the whole committee, but an inquirer who is dissatisfied with the panel's opinion may appeal it to the full committee for review. (V.A.C.S. Art. 320a-1, Sec. 18(b) (part).)

Sec. 81.094. CERTAIN COMMITTEE DUTIES. The committee shall:

(1) *periodically publish its issued opinions to the legal profession in summary or complete form;*

(2) *on request provide copies of its issued opinions to members of the state bar or the public;*

(3) *on request advise or otherwise assist state bar committees or local bar associations relating to the Code of Professional Responsibility; and*

(4) *recommend appropriate amendments or clarifications of the Code of Professional Responsibility that it considers advisable. (V.A.C.S. Art. 320a-1, Sec. 18(b) (part).)*

Sec. 81.095. EXPENSES. The state bar shall pay all necessary and actual expenses of the committee out of the state bar budget. (V.A.C.S. Art. 320a-1, Sec. 18(a) (part).)

[Sections 81.096–81.100 reserved for expansion]

SUBCHAPTER G. UNAUTHORIZED PRACTICE OF LAW

Sec. 81.101. DEFINITION. (a) *In this chapter the “practice of law” means the preparation of a pleading or other document incident to an action or special proceeding or the management of the action or proceeding on behalf of a client before a judge in court as well as a service rendered out of court, including the giving of advice or the rendering of any service requiring the use of legal skill or knowledge, such as preparing a will, contract, or other instrument, the legal effect of which under the facts and conclusions involved must be carefully determined.*

(b) *The definition in this section is not exclusive and does not deprive the judicial branch of the power and authority under both this chapter and the adjudicated cases to determine whether other services and acts not enumerated may constitute the practice of law. (V.A.C.S. Art. 320a-1, Sec. 19(a).)*

Sec. 81.102. STATE BAR MEMBERSHIP REQUIRED. (a) *Except as provided by Subsection (b), a person may not practice law in this state unless the person is a member of the state bar.*

(b) *The supreme court may promulgate rules prescribing the procedure for limited practice of law by:*

- (1) *attorneys licensed in another jurisdiction;*
- (2) *bona fide law students; and*

(3) *unlicensed graduate students who are attending or have attended a law school approved by the supreme court. (V.A.C.S. Art. 320a-1, Sec. 10(a) (part).)*

Sec. 81.103. UNAUTHORIZED PRACTICE OF LAW COMMITTEE. (a) *The unauthorized practice of law committee for the state bar is composed of nine persons appointed by the supreme court.*

(b) *At least three of the committee members must be nonattorneys.*

(c) *Committee members serve for staggered terms of three years with three members' terms expiring each year.*

(d) *A committee member may be reappointed.*

(e) *Each year the supreme court shall designate a committee member to serve as chairperson.*

(f) *All necessary and actual expenses of the committee should be provided for and paid out of the budget of the state bar. (V.A.C.S. Art. 320a-1, Sec. 19(b) (part).)*

Sec. 81.104. DUTIES OF UNAUTHORIZED PRACTICE OF LAW COMMITTEE. *The unauthorized practice of law committee shall:*

(1) *keep the supreme court and the state bar informed with respect to:*

(A) *the unauthorized practice of law by lay persons and lay agencies and the participation of attorneys in that unauthorized practice of law; and*

(B) *methods for the prevention of the unauthorized practice of law; and*

(2) *seek the elimination of the unauthorized practice of law by appropriate actions and methods, including the filing of suits in the name of the committee. (V.A.C.S. Art. 320a-1, Sec. 19(b) (part).)*

Sec. 81.105. LOCAL COMMITTEES. *This chapter does not prohibit the establishment of local unauthorized practice of law committees to assist the unauthorized practice of law committee in carrying out its purposes. (V.A.C.S. Art. 320a-1, Sec. 19(b) (part).)*

CHAPTER 82. LICENSING OF ATTORNEYS

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CHAPTER 82. LICENSING OF ATTORNEYS

SUBCHAPTER A. BOARD OF LAW EXAMINERS

Sec. 82.001. BOARD OF LAW EXAMINERS. (a) The Board of Law Examiners is composed of nine attorneys who have the qualifications required of members of the supreme court.

(b) The supreme court biennially shall appoint the members of the board for two-year terms that expire September 30 of each odd-numbered year. A member is subject to removal by the supreme court for incompetency or inattention to duty.

(c) Appointments shall be made without regard to race, creed, sex, religion, or national origin. (V.A.C.S. Arts. 304(a), (c).)

Sec. 82.002. CONFLICT OF INTEREST. (a) A member of the Board of Law Examiners who has a financial interest, other than a remote financial interest, in a decision pending before the board is disqualified from participating in the decision.

(b) A member or employee of the board may not be an employee or paid consultant of a trade association in the field of board interest.

(c) A person who is required to register as a lobbyist under Chapter 305 may not act as general counsel to the board or serve as a member of the board. (V.A.C.S. Arts. 304(b), (d), (e).)

Sec. 82.003. OPEN RECORDS AND OPEN MEETINGS. (a) Except as provided by Subsections (b) and (c), the Board of Law Examiners is subject to the open records law, Chapter 424, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-17a, Vernon's Texas Civil Statutes), and the open meetings law, Chapter 271, Acts of the 60th Legislature, Regular Session, 1967 (Article 6252-17, Vernon's Texas Civil Statutes).

(b) Examination questions that may be used in the future and examinations other than the one taken by the person requesting it are exempt from disclosure.

(c) Deliberations relating to moral character and fitness of an applicant may be closed to the public, and records relating to these subjects are exempt from disclosure. On the written request of an applicant, however, the applicant is entitled to have disclosed to the applicant records relating to the applicant's own moral character and fitness unless the person who supplied the information has requested that it not be disclosed. The board shall not inquire of a person who supplies information whether the person objects to disclosure nor inform the person of the right to object. (V.A.C.S. Art. 304(f).)

Sec. 82.004. BOARD DUTIES. (a) The Board of Law Examiners, acting under instructions of the supreme court as provided by this chapter, shall determine the eligibility of candidates for examination for a license to practice law in this state.

(b) The board shall examine each eligible candidate as to the candidate's qualifications to practice law.

(c) The board may not recommend any person for a license to practice law unless the person has shown to the board, in the manner prescribed by the supreme court, that the person is of the moral character and of the capacity and attainment proper for that person to be licensed.

(d) On written request of an applicant who fails an examination administered by the board, the board shall give the applicant an oral or written analysis of the applicant's performance on the examination. The applicant may record an oral analysis. (V.A.C.S. Art. 305.)

Sec. 82.005. BOARD COMPENSATION. (a) The supreme court shall set the compensation of each member of the Board of Law Examiners, excluding reasonable and necessary actual expenses, at an amount that does not exceed \$20,000 a year.

(b) Chapter 46, Acts of the 59th Legislature, Regular Session, 1965 (Article 6813b, Vernon's Texas Civil Statutes), does not apply to the compensation set under this section. (New; V.A.C.S. Arts. 310(a) (part), (c) (part).)

Sec. 82.006. SUNSET PROVISION. The Board of Law Examiners is subject to the Texas Sunset Act (Chapter 325). Unless continued in existence as provided by that chapter, the board is abolished September 1, 1991. (V.A.C.S. Art. 304a.)

[Sections 82.007-82.020 reserved for expansion]

SUBCHAPTER B. LICENSING OF ATTORNEYS

Sec. 82.021. SUPREME COURT AUTHORITY. Only the supreme court may issue licenses to practice law in this state as provided by this chapter. The power may not be delegated. (V.A.C.S. Art. 306(a) (part).)

Sec. 82.022. SUPREME COURT RULEMAKING. (a) The supreme court may adopt rules on eligibility for examination for a license to practice law and on the manner in which the examination is conducted. The rules may include:

(1) provisions to ensure:

(A) good moral character of each candidate for a license;

(B) adequate prelegal study and attainment; and

(C) adequate study of the law for at least two years, covering the course of study prescribed by the supreme court or the equivalent of that course;

(2) the legal topics to be covered by the course of study and by the examination;

(3) *the times and places for holding the examination;*

(4) *the manner of conducting the examination;*

(5) *the grades necessary for licensing; and*

(6) *any other matter consistent with this chapter desirable to make the issuance of a license to practice law evidence of good character and fair capacity and attainment and proficiency in the knowledge of law.*

(b) *The supreme court shall adopt rules necessary to administer its functions and to govern the administration of the Board of Law Examiners' functions relating to the licensing of lawyers. (V.A.C.S. Arts. 306(a) (part), (b).)*

Sec. 82.023. DECLARATION OF INTENTION TO STUDY LAW. (a) Each person intending to apply for admission to the bar must file with the Board of Law Examiners, on a form provided by the board, a declaration of intention to study law.

(b) *The form for the declaration must clearly identify those conditions of character and fitness set out in Section 82.027 that may be investigated by the board and that may result in the denial of the declarant's application to take the examination.*

(c) *The board shall notify each first-year law student who files the declaration on or before January 1 of the year in which the student begins law school, not later than August 1 of the following year, of the board's decision as to the student's acceptable character and fitness. The board shall notify all other declarants not later than the 270th day after the date the declaration was filed whether or not it has determined that the declarant has acceptable character and fitness.*

(d) *If the board determines that an applicant does not have acceptable character and fitness, the notice of the decision must be accompanied by an analysis of the character investigation that specifies in detail the results of the investigation. (V.A.C.S. Art. 305a(d) (part).)*

Sec. 82.024. LAW STUDY REQUIREMENTS. A person who has completed the prescribed study in an approved law school has satisfied the law study requirements for taking the examination for a license to practice law. An approved law school is one that is approved by the supreme court for the time period designated by the court as maintaining the additional standards to retain approval. (V.A.C.S. Art. 306(a) (part).)

Sec. 82.025. EXEMPTION FOR LEGISLATIVE SERVICE. (a) The following legislative service or service and education may be substituted for the prelegal study and training and study of the law required of candidates for the examination for a license to practice law:

(1) *membership in the legislature for 12 consecutive years;*

(2) *membership in the legislature for eight consecutive years and a bachelor's degree or its equivalent;*

(3) *membership in the legislature for four consecutive years, a bachelor's degree or its equivalent, and adequate study of the law for at least two years at an approved law school; or*

(4) *service in both houses of the legislature and a master's degree or its equivalent.*

(b) *A person applying for an exemption under this section must meet the requirements of Subsection (a) before applying to take the examination.*

(c) *A person applying for an exemption under this section has given sufficient notice if the person gives to the clerk of the supreme court 30 days' notice of intention to take the examination.*

(d) *This section does not affect the supreme court requirements relating to moral character.*

(e) *This section applies only to persons who were members of the legislature before the 64th Legislature, Regular Session, convened in January 1975. (V.A.C.S. Art. 306a, Sec. 2(a).)*

Sec. 82.026. EXEMPTION FOR CERTAIN RESIDENT ATTORNEYS. (a) The supreme court, by general order, may exempt from the examination for prelegal or legal studies and attainments any attorney at law who:

(1) has been licensed and has practiced law for at least seven years in a state that gives persons licensed to practice law in this state the same or similar reciprocal privileges;

(2) has not been disbarred or had the attorney's license to practice law suspended;

(3) has been licensed to practice law before the Supreme Court of the United States; and

(4) has resided in this state for the 24-month period immediately preceding issuance of a license to practice law in this state.

(b) An attorney exempt from examination under this section must furnish the evidence as to moral character required of candidates to take the bar examination in this state. (V.A.C.S. Art. 306a, Sec. 1.)

Sec. 82.027. APPLICATION FOR EXAMINATION. (a) Each applicant to take a bar examination must file an application with the Board of Law Examiners not later than the 180th day before the first day of the examination for which the person is applying.

(b) The application consists of a verified affidavit stating that since the filing of the applicant's original declaration of intention to study law, the applicant:

(1) has not been formally charged with any violation of law, excluding:

(A) cases that have been dismissed for reasons other than technical defects in the charging instrument;

(B) cases in which the applicant has been found not guilty;

(C) minor traffic violations;

(D) cases in which the record of arrest or conviction was expunged by court order;

(E) pardoned offenses; and

(F) Class C misdemeanors;

(2) is not mentally ill;

(3) has not been charged with fraud in any legal proceeding; and

(4) has not been involved in civil litigation or bankruptcy proceedings that reasonably bear on the applicant's fitness to practice law. (V.A.C.S. Art. 305a(e).)

Sec. 82.028. MORAL CHARACTER AND FITNESS OF APPLICANT. (a) The Board of Law Examiners may conduct an investigation of the moral character and fitness of each applicant for a license.

(b) The board may contract with public or private entities for investigative services relating to the moral character and fitness of applicants.

(c) The board may not recommend denial of a license and the supreme court may not deny a license to an applicant because of a deficiency in the applicant's moral character or fitness unless:

(1) the board finds a clear and rational connection between a character trait of the applicant and the likelihood that the applicant would injure a client or obstruct the administration of justice if the applicant were licensed to practice law; or

(2) the board finds a clear and rational connection between the applicant's present mental or emotional condition and the likelihood that the applicant will not discharge properly the applicant's responsibilities to a client, a court, or the legal profession if the applicant is licensed to practice law.

(d) The board shall limit its investigation under this section to those areas clearly related to the applicant's moral character and present fitness to practice law. (V.A.C.S. Arts. 305a(a), (b), (c), (d) (part).)

Sec. 82.029. ACCESS TO CRIMINAL HISTORY RECORDS. (a) The Board of Law Examiners is authorized to obtain criminal history record information (CHRI) relating to an applicant that is maintained by the Texas Department of Public Safety or the Federal Bureau of Investigation identification division.

(b) The board may obtain criminal history record information from any law enforcement agency.

(c) The criminal history record information obtained under this section is for the exclusive use of the board and is privileged and confidential. The criminal history record information may not be released or otherwise disclosed to any person or agency except on court order or consent of the applicant. Immediately following the board's decision on recommending the applicant, the board shall collect and seal all criminal history record information obtained under this section.

(d) Except as authorized by Subsection (c), a person commits an offense if the person intentionally or knowingly releases or discloses criminal history record information obtained under this section. An offense under this subsection is a Class B misdemeanor. (V.A.C.S. Art. 305b.)

Sec. 82.030. BOARD ASSESSMENT OF MORAL CHARACTER AND FITNESS. (a) The Board of Law Examiners shall assess each applicant's moral character and fitness based on:

(1) the investigation of character and fitness performed after the filing of the declaration of intention to study law; and

(2) the filing of the affidavit required by Section 82.027 and the board's investigation into the accuracy and completeness of the affidavit.

(b) If the board determines that the applicant does not have the requisite good moral character and fitness, the board, not later than the 150th day after the day on which the application is filed, shall furnish the applicant an analysis of the character investigation that specifies in detail the results of the investigation. (V.A.C.S. Art. 305a(f).)

Sec. 82.031. DISTRICT COMMITTEE ON ADMISSIONS. (a) The supreme court shall appoint a district committee on admissions in each of the state bar districts to investigate qualifications for admission to the bar. A district committee must be composed of at least 15 members.

(b) Three members of each district committee must be at the time of appointment representatives of the general public who do not have, other than as consumers, a financial interest in the practice of law. Three members must be at the time of appointment lawyers who are licensed to practice law in this state. Except as provided by Subsection (c), the remaining members must be either similarly qualified representatives of the general public or lawyers.

(c) In a bar district in which a law school approved by the supreme court is located, three members of the committee must be at the time of appointment law students who are enrolled in a law school in the bar district approved by the supreme court.

(d) Members of a district committee on admissions serve two-year terms that expire January 21 of each odd-numbered year.

(e) The supreme court shall appoint a chairman of each district committee on admissions.

(f) Five members of a district committee on admissions constitute a quorum. (V.A.C.S. Arts. 305c(a) (part), (b), (c), (d), (e), (f).)

Sec. 82.032. DISTRICT COMMITTEE INVESTIGATION. (a) The district committee shall aid the board in investigating the moral character and fitness of persons filing declarations of intention to study law. The district committee on admissions investigates the qualifications of a person for admission to the bar only at the time of filing of the declaration of intention to study law.

(b) *The supreme court shall adopt rules that:*

- (1) *require the district committees to treat uniformly and impartially persons filing declarations of intention to study law;*
- (2) *establish uniform practices and procedures for the district committees; and*
- (3) *provide for guidance and oversight of the committees by the board. (V.A.C.S. Arts. 305c(a) (part), (g), (h), (i).)*

Sec. 82.033. FEES. (a) The supreme court shall set the fee for the investigation of the moral character and fitness of each candidate at an amount that does not exceed \$150. The candidate must pay the investigation fee to the Board of Law Examiners at the time it is requested by the board.

(b) The supreme court shall set the fee for any examination given by the board at an amount that does not exceed \$150. The candidate must pay the fee to the board at the time the candidate applies for examination.

(c) The supreme court may set an application fee for foreign attorneys at an amount that does not exceed \$700.

(d) The supreme court may set reasonable fees for additional services provided by the board, but the fee for any single additional service may not exceed \$150.

(e) The fees set by the supreme court must be sufficient to pay all costs of the board, including staff salaries, compensation to members of the board, and costs of investigation and administering the examinations, so that state general revenue funds are not necessary to operate the board.

(f) The board may adopt rules that provide for waiving or lowering for indigent persons a fee required by this section. (V.A.C.S. Arts. 310(a) (part), (b), (e), (f), (g), (h).)

Sec. 82.034. USE OF FUNDS. Fees received by the Board of Law Examiners shall be deposited in a fund established by the supreme court. The fund may be used only to administer the functions of the supreme court and the board relating to the licensing of lawyers. The fund shall be used as directed by the supreme court and under supreme court rules. (V.A.C.S. Art. 310(c) (part).)

Sec. 82.035. AUDIT. The state auditor shall audit the financial transactions of the Board of Law Examiners. (V.A.C.S. Art. 310(d).)

Sec. 82.036. FOREIGN ATTORNEYS. (a) The Board of Law Examiners shall recommend to the supreme court that it license and the supreme court shall issue a license to an applicant who:

- (1) *has practiced law for at least three years; and*
- (2) *has a license to practice law issued by another state whose licensing standards are at least equivalent to the licensing standards of this state.*

(b) If an applicant is from another state whose licensing standards are not equivalent to or do not exceed those of this state but the applicant otherwise meets the requirements of Subsection (a), the board may require the applicant to take the examination for a license to practice law.

(c) All foreign attorneys licensed as provided by this section must furnish satisfactory proof of good moral character and fitness. (V.A.C.S. Art. 308.)

Sec. 82.037. OATH OF ATTORNEY. (a) Each person admitted to practice law shall, before receiving a license, take an oath that the person will:

- (1) *support the constitutions of the United States and this state;*
- (2) *honestly demean himself in the practice of law; and*
- (3) *discharge the attorney's duty to his client to the best of the attorney's ability.*

(b) *The oath shall be endorsed on the license, subscribed by the person taking the oath, and attested by the officer administering the oath. (V.A.C.S. Art. 309.)*

[Sections 82.038–82.060 reserved for expansion]

SUBCHAPTER C. ATTORNEY CONDUCT

Sec. 82.061. MISBEHAVIOR OR CONTEMPT. (a) An attorney at law may be fined or imprisoned by any court for misbehavior or for contempt of the court.

(b) An attorney may not be suspended or stricken from the rolls for contempt unless the contempt involves fraudulent or dishonorable conduct or malpractice. (V.A.C.S. Art. 312.)

Sec. 82.062. DISBARMENT. Any attorney who is guilty of barratry, any fraudulent or dishonorable conduct, or malpractice may be suspended from practice, or the attorney's license may be revoked, by a district court of the county in which the attorney resides or in which the act complained of occurred. An attorney may be suspended from practice or the attorney's license may be revoked under this section regardless of the fact that the act complained of may be an offense under the Penal Code and regardless of whether the attorney is being prosecuted for or has been convicted of the offense. (V.A.C.S. Art. 313.)

Sec. 82.063. RETENTION OF CLIENT'S MONEY. (a) A person may bring an action against the person's attorney if the attorney receives or collects money for the person and refuses to pay the money to the person on demand.

(b) To recover under this section the person must file a motion with a district court in either the county in which the attorney usually resides or the county in which the attorney resided when the attorney collected or received the money.

(c) Notice of the motion and a copy of the motion shall be served on the attorney not later than the fifth day before the trial.

(d) If the motion is sustained, judgment shall be rendered against the defendant for the amount collected or received and at least 10 percent but not more than 20 percent damages on the principal sum. (V.A.C.S. Art. 317.)

Sec. 82.064. OFFICERS NOT TO APPEAR. (a) A judge or clerk of the supreme court, the court of criminal appeals, a court of appeals, or a district court, a sheriff or deputy sheriff, or a constable may not appear and plead as an attorney at law in any court of record in this state.

(b) A county judge or county clerk who is licensed to practice law may not appear and practice as an attorney at law in any county or justice court except in cases over which the court in which the judge or clerk serves has neither original nor appellate jurisdiction.

(c) A county clerk who is licensed to practice law may not appear and practice as an attorney at law in the supreme court, the court of criminal appeals, a court of appeals, or a district court unless the court in which the clerk serves has neither original nor appellate jurisdiction. (V.A.C.S. Art. 319; Sec. 21.003, Government Code.)

SECTION 3.02. (a) The following articles and acts as compiled in Vernon's Texas Civil Statutes are repealed: 304, 304a, 305, 305a, 305b, 305c, 306, 306a, 308, 309, 310, 312, 313, 314, 315, 316, 317, 319, and 320a-1.

(b) Section 21.003, Government Code, is repealed.

ARTICLE IV. STATUTORY COUNTY COURTS

SECTION 4.01. Subtitle A, Title 2, Government Code, is amended by adding Chapter 25 to read as follows:

CHAPTER 25. STATUTORY COUNTY COURTS

SUBCHAPTER A. GENERAL PROVISIONS

- Sec. 25.0001. APPLICATION OF SUBCHAPTER
 Sec. 25.0002. DEFINITION
 Sec. 25.0003. JURISDICTION
 Sec. 25.0004. POWERS AND DUTIES
 Sec. 25.0005. JUDGE'S SALARY
 Sec. 25.0006. BOND; REMOVAL
 Sec. 25.0007. JURIES; PRACTICE AND PROCEDURE
 Sec. 25.0008. FEES
 Sec. 25.0009. VACANCY
 Sec. 25.0010. FACILITIES; PERSONNEL
 Sec. 25.0011. SEAL
 Sec. 25.0012. EXCHANGE OF JUDGES IN CERTAIN COUNTY COURTS AT LAW AND COUNTY CRIMINAL COURTS

[Sections 25.0013–25.0020 reserved for expansion]

SUBCHAPTER B. GENERAL PROVISIONS RELATING TO STATUTORY PROBATE COURTS

- Sec. 25.0021. JURISDICTION
 Sec. 25.0022. ASSIGNMENT OF JUDGES OF STATUTORY PROBATE COURTS
 Sec. 25.0023. COMPENSATION OF CERTAIN PROBATE COURT JUDGES
 Sec. 25.0024. COURT COORDINATORS, ADMINISTRATIVE ASSISTANTS, AND AUDITORS FOR STATUTORY PROBATE COURTS

[Sections 25.0025–25.0030 reserved for expansion]

SUBCHAPTER C. PROVISIONS RELATING TO PARTICULAR COUNTIES

CHAPTER 25. STATUTORY COUNTY COURTS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 25.0001. APPLICATION OF SUBCHAPTER. (a) This subchapter applies to each statutory county court in this state. If a provision of this subchapter conflicts with a specific provision for a particular court or county, the specific provision controls.

(b) A statement in Subchapter C that a general provision of this subchapter does not apply to a specific statutory court or the statutory courts of a specific county does not affect the application of other laws on the same subject that may affect the court or courts. (New.)

Sec. 25.0002. DEFINITION. In this chapter, "family law cases and proceedings" includes cases and proceedings involving adoptions, birth records, or removal of disability of minority or coverture; change of names of persons; child welfare, custody, support and reciprocal support, dependency, neglect, or delinquency; paternity; termination of parental rights; divorce and marriage annulment, including the adjustment of property rights, custody and support of minor children involved therein, temporary support pending final hearing, and every other matter incident to divorce or annulment proceedings; independent actions involving child support, custody of minors, and wife or child desertion; and independent actions involving controversies between parent and child, between parents, and between spouses. (New.)

Sec. 25.0003. JURISDICTION. (a) A statutory county court has jurisdiction over all causes and proceedings, civil and criminal, original and appellate, prescribed by law for county courts.

(b) A statutory county court does not have jurisdiction over causes and proceedings concerning roads, bridges, and public highways and the general administration of county business that is within the jurisdiction of the commissioners court of each county.

(c) A statutory county court exercising civil jurisdiction concurrent with the constitutional jurisdiction of the county court has concurrent jurisdiction with the district court in civil cases in which the matter in controversy exceeds \$500 but does not exceed \$5,000, excluding interest. (V.A.C.S. Art. 1970a; New.)

Sec. 25.0004. **POWERS AND DUTIES.** (a) A statutory county court or its judge may issue writs of injunction, mandamus, sequestration, attachment, garnishment, certiorari, supersedeas, and all writs necessary for the enforcement of the jurisdiction of the court. It may issue writs of habeas corpus in cases where the offense charged is within the jurisdiction of the court or any court of inferior jurisdiction in the county.

(b) A statutory county court or its judge may punish for contempt as prescribed by general law.

(c) The judge of a statutory county court has all other powers, duties, immunities, and privileges provided by law for county court judges.

(d) The judge of a statutory county court has no authority over the county's administrative business that is performed by the county judge. (New.)

Sec. 25.0005. **JUDGE'S SALARY.** (a) Subject to any salary requirements otherwise imposed by this chapter for a particular court or county, the commissioners court sets the salary of each statutory county court judge.

(b) The salary shall be paid in equal monthly installments. (New.)

Sec. 25.0006. **BOND; REMOVAL.** (a) The judge of a statutory county court must execute a bond as prescribed by law for county judges.

(b) The judge of a statutory county court may be removed from office in the same manner and for the same reasons as a county judge. (New.)

Sec. 25.0007. **JURIES; PRACTICE AND PROCEDURE.** The drawing of jury panels, selection of jurors, and practice in the statutory county courts must conform to that prescribed by law for county courts, except that practice, procedure, rules of evidence, issuance of process and writs, juries, and all other matters pertaining to the conduct of trials and hearings in the statutory county courts involving those matters of concurrent jurisdiction with district courts are governed by the laws and rules pertaining to district courts. (New.)

Sec. 25.0008. **FEES.** A judge of a statutory county court shall assess the same fees as are prescribed by law relating to county judges' fees. The clerk of the court shall collect the fees and pay them into the county treasury on collection. A fee may not be paid to the judge. (New.)

Sec. 25.0009. **VACANCY.** (a) The commissioners court of each county shall appoint a person to fill a vacancy in the office of judge of a statutory county court.

(b) The appointee holds office until the next general election and until the successor is elected and has qualified.

(c) This section applies to a vacancy existing on creation of the office of judge. (New.)

Sec. 25.0010. **FACILITIES; PERSONNEL.** (a) The commissioners court of each county shall provide the physical facilities necessary to operate the statutory county court in each county.

(b) The county attorney or criminal district attorney and sheriff shall serve each statutory county court. The county clerk shall serve as clerk of each statutory county court. The court officials shall perform the duties and responsibilities of their offices and are entitled to the compensation, fees, and allowances prescribed by law for those offices. (New.)

Sec. 25.0011. **SEAL.** The seal of each statutory county court is the same as that provided by law for a county court except that the seal must contain the name of the statutory county court as it appears in this chapter. (New.)

Sec. 25.0012. **EXCHANGE OF JUDGES IN CERTAIN COUNTY COURTS AT LAW AND COUNTY CRIMINAL COURTS.** In any county with a population of more than 300,000, the judge of a county criminal court and the judge of a county court at law

may hold court for or with one another. The county criminal court has the necessary civil jurisdiction to hold court for the county court at law. (V.A.C.S. Art. 1969a-1.)

[Sections 25.0013–25.0020 reserved for expansion]

SUBCHAPTER B. GENERAL PROVISIONS RELATING TO
STATUTORY PROBATE COURTS

Sec. 25.0021. JURISDICTION. A statutory probate court as that term is defined in Section 3(ii), Texas Probate Code, has the general jurisdiction of a probate court as provided by the Texas Probate Code. (New.)

Sec. 25.0022. ASSIGNMENT OF JUDGES OF STATUTORY PROBATE COURTS.
(a) "Statutory probate court" has the meaning assigned by Section 3, Texas Probate Code.

(b) The judges of the statutory probate courts shall elect from their number a presiding judge of the statutory probate courts.

(c) In addition to all other compensation, expenses, and perquisites authorized by law, the presiding judge shall be paid an annual compensation of \$5,000 for performing the duties of a presiding judge. The presiding judge is entitled to receive reasonable expenses incurred in administering those duties.

(d) The salary and expenses are paid by the counties that have statutory probate courts, apportioned according to the number of statutory probate courts in the county.

(e) Each county pays annually to the presiding judge, from fees collected pursuant to Section 1A, Article 3930(b), Revised Statutes, the amount of the salary apportioned to it as provided by this section and the other expenses authorized by this section.

(f) The presiding judge shall place each county's payment of salary and other expenses in an administrative fund, from which the salary and other expenses are paid. The salary shall be paid in equal monthly installments.

(g) The presiding judge serves for a four-year term from the date of qualification as the presiding judge.

(h) The presiding judge shall appoint an assistant presiding judge of the statutory probate courts. The assistant presiding judge may assign probate judges as provided by this section and perform the office of presiding judge:

(1) on the death or resignation of the presiding judge and until a successor presiding judge is elected; or

(2) when the presiding judge is unable to perform the duties of the office because of absence, disqualification, disabling illness, or other incapacity.

(i) Judges may be assigned in the manner provided by this section to hold court in a county court or any statutory court exercising probate jurisdiction when:

(1) the regular judge requests assignment of another judge to the judge's court;

(2) the regular judge is absent, disabled, or disqualified for any reason;

(3) the regular judge is present or is trying cases as authorized by the constitution and laws of this state; or

(4) the office of the regular judge is vacant.

(j) A judge or retired judge of a statutory probate court may be assigned by the presiding judge as provided by this section.

(k) The presiding judge shall call and preside over an annual meeting of the judges of the statutory probate courts on a date and at a time and place in the state designated by the presiding judge.

(l) The presiding judge may call and convene additional meetings of the judges of the statutory probate courts that the presiding judge considers necessary for the promotion of the orderly and efficient administration of justice.

(m) At the annual meeting, the judges shall:

(1) study the statistics reflecting the condition of the dockets of the probate courts of the state to determine the need for the assignment of judges under this section; and

(2) compare the local rules of court to achieve the uniformity of rules that is practical and consistent with local conditions.

(n) A judge assigned under this section has the jurisdiction, powers, and duties given by Sections 5 and 5A, Texas Probate Code, to the regular judge of the court to which assigned.

(o) Except as otherwise provided by this section, the salary, compensation, and expenses of a judge assigned under this section are paid in accordance with state law.

(p) The daily compensation of a retired judge for purposes of this section is set at an amount equal to $\frac{1}{55}$ th of the annual salary of a judge of a statutory probate court in the county in which the assigned judge served immediately preceding retirement.

(q) An assigned judge is entitled to receive reasonable and necessary expenses for travel, lodging, and food. The assigned judge shall furnish the presiding judge, for certification, an accounting of those expenses with a statement of the number of days the judge served.

(r) The presiding judge shall certify to the county judge in the county in which the assigned judge served:

- (1) the expenses approved under Subsection (q); and
- (2) a determination of the assigned judge's salary.

(s) The county in which the assigned judge served shall pay out of the general fund of the county:

- (1) expenses certified under Subsection (q) to the assigned judge; and
- (2) the salary certified under Subsection (q) to the county in which the assigned judge serves, or, if the assigned judge is retired, to the assigned judge.

(t) In addition to all compensation and expenses authorized by this section and other law, a judge who is assigned to a court outside the county of the judge's residence is entitled to receive \$25 for each day or fraction of a day served. The county in which the judge served shall pay the additional compensation from the county's general fund on certification by the presiding judge.

(u) When required to attend an annual or special meeting prescribed by this section, a judge is entitled to receive, in addition to all other compensation allowed by law, actual and necessary travel expenses incurred going to and returning from the place of the meeting and actual and necessary expenses while attending the meeting. On certification by the presiding judge, the judge's county of residence shall pay the expenses from the county's general fund. (V.A.C.S. Art. 1969b, Secs. 2, 3, 3A, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13.)

Sec. 25.0023. COMPENSATION OF CERTAIN PROBATE COURT JUDGES. In any county having a population of 700,000 or more, the commissioners court shall set the annual salary of each judge of a statutory probate court at an amount that is at least equal to the total annual salary, including supplements, received by a district judge in the county. The salary shall be paid in equal monthly installments. (V.A.C.S. Art. 3883i-3.)

Sec. 25.0024. COURT COORDINATORS, ADMINISTRATIVE ASSISTANTS, AND AUDITORS FOR STATUTORY PROBATE COURTS. (a) A judge of a statutory probate court in a county with a population of 500,000 or more may hire with the approval of the commissioners court through the county budget process a court coordinator, an administrative assistant, and an auditor for the court.

(b) Court personnel employed under this section are entitled to receive a salary set by the commissioners court. The county shall pay the salary in the same manner that other county employees are paid.

(c) Court personnel employed under this section are entitled to receive the same employment benefits, in addition to salary, that other county employees receive. (V.A.C.S. Art. 1970a-2.)

[Sections 25.0025–25.0030 reserved for expansion]

SUBCHAPTER C. PROVISIONS RELATING TO PARTICULAR COUNTIES

Sec. 25.0031. ANDERSON COUNTY. (a) Anderson County has one statutory county court, the County Court at Law of Anderson County.

(b) The County Court at Law of Anderson County sits in Palestine. (V.A.C.S. Art. 1970-377, Sec. 1.)

Sec. 25.0032. ANDERSON COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Anderson County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts;

(2) concurrent jurisdiction with the district court in:

(A) probate matters and proceedings, including will contests;

(B) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest; and

(C) family law cases and proceedings; and

(3) concurrent jurisdiction with the county and district courts over all suits arising under the Family Code.

(b) A county court at law has four terms of court beginning on the first Mondays of January, April, July, and October.

(c) The judge of a county court at law must:

(1) be a qualified voter in Anderson County;

(2) have resided in Anderson County for at least two years; and

(3) be a licensed attorney in this state who has actively practiced law or been a judge of a court in the state, or both combined, for at least four years before appointment or election.

(d) The judge of a county court at law may not engage in the private practice of law.

(e) The salary of the judge of a county court at law shall be paid out of the county treasury by the commissioners court. The judge is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as the county judge.

(f) A special judge of a county court at law with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If a judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(g) The district clerk serves as clerk of a county court at law in all cases arising under the Family Code and Section 23.001 and shall establish a separate docket for a county court at law; the county clerk serves as clerk of the court in all other cases. The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve the court.

(h) The judge of a county court at law may appoint an official court reporter or the judge may contract for the services of a court reporter under guidelines established by the commissioners court.

(i) Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs,

and all other matters pertaining to the conduct of trials and hearings in a county court at law involving cases under the Family Code and Section 23.001 are governed by this section and the laws and rules pertaining to district courts and county courts. If a case under the Family Code or Section 23.001 is tried before a jury, the jury shall be composed of 12 members.

(j) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. Jurors regularly impaneled for a week by the district court may, on request of the judge of a county court at law, be made available and shall serve for the week in a county court at law.

(k) Appeals in all civil cases from judgments and orders of a county court at law are to the court of appeals as provided for appeals from district and county courts. Appeals in all criminal cases are to the court of appeals as provided for appeals from county courts. All cases appealed from the justice courts and other inferior courts in Anderson County must be made directly to a county court at law, unless otherwise provided by law. (V.A.C.S. Art. 1970-377, Secs. 2(a) (part), (b) (part), (c) (part), (d) (part), 3 (part), 4(a), (e) (part), (f), (g), 5(a) (part), (b) (part), 7, 10.)

[Sections 25.0033-25.0040 reserved for expansion]

[Sections 25.0041-25.0050 reserved for Andrews County]

Sec. 25.0051. ANGELINA COUNTY. Angelina County has one statutory county court, the County Court at Law of Angelina County. (V.A.C.S. Art. 1970-355, Sec. 1(a).)

Sec. 25.0052. ANGELINA COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Angelina County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in civil cases in which the matter in controversy exceeds \$500 but does not exceed \$10,000, excluding interest.

(b) The commissioners court by order entered of record shall set at least four terms of court each year for the county court at law.

(c) A judge of a county court at law must:

(1) be a licensed and practicing member of the state bar;

(2) be well informed in the laws of this state; and

(3) have resided in and been actively engaged in the practice of law in the county for at least two years before the general election.

(d) The judge of a county court at law shall be paid an annual salary of at least \$14,000. The salary shall be paid out of the county treasury on order of the commissioners court.

(e) A person appointed to fill a vacancy in the office of judge of a county court at law must meet the qualifications for the regular judge.

(f) A special judge of a county court at law may be appointed in the manner provided by law for the appointment of a special county judge. A special judge must have the same qualifications, and is entitled to the same rate of compensation, as the regular judge.

(g) The commissioners court may employ as many additional assistant county attorneys, deputy sheriffs, and clerks as are necessary for the county court at law. Those serving shall perform the duties and are entitled to the compensation, fees, and allowances prescribed by law for those offices.

(h) Practice in a county court at law must conform to that prescribed by law for county courts.

(i) Sections 25.0007 and 25.0011 do not apply to a county court at law in Angelina County. (V.A.C.S. Art. 1970-355, Secs. 1(b) (part), 3, 4(a) (part), (b) (part), (d) (part), (e), 5(a) (part), 6; New.)

[Sections 25.0053-25.0060 reserved for expansion]

[Sections 25.0061-25.0070 reserved for Aransas County]

[Sections 25.0071-25.0080 reserved for Archer County]

[Sections 25.0081-25.0090 reserved for Armstrong County]

[Sections 25.0091-25.0100 reserved for Atascosa County]

Sec. 25.0101. AUSTIN COUNTY. Austin County has one statutory county court, the County Court at Law of Austin County. (V.A.C.S. Art. 1970-392, Sec. 1.)

Sec. 25.0102. AUSTIN COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Austin County has concurrent jurisdiction with the district court in:

(1) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest and any requested attorney's fees; and

(2) family law cases and proceedings.

(b) A county court at law has terms beginning on the first Mondays of March, June, September, and December of each year.

(c) The judge of a county court at law must:

(1) be a licensed attorney in this state who has actively practiced law for at least four years before appointment or election;

(2) be well informed in the laws of the state; and

(3) have resided in and actively practiced law in the county for at least two years immediately preceding appointment or election.

(d) The judge of a county court at law may not engage in the private practice of law.

(e) The judge of a county court at law shall be paid an annual salary that is at least equal to 75 percent of the annual salary paid by the state to a district judge in the county. The salary shall be paid by the county treasurer on order of the commissioners court. The judge is entitled to travel expenses and necessary office expenses including administrative and clerical personnel, in the same manner as is allowed the county judge.

(f) A special judge for a county court at law may be appointed or elected as provided by law for county courts. If the judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge. A special judge is entitled to the same rate of compensation as the regular judge.

(g) The district clerk serves as clerk of a county court at law in family law cases and proceedings, and the county clerk serves as clerk of the court in all other cases. The district clerk shall establish a separate docket for a county court at law. The commissioners court may employ the assistant district attorneys, deputy sheriffs, and bailiffs necessary to serve a county court at law.

(h) Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings in the county court at law involving family law cases and proceedings shall be governed by this section and the laws and rules pertaining to district courts. If a family law case or proceeding is tried before a jury, the jury shall be composed of 12 members; in all other cases the jury shall be composed of six members.

(i) The jurisdiction and authority vested by law in the county court for the drawing, selection, and service of jurors shall also be exercised by a county court at

law. Jurors summoned for the county court or a county court at law may, by order of the judge of the court to which they are summoned, be transferred to another court for service. If the judges of the county court and the county court at law agree, jurors may be summoned for service in a court and used interchangeably. On request of the county court judge or the judge of a county court at law, jurors regularly impaneled for a week by the district court may be made available and shall serve for the week in the county court or county court at law.

(j) The County Court at Law of Austin County is abolished and Section 25.0101 and this section expire December 31, 1991. (V.A.C.S. Art. 1970-392, Secs. 2(b) (part), 5 (part), 6(a), (c), (f) (part), (g), 7, 8 (part), 11, 13, 16; New.)

[Sections 25.0103-25.0110 reserved for expansion]

[Sections 25.0111-25.0120 reserved for Bailey County]

[Sections 25.0121-25.0130 reserved for Bandera County]

Sec. 25.0131. BASTROP COUNTY. Bastrop County has one statutory county court, the County Court at Law of Bastrop County. (V.A.C.S. Art. 1970-393, Sec. 1.)

Sec. 25.0132. BASTROP COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Bastrop County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the matter in controversy exceeds \$500 but does not exceed \$50,000, excluding interest; and

(B) family law cases and proceedings.

(b) The judge of a county court at law must:

(1) be a qualified voter in Bastrop County;

(2) have been a resident of the county for at least six months;

(3) have been a licensed attorney in this state for at least two years; and

(4) have been actively practicing law for at least one year.

(c) The judge of a county court at law shall be paid an annual salary paid out of the county treasury that does not exceed 90 percent of the salary paid by the state to a district judge in the county. The judge is entitled to travel expenses and necessary office expenses, including administrative and clerical help, in the same manner as the county judge.

(d) A special judge for a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If the judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge. The special judge must have the same qualifications as the regular judge. A special judge is entitled to the same rate of compensation as the regular judge.

(e) The district clerk serves as clerk of a county court at law in family law cases and proceedings, and the county clerk serves as clerk of the court in all other cases. The district clerk shall establish a separate docket for a county court at law. The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve a county court at law.

(f) Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings in a county court at law involving family law cases and proceedings is that prescribed by law for district courts and county courts. If a family law case or proceeding is tried before a jury, the jury shall be composed of 12 members.

(g) *The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law.*

(h) *Jurors regularly impaneled for a week by the district court may, on request of the judge of a county court at law, be made available and shall serve for the week in the county court at law. (V.A.C.S. Art. 1970-393, Secs. 2(a) (part), (b) (part), (c) (part), 5(a), (d) (part), (f), 6(a) (part), 8.)*

[Sections 25.0133-25.0140 reserved for expansion]

[Sections 25.0141-25.0150 reserved for Baylor County]

[Sections 25.0151-25.0160 reserved for Bee County]

Sec. 25.0161. BELL COUNTY. Bell County has the following statutory county courts:

(1) County Court at Law No. 1 of Bell County; and

(2) County Court at Law No. 2 of Bell County. (V.A.C.S. Art. 1970-350, Secs. 1(a), 1A; Art. 1970-350a, Sec. 1(a).)

Sec. 25.0162. BELL COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Bell County has, concurrent with the county court, the probate jurisdiction provided by general law for county courts.

(b) The commissioners court, by an order entered of record, shall prescribe at least four terms of court each year for a county court at law.

(c) The judge of the County Court at Law No. 1 must:

(1) have been a licensed and practicing member of the state bar for at least three years;

(2) be well informed in the laws of this state; and

(3) have resided in and actively practiced law in the county for at least two years before the general election.

(d) The judge of the County Court at Law No. 2 must:

(1) have been a licensed and practicing member of the state bar for at least three years;

(2) be well informed in the laws of this state; and

(3) have resided in and actively practiced law in the county for at least two years before election or appointment.

(e) The judge of a county court at law shall be paid an annual salary in an amount not to exceed the salary set by the commissioners court for the county judge. The salary shall be paid out of the county treasury on order of the commissioners court.

(f) The judge of a county court at law may not appear and plead as an attorney in a court of record in this state.

(g) A special judge of a county court at law may be appointed in the manner provided by law for the appointment of a special county judge. A special judge must have the same qualifications and is entitled to the same rate of compensation as the regular judge.

(h) Practice in a county court at law is that prescribed by law for county courts.

(i) Jurors regularly impaneled for the week by the district court may, at the request of the county judge or the judge of a county court at law, be made available by the district judge in the numbers requested and shall serve for the week in the county court or a county court at law.

(j) Section 25.0011 does not apply to a county court at law in Bell County. (V.A.C.S. Art. 1970-350, Secs. 1(b) (part), 2, 3(a) (part), (d) (part), (e), 5(a), (c); Art. 1970-350a, Secs. 1(b) (part), 2, 3(b), (e) (part), (f), 5(a), (c); New.)

[Sections 25.0163–25.0170 reserved for expansion]

Sec. 25.0171. **BEXAR COUNTY.** (a) *Bexar County has the following county courts at law:*

- (1) *County Court at Law No. 1 of Bexar County, Texas;*
- (2) *County Court at Law No. 2 of Bexar County, Texas;*
- (3) *County Court at Law No. 3 of Bexar County, Texas;*
- (4) *County Court at Law No. 4 of Bexar County, Texas;*
- (5) *County Court at Law No. 5 of Bexar County, Texas;*
- (6) *County Court at Law No. 6 of Bexar County, Texas;*
- (7) *County Court at Law No. 7 of Bexar County, Texas;*
- (8) *County Court at Law No. 8 of Bexar County, Texas; and*
- (9) *County Court at Law No. 9 of Bexar County, Texas.*

(b) *Bexar County has the following statutory probate courts:*

- (1) *Probate Court No. 1 of Bexar County, Texas; and*
- (2) *Probate Court No. 2 of Bexar County, Texas. (V.A.C.S. Art. 1970–63; Art. 1970–301, Secs. 1 (part), 2; Art. 1970–301d, Sec. 1; Art. 1970–301e.1, Sec. 1; Art. 1970–301e.2, Secs. 1, 16; Art. 1970–301e.3, Sec. 1; Art. 1970–301g, Sec. 1.)*

Sec. 25.0172. **BEXAR COUNTY COURT AT LAW PROVISIONS.** (a) *A county court at law in Bexar County does not have the jurisdiction of a probate court.*

(b) *The judges of the County Courts at Law Nos. 2 and 3 of Bexar County, Texas, on certification of the county judge because of conflicting duties, absence, or inability to act, or on the county judge's failure or refusal to act, may act for the county judge in probate matters and proceedings and in any other ministerial acts, including granting or denying applications for beer and wine licenses and other authority given the county judge under the Alcoholic Beverage Code. The judge of the County Court at Law No. 3 may also act for the county judge under this subsection in any mental health or condemnation proceeding. Any acts performed under this subsection by the judges of the County Court at Law No. 2 or 3 are valid and binding on the parties to the actions or proceedings as if performed by the county judge. The judges of the County Courts at Law Nos. 2 and 3 shall give preference to actions and proceedings certified under this section. The judges of the county courts at law are not entitled to additional compensation for performing these services.*

(c) *The County Courts at Law Nos. 4 and 6 shall give preference to criminal cases and appeals de novo from the municipal and justice courts.*

(d) *The County Courts at Law Nos. 1, 3, 4, 5, 6, 7, 8, and 9 have six terms of court beginning on the first Mondays in January, March, May, July, September, and November. The County Court at Law No. 2 has six terms of court beginning on the first Mondays in February, April, June, August, October, and December.*

(e) *The judge of the County Court at Law No. 1 or 2 must:*

- (1) *be well informed in the laws of this state;*
- (2) *be a citizen of the United States and of this state; and*
- (3) *have been a practicing attorney in the county for at least the four years immediately preceding election, or be a judge or have been a judge of a court in this state.*

(f) *The judge of County Court at Law No. 3 must:*

- (1) *be well informed in the laws of this state;*
- (2) *have been a licensed and practicing member of the state bar for at least five years; and*
- (3) *have resided in and actively practiced law in the county for at least four years before the general election.*

(g) *The judge of the County Court at Law No. 4, 6, 7, 8, or 9 must:*

- (1) *be a citizen of the United States;*
 - (2) *reside in the county;*
 - (3) *be licensed to practice law in this state; and*
 - (4) *have actively practiced law for at least four years before election or appointment.*
- (h) *The judge of the County Court at Law No. 5 must have been a licensed and practicing member of the state bar for at least four years.*
- (i) *A bond is not required of the judges of the County Courts at Law Nos. 1, 2, 3, and 5.*
- (j) *The judge of a county court at law shall be paid an annual salary in an amount not less than \$25,000 and not more than 90 percent of the total annual salary, including supplements, paid a district judge in the county. The compensation shall be paid out of the county's general fund or officers' salary fund. The commissioners court shall consider the financial condition of the county and the duties and needs of the county court at law judges in setting the salaries of the judges. Before raising a salary the commissioners court must publish notice containing information of the salaries affected and the amount of the proposed raise in a newspaper of general circulation in the county. The commissioners court may raise the salaries of the county court at law judges only after 10 days' notice and only at a regular meeting of the commissioners court.*
- (k) *A special judge for the County Court at Law No. 1, 2, 3, or 5 may be appointed or elected in the manner provided by general law for the appointment or election of a special district or county judge. A special judge is entitled to receive for services performed the same rate of compensation as the regular judge. The compensation shall be paid out of the county's general fund by warrants drawn on the county treasury on order of the commissioners court. The compensation paid a special judge may not be deducted from the salary of the regular judge.*
- (l) *If the judge of the County Court at Law No. 4, 6, 7, 8, or 9 is absent, disabled, or disqualified from presiding, a special judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. A special judge must take the oath of office required by law for the regular judge. A special judge has the power and jurisdiction of the court and of the regular judge for whom the special judge is sitting and may sign orders, judgments, decrees, and other process of any kind as "Judge Presiding." A special judge is entitled to receive for services performed the same amount of compensation as the regular judge, to be paid out of county funds. The compensation paid a special judge may not be deducted from the salary of the regular judge.*
- (m) *The county sheriff shall, in person or by deputy, attend the County Court at Law No. 1 or 2 as required by the judge. The county sheriff serves the county courts at law as provided by Section 25.0010(b).*
- (n) *The criminal district attorney shall attend the County Court at Law No. 4, 6, 7, 8, or 9 as required by the judge. The criminal district attorney serves the county courts at law as provided by Section 25.0010(b).*
- (o) *The judge of the County Court at Law No. 4 or 6 may appoint a court coordinator or administrative assistant for the court. The judge of the County Court at Law No. 7, 8, or 9 may, with the approval of the commissioners court, appoint a court coordinator or administrative assistant for the court. A court coordinator or administrative assistant performs the duties prescribed by the judge and cooperates with the administrative judges and state agencies for the uniform and efficient operation of the courts and the administration of justice. The court coordinator or administrative assistant is entitled to be paid from county funds the compensation, fees, and allowances that are set by the commissioners court or as otherwise provided by law. These provisions are in addition to the provisions in Subchapter F, Chapter 75.*
- (p) *The county clerk shall keep a separate docket for each county court at law. The county clerk shall appoint a deputy clerk for each county court at law. An*

appointment of a deputy clerk of County Court at Law No. 1, 2, or 3 takes effect when it is confirmed in writing by the judge of the court to which the deputy clerk is assigned and the deputy clerk serves at the pleasure of the judge of the court to which he is assigned. A deputy clerk must take the constitutional oath of office and may be required to furnish bond in an amount, conditioned and payable, as required by the county clerk. A deputy clerk must attend all sessions of the court to which he is assigned. A deputy clerk acts in the name of the county clerk and may perform any official act or service required of the county clerk and shall perform any other service required by the judge of a county court at law. The deputy clerks may act for one another in performing services for the county courts at law, but a deputy is not entitled to receive additional compensation for acting for another deputy. If a vacancy occurs, the county clerk shall immediately appoint another deputy clerk as provided by this subsection. A deputy clerk of a county court at law is entitled to the same amount of compensation as received by the deputy clerks of the other county courts at law in Bexar County. The commissioners court shall pay the salary of a deputy clerk in equal monthly installments from county funds.

(q) The county sheriff shall appoint a deputy sheriff for each county court at law. An appointment of a deputy sheriff of County Court at Law No. 1, 2, or 3 takes effect when it is confirmed in writing by the judge of the court to which the deputy is appointed. A deputy sheriff must take the constitutional oath of office and may be required to furnish bond in an amount, conditioned and payable, as required by the sheriff. A deputy sheriff must attend all sessions of the court to which the deputy is assigned. A deputy sheriff acts in the name of the sheriff and may perform any official act or service required of the sheriff and shall perform any other service required by the judge of the county court at law. The deputy sheriffs may act for one another in performing services for the county courts at law, but a deputy is not entitled to receive additional compensation for acting for another deputy. If a vacancy occurs, the sheriff shall immediately appoint another deputy as provided by this subsection. A deputy sheriff of a county court at law is entitled to the same amount of compensation as received by the deputies of the other county courts at law in Bexar County. The commissioners court shall pay the salary of a deputy sheriff in equal monthly installments from county funds.

(r) The assistant prosecuting attorneys of the County Courts at Law Nos. 1, 2, 3, and 5 are entitled to receive equal amounts of compensation to be paid in equal monthly installments by warrants drawn against the county's general fund on order of the commissioners court.

(s) Practice in a county court at law is that prescribed by law for county courts. Appeals and writs of error may be taken from judgments and orders of a county court at law, in civil and criminal cases, in the manner prescribed by law relating to appeals and writs of error from a county court. Appeals may be taken from interlocutory orders of a county court at law appointing a receiver, overruling a motion to vacate, or overruling an order appointing a receiver, and the procedure and manner in which appeals from interlocutory orders are taken are governed by the laws relating to the appeals from similar orders of district courts.

(t) The jurisdiction and authority for the service and selection of jurors prescribed by law for a county court applies to the County Courts at Law Nos. 1 and 2.

(u) The official court reporter of a county court at law is entitled to receive an annual salary set by the judge and approved by the commissioners court at an amount not less than \$35,256. The official court reporter's fee shall be taxed as costs in civil actions in County Courts at Law Nos. 3, 4, 5, 6, 7, 8, and 9 in the same manner as that fee is taxed in district court. In County Courts at Law Nos. 1 and 2, the clerk collects the official court reporters' fee of \$3 and pays it into the county treasury in the same manner as district clerks are required to collect and pay costs.

(v) Section 25.0006(a) does not apply to County Courts at Law Nos. 4, 6, 7, 8, and 9 of Bexar County. Section 25.0006(b) does not apply to County Courts at Law Nos. 3, 4, 5, 6, 7, 8, and 9 of Bexar County. (V.A.C.S. Art. 1970-64 (part); Art. 1970-67 (part);

Art. 1970-68 (part); Art. 1970-72; Art. 1970-301, Secs. 4 (part), 4-A (part), 11 (part), 13 (part), 14, 15 (part), 15-A (part), 19 (part), 21-A (part), 21-B; Art. 1970-301a.1; Art. 1970-301d, Secs. 2(b) (part), (c) (part), (d), 4 (part), 6, 8 (part), 9 (part), 10 (part), 11 (part), 12 (part), 14 (part); Art. 1970-301e.1, Secs. 2 (part), 4 (part), 6, 8 (part), 9 (part), 10 (part), 12 (part), 14 (part), 15 (part); Art. 1970-301e.2, Secs. 2(a) (part), (c), 4 (part), 5(a), (b) (part), 6(b), (d) (part), 7, 8 (part), 9, 12, 13 (part); Art. 1970-301e.3, Secs. 2(a) (part), 4 (part), 5(a), (b) (part), 6(b), (d) (part), 7, 8 (part), 9, 12, 13 (part); Art. 1970-301g, Secs. 6 (part), 10; Art. 3883i, Secs. 8(c) (part), 12 (part), 13 (part), 15.)

Sec. 25.0173. **BEXAR COUNTY PROBATE COURTS.** (a) A statutory probate court in Bexar County has the general jurisdiction of a probate court as provided by Section 25.0021. A statutory probate court has eminent domain jurisdiction.

(b) Probate Court No. 2 has jurisdiction over all causes and proceedings, civil and criminal, original and appellate, prescribed by law for the County Courts at Law Nos. 1, 2, and 3 of Bexar County. Probate Court No. 2 shall give preference to probate matters and proceedings.

(c) A statutory probate court has six terms of court beginning on the first Mondays in January, March, May, July, September, and November.

(d) The judge of a statutory probate court must:

(1) be well informed in the laws of the state; and

(2) have been a licensed and practicing member of the state bar for at least five years.

(e) A bond is not required of a judge of a statutory probate court.

(f) The judge of a statutory probate court shall be paid an annual salary in an amount not less than the total annual salary, including supplements, received by the judge of a district court in the county.

(g) The county clerk shall appoint a deputy clerk for each statutory probate court. An appointment takes effect when it is confirmed in writing by the judge of the court to which the deputy clerk is assigned. A deputy clerk serves at the pleasure of the judge of the court to which the deputy clerk is assigned. A deputy clerk must take the constitutional oath of office, and the county clerk may require the deputy clerk to furnish a bond in an amount, conditioned and payable, as required by law. A deputy clerk acts in the name of the county clerk and may perform any official act or service required of the county clerk and shall perform any other service required by the judge of a statutory probate court. A deputy clerk must attend all sessions of the court to which he is assigned. A deputy clerk is entitled to receive an annual salary set by the judge in an amount that does not exceed the amount paid the deputies of the county courts at law of Bexar County. The salary shall be paid in equal monthly installments as provided by law for the payment of salaries of deputy clerks.

(h) The county sheriff shall appoint a deputy sheriff for each statutory probate court. An appointment takes effect when it is confirmed in writing by the judge of the court to which the deputy is appointed. A deputy sheriff serves at the pleasure of the court to which the deputy is appointed. A deputy sheriff must take the constitutional oath of office and may be required to furnish a bond in an amount, conditioned and payable, as required by the sheriff. A deputy sheriff acts in the name of the sheriff and may perform any official act or service required of the sheriff and shall perform any other service required by the judge of a statutory probate court. A deputy sheriff must attend all sessions of the court to which he is assigned. The deputy sheriffs may act for one another in performing services for the statutory probate courts, but a deputy is not entitled to receive additional compensation for acting for another deputy. A deputy sheriff is entitled to receive an annual salary set by the judge at an amount that does not exceed the amount paid the deputy sheriffs of the county courts at law of Bexar County. The salary shall be paid in equal monthly installments as provided by law for the payment of salaries of deputy sheriffs.

(i) Practice and procedure in a statutory probate court are as prescribed by law for county courts.

(j) Appeals may be taken from interlocutory orders appointing a receiver and overruling a motion to vacate an order appointing a receiver in Probate Court No. 2. The procedure and manner in which appeals from interlocutory orders are taken are governed by the laws relating to appeals from similar orders of district courts.

(k) The judge of a statutory probate court may appoint an administrative assistant and an auditor to aid in the performance of the judge's duty. The administrative assistant and auditor are each entitled to receive a salary set by the judge and approved by the commissioners court to be paid monthly out of the county's general fund or any fund available for the purpose. An order recognizing the appointment of an assistant and auditor and approving the salary of each shall be entered on the minutes of the court. The appointment continues until changed by order of the judge of the court in which the administrative assistant and auditor serve.

(l) The official court reporter of a statutory probate court is entitled to receive an annual salary set by the judge and approved by the commissioners court at an amount not less than \$35,256.

(m) Sections 25.0003(a) and (c) do not apply to Probate Court No. 1 of Bexar County, and Section 25.0006(b) does not apply to a statutory probate court in Bexar County. (V.A.C.S. Art. 1970-301a.1; Art. 1970-301e.2, Secs. 17(a), 19(a), 21(a) (part), (b), 22, 24 (part), 25 (part), 29 (part), 32 (part), 33 (part), 35; Art. 3883i-3 (part).)

[Sections 25.0174-25.0180 reserved for expansion]

[Sections 25.0181-25.0190 reserved for Blanco County]

[Sections 25.0191-25.0200 reserved for Borden County]

[Sections 25.0201-25.0210 reserved for Bosque County]

[Sections 25.0211-25.0220 reserved for Bowie County]

Sec. 25.0221. BRAZORIA COUNTY. Brazoria County has the following statutory county courts:

- (1) County Court at Law No. 1 and Probate Court of Brazoria County;
- (2) County Court at Law No. 2 and Probate Court of Brazoria County; and
- (3) County Court at Law No. 3 and Probate Court of Brazoria County. (V.A.C.S. Art. 1970-357, Sec. 1(a) (part); Art. 1970-357a, Secs. 1(a) (part), 8.)

Sec. 25.0222. BRAZORIA STATUTORY COUNTY COURT PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a statutory county court in Brazoria County has concurrent jurisdiction with the district court in:

- (1) civil cases in which the matter in controversy exceeds \$500 but does not exceed \$50,000, excluding interest;
- (2) appeals of final rulings and decisions of the Industrial Accident Board, regardless of the amount in controversy; and
- (3) family law cases and proceedings.

(b) A statutory county court may enforce an order of the family district court for the 300th Judicial District relating to a family law matter.

(c) A statutory county court shall be primarily responsible for and give preference to:

- (1) cases in which its jurisdiction is concurrent with the county court;
- (2) eminent domain proceedings and cases;
- (3) proceedings under Title 3 of the Family Code; and
- (4) civil cases in which the amount in controversy does not exceed \$20,000, excluding interest.

(d) The commissioners court, by order entered of record, shall set at least four terms a year for each statutory county court.

(e) A judge of a statutory county court must have the qualifications required by law for a district judge.

(f) A judge of a statutory county court shall be paid annual compensation in an amount that is not less than the amount that is \$1,000 less than the annual salary paid to the district judges of the county from all sources. The salary shall be paid out of the county treasury on order of the commissioners court.

(g) In addition to the fees assessed under Section 25.0008, a statutory county court judge shall assess the fees prescribed by law for district judges according to the nature of the matter.

(h) A judge may be removed from office in the same manner and for the same reasons as a district judge.

(i) A judge of a statutory county court may not engage in the private practice of law.

(j) A special judge of a statutory county court may be appointed in the manner provided by law for the appointment of a special county judge. A special judge must have the same qualifications and is entitled to the same rate of compensation as the regular judge.

(k) The district clerk serves as clerk of the statutory county courts in cases instituted in the district courts in which the district courts and statutory county courts have concurrent jurisdiction, and the county clerk serves as clerk for all other cases. The commissioners court may employ as many additional assistant criminal district attorneys, deputy sheriffs, and deputy clerks as are necessary to serve the statutory county courts.

(l) The official court reporter of a statutory county court is entitled to the same compensation as the reporters of the district courts of Brazoria County, to be paid by the county treasurer out of the general fund of the county.

(m) When a jury trial is requested in a case of concurrent jurisdiction between the district courts and statutory county courts, and the case was instituted in district court, the jury shall be composed of 12 members. In all other cases in which a jury trial is requested in the statutory county courts the jury shall be composed of six jurors.

(n) Jurors regularly impaneled for the week by the district courts of Brazoria County may, at the request of the judge of a statutory county court, be made available by the district judges in the numbers requested and shall serve for the week in the statutory county court.

(o) Sections 25.0006(b) and 25.0011 do not apply to the statutory county courts of Brazoria County. (V.A.C.S. Art. 1970-357, Secs. 1(b) (part), (c) (part), (e), 2, 3(a), (d) (part), (e) (part), (f), 4(a) (part), (b) (part), 5(a), (c), 6; Art. 1970-357a, Secs. 1(b) (part), (c) (part), (e), 2, 3(a), (c) (part), (d) (part), (e), 4(a) (part), (b) (part), 5(a), (c), 6; New.)

[Sections 25.0223-25.0230 reserved for expansion]

Sec. 25.0231. BRAZOS COUNTY. Brazos County has the following statutory county courts:

- (1) County Court at Law of Brazos County; and
- (2) County Court at Law No. 2 of Brazos County. (V.A.C.S. Art. 1970-359, Sec. 1.)

Sec. 25.0232. BRAZOS COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Brazos County has:

- (1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and
- (2) concurrent jurisdiction with the district court in:
 - (A) civil cases in which the amount in controversy exceeds \$500 but does not exceed \$50,000, excluding interest; and

(B) family law cases and proceedings.

(b) A county court at law has the same terms of court as the County Court of Brazos County.

(c) The judge of a county court at law must:

(1) be a licensed and practicing member of the state bar; and

(2) have been a bona fide resident of Brazos County and have actively practiced law in the county for at least two years before appointment or election.

(d) The judge of a county court at law may not engage in the private practice of law.

(e) The judge of a county court at law shall be paid an annual salary that is at least equal to the amount paid the county judge. The salary shall be paid from the same fund and in the same manner as other county officials are paid. The judge is entitled to travel and necessary office expenses, including administrative and clerical assistance, in the same manner as the county judge.

(f) A special judge of a county court at law with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If a judge is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(g) The district clerk serves as clerk of a county court at law in matters of concurrent jurisdiction with the district court, and the county clerk serves as clerk of a county court at law in all other cases.

(h) Practice in a county court at law is that prescribed by law for county courts.

(i) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. Jurors regularly impaneled for a week by the district court may, on request of a judge of a county court at law, be made available and shall serve for the week in the judge's court.

(j) Section 25.0008 does not apply to a county court at law in Brazos County. (V.A.C.S. Art. 1970-359, Secs. 2(a) (part), (b) (part), (c) (part), (d), 3, 4(a), (f) (part), (g), (h), 5(a) (part), 6(a), 7; New.)

[Sections 25.0233-25.0240 reserved for expansion]

[Sections 25.0241-25.0250 reserved for Brewster County]

[Sections 25.0251-25.0260 reserved for Briscoe County]

[Sections 25.0261-25.0270 reserved for Brooks County]

[Sections 25.0271-25.0280 reserved for Brown County]

[Sections 25.0281-25.0290 reserved for Burleson County]

[Sections 25.0291-25.0300 reserved for Burnet County]

Sec. 25.0301. CALDWELL COUNTY. Caldwell County has one statutory county court, the County Court at Law of Caldwell County. (V.A.C.S. Art. 1970-378, Sec. 1.)

Sec. 25.0302. CALDWELL COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Caldwell County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$20,000, excluding interest; and

(B) family law cases and proceedings.

(b) A county court at law has the same terms of court as the County Court of Caldwell County.

(c) The judge of a county court at law must:

- (1) have been a licensed and practicing member of the state bar for at least four years before election or appointment;
- (2) be well informed in the laws of the state; and
- (3) have resided in and actively practiced law in the county for at least one year before election or appointment.

(d) A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If the judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(e) The district clerk serves as clerk of a county court at law in family law cases and proceedings, and the county clerk serves as clerk of the court in all other cases and proceedings. The district clerk shall establish a separate docket for a county court at law. The commissioners court may employ the assistant district attorneys, deputy sheriffs, and bailiffs necessary to serve each county court at law.

(f) Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings in a county court at law involving family law cases and proceedings shall be governed by this section and the laws and rules pertaining to district courts. If a family law case or proceeding is tried before a jury, the jury shall be composed of 12 members.

(g) The laws governing the drawing, selection, and service of jurors for a county court apply to a county court at law. On request of the county judge or the judge of a county court at law, jurors regularly impaneled for a week by the district court may be made available and shall serve for the week in either the county court or a county court at law.

(h) Section 25.0005(b) does not apply to a county court at law in Caldwell County. (V.A.C.S. Art. 1970-378, Secs. 2(a) (part), (b) (part), (c), 4, 5(a) (part), 6, 7 (part), 10, 13; New.)

[Sections 25.0303-25.0310 reserved for expansion]

Sec. 25.0311. CALHOUN COUNTY. Calhoun County has one statutory county court, the County Court at Law No. 1 of Calhoun County. (V.A.C.S. Art. 1970-385, Sec. 1.)

Sec. 25.0312. CALHOUN COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Calhoun County has:

- (1) concurrent with the county court, the probate jurisdiction provided by general law for county courts;
- (2) concurrent jurisdiction with the district court in:
 - (A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$20,000, excluding interest;
 - (B) appeals of final rulings and decisions of the Industrial Accident Board, regardless of the amount in controversy; and
 - (C) family law cases and proceedings; and
- (3) concurrent jurisdiction with the justice courts in criminal matters prescribed by law for justice courts.

(b) Subsection (a)(3) does not affect the right of appeal to a county court at law from the justice court where the right of appeal to the county court exists by law.

(c) A county court at law has the same terms of court as the County Court of Calhoun County.

(d) The judge of a county court at law must:

- (1) be a licensed attorney in this state;
- (2) be well informed in the laws of the state; and
- (3) have resided in and actively practiced law in the county for at least one year before appointment or election.

(e) The judge of a county court at law may not engage in the private practice of law.

(f) The salary of the judge of a county court at law shall be paid by the county treasurer on order of the commissioners court. The judge is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as is allowed the county judge.

(g) If the judge of a county court at law is disqualified, a special judge may be appointed in the manner provided by law for the appointment of a special county judge. A special judge must have the same qualifications as the regular judge and is entitled to the same rate of compensation as the regular judge.

(h) The sheriff may employ a deputy sheriff to serve a county court at law. The deputy sheriff serves at the pleasure of the judge and is entitled to compensation set by the commissioners court. The county clerk may employ a deputy clerk to serve a county court at law. The deputy clerk serves at the pleasure of the judge and is entitled to compensation set by the commissioners court.

(i) Practice and procedure in a county court at law is that prescribed by law for the County Court of Calhoun County.

(j) The drawing, selection, and service of jurors is that prescribed by law for the County Court of Calhoun County. Jurors summoned for the county court or a county court at law may by order of the judge of the court to which they are summoned be transferred to another court for service and may be used as if summoned for the court to which they are transferred. If the county judge and the judge of the county court at law agree, jurors may be summoned for service in both courts and may be used interchangeably in the courts. (V.A.C.S. Art. 1970-385, Secs. 2(a) (part), (b) (part), (c) (part), 6, 7(a), 8, 10(a) (part), (b), 11, 13 (part), 15, 17.)

[Sections 25.0313-25.0320 reserved for expansion]

[Sections 25.0321-25.0330 reserved for Callahan County]

Sec. 25.0331. CAMERON COUNTY. (a) Cameron County has the following statutory county courts:

- (1) County Court at Law No. 1 of Cameron County; and
- (2) County Court at Law No. 2 of Cameron County.

(b) The county courts at law of Cameron County sit in Brownsville. (V.A.C.S. Art. 1970-305, Sec. 1; Art. 1970-305c, Sec. 1.)

Sec. 25.0332. CAMERON COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Cameron County has:

- (1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and
 - (2) concurrent jurisdiction with the district court in civil cases in which the amount in controversy exceeds \$500 but does not exceed \$20,000, excluding interest.
- (b) A county court at law has original concurrent jurisdiction with the justice courts in all civil and criminal matters prescribed by law for justice courts.
- (c) An appeal or writ of error may not be taken to a court of appeals from a final judgment of a county court at law if:

- (1) the court had original or appellate jurisdiction with the justice court; and
- (2) the judgment or amount in controversy does not exceed \$100, excluding interest and costs.
- (d) Appeals from the justice court and other inferior courts in Cameron County must be made directly to a county court at law.
- (e) A county court at law has six terms of court a year beginning on the first Mondays of January, March, May, July, September, and November.
- (f) The judge of a county court at law must:
- (1) be a United States citizen;
 - (2) have resided in the county for at least two years before appointment or election; and
 - (3) be a licensed attorney in this state who has actively practiced law or been a judge of a court in this state, or both combined, for at least four years before appointment or election.
- (g) The judge of a county court at law may not engage in the private practice of law.
- (h) The judge of a county court at law shall be paid an annual salary that does not exceed 90 percent of the amount paid district judges in the county. The salary shall be paid out of the county treasury on orders of the commissioners court.
- (i) A special judge of a county court at law may be appointed or elected as provided by law for special county judges. A special judge of a county court at law shall be compensated as provided by law for special county judges.
- (j) The county clerk may appoint a deputy to attend the county courts at law.
- (k) The county sheriff shall, either in person or by deputy, attend the County Court at Law No. 1 of Cameron County as required by the judge. The county sheriff serves the County Court at Law No. 2 of Cameron County as provided by Section 25.0010(b).
- (l) The jurisdiction and authority vested by law in the county court for the drawing, selection, and service of jurors shall be exercised by the county courts at law. Jurors summoned for the county court or a county court at law may, by order of the judge of the court to which they were summoned, be transferred to any of the other courts for service and may be used as if summoned by the court to which they were transferred. If the judges of the county court and county courts at law agree, jurors may be summoned for service in all of the courts and used interchangeably in the courts.
- (m) Jurors regularly impaneled for the week by the district courts may, on request of the county judge or a judge of a county court at law, be made available by the district judge in the numbers requested for service for the week in the county court or county courts at law. The jurors shall serve in the county court or county courts at law as if they had been drawn and selected for that court.
- (n) Section 25.0006(a) does not apply to County Court at Law No. 1 of Cameron County. Section 25.0008 does not apply to County Court at Law No. 2 of Cameron County. (V.A.C.S. Art. 1970-305, Secs. 2(b) (part), 3, 4, 5(d) (part), 7 (part), 8 (part), 10, 11, 13 (part), 14(a), 16 (part), 17; Art. 1970-305c, Secs. 2(b) (part), (c), (d) (part), (e) (part), 4 (part), 5(a) (part), (d), (e), 6 (part), 7(a) (part), 8; New.)

[Sections 25.0333-25.0340 reserved for expansion]

[Sections 25.0341-25.0350 reserved for Camp County]

[Sections 25.0351-25.0360 reserved for Carson County]

[Sections 25.0361-25.0370 reserved for Cass County]

[Sections 25.0371-25.0380 reserved for Castro County]

[Sections 25.0381-25.0390 reserved for Chambers County]

Sec. 25.0391. **CHEROKEE COUNTY.** (a) Cherokee County has one statutory county court, the County Court at Law of Cherokee County.

(b) *A county court at law of Cherokee County sits in Rusk. (V.A.C.S. Art. 1970-384, Sec. 1.)*

Sec. 25.0392. CHEROKEE COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Cherokee County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the matter in controversy exceeds \$500 and does not exceed \$20,000, excluding interest; and

(B) family law cases and proceedings.

(b) A county court at law has terms beginning on the first Mondays of March and September.

(c) The judge of a county court at law must:

(1) be a qualified voter in the county;

(2) have been a resident of the county for two years; and

(3) be a licensed attorney in this state who has actively practiced law or been a judge of a court in this state, or both combined, for at least four years before appointment or election.

(d) The judge of a county court at law may not engage in the private practice of law.

(e) The salary of the judge of a county court at law shall be paid out of the county treasury by the commissioners court. The judge is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as is allowed the county judge.

(f) A special judge of a county court at law with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If the judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(g) The district clerk serves as clerk of the court in family law cases and proceedings and the county clerk serves as clerk for all other cases. The district clerk shall establish a separate docket for a county court at law. The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve the court.

(h) The judge of a county court at law may appoint an official court reporter or the judge may contract for the services of a court reporter under guidelines established by the commissioners court.

(i) Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs, and other matters pertaining to the conduct of trials and hearings in a county court at law involving family law cases and proceedings are governed by this section and the laws and rules pertaining to district courts, as well as county courts. If a family law case or proceeding is tried before a jury, the jury shall be composed of 12 members.

(j) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law.

(k) Jurors regularly impaneled for the week by the district courts, on request of the judge of a county court at law, may be made available and shall serve for the week in the county court at law.

(l) An appeal from a justice court or other court of inferior jurisdiction must be made directly to a county court at law or the county court unless otherwise provided by law. (V.A.C.S. Art. 1970-384, Secs. 2(a) (part), (b) (part), 4 (part), 5(a), (e) (part), (f), (g), 6(a) (part), (b) (part), 8, 11(b).)

[Sections 25.0393–25.0400 reserved for expansion]

[Sections 25.0401–25.0410 reserved for Childress County]

[Sections 25.0411–25.0420 reserved for Clay County]

[Sections 25.0421–25.0430 reserved for Cochran County]

[Sections 25.0431–25.0440 reserved for Coke County]

[Sections 25.0441–25.0450 reserved for Coleman County]

Sec. 25.0451. COLLIN COUNTY. *Collin County has the following statutory county courts:*

- (1) *County Court at Law of Collin County;*
- (2) *County Court at Law No. 2 of Collin County; and*
- (3) *County Court at Law No. 3 of Collin County. (V.A.C.S. Art. 1970–362, Sec. 1; Art. 1970–362a, Sec. 1; Art. 1970–362b, Sec. 1.)*

Sec. 25.0452. COLLIN COUNTY COURT AT LAW PROVISIONS. *(a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Collin County has:*

- (1) *concurrent with the county court, the probate jurisdiction provided by general law for county courts; and*
- (2) *concurrent jurisdiction with the district court in civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest.*
- (b) *The judge of a county court at law must:*
 - (1) *be a resident of Collin County;*
 - (2) *be a licensed and practicing member of the state bar; and*
 - (3) *have been a bona fide resident of, and actively practiced law in, Collin County for at least two years before appointment or election.*
- (c) *The salary of a judge of a county court at law shall be paid out of the county treasury on orders of the commissioners court.*
- (d) *The judge of a county court at law shall diligently discharge the duties of his office on a full-time basis and may not engage in the private practice of law.*
- (e) *A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. A special judge must have the same qualifications and is entitled to the same rate of compensation as the regular judge.*
- (f) *Practice in the county courts at law is that prescribed by law for county courts.*
- (g) *The laws governing the drawing, selection, service, and pay of jurors for county courts apply to the county courts at law. (V.A.C.S. Art. 1970–362, Secs. 2(a) (part), (b), 4(a), (d) (part), (f), (g), 6; Art. 1970–362a, Secs. 2(a) (part), (b), 4(a), (d) (part), (f), (g), 6; Art. 1970–362b, Secs. 2(a) (part), (b), (c) (part), 4(a), (e) (part), (g), (h), 6.)*

[Sections 25.0453–25.0460 reserved for expansion]

[Sections 25.0461–25.0470 reserved for Collingsworth County]

[Sections 25.0471–25.0480 reserved for Colorado County]

Sec. 25.0481. COMAL COUNTY. *Comal County has one statutory county court, the County Court at Law of Comal County. (V.A.C.S. Art. 1970–368, Sec. 1.)*

Sec. 25.0482. COMAL COUNTY COURT AT LAW PROVISIONS. *(a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Comal County has:*

- (1) *concurrent with the county court, the probate jurisdiction provided by general law for county courts; and*

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the matter in controversy exceeds \$500 and does not exceed \$20,000, excluding interest; and

(B) family law cases and proceedings.

(b) The terms of a county court at law are the same as the terms of the county court of Comal County.

(c) The judge of a county court at law must:

(1) be well informed in the laws of this state;

(2) have been a licensed and practicing member of the state bar for at least five years; and

(3) have resided and actively practiced law in the county for at least one year before the general election.

(d) The judge of a county court at law may not engage in the private practice of law.

(e) A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If a judge of a county court at law is disqualified, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(f) The district clerk serves as clerk of a county court at law for family law cases and proceedings, and the county clerk serves as clerk for all other cases and proceedings. The district clerk shall establish a separate docket for a county court at law. The commissioners court may employ as many assistant county attorneys, deputy sheriffs, and bailiffs as are necessary to serve the county courts at law.

(g) Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings in a county court at law involving family law cases and proceedings are governed by this section and the laws and rules relating to district courts as well as county courts. If a family law case or proceeding is tried before a jury, the jury shall be composed of 12 members.

(h) The law relating to drawing, selection, and service of jurors in the county court applies to a county court at law. Jurors regularly impaneled for a week by the district court may, on request of the county judge or the judge of a county court at law, be made available and shall serve for the week in the county court or a county court at law.

(i) Section 25.0005(b) does not apply to a county court at law in Comal County. (V.A.C.S. Art. 1970-368, Secs. 2(a) (part), (b), (e) (part), 3, 4(a) (part), (e), (f), 5(a) (part), 6(a), 7; New.)

[Sections 25.0483-25.0490 reserved for expansion]

[Sections 25.0491-25.0500 reserved for Comanche County]

[Sections 25.0501-25.0510 reserved for Concho County]

[Sections 25.0511-25.0520 reserved for Cooke County]

Sec. 25.0521. CORYELL COUNTY. Coryell County has one statutory county court, the County Court at Law of Coryell County. (V.A.C.S. Art. 1970-391, Sec. 1.)

Sec. 25.0522. CORYELL COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Coryell County has, concurrent with the county court, the probate jurisdiction provided by general law for county courts.

(b) The commissioners court by order entered of record shall set at least four terms a year for a county court at law.

- (c) *The judge of a county court at law in Coryell County must:*
- (1) *be a licensed attorney in this state who has actively practiced law in this state for at least three years before appointment or election;*
 - (2) *be well informed in the laws of this state; and*
 - (3) *have resided in and actively practiced law in the county for at least two years before appointment or election.*
- (d) *The judge of a county court at law may not appear and plead as an attorney in any criminal case.*
- (e) *The salary of a judge of a county court at law shall be paid out of the county treasury on orders of the commissioners court.*
- (f) *A special judge of a county court at law may be appointed in the manner provided by law for the appointment of a special county judge. A special judge must have the same qualifications, and is entitled to the same rate of compensation, as the regular judge.*
- (g) *Practice in a county court at law must conform to that prescribed by law for county courts.*
- (h) *Sections 25.0007 and 25.0011 do not apply to a county court at law in Coryell County.*
- (i) *Notwithstanding Section 25.0521, the County Court at Law of Coryell County is created January 1, 1992, or on an earlier date determined by the commissioners court by an order entered in its minutes. (V.A.C.S. Art. 1970-391, Secs. 2(a) (part), 4, 5(b), (c), (f) (part), (g), 7(a), 9, 10 (part); New.)*

[Sections 25.0523-25.0530 reserved for expansion]

[Sections 25.0531-25.0540 reserved for Cottle County]

[Sections 25.0541-25.0550 reserved for Crane County]

[Sections 25.0551-25.0560 reserved for Crockett County]

[Sections 25.0561-25.0570 reserved for Crosby County]

[Sections 25.0571-25.0580 reserved for Culberson County]

[Sections 25.0581-25.0590 reserved for Dallam County]

Sec. 25.0591. DALLAS COUNTY. (a) Dallas County has the following county courts at law:

- (1) *County Court of Dallas County at Law No. 1;*
 - (2) *County Court of Dallas County at Law No. 2;*
 - (3) *County Court of Dallas County at Law Number 3;*
 - (4) *County Court of Dallas County at Law Number 4; and*
 - (5) *County Court of Dallas County at Law No. 5.*
- (b) *Dallas County has the following county criminal courts:*
- (1) *County Criminal Court of Dallas County, Texas;*
 - (2) *County Criminal Court No. 2 of Dallas County, Texas;*
 - (3) *County Criminal Court No. 3 of Dallas County, Texas;*
 - (4) *County Criminal Court Number Four of Dallas County, Texas;*
 - (5) *County Criminal Court Number Five of Dallas County, Texas;*
 - (6) *County Criminal Court Number 6 of Dallas County, Texas;*
 - (7) *County Criminal Court Number 7 of Dallas County, Texas;*
 - (8) *County Criminal Court No. 8 of Dallas County, Texas;*
 - (9) *County Criminal Court No. 9 of Dallas County, Texas; and*
 - (10) *County Criminal Court No. 10 of Dallas County, Texas.*

(c) *Dallas County has the following county criminal courts of appeals:*

- (1) *County Criminal Court of Appeals of Dallas County, Texas; and*
- (2) *County Criminal Court of Appeals No. 2 of Dallas County, Texas.*

(d) *Dallas County has the following statutory probate courts:*

- (1) *Probate Court of Dallas County;*
- (2) *Probate Court Number 2 of Dallas County; and*
- (3) *Probate Court Number 3 of Dallas County. (V.A.C.S. Art. 1970-1; Art. 1970-2 (part); Art. 1970-15; Art. 1970-31.1, Sec. 1 (part); Art. 1970-31.2, Sec. 1 (part); Art. 1970-31.10, Sec. 1; Art. 1970-31.11, Sec. 1; Art. 1970-31.12, Sec. 1; Art. 1970-31.13, Sec. 1; Art. 1970-31.14, Sec. 1; Art. 1970-31.15, Sec. 1; Art. 1970-31.16, Sec. 1; Art. 1970-31.17, Sec. 1; Art. 1970-31.18, Sec. 1; Art. 1970-31.20, Sec. 1; Art. 1970-31.21, Sec. 1; Art. 1970-31a, Sec. 1; Art. 1970-31b, Sec. 1; Art. 1970-31c, Sec. 1.)*

Sec. 25.0592. DALLAS COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Dallas County has original and concurrent jurisdiction with the district court in:

- (1) *civil cases in which the matter in controversy exceeds \$500, excluding interest, but does not exceed \$50,000, excluding interest, statutory damages and penalties, attorney's fees, and costs; and*
- (2) *appeals of final rulings and decisions of the Industrial Accident Board, regardless of the amount in controversy.*

(b) *The terms of the County Courts of Dallas County at Law Nos. 1, 3, and 5 begin on the first Mondays of January, March, May, July, September, and November. The terms of the County Courts of Dallas County at Law Nos. 2 and 4 begin on the first Mondays of February, April, June, August, October, and December.*

(c) *The judge of County Court of Dallas County at Law No. 1 or 2 must:*

- (1) *be a licensed attorney;*
- (2) *be well informed in the law; and*
- (3) *have resided in and actively practiced law in the county, or been a judge of a court in the county, for at least four years before the general election at which the judge is elected.*

(d) *The judge of County Court of Dallas County at Law No. 3 or 4 must:*

- (1) *be a licensed attorney in this state;*
- (2) *be informed in the laws of this state; and*
- (3) *have resided in and actively practiced law in the county for at least four years before the general election.*

(e) *The judge of the County Court of Dallas County at Law No. 5 must:*

- (1) *be a licensed attorney in this state;*
- (2) *be informed in the laws of this state; and*
- (3) *have resided in and actively practiced law in the county for at least four years before election or appointment.*

(f) *A bond is not required of a judge of a county court at law.*

(g) *A judge of a county court at law shall be paid an annual salary that is not less than \$1,000 less than the total annual salary, including supplements, received by a district judge in the county. The salary shall be paid out of the county treasury by the commissioners court.*

(h) *A judge of a county court at law shall devote his entire time to the duties of office and may not engage in the practice of law.*

(i) *A special judge of a county court at law may be appointed or elected in the manner provided by law for the election or appointment of a special county judge.*

(j) *The selection and service of jurors for, practice in, and appeals and writs of error from, a county court at law must conform to that prescribed by law for county courts.*

(k) *The county sheriff shall, in person or by deputy, attend the County Court of Dallas County at Law No. 1 as required by the judge. The county sheriff serves the county courts at law as provided by Section 25.0010(b).*

(l) *Sections 25.0006 and 25.0007 do not apply to a county court at law in Dallas County. (V.A.C.S. Art. 1970-3, Secs. 2, 3; Art. 1970-5 (part); Art. 1970-8; Art. 1970-10 (part); Art. 1970-11; Art. 1970-20 (part); Art. 1970-22; Art. 1970-23; Art. 1970-26; Art. 1970-28 (part); Art. 1970-30 (part); Art. 1970-31 (part); Art. 1970-31.1, Secs. 5 (part), 6 (part), 9; Art. 1970-31.2, Secs. 5 (part), 6(a) (part), 9; Art. 3883i-2, Sec. 1 (part).)*

Sec. 25.0593. DALLAS COUNTY CRIMINAL COURT PROVISIONS. (a) *A county criminal court in Dallas County has the criminal jurisdiction, original and appellate, provided by the constitution and law for county courts.*

(b) *A judge of a county criminal court must:*

(1) *be a citizen of the United States and of this state;*

(2) *have been a practicing attorney of this state or a judge of a court in this state for the four years immediately preceding appointment or election; and*

(3) *have resided in the county for the two years immediately preceding appointment or election.*

(c) *A judge of a county criminal court shall be paid an annual salary that is not less than \$1,000 less than the total annual salary, including supplements, received by a district judge in the county. The salary shall be paid out of the county treasury by the commissioners court.*

(d) *A judge of a county criminal court shall devote his entire time to the duties of office and may not engage in the practice of law.*

(e) *A county criminal court or its judge may issue writs of habeas corpus and grant injunctions for the enforcement of the penal laws in cases in which the offense charged is within the jurisdiction of the court or any court or tribunal of inferior jurisdiction. A county criminal court or its judge may punish for contempt as prescribed by general law.*

(f) *The commissioners court, in the manner provided by law for setting terms of county courts, shall set at least four terms of court each year for each county criminal court.*

(g) *Practice in a county criminal court and appeals from a county criminal court are as provided by law for county courts.*

(h) *A special judge of a county criminal court may be appointed or elected in the manner provided by law for the appointment or election of a special county judge.*

(i) *The judge of a county criminal court shall employ an administrative assistant to aid the judge in the performance of the judge's duties. The commissioners court shall set the administrative assistant's salary.*

(j) *The county sheriff shall, in person or by deputy, attend a county criminal court as required by the judge.*

(k) *The official court reporter of a county criminal court is not required to take testimony in a case unless the judge or a party demands that testimony be taken. If the court reporter takes testimony, the clerk shall collect a \$3 fee as costs in the case. The fee shall be paid into the county treasury.*

(l) *The official court reporter of County Criminal Court No. 4, 5, 6, 7, 8, 9, or 10 of Dallas County, Texas, is entitled to receive the same fees and salary as a district court reporter.*

(m) *Sections 25.0003(a) and (c) do not apply to a county criminal court in Dallas County. Section 25.0009 does not apply to County Criminal Courts Nos. 1-7 of Dallas County, Texas. (V.A.C.S. Art. 1970-31.10, Secs. 2, 4, 5, 6 (part), 8, 9 (part), 10 (part), 12 (part); Art. 1970-31.11, Secs. 2, 4, 5, 6 (part), 8, 9 (part), 10 (part), 12 (part);*

Art. 1970-31.12, Secs. 2, 4, 5, 6 (part), 8, 9 (part), 10 (part), 12 (part); Art. 1970-31.13, Secs. 2, 4, 5, 6 (part), 8, 9 (part), 10 (part), 12 (part); Art. 1970-31.14, Secs. 2, 4, 5, 6 (part), 8, 9 (part), 10 (part), 12 (part); Art. 1970-31.15, Secs. 2, 3, 4, 5 (part), 7, 8 (part), 9 (part), 11 (part); Art. 1970-31.16, Secs. 2, 3, 4, 5(a), 7, 8 (part), 9 (part), 11 (part); Art. 1970-31.17, Secs. 2, 3, 4, 5(a), 7, 8 (part), 9 (part), 11 (part); Art. 1970-31.18, Secs. 2, 3, 4, 5(a), 7, 8 (part), 9 (part), 11 (part); Art. 3883i-2, Sec. 1 (part).)

Sec. 25.0594. DALLAS COUNTY CRIMINAL COURT OF APPEALS PROVISIONS.

(a) A county criminal court of appeals in Dallas County has:

(1) sole jurisdiction in the county of all appeals from criminal convictions for violation of state law or municipal ordinances of municipalities located in the county in justice courts, municipal courts, or municipal courts of record in the county; and

(2) concurrent criminal original and appellate jurisdiction in the county as provided by the constitution and by law for county courts.

(b) A judge of a county criminal court of appeals must:

(1) be a citizen of the United States and of this state;

(2) have been a practicing attorney of this state or a judge of a court in this state for the four years immediately preceding appointment or election; and

(3) have resided in the county for the two years immediately preceding appointment or election.

(c) A judge of a county criminal court of appeals shall be paid an annual salary that is not less than \$1,000 less than the total annual salary, including supplements, received by a district judge in the county. The salary shall be paid out of the county treasury by the commissioners court.

(d) The judge of County Criminal Court of Appeals No. 2 shall devote his entire time to the duties of office.

(e) A judge of a county criminal court of appeals may not engage in the practice of law.

(f) A county criminal court of appeals or its judge may issue writs of habeas corpus and grant injunctions for the enforcement of the penal laws in cases in which the offense charged is within the jurisdiction of the court or any court or tribunal of inferior jurisdiction. The court or its judge may punish for contempt as prescribed by general law.

(g) The commissioners court, in the manner provided by law for setting terms of county courts, shall set at least four terms of court each year for each county criminal court of appeals.

(h) Practice in a county criminal court of appeals and appeals from a county criminal court of appeals are as provided by law for county courts.

(i) A special judge of a county criminal court of appeals may be appointed or elected in the manner provided by law for the appointment or election of a special county judge.

(j) The judge of a county criminal court of appeals shall employ an administrative assistant to aid the judge in the performance of the judge's duties. The commissioners court shall set the administrative assistant's salary.

(k) The county sheriff, in person or by deputy, shall attend a county criminal court of appeals as required by the judge.

(l) The official court reporter of a county criminal court of appeals is not required to take testimony in a case in which neither party nor the judge demands it. If the court reporter takes testimony, the clerk shall collect a \$3 fee as costs in the case. The fee shall be paid into the county treasury.

(m) The official court reporter of a county criminal court of appeals is entitled to receive the same fees and salary as a district court reporter.

(n) Sections 25.0003(a) and (c) do not apply to a county criminal court of appeals in Dallas County. Section 25.0009 does not apply to the County Criminal Court of

Appeals of Dallas County, Texas. (V.A.C.S. Art. 1970-31.20, Secs. 2, 5, 6, 7 (part), 9, 10 (part), 11 (part), 13 (part); Art. 1970-31.21, Secs. 2, 3, 4, 5(a), 7, 8 (part), 9 (part), 11 (part); Art. 3883i-2, Sec. 1 (part).)

Sec. 25.0595. DALLAS COUNTY PROBATE COURTS. (a) A statutory probate court in Dallas County has the general jurisdiction of a probate court as provided by Section 25.0021.

(b) The Probate Court No. 3 of Dallas County has primary responsibility for mental illness proceedings.

(c) The laws and rules relating to practice and procedure and appeals from county courts apply to a statutory probate court.

(d) The judge of a statutory probate court must:

(1) be well informed in the laws of this state; and

(2) have been a licensed and practicing member of the state bar for at least five consecutive years before election.

(e) If the judge of a statutory probate court and the county judge are absent, disqualified, or incapacitated, a special judge of a probate court may be appointed or elected in the manner provided by law for the appointment or election of a special county judge.

(f) The judge of a statutory probate court shall employ an administrative assistant to aid the judge in the performance of the judge's duties. The commissioners court shall set the administrative assistant's salary.

(g) The county sheriff shall, in person or by deputy, attend a statutory probate court as required by the judge.

(h) A judge of a statutory probate court shall be paid an annual salary not less than the total annual salary, including supplements, received by a district judge in the county. Each statutory probate court judge is entitled to receive the same amount of compensation. The commissioners court shall pay the salary out of the county treasury.

(i) Sections 25.0003(a) and (c), 25.0006(b), and 25.0007 do not apply to a statutory probate court in Dallas County. (V.A.C.S. Art. 1970-31a, Secs. 2, 5, 8 (part), 12, 13 (part), 14 (part); Art. 1970-31b, Secs. 2, 6 (part), 11 (part), 12 (part), 13 (part); Art. 1970-31c, Secs. 2, 6 (part), 11 (part), 12 (part), 13 (part); Art. 3883i-2, Sec. 1 (part).)

[Sections 25.0596-25.0600 reserved for expansion]

[Sections 25.0601-25.0610 reserved for Dawson County]

[Sections 25.0611-25.0620 reserved for Deaf Smith County]

[Sections 25.0621-25.0630 reserved for Delta County]

Sec. 25.0631. DENTON COUNTY. (a) Denton County has the following statutory county courts:

(1) County Court at Law No. 1 of Denton County;

(2) County Court at Law No. 2 of Denton County; and

(3) County Court at Law No. 3 of Denton County.

(b) The county courts at law of Denton County sit in the county seat. (V.A.C.S. Art. 1970-352b, Secs. 1(a) (part), (c); 2 (part).)

Sec. 25.0632. DENTON COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Denton County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

- (A) *civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest; and*
- (B) *proceedings under Title 3, Family Code.*
- (b) *The judge of a county court at law must:*
- (1) *be a resident of the county;*
 - (2) *have the qualifications prescribed by law for a district judge; and*
 - (3) *have practiced law in the state for at least the four years preceding election.*
- (c) *The regular judge of a county court at law may not engage in the private practice of law.*
- (d) *The judge of each county court at law shall be paid an annual salary of at least \$41,285 but not more than 95 percent of the salary, including supplements, paid a district judge in the county. The salary of a county court at law judge shall be paid in the same manner and from the same fund as the salary of the county judge.*
- (e) *The commissioners court may employ as many additional assistant criminal district attorneys, deputy sheriffs, and deputy clerks as are necessary to serve the county courts at law.*
- (f) *Jurors regularly impaneled for the week by the district courts of Denton County may, at the request of the judge of a county court at law, be made available by the district judge in the numbers requested and shall serve for the week in a county court at law, the county court, or the district courts of Denton County.*
- (g) *Unless otherwise provided by statute or local rule, the county courts at law of Denton County may not give preference to any cases. (V.A.C.S. Art. 1970-352b, Secs. 1(d) (part), (f), (h); 3(a), (e) (part); 4(a) (part); 5(e); 6.)*

[Sections 25.0633-25.0640 reserved for expansion]

[Sections 25.0641-25.0650 reserved for DeWitt County]

[Sections 25.0651-25.0660 reserved for Dickens County]

[Sections 25.0661-25.0670 reserved for Dimmit County]

[Sections 25.0671-25.0680 reserved for Donley County]

[Sections 25.0681-25.0690 reserved for Duval County]

[Sections 25.0691-25.0700 reserved for Eastland County]

Sec. 25.0701. ECTOR COUNTY. (a) Ector County has the following statutory county courts:

- (1) *County Court at Law of Ector County; and*
- (2) *County Court at Law No. 2 of Ector County.*

(b) *A county court at law sits in Odessa. (V.A.C.S. Art. 1970-346, Sec. 1 (part); Art. 1970-346a, Secs. 1; 8(a) (part).)*

Sec. 25.0702. ECTOR COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Ector County has:

- (1) *concurrent with the county court, the probate jurisdiction provided by general law for county courts; and*
- (2) *concurrent jurisdiction with the district court in:*
 - (A) *civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest;*
 - (B) *appeals of final rulings and decisions of the Industrial Accident Board, regardless of the amount in controversy; and*
 - (C) *family law cases and proceedings.*

(b) *A county court at law has the same terms of court as the County Court of Ector County. The terms of the County Court at Law of Ector County may be changed as prescribed by law for changing the terms of the County Court of Ector County.*

(c) *The judge of the County Court at Law of Ector County must:*

(1) *have been a licensed and practicing member of the state bar for at least five years;*

(2) *be well informed in the laws of the state; and*

(3) *have resided in and actively practiced law in the county for at least two years before the general election.*

(d) *The judge of the County Court at Law No. 2 of Ector County must:*

(1) *be a licensed attorney in the state who has actively practiced law for at least five years before appointment or election; and*

(2) *have resided in and actively practiced law in the county for at least two years before appointment or election.*

(e) *The judge of the county court at law shall be paid the same amount in salary as the county judge, to be paid in the same manner and from the same fund as the salary of the county judge. The salary shall be paid out of the county treasury, on the order of the commissioners court.*

(f) *The judge of the County Court at Law No. 2 of Ector County is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as is allowed the county judge.*

(g) *A special judge of the County Court at Law of Ector County may be appointed or elected in the manner provided by law relating to county courts. If the judge of the County Court at Law of Ector County is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge to try the case. A special judge of the County Court at Law of Ector County is entitled to receive \$30 for each day served to be paid out of the general county fund by the commissioners court.*

(h) *A special judge of the County Court at Law No. 2 of Ector County may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. A special judge must have the same qualifications and is entitled to the same rate of compensation as the regular judge.*

(i) *The district clerk serves as clerk of a county court at law in matters of concurrent jurisdiction with the district court, and the county clerk serves as clerk of the court in all other cases.*

(j) *The county sheriff shall, in person or by deputy, attend a county court at law as required by the judge.*

(k) *The laws governing the drawing, selection, and service of jurors for county courts apply to a county court at law. Jurors regularly impaneled for the week by the district court may, at the request of the judge of a county court at law or the county judge, be made available in the numbers requested and shall serve for the week in a county court at law or the county court.*

(l) *Jurors summoned by the County Court at Law of Ector County or the county court may by order of the judge of the court in which they are summoned be transferred to the other court for service and may be used as if summoned for the court to which they are transferred. The judges of the County Court at Law of Ector County and the county court may agree that jurors may be summoned for service in both courts and may be used interchangeably in the courts. (V.A.C.S. Art. 1970-346, Secs. 3 (part), 4, 9, 10 (part), 14, 15, 17(a) (part), 18, 19, 20, 22 (part); Art. 1970-346a, Secs. 2(a) (part), (c) (part), 4, 5(a), (f) (part), (g), 6(a) (part), 7(d) (part).)*

[Sections 25.0703–25.0710 reserved for expansion]

[Sections 25.0711–25.0720 reserved for Edwards County]

Sec. 25.0721. ELLIS COUNTY. *Ellis County has one statutory county court, the County Court at Law of Ellis County. (V.A.C.S. Art. 1970–338C, Sec. 1.)*

Sec. 25.0722. ELLIS COUNTY COURT AT LAW PROVISIONS. *(a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Ellis County has:*

- (1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and*
- (2) concurrent jurisdiction with the district court in:*
 - (A) civil cases in which the amount in controversy exceeds \$500, but does not exceed \$20,000, excluding interest; and*
 - (B) family law cases and proceedings.*
- (b) A county court at law has terms beginning on the first Mondays of March, June, September, and December.*
- (c) The judge of a county court at law must:*
 - (1) have been a licensed and practicing member of the state bar for at least four years;*
 - (2) be well informed in the laws of this state; and*
 - (3) have been a resident of the county and have actively practiced law in the county for at least two years immediately preceding the election.*
- (d) The judge of a county court at law may not engage in the private practice of law.*
- (e) The judge of a county court at law shall be paid an annual salary that is not less than 90 percent of the annual salary of a district judge in the county. The salary shall be paid from the county treasury on order of the commissioners court. The judge is entitled to travel expenses and necessary office expenses, including administrative and clerical personnel, in the same manner as the county judge.*
- (f) A special judge for a county court at law may be appointed or elected as provided by law for the appointment or election of a special county judge. If the judge is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.*
- (g) The district clerk serves as clerk of a county court at law for family law cases and proceedings, and the county clerk serves as clerk for all other cases. The district clerk shall establish a separate docket for a county court at law. The commissioners court may employ as many assistant district attorneys, deputy sheriffs, and bailiffs as are necessary to serve the court.*
- (h) The official court reporter of a county court at law is entitled to compensation set by the commissioners court at an amount at least equal to the compensation paid to the court reporter of a district court in Ellis County.*
- (i) If a family law case or proceeding is tried before a jury, the jury shall be composed of 12 members. In all other cases the jury shall be composed of six members.*
- (j) The jurisdiction and authority vested by law in county courts for the drawing, selection, and service of jurors apply to a county court at law. Jurors summoned for service in one court may by order of the judge of the court to which they were summoned be transferred to the other court for service. If the judges agree, jurors may be summoned for service in any court and used interchangeably.*
- (k) Jurors regularly impaneled for a week by the district court may, on request of the county judge or the judge of a county court at law, be made available and shall serve for the week in the county court or the county court at law.*

(l) Section 25.0008 does not apply to a county court at law in Ellis County. (V.A.C.S. Art. 1970-338C, Secs. 2(b) (part), (c), (f), 5 (part), 6(a) (part), (b), (c) (part), (e) (part), 7, 8 (part), 9 (part), 11 (part), 13.)

[Sections 25.0723-25.0730 reserved for expansion]

Sec. 25.0731. EL PASO COUNTY. El Paso County has the following statutory county courts:

- (1) County Court at Law No. 1 of El Paso County, Texas;*
- (2) County Court at Law No. 2 of El Paso County, Texas;*
- (3) County Court at Law No. 3 of El Paso County, Texas;*
- (4) County Court at Law No. 4 of El Paso County, Texas; and*
- (5) County Court at Law No. 5 of El Paso County, Texas. (V.A.C.S. Art. 1970-127; Art. 1970-127a; Art. 1970-141.1, Sec. 1; Art. 1970-141.2, Sec. 1; Art. 1970-141.3, Sec. 1; Art. 1970-141.4, Sec. 1.)*

Sec. 25.0732. EL PASO COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, and except as limited by Subsection (b), a county court at law in El Paso County has the jurisdiction provided by the constitution and by general law for district courts.

(b) A county court at law does not have jurisdiction of:

- (1) felony cases;*
- (2) suits in behalf of the state to recover penalties, forfeitures, or escheat;*
- (3) misdemeanors involving official misconduct;*
- (4) contested elections; or*
- (5) appeals.*

(c) A county court at law has, concurrent with the county court, the probate jurisdiction provided by general law for county courts.

(d) A county court at law does not have general supervisory control over the commissioners court.

(e) A county court at law may not issue writs of habeas corpus in felony cases.

(f) The district clerk serves as clerk of a county court at law in cases in the concurrent jurisdiction of the county courts at law and the district courts, and the county clerk serves as the clerk in all other cases. The district clerk shall establish a separate docket for each county court at law.

(g) If a jury trial is requested in a case that is in a county court at law's jurisdiction as provided by Subsection (a), the jury shall be composed of six members unless the constitution requires a 12-member jury. Failure to object before a six-member jury is seated and sworn constitutes a waiver of a 12-member jury.

(h) On request of a county court at law judge, jurors regularly impaneled for a week by the district courts may be made available and shall serve for the week in the county court at law.

(i) Practice in the County Court at Law No. 1 of El Paso County, Texas, must conform to that prescribed by law for county courts.

(j) The County Court at Law No. 1 of El Paso County, Texas, may summon jurors for service in the court in the manner provided by law for county courts. Juries summoned for either the County Court of El Paso County or the County Court at Law No. 1 of El Paso County, Texas, may, by order of the judge of the court in which they are summoned, be transferred to the other court for service.

(k) The judge of a county court at law must:

- (1) be a citizen of the United States;*
- (2) have resided in the county for at least four years before election or appointment; and*

(3) be licensed to practice law in this state and have actively practiced law for at least five consecutive years before election or appointment.

(l) The judge of a county court at law shall be paid an annual salary that is at least equal to the amount that is \$3,000 less than the total annual salary, including supplements, received by a district judge in the county.

(m) A special judge of a county court at law may be appointed or elected as provided by law for the appointment or election of a special county judge.

(n) A vacancy in the office of judge of County Court at Law No. 1 of El Paso County, Texas, or County Court at Law No. 2 of El Paso County, Texas, is filled by appointment by the commissioners court as provided by this subsection. The licensed practicing attorneys in the county shall recommend three attorneys in the county for the commissioners court's consideration. The recommendation is not binding on the commissioners court. The senior district judge in the county shall call an election at which the licensed practicing attorneys select three persons to recommend. The three persons are selected from a list of persons whose names were submitted in writing either by a licensed practicing attorney in the county or the person himself to the senior district judge. Notice of the time of the election shall be prominently posted in the district and county clerks' offices at least one week before the election. The senior district judge shall present the written nominations at the election and shall accept oral nominations at that time. The senior district judge may not close the nominations until it is apparent that there are no further nominations. The attorneys present at the election vote for three of the nominees by marking their ballots in order of preference. The vote shall be counted according to preference. The senior district judge shall certify the results of the election and submit the list of three persons recommended to the county judge. Not later than one week after the county judge receives the results, the commissioners court shall appoint a person to fill the vacancy. The appointee holds office until the next general election and until the successor is elected and has qualified.

(o) The judges of the county courts at law may divide each term of court into as many sessions as they consider necessary for the disposition of business and may extend a particular term of court if practicable for the efficient and justiciable disposition of individual proceedings and matters.

(p) The county sheriff shall, in person or by deputy, attend a county court at law as required by the judge.

(q) The official court reporter of County Court at Law No. 4 of El Paso County, Texas, and the official court reporter of County Court at Law No. 5 of El Paso County, Texas, are each entitled to receive the same amount as compensation as the official court reporters in the district courts in the county. The compensation shall be paid in the same manner that the district court reporters are paid.

(r) Sections 25.0006(b) and 25.0007 do not apply to County Court at Law No. 2, 3, 4, or 5 of El Paso County, Texas. (V.A.C.S. Art. 1970-127b, Secs. 2(a), (b), (c), (d), 3 (part), 4(a), (b), 7, 8 (part); Art. 1970-131 (part); Art. 1970-134; Art. 1970-135; Art. 1970-137; Art. 1970-141.1, Secs. 3(a) (part), 4 (part), 6 (part), 10 (part), 12; Art. 1970-141.2, Secs. 3(a) (part), 4(b), 10 (part), 12; Art. 1970-141.3, Secs. 3(a) (part), 4(b), 8 (part), 10 (part), 12; Art. 1970-141.4, Secs. 3(a) (part), 4(b), 8 (part), 10 (part), 12; New.)

[Sections 25.0733-25.0740 reserved for expansion]

[Sections 25.0741-25.0750 reserved for Erath County]

[Sections 25.0751-25.0760 reserved for Falls County]

[Sections 25.0761-25.0770 reserved for Fannin County]

[Sections 25.0771-25.0780 reserved for Fayette County]

[Sections 25.0781-25.0790 reserved for Fisher County]

[Sections 25.0791-25.0800 reserved for Floyd County]

[Sections 25.0801-25.0810 reserved for Foard County]

Sec. 25.0811. FORT BEND COUNTY. Fort Bend County has the following statutory county courts:

(1) *County Court at Law No. 1 of Fort Bend County; and*

(2) *County Court at Law No. 2 of Fort Bend County. (V.A.C.S. Art. 1970–364, Secs. 1(a), (b).)*

Sec. 25.0812. FORT BEND COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Fort Bend County has:

(1) *concurrent with the county court, the probate jurisdiction provided by general law for county courts; and*

(2) *concurrent jurisdiction with the district court in:*

(A) *civil cases in which the matter in controversy exceeds \$500 and does not exceed \$50,000, excluding interest; and*

(B) *family law cases and proceedings.*

(b) *A county court at law is primarily responsible for and shall give preference to:*

(1) *cases in which the court's jurisdiction is concurrent with the county court;*

(2) *eminent domain proceedings and cases;*

(3) *proceedings under Title 3, Family Code; and*

(4) *civil cases in which the amount in controversy does not exceed \$20,000, excluding interest.*

(c) *A county court at law may enforce an order of the Family District Court for the 328th Judicial District relating to a family law matter.*

(d) *The commissioners court, by order, shall set at least four terms a year for the county court at law.*

(e) *A judge of a county court at law must have the qualifications required by law for a district judge.*

(f) *A judge of a county court at law may not engage in the private practice of law.*

(g) *The salary of a judge of a county court at law shall be paid from the county treasury on order of the commissioners court in the same manner that county employees are paid.*

(h) *A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. A special judge must have the same qualifications and is entitled to the same rate of compensation as the regular judge.*

(i) *The district clerk serves as clerk of the county courts at law in cases in which the district courts and county courts at law have concurrent jurisdiction, and which have been instituted in the district courts, and the county clerk serves as clerk of the county courts at law in all other cases.*

(j) *The commissioners court may hire as many additional assistant criminal district attorneys, deputy sheriffs, and clerks as are necessary to serve the county courts at law.*

(k) *If a jury trial is requested in a case of concurrent jurisdiction between the district courts and the county courts at law, and the case was instituted in the district court, the jury shall be composed of 12 members. In all other cases in which a jury trial is requested in the county courts at law, the jury shall be composed of six members.*

(l) *Jurors regularly impaneled for the week by the district courts of Fort Bend County may, at the request of either the judge of the county court or of a county court at law, be made available by the district judges in the numbers requested and shall serve for the week in either the county court or county court at law.*

(m) *Sections 25.0005(b) and 25.0011 do not apply to a county court at law in Fort Bend County. (V.A.C.S. Art. 1970–364, Secs. 1(c) (part), (d) (part), (e) (part), (g), 2, 3(a), (e) (part), (f), (g), 4(a) (part), 5(a) (part), (e); New.)*

[Sections 25.0813–25.0820 reserved for expansion]

[Sections 25.0821–25.0830 reserved for Franklin County]

[Sections 25.0831–25.0840 reserved for Freestone County]

[Sections 25.0841–25.0850 reserved for Frio County]

[Sections 25.0851–25.0860 reserved for Gaines County]

Sec. 25.0861. GALVESTON COUNTY. Galveston County has the following statutory county courts:

- (1) Probate and County Court of Galveston County;
- (2) County Court No. 1 of Galveston County; and
- (3) County Court No. 2 of Galveston County. (V.A.C.S. Art. 1970–342, Sec. 1b(a) (part); Art. 1970–342a, Sec. 1; Art. 1970–342b, Sec. 1.)

Sec. 25.0862. GALVESTON COUNTY STATUTORY COURT PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a statutory county court in Galveston County has appellate jurisdiction in all appeals in criminal cases from justice courts and municipal courts in Galveston County.

(b) A statutory county court has concurrent jurisdiction with the district court in:

- (1) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest;
- (2) family law cases and proceedings; and
- (3) appeals of final rulings and decisions of the Industrial Accident Board, regardless of the amount in controversy.

(c) The Probate and County Court of Galveston County has concurrent jurisdiction with the district court in cases in which a party to a cause filed in the district court is a personal representative as that term is defined by Section 3(aa), Texas Probate Code.

(d) The Probate and County Court of Galveston County is primarily responsible for and shall give preference to probate cases. The Probate and County Court may enforce an order of the Family District Court for the 306th Judicial District relating to a family law matter.

(e) The Probate and County Court of Galveston County has four terms beginning on the first Mondays of March, June, September, and December of each year. The commissioners court may change the terms of court. Any change in the terms of court may not be made until after the terms have been in effect for at least one year. The County Courts Nos. 1 and 2 of Galveston County have six terms of court beginning on the first Mondays of January, March, May, July, September, and November of each year.

(f) The elected judge of the Probate and County Court of Galveston County must:

- (1) be a citizen of this state and of the United States;
- (2) be well informed in the laws of this state;
- (3) be a licensed attorney of this state who has practiced law or been a judge of a court in the state for at least four years immediately preceding election; and
- (4) have resided in and practiced law in Galveston County for at least two years immediately preceding election.

(g) The judge of the County Court No. 1 or 2 of Galveston County must:

- (1) be well versed in the laws of this state;
- (2) have been a licensed and practicing member of the state bar and have practiced law in the state for at least five years before election; and
- (3) have resided in and actively practiced law in the county for at least four years before the general election.

(h) The judge of a statutory county court shall be paid an annual salary that is at least equal to the amount that is \$1,000 less than the total annual salary, including supplements, paid a district judge in the county. The salary shall be paid out of the general fund of the county by warrants drawn on the county treasury on order of the commissioners court.

(i) A bond is not required of the judge of the County Court No. 1 or 2 of Galveston County.

(j) A special judge of a statutory county court may be appointed or elected in the manner provided by law for the election or appointment of special county judges. A special judge of the County Court No. 1 or 2 of Galveston County is entitled to receive for services performed the same rate of compensation as the regular judge.

(k) Notwithstanding Section 10, Article 42.12, Code of Criminal Procedure, restricting authority over probation departments to district judges, the judges of the County Courts Nos. 1 and 2 of Galveston County shall participate in the management of the probation department serving the county, and for that purpose have the same duties and powers imposed by that section as do the district judges trying criminal cases in the county.

(l) The clerk of the statutory county courts shall keep a separate docket for each court. The clerk shall tax the official court reporter's fees as costs in civil actions in the same manner as the fee is taxed in civil cases in the district courts. The district clerk serves as clerk of the statutory county courts in a cause of action arising under the Family Code and an appeal of a final ruling or decision of the Industrial Accident Board, and the county clerk serves as clerk of the court in all other cases.

(m) The sheriff may appoint a deputy to attend the Probate and County Court of Galveston County when required by the judge. The sheriff shall appoint a deputy to attend County Court No. 1 or 2 of Galveston County when required by the judge.

(n) The official court reporter of each statutory county court is entitled to the same compensation, paid in the same manner, as the official court reporters of the district courts in Galveston County. Each reporter is primarily responsible for cases in the reporter's court. Each reporter may be made available when not engaged in a jury trial to report jury trials in the following manner:

(1) the reporter of the Probate and County Court of Galveston County may report jury trials in the county court and, at the request of the district attorney, examining trials in the justice courts; and

(2) the reporters of the County Courts Nos. 1 and 2 of Galveston County may report cases in the Probate and County Court of Galveston County.

(o) Practice, appeals, and writs of error in a statutory county court are as prescribed by law for county courts and county courts at law. Appeals and writs of error may be taken from judgments and orders of the County Courts Nos. 1 and 2 of Galveston County and the judges, in civil and criminal cases, in the manner prescribed by law for appeals and writs of error. Appeals from interlocutory orders of the County Courts Nos. 1 and 2 appointing a receiver or overruling a motion to vacate or appoint a receiver may be taken and are governed by the laws relating to appeals from similar orders of district courts.

(p) Section 25.0006(b) does not apply to County Court No. 1 or 2 of Galveston County. (V.A.C.S. Art. 1970-342, Secs. 1b(b) (part), (c) (part), 1c, 2 (part), 3b, 4 (part), 6, 7, 8 (part), 9 (part); Art. 1970-342a, Secs. 2(a) (part), (b) (part), (c) (part), 4 (part), 6, 7 (part), 8 (part), 10 (part), 11(a) (part), (b) (part), 12, 14 (part), 15; Art. 1970-342b, Secs. 2(a) (part), (b) (part), (c) (part), 4 (part), 6, 7 (part), 8 (part), 10 (part), 11(a) (part), (b) (part), 12, 14 (part), 15A; New.)

[Sections 25.0863-25.0870 reserved for expansion]

[Sections 25.0871-25.0880 reserved for Garza County]

[Sections 25.0881-25.0890 reserved for Gillespie County]

[Sections 25.0891-25.0900 reserved for Glasscock County]

[Sections 25.0901-25.0910 reserved for Goliad County]

[Sections 25.0911-25.0920 reserved for Gonzales County]

[Sections 25.0921-25.0930 reserved for Gray County]

Sec. 25.0931. GRAYSON COUNTY. (a) Grayson County has the following statutory county courts:

- (1) County Court at Law of Grayson County; and
- (2) County Court at Law No. 2 of Grayson County.

(b) The county courts at law of Grayson County hold court in the Grayson County Courthouse in Sherman. (V.A.C.S. Art. 1970-332, Secs. 1, 7 (part); Art. 1970-332a, Secs. 1, 5 (part).)

Sec. 25.0932. GRAYSON COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Grayson County has original concurrent jurisdiction with the justice court in all civil and criminal matters over which the justice court has jurisdiction.

(b) The County Court at Law No. 2 of Grayson County also has, concurrent with the county court, the probate jurisdiction provided by general law for a county court.

(c) An appeal or writ of error may not be taken to a court of appeals from a final judgment of a county court at law if:

(1) the judgment or amount in controversy does not exceed \$100, excluding interest and costs; and

(2) the case is a civil case over which the court at law has appellate or original concurrent jurisdiction with the justice court.

(d) Appeals from the justice court and other inferior courts in the county must be made directly to a county court at law.

(e) The laws governing practice, procedure, and juries in county courts apply to the county courts at law.

(f) Each county court at law has terms beginning on the first Mondays of February, April, June, August, October, and December.

(g) The judge of a county court at law must be:

(1) a resident of and qualified voter in the county; and

(2) a licensed attorney in this state who has actively practiced law for at least one year before the general election.

(h) The judge of a county court at law shall be paid an annual salary that does not exceed the total annual salary received by the county attorney. The salary shall be paid out of the county treasury on order of the commissioners court.

(i) The judge of a county court at law may not actively engage in the private practice of law.

(j) If the judge of the County Court at Law No. 2 of Grayson County is disqualified in a pending case, the county judge or the judge of another court at law in the county may sit in the case, or the parties or their attorneys may agree on the selection of a special judge to try the case. If the judge of the County Court at Law of Grayson County is disqualified in a pending case, the county judge may sit in the case, or the parties or their attorneys may agree on the selection of a special judge to try the case. If the parties or their attorneys do not agree in either case, a majority of the practicing attorneys in the county shall elect a special judge for the case.

(k) The official court reporter of the County Court at Law No. 2 of Grayson County is entitled to receive, in addition to transcript fees, fees for statements of facts, and other fees, a salary set by the commissioners court at an amount that does not exceed the salary paid to the official court reporters of the district courts in the county. The salary shall be paid monthly in the same manner as other county employees' salaries are paid.

(l) Section 25.0006(a) does not apply to a county court at law in Grayson County. (V.A.C.S. Art. 1970-332, Secs. 3, 4, 7 (part), 8 (part), 11, 14 (part), 16(a) (part), (b), 17; Art. 1970-332a, Secs. 2 (part), 4(a), (b), 5 (part), 6, 9, 14, 15(a) (part); (b), 16, 18 (part); New.)

[Sections 25.0933–25.0940 reserved for expansion]

Sec. 25.0941. GREGG COUNTY. Gregg County has one statutory county court, the County Court at Law of Gregg County. (V.A.C.S. Art. 1970–375, Sec. 1.)

Sec. 25.0942. GREGG COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Gregg County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in civil cases in which the matter in controversy exceeds \$500 but does not exceed \$20,000, excluding interest.

(b) The judge of a county court at law must be:

(1) a qualified voter in the county; and

(2) a licensed attorney in this state who has actively practiced law for a five-year period before appointment or election.

(c) The judge may not engage in the private practice of law.

(d) The judge of a county court at law shall be paid an annual salary that does not exceed the amount that is 90 percent of the total annual salary received by a district judge in the county. The salary may be paid in equal monthly installments.

(e) The judge of a county court at law is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as the county judge.

(f) A special judge of the county court at law who meets the same qualifications as the regular judge may be appointed in the manner provided by law for the appointment of a special county judge. If the judge of a county court at law is disqualified, the parties or their attorneys may agree on selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(g) The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve a county court at law.

(h) The district clerk serves as clerk of a county court at law in cases enumerated in Subsection (a)(2), and the county clerk serves as clerk of a county court at law in all other cases.

(i) The judge of a county court at law, with the commissioners court's consent, may employ a secretary. The commissioners court shall set the secretary's salary.

(j) Practice in a county court at law must conform to that prescribed by law for county courts.

(k) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. A general panel of jurors, or jurors impaneled for a week by a district court, may be made available to serve for the week in a county court at law. (V.A.C.S. Art. 1970–375, Secs. 2(a) (part), (b) (part), 5(a), (b), (f) (part), (g), 6(a) (part), (c), 8.)

[Sections 25.0943–25.0950 reserved for expansion]

[Sections 25.0951–25.0960 reserved for Grimes County]

Sec. 25.0961. GUADALUPE COUNTY. (a) Guadalupe County has one statutory county court, the County Court at Law of Guadalupe County.

(b) The County Court at Law of Guadalupe County sits in Seguin. (V.A.C.S. Art. 1970–351, Sec. 1(a).)

Sec. 25.0962. GUADALUPE COUNTY COURT AT LAW PROVISIONS. (a) A county court at law in Guadalupe County has the same terms of court as the County Court of Guadalupe County.

(b) The judge of a county court at law must:

(1) be at least 30 years of age;

(2) *have been a licensed member of the state bar and have actively practiced law for at least five years before appointment or election; and*

(3) *have resided in and practiced law in the county for at least two years before appointment or election.*

(c) *A person appointed to fill a vacancy in the office of judge is entitled to the same compensation as the previous judge.*

(d) *If the judge of a county court at law is disqualified, the commissioners court shall appoint a special judge with the same qualifications as the regular judge. A special judge is entitled to the same rate of compensation as the regular judge.*

(e) *The commissioners court may employ as many assistant county attorneys, deputy sheriffs, and bailiffs as are necessary to serve a county court at law.*

(f) *Practice in a county court at law is that prescribed by law for county courts.*

(g) *Jurors regularly impaneled for the week by the district courts may, at the request of the county judge or the judge of a county court at law, be made available by the district judge in the numbers requested and shall serve for the week in the county court or a county court at law.*

(h) *Sections 25.0005(b) and 25.0008 do not apply to a county court at law in Guadalupe County. (V.A.C.S. Art. 1970–351, Secs. 2, 3(b), (d) (part), (g), 4(a) (part), 5(a), (d); New.)*

[Sections 25.0963–25.0970 reserved for expansion]

[Sections 25.0971–25.0980 reserved for Hale County]

[Sections 25.0981–25.0990 reserved for Hall County]

[Sections 25.0991–25.1000 reserved for Hamilton County]

[Sections 25.1001–25.1010 reserved for Hansford County]

[Sections 25.1011–25.1020 reserved for Hardeman County]

[Sections 25.1021–25.1030 reserved for Hardin County]

Sec. 25.1031. HARRIS COUNTY. (a) *Harris County has the following county civil courts at law:*

- (1) *County Civil Court at Law No. 1 of Harris County, Texas;*
- (2) *County Civil Court at Law No. 2 of Harris County, Texas;*
- (3) *County Civil Court at Law No. 3 of Harris County, Texas; and*
- (4) *County Civil Court at Law No. 4 of Harris County, Texas.*

(b) *Harris County has the following county criminal courts:*

- (1) *County Criminal Court at Law No. 1 of Harris County, Texas;*
- (2) *County Criminal Court at Law No. 2 of Harris County, Texas;*
- (3) *County Criminal Court at Law No. 3 of Harris County, Texas;*
- (4) *County Criminal Court at Law No. 4 of Harris County, Texas;*
- (5) *County Criminal Court at Law No. 5 of Harris County, Texas;*
- (6) *County Criminal Court at Law No. 6 of Harris County, Texas;*
- (7) *County Criminal Court at Law No. 7 of Harris County, Texas;*
- (8) *County Criminal Court at Law No. 8 of Harris County, Texas;*
- (9) *County Criminal Court at Law No. 9 of Harris County, Texas;*
- (10) *County Criminal Court at Law No. 10 of Harris County, Texas;*
- (11) *County Criminal Court at Law No. 11 of Harris County, Texas;*
- (12) *County Criminal Court at Law No. 12 of Harris County, Texas;*
- (13) *County Criminal Court at Law No. 13 of Harris County, Texas; and*

by law for county courts and appellate jurisdiction in appeals of criminal cases from justice courts and municipal courts in the county, but has no other jurisdiction.

(b) The judge of a county criminal court at law has the same powers, rights, and privileges as to criminal matters as a county judge having criminal jurisdiction.

(c) A county criminal court at law or its judge may issue writs of habeas corpus in criminal misdemeanor cases and all writs necessary for the enforcement of its jurisdiction.

(d) A county criminal court at law has terms beginning on the first Mondays of February, April, June, August, October, and December.

(e) The judge of a county criminal court at law must have been a licensed and practicing member of the state bar for at least five years before appointment or election.

(f) The judge of a county criminal court at law may not engage in the private practice of law.

(g) The judge of a county criminal court at law shall be paid an annual salary that is not less than \$1,000 less than the total annual salary, including supplements, of a district judge in the county.

(h) An appointee to the office of judge of the County Criminal Court at Law No. 11 or 12 serves until the next general election at which these offices appear on the ballot as provided by Article XVI, Section 65, of the Texas Constitution.

(i) A special county criminal court at law judge may be appointed or elected as provided by law for special county judges. A special judge may also be appointed to serve in a county criminal court at law as provided by Section 75.403.

(j) The county criminal courts may establish a court manager and coordinator system as provided by Section 75.402.

(k) The Harris County district attorney serves as prosecutor for the county criminal courts at law as provided by Section 43.180.

(l) The district clerk serves as clerk of a county criminal court at law.

(m) The county sheriff shall, in person or by deputy, attend a county criminal court at law as required by the judge.

(n) The official court reporters of the County Criminal Courts at Law Nos. 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of Harris County, Texas, are entitled to the same amount of compensation as the official court reporters of the district courts in the county. The salary shall be paid in the same manner as the district court reporters are paid.

(o) Practice, procedure, appeals, and writs of error from a county criminal court at law are as prescribed by law for county courts.

(p) Section 25.0006 does not apply to a county criminal court at law in Harris County. (V.A.C.S. Art. 1970-96 (part); Art. 1970-98 (part); Art. 1970-98b (part); Art. 1970-99 (part); Art. 1970-101 (part); Art. 1970-102; Art. 1970-105 (part); Art. 1970-108; Art. 1970-110b, Secs. 2 (part), 3 (part), 5 (part), 6 (part), 8, 9 (part), 12; Art. 1970-110c, Secs. 2 (part), 3 (part), 5A (part), 6 (part), 8, 9 (part), 12; Art. 1970-110c.1, Secs. 2 (part), 3 (part), 5 (part), 6 (part), 8, 9 (part), 12; Art. 1970-110c.2, Subsecs. (b) (part), (c) (part), (d) (part), (e) (part), (f) (part), (h), (i) (part), (l); Art. 1970-110c.3, Subsecs. (b) (part), (c) (part), (d) (part), (e) (part), (f) (part), (h), (i) (part), (l); Art. 1970-110c.4, Subsecs. (b) (part), (c) (part), (d) (part), (e) (part), (f) (part), (h), (i) (part), (l); Art. 1970-110c.5, Secs. 1(b) (part), (c) (part), (d) (part), (e) (part), (f) (part), (h), (i) (part), (l); Art. 1970-110c.6, Secs. 2, 3(a) (part), (c) (part), 5, 6 (part), 7 (part), 8 (part), 10, 11 (part), 14; Art. 3883i-2, Sec. 1 (part); New.)

Sec. 25.1034. HARRIS COUNTY PROBATE COURT PROVISIONS. (a) A statutory probate court in Harris County has the general jurisdiction of a probate court as provided by Section 25.0021. The Probate Courts Nos. 1, 2, and 3 of Harris County also have jurisdiction over the collection and management of estates of minors, mentally disabled persons, and deceased persons.

- (b) *The Probate Courts Nos. 1 and 3 of Harris County have primary responsibility for mental illness proceedings and the Probate Court No. 4 of Harris County has secondary responsibility for mental illness proceedings.*
- (c) *The judge of the Probate Court No. 1 of Harris County must:*
- (1) *be well informed in the laws of the state; and*
 - (2) *have been a licensed and practicing member of the state bar for at least five consecutive years before election.*
- (d) *The judge of the Probate Court No. 2 of Harris County must:*
- (1) *be well informed in the laws of the state; and*
 - (2) *have been a licensed and practicing member of the state bar for at least five consecutive years.*
- (e) *The judges of the Probate Courts Nos. 3 and 4 of Harris County must:*
- (1) *be well informed in the laws of the state; and*
 - (2) *have been a licensed and practicing member of the state bar for at least five consecutive years before appointment or election.*
- (f) *The judge of a statutory probate court must execute a bond in the sum of \$100,000, payable as required by law.*
- (g) *The judge of a statutory probate court shall be paid an annual salary that is at least equal to the total annual salary, including supplements, received by a district judge in the county.*
- (h) *In the case of absence, disqualification, or incapacity of a statutory probate court judge, a special judge may be appointed or elected as provided by law for a special county judge.*
- (i) *With the approval of the commissioners court, the judges of the Probate Courts Nos. 1, 2, and 3 of Harris County may appoint an administrative assistant, a court coordinator, an auditor, and other staff necessary for the operation of the courts. The commissioners court, with the advice and counsel of the judges, sets the salaries of the staff.*
- (j) *The county clerk shall keep a separate docket for each court.*
- (k) *The county sheriff shall attend a statutory probate court as required by the judge.*
- (l) *Practice and procedure in a statutory probate court is that prescribed by law for county courts.*
- (m) *Sections 25.0003(a) and 25.0006(b) do not apply to a statutory probate court in Harris County. (V.A.C.S. Art. 1970-110a, Secs. 2 [amd. Acts 69th Legis., R.S., Ch. 159], 2 (part) [amd. Acts 69th Legis., R.S., Ch. 879], 3 (part), 5, 8 (part), 9 (part), 12 (part), 14(d), 15 (part); Art. 1970-110a.2, Secs. 3 [amd. Acts 69th Legis., R.S., Ch. 159], 3 (part) [amd. Acts 69th Legis., R.S., Ch. 879], 4 (part), 6, 9 (part), 10 (part), 13 (part), 15(d), 16 (part); Art. 1970-110a.3, Secs. 2 [amd. Acts 69th Legis., R.S., Ch. 159], 2 (part) [amd. Acts 69th Legis., R.S., Ch. 879], 3 (part), 5, 8 (part), 9 (part), 12 (part), 13(d), 14 (part); Art. 1970-110a.4, Secs. 2, 3(c), 7, 10(b), 10(c) (part), 10(d), 11 (part); Art. 3883i-2, Sec. 2 (part); New.)*

[Sections 25.1035-25.1040 reserved for expansion]

Sec. 25.1041. HARRISON COUNTY. (a) Harrison County has one statutory county court, the County Court at Law of Harrison County.

(b) The County Court at Law of Harrison County sits in Marshall. (V.A.C.S. Art. 1970-223a, Sec. 1(a).)

Sec. 25.1042. HARRISON COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Harrison County has:

- (1) *concurrent with the county court, the probate jurisdiction provided by general law for county courts; and*

- (2) concurrent jurisdiction with the district court in civil cases in which the amount in controversy exceeds \$500, but does not exceed \$50,000, excluding interest.
- (b) A county court at law has the same terms of court as the county court.
- (c) The judge of a county court at law must:
- (1) have been a licensed and practicing member of the state bar for at least three years;
 - (2) be well informed in the laws of this state; and
 - (3) have resided in the county and actively practiced law in the county for at least two years before the general election.
- (d) The judge of a county court at law may not appear and plead as an attorney in a county court at law in the county or in a court with jurisdiction inferior to the county courts at law.
- (e) The judge of a county court at law shall be paid a salary that is equal to the amount paid the criminal district attorney of Harrison County. The salary shall be paid out of the county treasury on orders of the commissioners court.
- (f) If the judge of a county court at law is disqualified to try a case, a special judge may be appointed in the manner provided by law for the appointment of a special county judge. A special judge must have the same qualifications as the regular judge and is entitled to receive the same rate of compensation as the regular judge.
- (g) The criminal district attorney is entitled to the same fees prescribed by law for prosecutions in the county court. The commissioners court may employ as many additional deputy sheriffs and clerks as are necessary to serve a county court at law.
- (h) Practice in a county court at law is that prescribed by law for county courts.
- (i) The jurisdiction and authority vested by law in the county court for the drawing, selection, and service of jurors shall also be exercised by a county court at law in Harrison County. Jurors summoned for the county court or a county court at law may by order of the judge of the court to which they were summoned be transferred to the other court for service and may be used as if summoned by the court to which they were transferred. If the judges agree, jurors may be summoned for service in the county court and county court at law and may be used interchangeably. (V.A.C.S. Art. 1970-223a, Secs. 1(b) (part), 2, 3(a) (part), (b) (part), (d) (part), (e), 4(a) (part), 5(a), (d) (part), 6 (part); New.)

[Sections 25.1043-25.1050 reserved for expansion]

[Sections 25.1051-25.1060 reserved for Hartley County]

[Sections 25.1061-25.1070 reserved for Haskell County]

Sec. 25.1071. **HAYS COUNTY.** Hays County has one statutory county court, the County Court at Law of Hays County. (V.A.C.S. Art. 1970-358, Sec. 1.)

Sec. 25.1072. **HAYS COUNTY COURT AT LAW PROVISIONS.** (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Hays County has:

- (1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and
 - (2) concurrent jurisdiction with the district court in:
 - (A) civil cases in which the matter in controversy exceeds \$500 and does not exceed \$20,000, excluding interest; and
 - (B) family law cases and proceedings.
- (b) A county court at law has the same terms of court as the county court.
- (c) The judge of a county court at law must:
- (1) have been a licensed and practicing member of the state bar for at least four years;

(2) be well informed in the laws of this state; and

(3) have resided in and actively practiced law in the county for at least one year before the general election.

(d) A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If the judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(e) The county clerk serves as clerk of a county court at law, except that the district clerk serves as clerk of the court in family law cases and proceedings. The district clerk shall establish a separate docket for a county court at law. The commissioners court may employ as many assistant district attorneys, deputy sheriffs, and bailiffs as are necessary to serve the court.

(f) Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs, and other matters pertaining to the conduct of trials and hearings in a county court at law involving family law cases and proceedings are governed by this section and the laws and rules pertaining to district courts, as well as county courts. If a family law case or proceeding is tried before a jury, the jury shall be composed of 12 members.

(g) The laws governing the drawing, selection, and service of jurors for county courts apply to a county court at law. Jurors summoned for the county court or a county court at law may, by order of the judge of the court to which they are summoned, be transferred to the other court.

(h) Jurors regularly impaneled for the week by the district courts, on request of the county judge or the judge of a county court at law, may be made available and shall serve for the week in the county court or county court at law.

(i) Section 25.0005(b) does not apply to a county court at law in Hays County. (V.A.C.S. Art. 1970-358, Secs. 2(a) (part), (b), (e) (part), 3, 4(a) (part), (e), (f), 5(a) (part), 6(a), 7.)

[Sections 25.1073-25.1080 reserved for expansion]

[Sections 25.1081-25.1090 reserved for Hemphill County]

Sec. 25.1091. **HENDERSON COUNTY.** Henderson County has one statutory county court, the County Court at Law of Henderson County. (V.A.C.S. Art. 1970-366a, Sec. 1.)

Sec. 25.1092. **HENDERSON COUNTY COURT AT LAW PROVISIONS.** (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Henderson County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest, court costs, and attorney's fees in cases in which attorney's fees are taxed as costs of court;

(B) appeals of final rulings and decisions of the Industrial Accident Board, regardless of the amount in controversy; and

(C) family law cases and proceedings.

(b) The judge of a county court at law must have the qualifications required of a district judge.

(c) The judge of a county court at law may set and approve sequestration bonds and replevy bonds in excess of the \$50,000 jurisdictional amount in cases in which the amount of the suit is less than that amount.

(d) *The judge of a county court at law shall be paid an annual salary that is at least \$40,000.*

(e) *The judge of a county court at law may not engage in the private practice of law.*

(f) *If the regular judge of a county court at law is absent, is disabled for more than 30 calendar days, or is disqualified from presiding, the presiding judge of the administrative judicial district in which the county is located may appoint a qualified person licensed to practice law in this state as a special judge. The special judge must have the qualifications required of the regular judge.*

(g) *A special judge of a county court at law must take the oath of office required of the regular judge and has the power and jurisdiction of the court and of the regular judge for whom he is sitting. A special judge may sign orders, judgments, decrees, or other process as "Judge Presiding" when acting for the regular judge.*

(h) *A special judge is entitled to receive for services actually performed the same amount of compensation as the regular judge is entitled to receive for services. The compensation shall be paid out of the county funds on certification by the presiding judge of the administrative judicial district that the special judge has rendered the services and is entitled to receive the compensation. The amount paid to a special judge may not be deducted or paid out of the salary of the regular judge for whom he is sitting. A special judge may not be appointed if the regular judge is attending conferences or schools of instruction sponsored by or at the behest of the state bar or is taking regular vacation and reasonable notice is given to members of the local bar association.*

(i) *If the regular judge is absent, disabled, or disqualified from presiding, the presiding judge of the administrative judicial district may appoint a retired judge of a district court or county court at law or a regular judge of a district court or county court at law to preside over the county court at law. The presiding judge of the judicial district with the consent of a retired judge of a district court or county court at law, or a regular judge of a district court within the presiding judge's district, may make an assignment outside the judicial district over which the judge presides with the specific authorization of the presiding judge of the judicial district in which the assignment is made.*

(j) *A retired judge of a district court or county court at law may elect to be a judicial officer by filing the written election with the presiding judge of the judicial district in which the retired judge resides. A judge may not be appointed special judge or visiting judge if the judge:*

(1) *appears and pleads as an attorney at law in any court of this state;*

(2) *has been defeated in an election for judge of the court over which the judge formerly presided;*

(3) *has been removed from office by impeachment, by the supreme court, or by the governor on address to the legislature;*

(4) *has been discharged from the practice of law, whether or not reinstated; or*

(5) *has resigned as judge of a court while under investigation by the State Commission on Judicial Conduct.*

(k) *A visiting judge has the same authority and powers and is entitled to the same amount of compensation as provided for a special judge by this section.*

(l) *The judge of a county court at law may appoint a court coordinator or administrative assistant for the court. A court coordinator or administrative assistant performs the duties prescribed by the judge and cooperates with the administrative judges and state agencies for the uniform and efficient operation of the courts and the administration of justice. The court coordinator or administrative assistant is entitled to receive from county funds an annual salary set by the commissioners court. The salary shall be paid in monthly installments.*

(m) *The official court reporter of a county court at law is entitled to receive the same amount of compensation, fees, and allowances as the reporter of a district court.*

(n) The county clerk serves as clerk of a county court at law, except the district judge and the judge of the county court at law, by rule, may provide that the district clerk serve as clerk of a county court at law in matters of concurrent jurisdiction with the district court.

(o) The commissioners court shall provide the deputy clerks, bailiffs, secretaries, and other personnel necessary to operate a county court at law.

(p) In cases of concurrent jurisdiction with the district court, the jury shall be composed of 12 members, but the parties in a case may agree to a lesser number.

(q) Sections 25.0006 and 25.0008 do not apply to a county court at law in Henderson County. (V.A.C.S. Art. 1970-366a, Secs. 2(a) (part), (b) (part), 3(a) (part), 5(a), (b) (part), (f), 6(a) (part), (b), (c) (part), (d) (part), 7, 8, 10(a) (part); New.)

[Sections 25.1093-25.1100 reserved for expansion]

Sec. 25.1101. HIDALGO COUNTY. (a) Hidalgo County has the following statutory county courts:

- (1) County Court at Law of Hidalgo County;
- (2) County Court at Law No. 2 of Hidalgo County; and
- (3) County Court at Law No. 3 of Hidalgo County.

(b) The county courts at law of Hidalgo County sit in the county seat. (V.A.C.S. Art. 1970-341, Secs. 1 (part), 5 (part); Art. 1970-341a, Secs. 1 (part), 5 (part); Art. 1970-341b, Secs. 1 (part), 4 (part).)

Sec. 25.1102. HIDALGO COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Hidalgo County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in civil cases in which the matter in controversy exceeds \$500 and does not exceed \$20,000, excluding interest.

(b) The judge of a county court at law must be:

(1) a resident of the county; and

(2) an attorney licensed in this state who has actively practiced law in this state for at least four years immediately preceding the general election.

(c) The judge of County Court at Law No. 3 of Hidalgo County shall be paid an annual salary that does not exceed 90 percent of the amount paid a district judge in the county. The salary of a county court at law judge shall be paid in the same manner and from the same fund as prescribed by law for the county judge of Hidalgo County.

(d) A special judge of a county court at law may be appointed or elected as provided by law for county judges. A special judge is entitled to the same rate of compensation as the regular judge.

(e) The county sheriff shall, either in person or by deputy, attend the County Court at Law No. 1 or No. 2 of Hidalgo County as required by the judge. The sheriff serves the county court at law as provided by Section 25.0010(b).

(f) The official court reporter of a county court at law is entitled to receive a salary set by the judge of the county court at law as provided by law for district court reporters. The salary shall be paid monthly by the commissioners court out of funds available for that purpose. The clerk of the court shall tax as costs in each civil, criminal, or probate case in which a record, or any part of a record, is made of the evidence a stenographer's fee of \$3. The clerk collects the fees and pays them into the county's general fund.

(g) The official interpreter of the district courts of Hidalgo County serves as official interpreter of each county court at law. If the official interpreter is not available, the judge of a county court at law may appoint a temporary interpreter.

The temporary interpreter shall be compensated at an amount not to exceed \$5 a day paid out of the county's general fund on certificate of the judge. Subject to the commissioners court approval, the judge of a county court at law may appoint an official interpreter for the court as provided by law.

(h) Practice, appeals, and writs of error in a county court at law are those prescribed by law for county courts.

(i) The jurisdiction and authority vested by law in the county court for the drawing, selection, and service of jurors shall be exercised by a county court at law. Jurors summoned for any of the county courts at law or the county court may by order of the judge of the court in which they are summoned be transferred to any of the other courts for service and may be used as if summoned for the court to which they are transferred. On agreement of the judges of the county court and county courts at law, jurors may be summoned for service in all of the courts and used interchangeably in the courts.

(j) Jurors regularly impaneled for the week by the district courts may, on request of the county judge or the judge of a county court at law, be made available by the district judge in the numbers requested for service for the week and shall serve for the week in the county court or county courts at law. (V.A.C.S. Art. 1970-341, Secs. 2A, 3, 5 (part), 6 (part), 8 (part), 10 (part), 11(a) (part), 12, 15, 16; Art. 1970-341a, Secs. 2(b) (part), 3, 5 (part), 6 (part), 8(a), 10 (part), 11(a) (part), 12, 15, 16; Art. 1970-341b, Secs. 2(b), (c) (part), 4 (part), 5(a) (part), (d), 6(a) (part), 7(c) (part), (d), 8; New.)

[Sections 25.1103-25.1110 reserved for expansion]

[Sections 25.1111-25.1120 reserved for Hill County]

[Sections 25.1121-25.1130 reserved for Hockley County]

[Sections 25.1131-25.1140 reserved for Hood County]

[Sections 25.1141-25.1150 reserved for Hopkins County]

Sec. 25.1151. HOUSTON COUNTY. Houston County has one statutory county court, the County Court at Law of Houston County. (V.A.C.S. Art. 1970-365, Sec. 1.)

Sec. 25.1152. HOUSTON COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Houston County has, concurrent with the county court, the probate jurisdiction provided by general law for county courts.

(b) A county court at law has terms beginning on the first Mondays in January, April, July, and October.

(c) The judge of a county court at law must:

(1) be a licensed and practicing member of the state bar;

(2) have been a bona fide resident of the county for two years before appointment or election; and

(3) have actively practiced law in this state for at least five years before appointment or election.

(d) The salary of the judge of a county court at law shall be paid out of the county treasury on orders of the commissioners court. The judge is entitled to reasonable travel expenses and necessary office expenses, including administrative and clerical assistance.

(e) The judge of a county court at law shall diligently discharge the duties of his office on a full-time basis and may not engage in the private practice of law.

(f) A special judge of a county court at law with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for the selection of a special county judge. If a judge of a county court at law is disqualified or excuses himself from a case pending in his court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(g) *The judge of a county court at law shall set the official court reporter's salary at an amount that does not exceed the salary of the court reporter for the district court. The salary shall be paid from the county treasury on order of the commissioners court.*

(h) *Practice in a county court at law must conform to that prescribed by general law for county courts.*

(i) *The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. (V.A.C.S. Art. 1970-365, Secs. 2(a) (part), 3 (part), 4(a), (d) (part), (e), 5(b) (part), 6(a), 7.)*

[Sections 25.1153-25.1160 reserved for expansion]

[Sections 25.1161-25.1170 reserved for Howard County]

[Sections 25.1171-25.1180 reserved for Hudspeth County]

Sec. 25.1181. HUNT COUNTY. Hunt County has one statutory county court, the County Court at Law of Hunt County. (V.A.C.S. Art. 1970-354, Secs. 1, 2(a).)

Sec. 25.1182. HUNT COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Hunt County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest; and

(B) appeals of final rulings and decisions of the Industrial Accident Board.

(b) A county court at law has the same terms of court as the County Court of Hunt County.

(c) The judge of a county court at law must:

(1) be a licensed and practicing member of the state bar who has actively practiced law for at least four years;

(2) be well informed in the laws of this state; and

(3) have been a bona fide resident of the county for at least two years immediately preceding election or appointment.

(d) The judge of a county court at law shall be paid an annual salary that is at least \$42,500, to be paid from the same fund and in the same manner as the county judge. The judge is entitled to receive travel expenses and necessary office expenses in the same manner as is allowed the county judge.

(e) The judge of a county court at law shall diligently discharge the duties of his office on a full-time basis and may not engage in the private practice of law.

(f) A special judge of a county court at law with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for county courts. If the judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge to try the case. A special judge is entitled to receive \$100 for each day served to be paid out of the general fund of the county by the commissioners court.

(g) The county sheriff shall, in person or by deputy, attend a county court at law as required by the judge.

(h) Practice in a county court at law is that prescribed by law for county courts.

(i) Section 25.0005(b) does not apply to a county court at law in Hunt County. (V.A.C.S. Art. 1970-354, Secs. 2(c) (part), (d), (f), 3, 4(a) (part), (d) (part), (e), (f), (g) (part), 6 (part), 8.)

[Sections 25.1183–25.1190 reserved for expansion]

[Sections 25.1191–25.1200 reserved for Hutchinson County]

[Sections 25.1201–25.1210 reserved for Irion County]

[Sections 25.1211–25.1220 reserved for Jack County]

[Sections 25.1221–25.1230 reserved for Jackson County]

[Sections 25.1231–25.1240 reserved for Jasper County]

[Sections 25.1241–25.1250 reserved for Jeff Davis County]

Sec. 25.1251. JEFFERSON COUNTY. (a) Jefferson County has the following statutory county courts:

- (1) County Court of Jefferson County at Law No. 1;
- (2) County Court of Jefferson County at Law No. 2; and
- (3) County Court of Jefferson County at Law No. 3.

(b) The county courts at law of Jefferson County sit in Beaumont. (V.A.C.S. Art. 1970–111; Art. 1970–126a, Sec. 1; Art. 1970–126b, Sec. 1.)

Sec. 25.1252. JEFFERSON COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Jefferson County has concurrent civil jurisdiction with the district court in cases in which the matter in controversy exceeds \$500 and does not exceed \$50,000, excluding interest.

(b) The County Court of Jefferson County at Law No. 3 shall give preference to criminal cases.

(c) A county court at law has terms beginning on the first Mondays in January, April, July, and October.

(d) The judge of a county court at law must have:

- (1) resided in the county for at least two years before election; and
- (2) the qualifications required by general law for a district judge.

(e) The judge of a county court at law shall be paid an annual salary that is at least equal to the amount that is \$1,000 less than the total annual salary, including supplements, received by a district judge in the county. The salary shall be paid out of the county treasury on order of the commissioners court.

(f) A person appointed to fill a vacancy in the office of judge of the County Court of Jefferson County at Law No. 3 must have the same qualifications as the regular judge.

(g) A special judge of a county court at law in Jefferson County may be appointed or elected in the manner provided by law for the appointment or election of a special district or county judge. A special judge is entitled to the same rate of compensation as the regular judge. The compensation of the special judge shall be paid out of a general fund of the county treasury and may not be deducted from the salary of the regular judge.

(h) In addition to the lawful fees for transcribing testimony and preparing statements of facts, the official shorthand reporter of the County Court of Jefferson County at Law No. 3 receives the same salary as the official shorthand reporter of the County Court of Jefferson County at Law No. 1. The salary shall be paid monthly out of the county treasury on order of the commissioners court.

(i) The county sheriff shall, in person or by deputy, attend a county court at law as required by the judge.

(j) A county court at law may exercise the jurisdiction vested in the district court for the drawing, selection, and service of jurors. A panel not exceeding 24 jurors shall be drawn for any one week of a court, and the juries selected may not exceed six.

(k) For each court, the county clerk shall appoint a deputy acceptable to the judge to attend the sessions of court and attend to all matters pertaining to the court. The deputy assigned to the County Court of Jefferson County at Law No. 1 is entitled to receive a salary not to exceed the maximum salary paid other deputies in the county clerk's office with the rating of a head of a department. The salary shall be paid out of the county's general fund on order of the commissioners court.

(l) An appeal from the justice courts or municipal courts in Jefferson County must be made directly to any of the county courts at law in Jefferson County.

(m) Sections 25.0006 and 25.0007 do not apply to the county courts at law of Jefferson County. (V.A.C.S. Arts. 1970-112 (part), 1970-114 (part), 1970-115 (part), 1970-119 (part), 1970-120, 1970-122 (part), 1970-123; Art. 1970-126a, Secs. 2 (part), 3, 5 (part), 6 (part), 7, 8 (part), 9; Art. 1970-126b, Secs. 2(b), 3, 5, 6(b), 7 (part), 10(a), 10(b), 10(c) (part), 11, 12 (part), 13, 16; New.)

[Sections 25.1253-25.1260 reserved for expansion]

[Sections 25.1261-25.1270 reserved for Jim Hogg County]

[Sections 25.1271-25.1280 reserved for Jim Wells County]

Sec. 25.1281. JOHNSON COUNTY. Johnson County has one statutory county court, the County Court at Law No. 1 of Johnson County. (V.A.C.S. Art. 1970-335a, Sec. 1.)

Sec. 25.1282. JOHNSON COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Johnson County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500, but does not exceed \$50,000, excluding interest; and

(B) family law cases and proceedings.

(b) A county court at law has the same terms as the County Court of Johnson County.

(c) The judge of a county court at law must:

(1) be a citizen of the United States;

(2) be a resident of the county;

(3) be a qualified voter; and

(4) have been a licensed attorney in this state for at least four years before appointment or election.

(d) The judge of a county court at law may not engage in the private practice of law.

(e) The judge of a county court at law shall be paid an annual salary that is equal to 80 percent of the annual salary paid by the state to a district judge in the county. The salary shall be paid in the same manner and from the same fund as the salary of the county judge.

(f) A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. A special judge must have the same qualifications as the regular judge and is entitled to the same rate of compensation as the regular judge for each day served.

(g) The county attorney or district attorney serves as prosecuting attorney for a county court at law.

(h) Practice in a county court at law in Johnson County is that prescribed by law for county courts.

(i) *The laws governing the drawing, selection, and service of jurors for county courts apply to a county court at law. (V.A.C.S. Art. 1970-335a, Secs. 2(a) (part), (b) (part), 4, 5(a), (f) (part), (g), (h), 6(a) (part), 7; New.)*

[Sections 25.1283-25.1290 reserved for expansion]

[Sections 25.1291-25.1300 reserved for Jones County]

[Sections 25.1301-25.1310 reserved for Karnes County]

[Sections 25.1311-25.1320 reserved for Kaufman County]

[Sections 25.1321-25.1330 reserved for Kendall County]

[Sections 25.1331-25.1340 reserved for Kenedy County]

[Sections 25.1341-25.1350 reserved for Kent County]

Sec. 25.1351. KERR COUNTY. Kerr County has one statutory county court, the County Court at Law of Kerr County. (V.A.C.S. Art. 1970-388, Sec. 1.)

Sec. 25.1352. KERR COUNTY COURT AT LAW PROVISIONS. (a) A county court at law in Kerr County has the jurisdiction provided by Section 25.0003 except that the county court retains exclusive original jurisdiction of all matters under the Texas Mental Health Code (Article 5547-1 et seq., Vernon's Texas Civil Statutes) and statutory procedures for the commitment and treatment of persons alleged to be alcoholics, drug-dependent persons, or mentally ill persons.

(b) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Kerr County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the matter in controversy exceeds \$500 but does not exceed \$50,000, excluding interest and attorney's fees; and

(B) proceedings under Titles 1, 2, and 4, Family Code.

(c) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. Jurors regularly impaneled for a week by the district courts may, on request of the judge of a county court at law, be made available and serve for the week in the county court at law.

(d) The terms of a county court at law are the same as those of the county court.

(e) The judge of a county court at law must:

(1) have resided in and actively practiced law in the county for at least six months before appointment or election; and

(2) be a licensed attorney in this state who has actively practiced law for at least two years before appointment or election.

(f) The judge of a county court at law shall be paid an annual salary that is at least equal to 80 percent of the annual compensation, including supplements, of a district judge in the county. The salary shall be paid out of the county treasury on orders by the commissioners court. The judge is entitled to reasonable travel expenses and necessary office expenses, including administrative and clerical assistance.

(g) If the judge of a county court at law is disqualified to try a pending case, the parties or their attorneys may agree on the selection of a special judge to try the case. A special judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. A special judge is entitled to receive as compensation for each day actively served an amount equal to 1/250 of the annual salary of a judge of a county court at law. The commissioners court shall pay the special judge's salary out of the general fund of the county.

(h) The judge of a county court at law may not engage in the private practice of law.

(i) *The county sheriff shall, in person or by deputy, attend a county court at law as required by the judge.*

(j) *The official court reporter of a county court at law is entitled to receive a salary set by the judge of the court at an amount that is at least equal to 80 percent of the average compensation paid the official court reporters of the district courts in the county. The salary shall be paid out of the county treasury in equal monthly installments.*

(k) *Notwithstanding Section 26.021, the county judge may appoint a retired judge as otherwise authorized by Subchapter C, Chapter 26. (V.A.C.S. Art. 1970-388, Secs. 2(b), (c) (part), (d), (e), 5, 7, 8(b) (part), (e) (part), (f), (g), (h), 9(d) (part).)*

[Sections 25.1353-25.1360 reserved for expansion]

[Sections 25.1361-25.1370 reserved for Kimble County]

[Sections 25.1371-25.1380 reserved for King County]

[Sections 25.1381-25.1390 reserved for Kinney County]

Sec. 25.1391. KLEBERG COUNTY. (a) Kleberg County has one statutory county court, the County Court at Law of Kleberg County.

(b) The county court at law sits in the county seat of Kleberg County. (V.A.C.S. Art. 1970-382, Secs. 1, 8(a) (part).)

Sec. 25.1392. KLEBERG COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Kleberg County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent civil jurisdiction with the district court in:

(A) civil cases in which the matter in controversy exceeds \$500 and does not exceed \$20,000, excluding interest; and

(B) family law cases and proceedings.

(b) The judge of a county court at law must:

(1) be a citizen of the United States;

(2) have been a resident of the county for at least two years before appointment or election; and

(3) be a licensed attorney in this state who has actively practiced law or been a judge of a court in this state, or both combined, for at least four years before appointment or election.

(c) A bond is not required of a judge of a county court at law.

(d) A judge of a county court at law shall be paid an annual salary that is at least \$32,000 but not more than \$1,000 less than the salary paid by the state to a district judge. A county court at law judge is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as the county judge.

(e) A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. A special judge must have the same qualifications as the regular judge and is entitled to the same rate of compensation.

(f) The district clerk serves as clerk of each county court at law in cases enumerated in Subsection (a)(2), and the county clerk serves as clerk of a county court at law in all other cases. The district clerk shall establish a separate docket for a county court at law.

(g) The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve each county court at law.

(h) *The jury in all civil or criminal matters is composed of 12 members, except that in misdemeanor criminal cases and any other case in which the court has concurrent jurisdiction with the county court the jury is composed of six members.*

(i) *The laws that govern the drawing, selection, and service of jurors for county courts apply to the county courts at law. Jurors regularly impaneled for the week by the district court may, at the request of either the judge of the county court or a judge of a county court at law, be made available by the district judge in the numbers requested and serve for the week in the county court or a county court at law. (V.A.C.S. Art. 1970-382, Secs. 2(a) (part), (c) (part), 5(a), (d) (part), (f) (part), (g), 6(a) (part), 7(a) (part), (d).)*

[Sections 25.1393-25.1400 reserved for expansion]

[Sections 25.1401-25.1410 reserved for Knox County]

[Sections 25.1411-25.1420 reserved for Lamar County]

[Sections 25.1421-25.1430 reserved for Lamb County]

[Sections 25.1431-25.1440 reserved for Lampasas County]

[Sections 25.1441-25.1450 reserved for LaSalle County]

[Sections 25.1451-25.1460 reserved for Lavaca County]

[Sections 25.1461-25.1470 reserved for Lee County]

[Sections 25.1471-25.1480 reserved for Leon County]

Sec. 25.1481. LIBERTY COUNTY. (a) Liberty County has one statutory county court, the County Court at Law of Liberty County.

(b) The County Court at Law of Liberty County sits in Liberty. (V.A.C.S. Art. 1970-379, Sec. 1.)

Sec. 25.1482. LIBERTY COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Liberty County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest and attorney's fees;

(B) appeals of final rulings and decisions of the Industrial Accident Board; and

(C) family law cases and proceedings.

(b) This section does not affect the right of appeal to a county court at law from a justice court in cases in which the right of appeal to the county court exists by law.

(c) The judge of a county court at law must:

(1) be a United States citizen;

(2) have resided in the county for at least one year before election or appointment; and

(3) be a licensed member of the state bar who has actively practiced law for at least four years before election or appointment.

(d) The judge of a county court at law may not engage in the private practice of law.

(e) A bond is not required of a judge of a county court at law.

(f) The official court reporter of a county court at law is entitled to receive the same compensation, fees, and allowances as the reporters of the district courts in Liberty County.

(g) *With the approval of the commissioners court, the judge of a county court at law may appoint a court coordinator or administrative assistant for the court. The court coordinator or administrative assistant performs the duties prescribed by the judge and cooperates with the administrative judges and state agencies for the uniform and efficient operation of the courts and the administration of justice. The court coordinator or administrative assistant is entitled to be paid from county funds the compensation, fees, and allowances set by the commissioners court or as otherwise provided by law.*

(h) *The commissioners court shall provide the deputy clerks, bailiffs, and other personnel necessary to operate a county court at law.*

(i) *If the regular judge of the county court at law is absent, disabled, or disqualified from presiding, the presiding judge of the administrative judicial district in which the county is located may appoint a retired district judge or a person licensed to practice law in this state to sit as a special judge.*

(j) *A special judge must have the same qualifications as the regular judge, except that the only residency requirement for a person who is a retired judge is that the retired judge must reside in the administrative judicial district. A retired judge must have voluntarily retired from office and have certified his willingness to serve.*

(k) *A special judge must take the oath of office required by law for the regular judge and has all the power and jurisdiction of the court and of the regular judge for whom he is sitting. A special judge may sign orders, judgments, decrees, or other process of any kind as "Judge Presiding" when acting for the regular judge.*

(l) *A special judge is entitled to receive for the services actually performed the same amount of compensation as the regular judge. The compensation shall be paid out of county funds on certification by the presiding judge of the administrative judicial district that the special judge has rendered the services and is entitled to receive the compensation. The amount of compensation paid to a special judge may not be deducted or paid out of the salary of the regular judge.*

(m) *The criminal district attorney or county attorney and county sheriff shall attend the county court at law as required by the judge.*

(n) *Sections 25.0006(b) and 25.0008 do not apply to a county court at law in Liberty County. (V.A.C.S. Art. 1970-379, Secs. 2(a) (part), (b) (part), (d), 5(a), (e) (part), (f), 6(a) (part), (b), (c) (part), (d) (part), 7; New.)*

[Sections 25.1483-25.1490 reserved for expansion]

[Sections 25.1491-25.1500 reserved for Limestone County]

[Sections 25.1501-25.1510 reserved for Lipscomb County]

[Sections 25.1511-25.1520 reserved for Live Oak County]

[Sections 25.1521-25.1530 reserved for Llano County]

[Sections 25.1531-25.1540 reserved for Loving County]

Sec. 25.1541. LUBBOCK COUNTY. (a) *Lubbock County has the following statutory county courts:*

- (1) *County Court at Law No. 1 of Lubbock County; and*
- (2) *County Court at Law No. 2 of Lubbock County.*

(b) *A county court at law sits in Lubbock. (V.A.C.S. Art. 1970-340, Secs. 1, 1a; Art. 1970-340.1, Sec. 1.)*

Sec. 25.1542. LUBBOCK COUNTY COURT AT LAW PROVISIONS. (a) *In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Lubbock County has:*

- (1) *concurrent with the county court, the probate jurisdiction provided by general law for county courts; and*
- (2) *concurrent jurisdiction with the district court in:*

(A) *civil cases in which the amount in controversy exceeds \$500 and does not exceed \$10,000, excluding interest; and*

(B) *family law cases and proceedings.*

(b) *A county court at law has original concurrent jurisdiction with the justice courts in all matters prescribed by law for justice courts.*

(c) *An appeal or writ of error may not be taken to a court of appeals from a final judgment of a county court at law if:*

(1) *the court had appellate or original concurrent jurisdiction with the justice court; and*

(2) *the judgment or amount in controversy does not exceed \$100, excluding interest and costs.*

(d) *This section does not deny the return of an appeal to a county court at law where the return of appeals to the county court exists by law.*

(e) *Appeals from the justice court and other inferior courts in the county must be made directly to a county court at law under provisions governing appeals to county courts.*

(f) *In family law cases and proceedings, a county court at law has the same terms of court as a district court in the county. In all other matters, a county court at law has terms that begin on the first Mondays in January and July.*

(g) *The judge of a county court at law must:*

(1) *be a licensed attorney in this state;*

(2) *have resided in the county for at least the two years immediately preceding appointment or election; and*

(3) *have practiced law in the state for at least the five years immediately preceding appointment or election.*

(h) *The judge of a county court at law shall be paid an annual salary that is at least 90 percent of the total annual salary, including supplements other than the juvenile board supplement, paid to the judge of the 99th District Court. The salary shall be paid out of the county general fund on order of the commissioners court.*

(i) *A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If the judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge. A special judge is entitled to receive \$15 for each day served, to be paid out of the county general fund by the commissioners court.*

(j) *The district clerk serves as clerk of a county court at law in family law cases and proceedings, and the county clerk serves as clerk of the court in all other matters.*

(k) *The county sheriff shall, in person or by deputy, attend a county court at law as required by the judge.*

(l) *The official court reporter of a county court at law is entitled to the same amount of fees and salary and shall perform the same duties as a district court reporter in the county. The salary shall be paid in the same manner as the salary of a district court reporter.*

(m) *Practice and procedure and rules of evidence governing trials in and appeals from a county court apply to a county court at law, except that practice and procedure, rules of evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings involving family law cases and proceedings shall be governed by this section and the laws and rules pertaining to district courts as well as county courts. In family law cases, juries shall be composed of 12 members.*

(n) *The laws governing the drawing, selection, and service of jurors in county courts apply to a county court at law. Jurors summoned for service in the county court or a county court at law may, by order of the judge of the court to which they are summoned, be transferred to another court for service and may be used as if*

summoned to the court to which they are transferred. (V.A.C.S. Art. 1970-340, Secs. 2 (part), 2a (part), 2b, 2c (part), 2d (part), 2e, 3, 4, 5 (part), 7, 8 (part), 9 (part), 14, 15, 17 (part), 18, 19 (part), 21 (part), 23 (part), 24, 25; Art. 1970-340.1, Secs. 2 (part), 2a (part), 2b, 2c (part), 2d (part), 2e, 3, 4 (part), 5, 6 (part), 8, 9 (part), 10 (part), 15, 16, 18 (part), 19, 20 (part), 22 (part), 24 (part), 25, 26.)

[Sections 25.1543-25.1550 reserved for expansion]

[Sections 25.1551-25.1560 reserved for Lynn County]

[Sections 25.1561-25.1570 reserved for McCulloch County]

Sec. 25.1571. McLENNAN COUNTY. McLennan County has the following statutory county courts:

(1) County Court at Law of McLennan County; and

(2) County Court at Law No. 2 of McLennan County. (V.A.C.S. Art. 1970-298b, Sec. 1; Art. 1970-298d, Sec. 1 (part).)

Sec. 25.1572. McLENNAN COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, the County Court at Law No. 2 of McLennan County has, concurrent with the county court, the probate jurisdiction provided by general law for county courts.

(b) A county court at law in McLennan County has six terms beginning on the first Mondays in January, March, May, July, September, and November.

(c) A judge of a county court at law must:

(1) be a qualified voter in the county;

(2) be a licensed attorney in this state who is well informed in the laws of this state; and

(3) have resided and practiced law in this state or served as judge of a court for at least five years before the general election.

(d) A judge of a county court at law shall be paid an annual salary of not more than \$20,000. Each judge receives the same amount as salary. The salary shall be paid out of the county treasury by the commissioners court.

(e) A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. A special judge is entitled to receive \$10 a day for each day served, to be paid out of the county's general fund by the commissioners court.

(f) The practice and procedure in a county court at law must conform to that prescribed by law for county courts.

(g) The county sheriff shall, in person or by deputy, attend a county court at law as required by the judge.

(h) An official court reporter is not required to take testimony in a case unless the judge or a party demands that testimony be taken. In cases in which the court reporter is required to take testimony, the clerk shall assess a \$3 fee as costs in the case. The clerk shall collect the fee and deposit it in the county treasury. The court reporter shall be available for matters being considered in the county court if the parties before the court request a court reporter and the request is approved by the judge of a county court at law.

(i) The court reporter is entitled to receive the same compensation and to be paid in the same manner as the court reporters of the district courts in McLennan County.

(j) Sections 25.0006(b) and 25.0007 do not apply to a county court at law in McLennan County. (V.A.C.S. Art. 1970-298b, Secs. 4 (part), 5 (part), 7, 9 (part), 10(b), (c) (part), 12 (part); Art. 1970-298d, Secs. 2(a) (part), 5 (part), 6 (part), 8, 9 (part), 10(b), (c) (part), 12 (part).)

[Sections 25.1573–25.1580 reserved for expansion]

[Sections 25.1581–25.1590 reserved for McMullen County]

[Sections 25.1591–25.1600 reserved for Madison County]

[Sections 25.1601–25.1610 reserved for Marion County]

[Sections 25.1611–25.1620 reserved for Martin County]

[Sections 25.1621–25.1630 reserved for Mason County]

[Sections 25.1631–25.1640 reserved for Matagorda County]

[Sections 25.1641–25.1650 reserved for Maverick County]

Sec. 25.1651. MEDINA COUNTY. Medina County has one statutory county court, the County Court at Law of Medina County. (V.A.C.S. Art. 1970–376, Sec. 1.)

Sec. 25.1652. MEDINA COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Medina County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$20,000, excluding interest; and

(B) family law cases and proceedings.

(b) The judge of a county court at law must:

(1) be a qualified voter in the county;

(2) have resided in the county for at least two years; and

(3) be a licensed attorney in this state who has actively practiced law or been a judge of a court in this state, or both combined, for at least four years before election or appointment.

(c) The judge of a county court at law shall be paid an annual salary that does not exceed 90 percent of the amount paid a district judge in the county. The salary shall be paid out of the county treasury by the commissioners court. The judge is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as is allowed the county judge.

(d) A special judge of a county court at law with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If a judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(e) The district clerk serves as clerk of a county court at law in family law cases and proceedings and shall establish a separate docket for a county court at law. The county clerk serves as clerk of the court in all other cases.

(f) The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve a county court at law.

(g) Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings involving family law matters and proceedings shall be governed by this section and the laws and rules pertaining to district courts. If a family law case is tried before a jury, the jury shall be composed of 12 members.

(h) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. Jurors regularly impaneled for a week by the district court may, on request of the county judge or the judge of a county court at

law, be made available and shall serve for the week in the county court or a county court at law. (V.A.C.S. Art. 1970-376, Secs. 2(a) (part), (b) (part), (c) (part), 4(a), (e) (part), (f), 5(a) (part), 7.)

[Sections 25.1653-25.1660 reserved for expansion]

[Sections 25.1661-25.1670 reserved for Menard County]

Sec. 25.1671. **MIDLAND COUNTY.** Midland County has the following statutory county courts:

(1) County Court at Law of Midland County; and

(2) County Court at Law No. 2 of Midland County. (V.A.C.S. Art. 1970-370, Sec. 1; Art. 1970-370a, Sec. 1.)

Sec. 25.1672. **MIDLAND COUNTY COURT AT LAW PROVISIONS.** (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Midland County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the matter in controversy exceeds \$500 but does not exceed \$50,000, excluding interest;

(B) appeals of final rulings and decisions of the Industrial Accident Board, regardless of the amount in controversy; and

(C) family law cases and proceedings.

(b) A county court at law has the same terms of court as the County Court of Midland County.

(c) The judge of a county court at law must:

(1) have resided in and practiced law in Midland County for at least two years before appointment or election; and

(2) be a licensed attorney in this state who has actively practiced law for at least four years before appointment or election.

(d) The judge of a county court at law shall be paid an annual salary that is at least equal to the amount that is 90 percent of the annual salary paid by the state to a district judge in the county. The salary shall be paid out of the county treasury. The judge is entitled to receive travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as the county judge.

(e) The fees assessed in cases in which the court has concurrent civil jurisdiction with the district court shall be the same as in the district court.

(f) A special judge of a county court at law with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. A special judge is entitled to the same rate of compensation as the regular judge.

(g) The district clerk serves as clerk of the county courts at law in cases enumerated in Subsection (a)(2), and the county clerk serves as clerk of the county courts at law in all other cases.

(h) With the approval of the judge of the County Court at Law of Midland County, the official court reporter shall be available for matters being considered in the county and district courts in Midland County.

(i) Practice in the county courts at law must conform to that prescribed by law and rule for county courts. The law governing the drawing, selection, and service of jurors for county courts applies to a county court at law. Sections 62.016 and 62.302 also apply to a county court at law. Jurors regularly impaneled for a week by a district court at the request of either the judge of the county court or a judge of a county court at law may be made available by the district judge in the numbers requested and shall serve for the week in the county court or county courts at law.

(j) *The County Court at Law No. 2 of Midland County shall sit in the city of Midland. (V.A.C.S. Art. 1970-370, Secs. 2(a) (part), (b) (part), 4, 5(a), (d) (part), (e), 6(a) (part), (b) (part), 7(a), 8; Art. 1970-370a, Secs. 2(a) (part), (b) (part), 4, 5(a), (f) (part), (g), 6(a) (part), 7(a), (e), 8(a) (part).)*

[Sections 25.1673-25.1680 reserved for expansion]

[Sections 25.1681-25.1690 reserved for Milam County]

[Sections 25.1691-25.1700 reserved for Mills County]

[Sections 25.1701-25.1710 reserved for Mitchell County]

[Sections 25.1711-25.1720 reserved for Montague County]

Sec. 25.1721. MONTGOMERY COUNTY. *Montgomery County has the following statutory county courts:*

- (1) *County Court at Law No. 1 of Montgomery County;*
- (2) *County Court at Law No. 2 of Montgomery County; and*
- (3) *County Court at Law No. 3 of Montgomery County. (V.A.C.S. Art. 1970-363, Sec. 1; Art. 1970-363a, Sec. 1; Art. 1970-363b, Sec. 1.)*

Sec. 25.1722. MONTGOMERY COUNTY COURT AT LAW PROVISIONS. (a) *In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Montgomery County has:*

(1) *concurrent with the county court, the probate jurisdiction provided by general law for county courts; and*

(2) *concurrent jurisdiction with the district court in:*

(A) *civil cases in which the amount in controversy exceeds \$500 and does not exceed \$20,000, including interest;*

(B) *family law cases and proceedings;*

(C) *cases under the Uniform Reciprocal Enforcement of Support Act (Section 21.01 et seq., Family Code); and*

(D) *cases and proceedings involving justiciable controversies and differences between spouses, or between parents, or between parent and child, or between any of these and third persons, corporations, trustees, or other legal entities.*

(b) *The County Court at Law No. 1 of Montgomery County also has concurrent jurisdiction with the justice court in all criminal matters prescribed by law for justice courts. This subsection does not affect the right of appeal to the County Court at Law No. 1 of Montgomery County from the justice court where the right of appeal to the county court exists by law.*

(c) *The County Court at Law No. 1 of Montgomery County has the same terms of court as the County Court of Montgomery County. The commissioners court shall prescribe at least four terms each year for the County Court at Law Nos. 2 and 3 of Montgomery County.*

(d) *The judge of the County Court at Law No. 1 of Montgomery County must:*

(1) *have been a member of the state bar and have actively practiced law for at least five years;*

(2) *have resided in and actively practiced law in Montgomery County for at least two years before appointment or election; and*

(3) *be well informed in the laws of this state.*

(e) *The judge of the County Court at Law No. 2 of Montgomery County must:*

(1) *have been a member of the state bar and have actively practiced law for at least four years;*

(2) *have resided in and actively practiced law in Montgomery County for at least two years before the general election; and*

(3) *be well informed in the laws of this state.*

(f) *The judge of the County Court at Law No. 3 of Montgomery County must:*

(1) *be a licensed attorney in this state who has actively practiced law in this state for at least four years before appointment or election;*

(2) *have resided in and actively practiced law in the county for at least two years before appointment or election; and*

(3) *be well informed in the laws of this state.*

(g) *The judge of the County Court at Law No. 1 of Montgomery County may not engage in the private practice of law. The judge of the County Court at Law No. 2 or 3 may not appear and plead as an attorney at law in any court of record in this state or in any court over which the judge has appellate jurisdiction.*

(h) *The judge of a county court at law shall be paid an annual salary that is equal to at least 95 percent of the annual salary of the district judges in the county. The salary shall be paid by the county treasurer on order of the commissioners court. The judge of a county court at law is entitled to receive travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as the county judge.*

(i) *If the judge of a county court at law is disqualified to try a case, a special judge of a county court at law may be appointed in the manner provided by law for the appointment of a special county judge. A special judge must have the same qualifications as the regular judge and is entitled to the same rate of compensation as the regular judge.*

(j) *The district clerk of Montgomery County serves as clerk of the county courts at law in cases of concurrent jurisdiction between the district courts and the county courts at law and shall establish separate dockets for the county courts at law. The county clerk serves as clerk of the county courts at law in all other cases. The commissioners court may employ as many assistant county attorneys, deputy sheriffs, and clerks as are necessary to serve the county courts at law.*

(k) *Practice in the County Court at Law No. 1 of Montgomery County is that prescribed by law for county courts.*

(l) *Juries in the County Courts at Law Nos. 2 and 3 shall be composed of 12 members in all civil and criminal cases, except that in misdemeanor criminal cases and other cases of concurrent jurisdiction with the county court, juries shall be composed of six members.*

(m) *The laws governing the drawing, selection, service, and pay of jurors for county courts apply to the county courts at law. Jurors summoned for the county court or county courts at law may by order of the judge of the court to which they are summoned be transferred to another court for service and may be used as if summoned for the court to which they are transferred. If the judges of the county court and the County Court at Law No. 1 agree, jurors may be summoned for service in either court and used interchangeably in the courts. Jurors regularly summoned for the week by the district courts of Montgomery County may, at the request of the county judge or the judges of the county courts at law, be made available by the district judges in the numbers requested and shall serve for the week in the county court or the county courts at law.*

(n) *Appeals in all cases from judgments and orders of the County Courts at Law Nos. 2 and 3 are to the court of appeals as provided for appeals from district and county courts. (V.A.C.S. Art. 1970-363, Secs. 2(a) (part), (b) (part), (c) (part), 4, 5(a), (c), (e) (part), (f), 6(b) (part), 7(a), 8 (part); Art. 1970-363a, Secs. 2(a) (part), (b) (part), 4, 5(a) (part), (d) (part), (e), 6(a) (part), 7(a) (part), (d), (e); Art. 1970-363b, Secs. 2(a) (part), (b) (part), 4, 5(b), (e) (part), (f), 6(a) (part), 7(a) (part), (d), (e).)*

[Sections 25.1723-25.1730 reserved for expansion]

Sec. 25.1731. MOORE COUNTY. (a) Moore County has one statutory county court, the County Court at Law of Moore County.

(b) The County Court at Law of Moore County sits in Dumas. (V.A.C.S. Art. 1970-390, Sec. 1.)

Sec. 25.1732. MOORE COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Moore County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent civil jurisdiction with the district court in:

(A) cases in which the matter in controversy exceeds \$500 and does not exceed \$50,000, excluding interest and attorney's fees;

(B) appeals of final rulings and decisions of the Industrial Accident Board; and

(C) family law cases and proceedings.

(b) This section does not affect the right of appeal to a county court at law from the justice courts in cases in which the right of appeal to the county court exists by law.

(c) The judge of a county court at law must:

(1) be a United States citizen;

(2) have resided in the county for at least six months before appointment or election; and

(3) be an attorney licensed in this state who has actively practiced law for at least four years before appointment or election.

(d) The judge of a county court at law may not engage in the private practice of law.

(e) If the regular judge of a county court at law is absent, disabled, or disqualified from presiding, the presiding judge of the administrative judicial district in which the county is located may appoint a retired district judge or a person licensed to practice in this state to sit as a special judge.

(f) A special judge must have the qualifications required of the regular judge, except that the only residency requirement for a retired judge is that the retired judge be a resident of the administrative judicial district. A retired judge must have voluntarily retired from office and have certified his willingness to serve. A special judge must take the oath of office required of a regular judge.

(g) A special judge has all the power and jurisdiction of the court and of the regular judge for whom he is sitting. A special judge may sign orders, judgments, decrees, or other processes of any kind as "Judge Presiding" when acting for the regular judge.

(h) A special judge is entitled to receive for the services performed the same amount of compensation that the regular judge is entitled to receive for the services. The compensation shall be paid out of county funds on certification by the presiding judge of the administrative judicial district that the special judge has rendered the services and is entitled to receive the compensation. None of the amount paid to a special judge for sitting for the regular judge may be deducted or paid out of the salary of the regular judge.

(i) With the approval of the commissioners court, the judge of a county court at law may appoint a court coordinator or administrative assistant for the court. A court coordinator or administrative assistant performs the duties prescribed by the judge and cooperates with the administrative judges and state agencies for the uniform and efficient operation of the courts and the administration of justice. The court coordinator or administrative assistant is entitled to be paid from county funds the compensation, fees, and allowances that are set by the commissioners court or as otherwise provided by law.

(j) The district attorney of Moore County serves as district attorney for a county court at law in Moore County. The district clerk serves as clerk of a county court at

law in the cases enumerated in Subsection (a)(2) and shall establish a separate docket for the county court at law. The commissioners court shall provide the deputy clerks, bailiffs, and other personnel necessary to operate a county court at law.

(k) Section 25.0008 does not apply to a county court at law in Moore County. (V.A.C.S. Art. 1970-390, Secs. 2(a) (part), (b) (part), (d), 5(a), (f), 6(b), (c) (part), (d) (part), 7.)

[Sections 25.1733-25.1740 reserved for expansion]

[Sections 25.1741-25.1750 reserved for Morris County]

[Sections 25.1751-25.1760 reserved for Motley County]

Sec. 25.1761. **NACOGDOCHES COUNTY.** *Nacogdoches County has one statutory county court, the County Court at Law of Nacogdoches County. (V.A.C.S. Art. 1970-361, Sec. 1.)*

Sec. 25.1762. **NACOGDOCHES COUNTY COURT AT LAW PROVISIONS.** (a) *In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Nacogdoches County has the probate jurisdiction provided by general law for county courts.*

(b) *A county court at law has terms that begin on the first Mondays of January, April, July, and October.*

(c) *A judge of a county court at law must:*

(1) *be a licensed, practicing member of the state bar;*

(2) *have been a bona fide resident of the county for at least two years before appointment or election; and*

(3) *have actively practiced law in the state for at least five years before appointment or election.*

(d) *A judge of a county court at law shall be paid an annual salary that is at least \$15,000 but not more than 80 percent of the total annual salary paid to the judge of the 145th Judicial District. The salary shall be paid out of the county treasury on orders from the commissioners court. A county court at law judge is entitled to reasonable travel expenses and necessary office expenses, including administrative and clerical assistance.*

(e) *A judge of a county court at law shall diligently discharge the duties of office on a full-time basis. The judge may not engage in the private practice of law.*

(f) *A special judge of the county court at law with the same qualifications as the regular judge may be appointed in the manner provided by law for the appointment of a special county judge. If a judge of a county court at law is disqualified from trying, or recuses himself from trying, a case pending in his court, the parties or their attorneys may agree on the selection of a special judge. A special judge is entitled to the same rate of compensation as the regular judge.*

(g) *The official reporter of a county court at law is entitled to receive a salary that does not exceed the salary of the official reporter of the district court. The judge of the county court at law sets the salary. The salary shall be paid out of the county treasury on order of the commissioners court.*

(h) *Practice in a county court at law is that prescribed by law for county courts.*

(i) *The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. (V.A.C.S. Art. 1970-361, Secs. 2(a) (part), 3 (part), 4(a), (d) (part), (e), 5(b) (part), 6(a), 7.)*

[Sections 25.1763-25.1770 reserved for expansion]

[Sections 25.1771-25.1780 reserved for Navarro County]

[Sections 25.1781-25.1790 reserved for Newton County]

Sec. 25.1791. **NOLAN COUNTY.** *Nolan County has one statutory county court, the County Court at Law of Nolan County. (V.A.C.S. Art. 1970-347, Sec. 1.)*

Sec. 25.1792. NOLAN COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Nolan County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) cases in which the amount in controversy exceeds \$500, but does not exceed \$50,000, excluding interest;

(B) appeals of final rulings and decisions of the Industrial Accident Board, regardless of the amount in controversy; and

(C) family law cases and proceedings.

(b) A county court at law has concurrent jurisdiction with the justice court in criminal matters prescribed by law for justice courts. This section does not affect the right of appeal to a county court at law from a justice court where the right of appeal to the county court exists by law.

(c) The judge of a county court at law must:

(1) be a citizen of the United States;

(2) have resided in the county for at least one year before election or appointment;

(3) be licensed to practice law in this state; and

(4) have actively practiced law for at least four years before election or appointment.

(d) The judge of a county court at law shall be paid an annual salary that is at least equal to 75 percent of, but does not exceed, the total annual salary paid by the state to a district judge in the county.

(e) The judge may not receive from a law firm any money other than money earned before taking office. The judge may not engage in the private practice of law.

(f) If the regular judge of a county court at law is absent, disabled, or disqualified from presiding, the presiding judge of the administrative judicial district in which the county is located may appoint a person to sit as a special judge. The person appointed must have the same qualifications as the regular judge except the only residency requirement for a retired district court or county court at law judge is that the judge reside in the administrative judicial district.

(g) A special judge must take the oath of office required by law for a regular judge and has all the power and jurisdiction of the court and of the regular judge for whom he is sitting. A special judge may sign orders, judgments, decrees, or other process as "Judge Presiding" when acting for the regular judge.

(h) A special judge is entitled to the same rate of compensation as the regular judge. The compensation shall be paid out of the county funds on certification by the presiding judge of the administrative judicial district that the special judge has rendered the services and is entitled to receive the compensation. The compensation paid the special judge may not be deducted from the salary of the regular judge.

(i) The county attorney and county sheriff shall attend a county court at law as required by the judge.

(j) The judge of a county court at law may appoint a court coordinator or administrative assistant. A court coordinator or administrative assistant performs the duties prescribed by the judge and cooperates with the administrative judges and state agencies for the uniform and efficient operation of the courts and the administration of justice. The court coordinator or administrative assistant is entitled to be paid from county funds the compensation, fees, and allowances that are set by the commissioners court or provided by law.

(k) An official court reporter of a county court at law is entitled to receive a salary set by the commissioners court to be paid out of the county treasury, either by salary or by contract as set by the commissioners court. The clerk of the court shall

tax as costs, in each civil, criminal, and probate case in which a record of any part of the evidence in the case is made by the reporter, a stenographer's fee of \$25. The fee shall be paid in the same manner as other costs in the case. The clerk collects the fee and pays it into the general fund of the county.

(l) The district clerk serves as clerk of a county court at law in matters of concurrent jurisdiction with the district court, and the county clerk serves as clerk of a county court at law in all other cases. The commissioners court shall provide the deputy clerks, bailiffs, and other personnel necessary to operate a county court at law.

(m) If a jury trial is requested in a case enumerated in Subsection (a), the jury shall be composed of six members unless the constitution requires a 12-member jury. Unless a person objects not later than the 10th day after the day the case is set for trial, the person waives the right to a 12-member jury.

(n) Sections 25.0006 and 25.0008 do not apply to a county court at law in Nolan County. (V.A.C.S. Art. 1970-347, Secs. 2(a) (part), (b) (part), (d), 5(a), (b) (part), (f), (g), 6(a) (part), (b) (part), (c) (part), (d) (part), 7(a), (b), (c), (d) (part), 9 (part); New.)

[Sections 25.1793-25.1800 reserved for expansion]

Sec. 25.1801. NUECES COUNTY. (a) Nueces County has the following statutory county courts:

- (1) County Court at Law No. 1 of Nueces County;
- (2) County Court at Law No. 2 of Nueces County;
- (3) County Court at Law No. 3 of Nueces County; and
- (4) County Court at Law No. 4 of Nueces County.

(b) The County Court at Law No. 1 of Nueces County and the County Court at Law No. 2 of Nueces County sit in Corpus Christi. (V.A.C.S. Art. 1970-339, Sec. 1; Art. 1970-339A, Secs. 1, 2; Art. 1970-339C, Sec. 1(a); Art. 1970-339D, Sec. 1.)

Sec. 25.1802. NUECES COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Nueces County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) jurisdiction concurrent with the district court in civil cases in which the amount in controversy exceeds \$500 but does not exceed \$20,000, excluding interest.

(b) A county court at law has original concurrent jurisdiction with the justice courts in all civil and criminal matters prescribed by law for justice courts. Appeals from justice courts and other courts of inferior jurisdiction in Nueces County must be made directly to a county court at law.

(c) A county court at law has four terms beginning on the first Mondays in January, April, July, and October of each year.

(d) The judge of a county court at law must be:

(1) a resident of and qualified voter in the county; and

(2) a licensed attorney in this state who has actively practiced law for at least the five years immediately preceding the election.

(e) The judge of County Court at Law No. 1, 2, or 3 of Nueces County may be paid, and the judge of County Court at Law No. 4 of Nueces County shall be paid, an annual salary equal to the amount that is \$1,000 less than the salary paid by the state to a district judge in the county. The salaries shall be paid in the same manner and from the same fund as prescribed by law for the county judge.

(f) A special judge for the County Courts at Law Nos. 1, 2, and 3 of Nueces County may be appointed or elected as provided by law for a special county judge. The special judge is entitled to receive compensation at the rate of \$25 a day for each day served. The compensation shall be paid out of the county's general fund on order of

the commissioners court. If the judge of County Court at Law No. 1 of Nueces County is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge. If the judge of County Court at Law No. 2 of Nueces County is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge in the same manner as provided by law for a special county judge.

(g) If the regular judge of County Court at Law No. 4 of Nueces County is absent or disqualified from presiding, a special judge may be appointed by the commissioners court. The person appointed must be recommended by the regular judge or, if the judge is unable to recommend a person, by the board of directors of the Nueces County Bar Association. A special judge is entitled to the same rate of compensation as the regular judge. A special judge has all the powers, duties, and immunities of the regular judge.

(h) The county sheriff shall, in person or by deputy, attend the County Court at Law No. 1 or 2 of Nueces County as required by the judge. The county sheriff serves the county courts at law as provided by Section 25.0010(b).

(i) The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve the County Courts at Law Nos. 3 and 4 of Nueces County.

(j) Practice in a county court at law is that prescribed by law for county courts.

(k) The laws governing the drawing, selection, service, and pay of jurors prescribed by law for county courts apply to a county court at law. Juries summoned for the county court or a county court at law may by order of the judge of the court to which they were summoned be transferred to another court for service and may be used as if summoned for the court to which they were transferred. (V.A.C.S. Art. 1970-339, Secs. 3, 3a (part), 4 (part), 5 (part), 6 (part), 8, 9 (part), 10, 14, 15 (part), 16, 17(a), (b); Art. 1970-339A, Secs. 3, 3a (part), 4 (part), 5 (part), 6 (part), 8, 10 (part), 11, 15, 16 (part), 17, 18(a), (b), 22; Art. 1970-339C, Secs. 1(b), (d) (part), 2 (part), 3, 4(a), (e) (part), (f) (part), 5(a) (part), 7; Art. 1970-339D, Secs. 2(a), (c) (part), 3 (part), 4, 5(a), (e) (part), (f), 6(a) (part), 8.)

[Sections 25.1803-25.1810 reserved for expansion]

[Sections 25.1811-25.1820 reserved for Ochiltree County]

[Sections 25.1821-25.1830 reserved for Oldham County]

Sec. 25.1831. ORANGE COUNTY. (a) Orange County has one statutory county court, the County Court at Law of Orange County.

(b) The County Court at Law of Orange County sits at the county seat. (V.A.C.S. Art. 1970-349, Sec. 1(a); Art. 1970-349A, Sec. 10 (part).)

Sec. 25.1832. ORANGE COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Orange County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) family law cases and proceedings; and

(B) cases and proceedings involving justiciable controversies and differences between spouses, between parents, between parent and child, or between any of these and third persons.

(b) A county court at law has the same terms of court as a district court in Orange County.

(c) The judge of a county court at law in Orange County must:

(1) have been a licensed and practicing member of the state bar for at least four years;

(2) be well informed in the laws of this state; and

(3) *have resided in and actively practiced law in the county for at least two years before the general election.*

(d) *The judge of a county court at law may not appear and plead as an attorney at law in any court of record in the state. The judge may not appear and practice as an attorney at law in any court over which he has original or appellate jurisdiction.*

(e) *The judge of a county court at law shall be paid an annual salary in an amount that is at least the amount the judge of the County Court at Law of Orange County was paid June 15, 1971, but not more than the amount paid a district judge by the state. The salary shall be paid out of the county treasury on order of the commissioners court.*

(f) *If the judge of a county court at law is disqualified, ill, or for any reason unable to hold court on any matters pending in the county court at law, the fact shall be brought to the attention of a district judge in the county by any attorney, and the district judge shall dispose of the matters requiring attention in the district courts of the county. If a special judge is necessary, he may be selected in the manner provided by law for the selection of a special district court judge.*

(g) *The district clerk serves as clerk of a county court at law in matters of concurrent jurisdiction with the district court; the county clerk serves as clerk of the court in all other matters. The commissioners court may employ as many additional assistant county attorneys, deputy sheriffs, and clerks as are necessary to serve a county court at law.*

(h) *The probation department, welfare agencies, sheriff, constables, and other law enforcement agencies of the state, county, and city shall furnish a county court at law with services in the line of their respective duties as are required by a county court at law. All sheriffs and constables within the state shall render the same services with reference to process and writs from the district court, county court, and probate court.*

(i) *Juries in all matters civil or criminal shall be composed of 12 members, except that in misdemeanor criminal cases and cases of concurrent jurisdiction with the county court, the juries shall be composed of six members.*

(j) *Jurors regularly impaneled for the week by the district court may, at the request of the judge of a county court at law or the county judge, be made available by the district judge in the numbers requested and shall serve for the week in the county court, county court at law, or both courts.*

(k) *Appeals in all cases from judgments and orders of the court shall be to the court of appeals as provided by law for appeals from district and county courts. (V.A.C.S. Art. 1970-349, Secs. 1(b) (part), 3(a) (part), 4(a) (part), 5(c); Art. 1970-349A, Secs. 1 (part), 3, 7(a), (b) (part), 9 (part), 11, 13, 15 (part), 16 (part), 18, 19 (part).)*

[Sections 25.1833-25.1840 reserved for expansion]

[Sections 25.1841-25.1850 reserved for Palo Pinto County]

Sec. 25.1851. PANOLA COUNTY. Panola County has one statutory county court, the County Court at Law of Panola County. (V.A.C.S. Art. 1970-323b, Sec. 1.)

Sec. 25.1852. PANOLA COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Panola County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the matter in controversy exceeds \$500, but does not exceed \$50,000, excluding interest;

(B) appeals of final rulings and decisions of the Industrial Accident Board, regardless of the amount in controversy; and

(C) family law cases and proceedings.

(b) A county court at law has concurrent jurisdiction with the justice court in all criminal matters prescribed by law for justice courts. This section does not affect the right of appeal to a county court at law from a justice court where the right of appeal to the county court exists by law.

(c) The judge of a county court at law must:

(1) be a citizen of the United States;

(2) be an attorney licensed in this state who has actively practiced law for at least four years before appointment or election; and

(3) have resided in the county for at least one year before appointment or election.

(d) The judge of a county court at law shall be paid an annual salary that is at least equal to the amount that is \$1,000 less than the total annual salary, including supplements, received by a district judge in the county.

(e) The judge may not receive any money from a law firm, except money earned before taking office. The judge of a county court at law may not engage in the private practice of law.

(f) The judge may appoint a court coordinator or administrative assistant for a county court at law. A court coordinator or administrative assistant performs the duties prescribed by the judge and cooperates with the administrative judges and state agencies for the uniform and efficient operation of the courts and the administration of justice. The court coordinator or administrative assistant is entitled to be paid from county funds the compensation, fees, and allowances set by the commissioners court or as otherwise provided by law.

(g) The district clerk serves as clerk of a county court at law in matters of concurrent jurisdiction with the district court and the county clerk shall serve as clerk of the county courts at law in all other cases. The commissioners court shall provide the deputy clerks, bailiffs, and other personnel necessary to operate a county court at law.

(h) The criminal district attorney or county attorney and the county sheriff shall attend a county court at law as required by the judge.

(i) If the regular judge of a county court at law is absent or disqualified from presiding, the presiding judge of the administrative judicial district in which the county is located may appoint a person with the same qualifications as the regular judge to sit as special judge. A retired district or county court at law judge may be appointed as a special judge. The only residency requirement for a retired judge is that the judge reside in the administrative judicial district. A special judge must take the oath of office required by law for the regular judge and has the power and jurisdiction of the court and of the regular judge. A special judge may sign orders, judgments, decrees, or other process of any kind as "Judge Presiding" when acting for the regular judge. A special judge receives the same rate of compensation as the regular judge. The compensation shall be paid out of the county funds on certification by the presiding judge of the administrative judicial district that the special judge has rendered the services and is entitled to receive the compensation. The amount paid to the special judge may not be deducted from the salary of the regular judge.

(j) Section 21.002, Property Code, does not affect the jurisdiction of a county court at law in Panola County.

(k) Sections 25.0006 and 25.0008 do not apply to a county court at law in Panola County. (V.A.C.S. Art. 1970-323b, Secs. 2(a) (part), (b) (part), (d), (g) (part), 5(a), (b) (part), (e) (part), (f), 6(a) (part), (b), (c) (part), 7(a), (b), (c), (d) (part); New.)

[Sections 25.1853-25.1860 reserved for expansion]

Sec. 25.1861. PARKER COUNTY. (a) Parker County has one statutory county court, the County Court at Law of Parker County.

(b) *The County Court at Law of Parker County sits in Weatherford. (V.A.C.S. Art. 1970-353a, Sec. 1.)*

Sec. 25.1862. PARKER COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Parker County has concurrent jurisdiction with the district court in:

- (1) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest and attorney's fees;*
- (2) appeals of final rulings and decisions of the Industrial Accident Board, regardless of the amount in controversy; and*
- (3) family law cases and proceedings.*

(b) This section does not affect the right to appeal to a county court at law from the justice courts in cases in which the right of appeal to the county court exists by law.

(c) The judge of a county court at law must:

- (1) be a citizen of the United States;*
- (2) have resided in the county for at least two years before election or appointment; and*
- (3) be a licensed member of the state bar who has actively practiced law for at least five years before election or appointment.*

(d) The judge of a county court at law may not engage in the private practice of law.

(e) The judge of a county court at law shall be paid an annual salary of at least \$40,000.

(f) If the regular judge of a county court at law is absent, disabled, or disqualified from presiding, a special judge with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge.

(g) A special judge must take the oath of office required by law for the regular judge and has all the power and jurisdiction of the court and of the regular judge. A special judge may sign orders, judgments, decrees, or other process as "Judge Presiding" when acting for the regular judge.

(h) A special judge is entitled to receive for each day served the same amount of daily compensation that the regular judge receives for services. The amount paid a special judge for sitting for a regular judge may not be deducted or paid out of the salary of the regular judge.

(i) The district attorney or county attorney and the county sheriff shall attend a county court at law as required by the judge.

(j) The commissioners court shall provide the deputy clerks, bailiffs, and other personnel necessary to operate a county court at law.

(k) With the approval of the commissioners court, the judge of a county court at law may appoint personnel necessary to administer court activities. The appointed personnel shall perform the duties prescribed by the judge and shall cooperate with state agencies for the uniform and efficient operation of the courts and the administration of justice. The personnel are entitled to be paid from county funds the compensation, fees, and allowances that are set by the commissioners court or as otherwise provided by law.

(l) The official court reporter's fee shall be taxed as costs in civil actions in the same manner as that fee is taxed in civil cases in the district courts.

(m) Sections 25.0005(b), 25.0006, and 25.0008 do not apply to a county court at law in Parker County. (V.A.C.S. Art. 1970-353a, Secs. 2(a) (part), (d), 5(a), (b) (part), (c), (f), 6(b), (d) (part), 7, 9.)

[Sections 25.1863–25.1870 reserved for expansion]

[Sections 25.1871–25.1880 reserved for Parmer County]

[Sections 25.1881–25.1890 reserved for Pecos County]

Sec. 25.1891. POLK COUNTY. *Polk County has one statutory county court, the County Court at Law of Polk County. (V.A.C.S. Art. 1970–389, Sec. 1.)*

Sec. 25.1892. POLK COUNTY COURT AT LAW PROVISIONS. *(a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Polk County has:*

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent civil jurisdiction with the district court in:

(A) cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest and attorney's fees;

(B) appeals of final rulings and decisions of the Industrial Accident Board, regardless of the amount in controversy;

(C) cases and proceedings involving the collection of delinquent taxes, penalties, interest, and costs and the foreclosure of tax liens; and

(D) family law cases and proceedings.

(b) The judge of a county court at law must:

(1) be a licensed attorney in this state who has actively practiced law in this state for at least four years before appointment or election;

(2) have resided in and actively practiced law for at least two years in Polk County before appointment or election; and

(3) be well informed in the laws of this state.

(c) The judge of a county court at law shall be paid an annual salary in an amount that is at least equal to 80 percent of the annual salary, including supplements, paid the district judges in the county. The salary shall be paid by the county treasurer on order of the commissioners court.

(d) The judge may not engage in the private practice of law.

(e) The county attorney or district attorney serves a county court at law as required by the judge. The district clerk serves as clerk of a county court at law in cases enumerated in Subsection (a)(2), and the county clerk serves as clerk in all other cases. The district clerk shall establish a separate docket for a county court at law. The commissioners court may employ as many additional assistant county attorneys, deputy sheriffs, and clerks as are necessary to serve a county court at law.

(f) The jury in all civil or criminal matters shall be composed of 12 members, except that in misdemeanor criminal cases and any other cases in which the court has concurrent jurisdiction with the county court the jury shall be composed of six members.

(g) Appeals in all cases from judgments and orders of the county court at law are to the court of appeals as provided for appeals from district and county courts. (V.A.C.S. Art. 1970–389, Secs. 2(a) (part), (b) (part), 5(b), (e) (part), (f), 6(a) (part), 7(a) (part), (d).)

[Sections 25.1893–25.1900 reserved for expansion]

Sec. 25.1901. POTTER COUNTY. *(a) Potter County has the following statutory county courts:*

(1) County Court at Law of Potter County; and

(2) County Court at Law No. 2 of Potter County.

(b) The county courts at law of Potter County sit in Amarillo. (V.A.C.S. Art. 1970–311a, Sec. 1; Art. 1970–311b, Sec. 1.)

Sec. 25.1902. POTTER COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Potter County has concurrent jurisdiction with the justice courts in civil matters prescribed by law for justice courts. A county court at law or its judge does not have jurisdiction to act as coroner or to preside at inquests in Potter County. A county court at law does not have jurisdiction over claims within the jurisdiction of the small claims court.

(b) The County Court at Law No. 2 of Potter County also has, concurrent with the county court, the probate jurisdiction provided by general law for county courts.

(c) An appeal or writ of error may not be taken to the court of appeals from a final judgment of a county court at law if:

(1) the judgment or amount in controversy does not exceed \$100, exclusive of interest and costs; and

(2) the case is a civil case over which the court has appellate or original concurrent jurisdiction with the justice court.

(d) This section does not affect the right of appeal to a county court at law from a justice court in cases in which the right of appeal to the county court exists.

(e) The commissioners court sets the terms of a county court at law in the same manner provided by law for setting terms of court for county courts.

(f) A judge of the County Court at Law of Potter County must:

(1) be a resident of Potter County; and

(2) have been an attorney licensed by this state for at least the two years immediately preceding appointment or election.

(g) A judge of the County Court at Law No. 2 of Potter County must:

(1) be a resident of Potter County; and

(2) have been an attorney licensed by this state for at least the four years immediately preceding appointment or election.

(h) A judge of a county court at law shall be paid an annual salary that is not more than the total salary paid a district judge in the county. The commissioners court shall pay the salary out of the county's general fund.

(i) A special judge of a county court at law may be appointed or elected as provided by law for county judges. If a judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge. A special judge of the County Court at Law of Potter County is entitled to receive \$30 a day for each day served. The commissioners court shall pay a special judge out of the county's general fund.

(j) The county sheriff shall, in person or by deputy, attend a county court at law as required by the judge.

(k) The jurisdiction and authority vested in the County Court of Potter County for the drawing, selection, and service of jurors shall also be exercised by a county court at law of Potter County. Jurors summoned for any court may by order of the judge of the court in which they are summoned be transferred to another court and may be used as if summoned by the court to which they were transferred. On concurrence by the judges of the county court and county courts at law jurors may be summoned for service in any court and may be used interchangeably in the courts.

(l) Sections 25.0005(b) and 25.0007 do not apply to a county court at law in Potter County. (V.A.C.S. Art. 1970-311a, Secs. 3, 4, 5 (part), 7, 8 (part), 13, 14, 17, 18 (part); Art. 1970-311b, Secs. 2 (part), 3, 4, 5 (part), 7, 8 (part), 13, 14, 17, 18 (part), 20.)

[Sections 25.1903–25.1910 reserved for expansion]

[Sections 25.1911–25.1920 reserved for Presidio County]

[Sections 25.1921–25.1930 reserved for Rains County]

Sec. 25.1931. RANDALL COUNTY. Randall County has one statutory county court, the County Court at Law of Randall County. (V.A.C.S. Art. 1970–371, Sec. 1.)

Sec. 25.1932. RANDALL COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Randall County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$10,000, excluding interest;

(B) family law cases and proceedings; and

(C) cases and proceedings involving justiciable controversies and differences between spouses, or between parents, or between parent and child, or between any of these and third persons.

(b) The judge of a county court at law must be:

(1) a qualified voter in the county; and

(2) a licensed attorney in this state who has actively practiced law for at least five years before election or appointment.

(c) The judge of a county court at law may not engage in the private practice of law.

(d) The salary paid the judge of a county court at law shall be paid out of the county treasury by the commissioners court.

(e) The judge of a county court at law is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as the county judge.

(f) A special judge of a county court at law with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If a judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(g) The district clerk serves as clerk of a county court at law in cases of concurrent jurisdiction with the district court, and the county clerk serves as clerk of the court in all other cases.

(h) The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve a county court at law.

(i) Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings in a county court at law involving family law cases and proceedings shall be governed by this section and the laws and rules pertaining to district courts as well as county courts. If a family law case is tried before a jury, the jury shall be composed of 12 members.

(j) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. Jurors regularly impaneled for a week by a district court may, on request of the county judge or the judge of a county court at law, be made available and shall serve for the week in the county court or a county court at law. (V.A.C.S. Art. 1970–371, Secs. 2 (part), 3 (part), 4 (part), 7(a), (b), (f) (part), (g), 8(a) (part), 10.)

[Sections 25.1933–25.1940 reserved for expansion]

[Sections 25.1941–25.1950 reserved for Reagan County]

[Sections 25.1951–25.1960 reserved for Real County]

[Sections 25.1961–25.1970 reserved for Red River County]

Sec. 25.1971. REEVES COUNTY. (a) Reeves County has one statutory county court, the County Court at Law of Reeves County.

(b) The County Court at Law of Reeves County sits in Pecos. (V.A.C.S. Art. 1970–372, Sec. 1.)

Sec. 25.1972. REEVES COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Reeves County has:

(1) the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$10,000, excluding interest; and

(B) family law cases and proceedings.

(b) A county court at law has the same terms of court as a district court in Reeves County.

(c) The judge of a county court at law must:

(1) have been a licensed and practicing member of the state bar for at least five years;

(2) be well informed in the laws of the state; and

(3) have resided and actively practiced law in the county for at least two years before the general election.

(d) The judge of a county court at law may not engage in the private practice of law in a court in this state.

(e) The judge of a county court at law shall be paid an annual salary that does not exceed 90 percent of the total salary paid the district judge. The salary shall be paid out of the county treasury on order of the commissioners court. The judge is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance.

(f) A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If the judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge to try the case. A special judge is entitled to receive for each day served compensation in an amount equal to $\frac{1}{365}$ of the annual salary of the regular judge, to be paid out of the county's general fund by the commissioners court.

(g) The district clerk serves as clerk of a county court at law in family law cases and proceedings, and the county clerk serves as clerk of the court in all other matters.

(h) The county sheriff shall, in person or by deputy, attend a county court at law as required by the judge.

(i) Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings involving family law cases and proceedings are governed by this section and the laws and rules pertaining to district courts. If a family law case is tried before a jury, the jury shall be composed of 12 members.

(j) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. Jurors regularly impaneled for a week by a

district court may, on request of the judge of a county court at law, be made available and shall serve for the week in a county court at law.

(k) All cases appealed from the justice courts and other courts of inferior jurisdiction in the county shall be appealed to a county court at law under the provisions governing appeals to county courts. (V.A.C.S. Art. 1970-372, Secs. 2(a) (part), (b) (part), (c) (part), 4, 5(a), (b), 6 (part), 7 (part), 9, 11, 13, 14, 18 (part).)

[Sections 25.1973-25.1980 reserved for expansion]

[Sections 25.1981-25.1990 reserved for Refugio County]

[Sections 25.1991-25.2000 reserved for Roberts County]

[Sections 25.2001-25.2010 reserved for Robertson County]

[Sections 25.2011-25.2020 reserved for Rockwall County]

[Sections 25.2021-25.2030 reserved for Runnels County]

Sec. 25.2031. RUSK COUNTY. Rusk County has one statutory county court, the County Court at Law of Rusk County. (V.A.C.S. Art. 1970-383, Sec. 1.)

Sec. 25.2032. RUSK COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Rusk County has:

- (1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and*
- (2) concurrent jurisdiction with the district court in:

 - (A) civil cases in which the matter in controversy exceeds \$500 but does not exceed \$40,000 excluding interest; and*
 - (B) family law cases and proceedings.**
- (b) The judge of a county court at law must be:

 - (1) a qualified voter in Rusk County; and*
 - (2) a licensed attorney in this state who has actively practiced law or served as a judge of a court of record for at least two years before appointment or election.**
- (c) The judge of a county court at law may not engage in the private practice of law after appointment or election.*
- (d) The judge of a county court at law shall be paid an annual salary that is at least equal to the amount that is 90 percent of the total annual salary, including supplements, received by a district judge in the county. The commissioners court may provide travel expenses and office expenses, including administrative and clerical assistance, in addition to the judge's salary, as it considers necessary.*
- (e) A special judge of a county court at law with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If a judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.*
- (f) The district clerk serves as clerk of the county courts at law in cases enumerated in Subsection (a)(2), and the county clerk serves as clerk of the county courts at law in all other cases. The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve a court.*
- (g) The judge of a county court at law, with the consent of the commissioners court, may employ a secretary. The secretary is entitled to a salary as determined by the commissioners court.*
- (h) Practice in a county court at law shall conform to that prescribed by general law for county courts. The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. Jurors regularly impaneled*

for a week by the district court or courts may, on request of either the county judge or the judge of a county court at law, be made available and shall serve for the week in either the county court or county court at law. (V.A.C.S. Art. 1970-383, Secs. 2(a) (part), (b) (part), 5(a), (b), (f) (part), (g), 6(a) (part), (c), 8.)

[Sections 25.2033-25.2040 reserved for expansion]

[Sections 25.2041-25.2050 reserved for Sabine County]

[Sections 25.2051-25.2060 reserved for San Augustine County]

[Sections 25.2061-25.2070 reserved for San Jacinto County]

[Sections 25.2071-25.2080 reserved for San Patricio County]

[Sections 25.2081-25.2090 reserved for San Saba County]

[Sections 25.2091-25.2100 reserved for Schleicher County]

[Sections 25.2101-25.2110 reserved for Scurry County]

[Sections 25.2111-25.2120 reserved for Shackelford County]

[Sections 25.2121-25.2130 reserved for Shelby County]

[Sections 25.2131-25.2140 reserved for Sherman County]

Sec. 25.2141. SMITH COUNTY. (a) Smith County has the following statutory courts:

- (1) County Court at Law of Smith County; and
- (2) County Court at Law No. 2 of Smith County.

(b) The county courts at law of Smith County sit in Tyler. (V.A.C.S. Art. 1970-348, Sec. 1; Art. 1970-348a, Sec. 1.)

Sec. 25.2142. SMITH COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Smith County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest, statutory damages and penalties, attorney's fees, and costs;

(B) family law cases and proceedings; and

(C) appeals of final rulings and decisions of the Industrial Accident Board, regardless of the amount in controversy.

(b) A county court at law has concurrent jurisdiction with the county court in mental illness matters and proceedings under the Texas Mental Health Code (Article 5547-1 et seq., Vernon's Texas Civil Statutes).

(c) The terms of a county court at law are the same as the terms of the County Court of Smith County and may be changed as provided by law for changing the terms of the county court.

(d) The judge of a county court at law must:

- (1) be a citizen of the United States;
- (2) have resided in and actively practiced law in the county for at least two years before appointment or election; and
- (3) have been a licensed member of the state bar and have actively practiced law in the state for at least five years before appointment or election.

(e) The judge of a county court at law may not engage in the private practice of law.

(f) *The commissioners court may, by an issued and signed order, require the judge of a county court at law to execute a bond in an amount set by the commissioners court. The commissioners court may require a bond of any special judge or visiting judge assigned to a county court at law. If the commissioners court requires a bond, the commissioners court must pay the appropriate fee for the bond from county funds.*

(g) *The judge of a county court at law shall be paid an annual salary that is equal to the amount that is \$1,000 less than the total annual salary, including supplements, paid a district judge in the county. The salary shall be paid to the judge in equal installments at the established county pay periods. The salary shall be paid out of the general fund of the county by warrants drawn on the county treasury on order of the commissioners court. The judge of a county court at law shall assess the fees prescribed by law relating to county judges and district judges according to the nature of the matter brought before the judge.*

(h) *If the office of judge of a county court at law is vacant, if the regular judge is absent, disabled, or disqualified from presiding, or if the regular judge of a county court at law certifies that the orderly administration of justice in the court requires the temporary assistance of a special judge or visiting judge, the presiding judge of the administrative judicial district in which the county is located may appoint a person to sit as a special or visiting judge.*

(i) *A special judge of a county court at law must:*

- (1) *be a citizen of the United States;*
- (2) *have resided in the county for at least one year before appointment; and*
- (3) *be a licensed attorney in this state and have actively practiced law for at least five years before appointment.*

(j) *A special judge of a county court at law must take the constitutional oath of office.*

(k) *A visiting judge of a county court at law must:*

- (1) *be a former judge of a district court or statutory county court, or an active judge of a district court or county court at law;*
- (2) *not appear and plead as an attorney at law in any court of this state while serving as a visiting judge;*
- (3) *have been a successful candidate for election in at least two general elections for judge of a district court or statutory county court;*
- (4) *not have been removed from office by impeachment, the supreme court, the governor on address of the legislature, or by the State Commission on Judicial Conduct; and*
- (5) *not have resigned as judge of a court while under investigation by the State Commission on Judicial Conduct.*

(l) *A special judge or visiting judge of a county court at law may sign orders, judgments, decrees, or any other process authorized by law as "Judge Presiding" when acting for the regular judge.*

(m) *In appointing a visiting judge, preference shall be given to the appointment of a former judge of a statutory county court. If a judge of a statutory county court is not available, the presiding judge of the judicial district may appoint a former judge of a district court or an active judge of a district court or county court at law.*

(n) *A special judge of a county court at law is entitled to receive for services actually performed the same amount of compensation as the regular judge. A former judge sitting as a visiting judge of a county court at law is entitled to receive for services performed the same amount of compensation that the regular judge receives, less an amount equal to the pro rata annuity received from any state, district, or county retirement fund. An active judge sitting as a visiting judge of a county court at law is entitled to receive for services performed the same amount of compensation*

that the regular judge receives, less an amount equal to the pro rata compensation received from state or county funds as salary, including supplements.

(o) A visiting judge of a county court at law is entitled to receive reimbursement for food and lodging expenses incurred, in an amount not to exceed the sum paid visiting judges of district courts in the state, and for actual travel expenses between the residence of the visiting judge and the county court at law.

(p) The compensation, including authorized expenses, for a county court at law judge, special judge, or visiting judge shall be paid by the commissioners court. Payment to a special judge or visiting judge shall be made on certification by the presiding judge of the administrative judicial district that the special judge or visiting judge has rendered the service and is entitled to receive the compensation. The amount paid to a special judge or visiting judge may not be deducted from the salary or allowable expenses of the regular judge.

(q) A special or visiting judge of a county court at law has all the powers, jurisdiction, authority, duties, immunities, and privilege provided by law for the county court at law or its judge, except those powers and that authority associated with the appointment or assignment of court personnel.

(r) The county sheriff shall, in person or by deputy, attend a county court at law as required by the judge.

(s) The official court reporter of a county is entitled to receive a salary set by the commissioners court. If possible, the commissioners court shall set the salary at an amount equal to the amount of compensation, fees, and allowances received by the court reporters of the district courts in Smith County. The official court reporter shall perform any reasonable court-related duties required by the judge of the court.

(t) The judge of a county court at law may appoint a court coordinator or administrative assistant. A court coordinator or administrative assistant performs the duties prescribed by the judge and cooperates with the administrative judges and state agencies for uniform and efficient operation of the court and the administration of justice. The court coordinator or administrative assistant is entitled to be paid from county funds the compensations, fees, and allowances set by the commissioners court. The court coordinator or administrative assistant serves the judge of the court and holds office at the pleasure of the judge. If possible, the commissioners court shall set the salary of the court coordinator or administrative assistant at an amount equal to the amount paid the court coordinator or administrative assistant of the district courts of Smith County.

(u) A county court at law may draw jurors from the central jury panel summoned through the district clerk's office in Smith County for jurors to serve in district court, county court, county courts at law, and other courts in the county. The laws governing the drawing, selection, and service of jurors for county courts apply to a county court at law. Jurors summoned for the county court or the county courts at law may by order of the judge of the court in which they are summoned be transferred to another court for service and may be used as if summoned for the court to which they are transferred. If the judges of the county court and county courts at law agree, jurors may be summoned for service in the judges' courts and used interchangeably in the courts.

(v) Except as otherwise provided by this section, juries in a county court at law shall be composed of six members. In matters of concurrent jurisdiction with the district court, if a party to the suit requests a 12-member jury, the jury shall be composed of 12 members. In a civil case tried in a county court at law, the parties may, by mutual agreement and with the consent of the judge, agree to try the case with any number of jurors and agree to have a verdict rendered and returned by the vote of any number of jurors less than all those hearing the case. (V.A.C.S. Art. 1970-348, Secs. 2(a) (part), (b) (part), (c) (part), (d), (e), (f), 3(c) (part), 4, 5(a), (e), (f), (g) (part), 6(a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (n), 11, 12 (part), 13(a), 14, 19; Art. 1970-348a, Secs. 2(a) (part), (b) (part), (c) (part), (d), (e), (f), 3(c) (part), 4, 5(a), (e), (f), (g) (part), 6(a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (n), 11, 12 (part), 13(a), 14, 19.)

[Sections 25.2143–25.2150 reserved for expansion]

[Sections 25.2151–25.2160 reserved for Somervell County]

Sec. 25.2161. STARR COUNTY. Starr County has one statutory county court, the County Court at Law of Starr County. (V.A.C.S. Art. 1970–386, Sec. 1.)

Sec. 25.2162. STARR COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Starr County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent civil jurisdiction with the district court in:

(A) cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000, excluding interest and attorney's fees;

(B) appeals of final rulings and decisions of the Industrial Accident Board; and

(C) family law cases and proceedings.

(b) This section does not affect the right of appeal to a county court at law from the justice court in cases in which the right of appeal to the county courts exists by law.

(c) The judge of a county court at law must:

(1) be a citizen of the United States;

(2) have resided in the county for at least one year before election or appointment; and

(3) be a licensed member of the state bar who has actively practiced law for at least four years before election or appointment.

(d) The judge of a county court at law shall be paid an annual salary that is at least equal to the salary paid the county judge but not more than \$1,000 less than the total annual salary, including supplements, paid a district judge in the county.

(e) If the regular judge of a county court at law is absent, disabled, or disqualified from presiding, the presiding judge of the administrative judicial district in which the county is located may appoint a person with the same qualifications as the regular judge to sit as a special judge.

(f) A special judge must take the oath of office required by law for the regular judge and has all the power and jurisdiction of the court and the regular judge. A special judge may sign orders, judgments, decrees, or any other process as "Judge Presiding" when acting for the regular judge.

(g) A special judge is entitled to receive for services actually performed the same amount of compensation that the regular judge receives for those services. The compensation shall be paid out of county funds on certification by the presiding judge of the administrative judicial district that the special judge has rendered the services and is entitled to receive the compensation. The amount paid to a special judge may not be deducted or paid out of the salary of the regular judge.

(h) The district clerk serves as clerk of a county court at law in matters of concurrent jurisdiction with the district court and shall establish a separate docket for the county court at law. The county clerk serves as clerk of the court in all other matters.

(i) The commissioners court shall provide the assistant district attorneys, deputy sheriffs, deputy clerks, bailiffs, and other personnel necessary to operate a county court at law.

(j) With the approval of the commissioners court, the judge of a county court at law may appoint a court coordinator or administrative assistant for the court. A court coordinator or administrative assistant performs the duties prescribed by the judge and cooperates with the administrative judges and state agencies for the uniform and efficient operation of the courts and the administration of justice. The

court coordinator or administrative assistant is entitled to be paid from county funds the compensation, fees, and allowances set by the commissioners court or as otherwise provided by law.

(k) Section 25.0008 does not apply to a county court at law in Starr County. (V.A.C.S. Art. 1970-386, Secs. 2(a) (part), (b) (part), (d), 5(a), (b) (part), 6(b), (c) (part), (d) (part), 7; New.)

[Sections 25.2163-25.2170 reserved for expansion]

[Sections 25.2171-25.2180 reserved for Stephens County]

[Sections 25.2181-25.2190 reserved for Sterling County]

[Sections 25.2191-25.2200 reserved for Stonewall County]

[Sections 25.2201-25.2210 reserved for Sutton County]

[Sections 25.2211-25.2220 reserved for Swisher County]

Sec. 25.2221. TARRANT COUNTY. (a) Tarrant County has the following county courts at law:

- (1) County Court at Law No. 1 of Tarrant County; and*
- (2) County Court at Law No. 2 of Tarrant County.*

(b) Tarrant County has the following county criminal courts:

- (1) County Criminal Court No. 1 of Tarrant County;*
- (2) County Criminal Court No. 2 of Tarrant County;*
- (3) County Criminal Court No. 3 of Tarrant County;*
- (4) County Criminal Court No. 4 of Tarrant County;*
- (5) County Criminal Court No. 5 of Tarrant County; and*
- (6) County Criminal Court No. 6 of Tarrant County.*

(c) Tarrant County has the following statutory probate courts:

- (1) Probate Court No. 1 of Tarrant County; and*
- (2) Probate Court No. 2 of Tarrant County. (V.A.C.S. Art. 1970-32; Art. 1970-62 (part); Acts 50th Leg., R.S., 1947, Ch. 337, Sec. 4 (part); Art. 1970-62.2, Sec. 1; Art. 1970-62a, Sec. 1; Art. 1970-62b, Sec. 1; Art. 1970-62c, Secs. 1, 16; Art. 1970-62d, Sec. 1; Art. 1970-62e, Sec. 1; Art. 1970-345, Secs. 1, 1a (part); Art. 1970-345a, Sec. 1.)*

Sec. 25.2222. TARRANT COUNTY COURT AT LAW PROVISIONS. (a) A county court at law in Tarrant County has jurisdiction over all civil matters and causes, original and appellate, prescribed by law for county courts. The County Court at Law No. 1 of Tarrant County also has jurisdiction over all criminal matters and causes, original and appellate, prescribed by law for county courts. The County Court at Law No. 2 of Tarrant County does not have criminal jurisdiction.

(b) A county court at law has concurrent jurisdiction with the district court in:

- (1) civil cases in which the matter in controversy exceeds \$500 and does not exceed \$20,000, excluding mandatory damages and penalties, attorney's fees, interest, and costs; and*
- (2) nonjury family law cases and proceedings.*

(c) A county court at law has at least four terms of court each year. The terms of court shall be set by the commissioners court in the manner provided by law for setting terms of county courts. The county courts at law must have the same terms.

(d) The judge of the County Court at Law No. 1 of Tarrant County must:

- (1) be a citizen of the United States and of this state;*
- (2) be well informed in the laws of this state;*

(3) be a licensed attorney in this state who has practiced law in the state or been a judge of a court in the state for at least the four years immediately preceding election; and

(4) have resided in the county for at least the two years immediately preceding election.

(e) The judge of the County Court at Law No. 2 of Tarrant County must:

(1) be a citizen of the United States and of this state;

(2) have practiced law in this state or been a judge of a court in the state for the four years immediately preceding election or appointment; and

(3) have resided in the county for the two years immediately preceding election or appointment.

(f) The judge of a county court at law shall be paid an annual salary equal to the amount that is \$1,000 less than the total annual salary, including supplements and salary increases, paid any district judge in the county.

(g) A vacancy in the office of judge of the County Court at Law No. 1 of Tarrant County shall be filled by appointment by the governor until the next general election.

(h) The judge of the County Court at Law No. 2 of Tarrant County may not engage in the private practice of law.

(i) A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge.

(j) The county clerk serves as clerk of a county court at law except that the district clerk serves as clerk of the court for family law cases and proceedings. The district clerk may establish a separate docket for family law cases and proceedings filed originally in the district courts of Tarrant County.

(k) The county sheriff shall, in person or by deputy, attend the County Court at Law No. 1 or 2 of Tarrant County as required by the judge.

(l) The official court reporter for the County Court at Law No. 2 of Tarrant County is entitled to the same fees and salaries and shall perform the duties and take the oath of office as provided by law for district court reporters.

(m) Practice and procedure, appeals, and writs of error in a county court at law are as prescribed by law for county courts, except that practice and procedure, rules of evidence, and all other matters pertaining to the conduct of trials and hearings in a county court at law involving family law cases and proceedings are governed by the laws and rules pertaining to district courts.

(n) The jurisdiction and authority vested by law in the county court for the selection and service of jurors may also be exercised by a county court at law. (V.A.C.S. Art. 1970-33(a) (part), (b), (c) (part), (d) (part); Art. 1970-34 (part); Art. 1970-37; Art. 1970-38 (part); Art. 1970-40; Art. 1970-41 (part); Art. 1970-42; Art. 1970-45a (part); Art. 1970-62.2, Secs. 2(a) (part), (b) (part), (c), 5, 6(a), 8, 9 (part), 10, 11 (part), 13 (part).)

Sec. 25.2223. TARRANT COUNTY CRIMINAL COURT PROVISIONS. (a) A county criminal court in Tarrant County has jurisdiction over all criminal matters and causes, original and appellate, prescribed by law for county courts, but does not have civil jurisdiction. The County Criminal Courts Nos. 3, 4, 5, and 6 of Tarrant County also have concurrent jurisdiction within the county of all appeals from criminal convictions under the laws of this state and the municipal ordinances of the municipalities located in Tarrant County that are appealed from the justice courts and municipal courts in the county.

(b) A county criminal court or its judge may issue writs of injunction and all writs necessary for the enforcement of the jurisdiction of the court. It may issue writs of habeas corpus in cases in which the offense charged is within the jurisdiction of the court or of a court of inferior jurisdiction in the county. A county criminal court or its judge may punish for contempt as prescribed by law for county courts.

(c) *A county criminal court in Tarrant County has at least four terms of court each year. The terms of court shall be set by the commissioners court in the manner provided by law for setting terms of county courts.*

(d) *The judge of a county criminal court must:*

- (1) *be a citizen of the United States and of this state;*
- (2) *have been a practicing attorney of this state or a judge of a court in the state for at least the four years immediately preceding appointment or election; and*
- (3) *have resided in the county for at least the two years immediately preceding appointment or election.*

(e) *A judge of the County Criminal Court No. 1 or 2 of Tarrant County shall devote his entire time to the duties of the office of judge and may not engage in the private practice of law. A judge of the County Criminal Court No. 3, 4, 5, or 6 of Tarrant County may not engage in the practice of law.*

(f) *The judge of a county criminal court shall be paid an annual salary equal to the amount that is \$1,000 less than the total annual salary, including supplements and salary increases, paid any district judge in the county.*

(g) *A special judge of a county criminal court may be appointed or elected in the manner provided by law for the appointment or election of a special county judge.*

(h) *The county sheriff shall, in person or by deputy, attend a county criminal court as required by the judge.*

(i) *The official court reporter of a county criminal court is entitled to the same fees and salary as a district court reporter and shall perform the same duties and take the oath of office as provided by law for district court reporters. The official court reporter for the County Criminal Court No. 1 or 3 of Tarrant County is not required to take testimony in cases in which neither a party nor the judge demands it. In cases in which testimony is taken, a fee of \$3 shall be taxed as costs in the case. The clerk collects the fee and pays it into the county treasury.*

(j) *At least two bailiffs shall be assigned regularly to the County Criminal Court No. 1 of Tarrant County and the County Criminal Court No. 2 of Tarrant County. The judges of the County Criminal Courts Nos. 1 and 2 of Tarrant County shall each appoint one officer to act as bailiff of the judge's court, and the sheriff of Tarrant County shall appoint a bailiff for each court as prescribed by law. The bailiffs serve at the pleasure of the court and shall perform the duties required by the judge of the court to which the bailiffs are assigned.*

(k) *Section 25.0007 does not apply to a county criminal court in Tarrant County. Section 25.0009 does not apply to County Criminal Courts Nos. 1, 2, 3, and 4 of Tarrant County. (V.A.C.S. Art. 1926-44; Art. 1970-45a (part); Art. 1970-62a, Secs. 2, 4, 5, 6 (part), 8, 9 (part), 10 (part), 14 (part); Art. 1970-62b, Secs. 2, 4, 5, 6 (part), 8, 9 (part), 10 (part), 12 (part); Art. 1970-62c, Secs. 2 (part), 5, 6, 7 (part), 9, 10 (part), 11 (part), 13 (part); Art. 1970-62d, Secs. 2 (part), 3 (part), 4, 5 (part), 7, 8 (part), 9 (part), 11 (part); Art. 1970-62e, Secs. 2 (part), 3 (part), 4, 5(c), 7, 10 (part), 13, 15 (part).)*

Sec. 25.2224. TARRANT COUNTY PROBATE COURT PROVISIONS. (a) *A statutory probate court in Tarrant County has the general jurisdiction of a probate court as provided by Section 25.0021.*

(b) *The judge of the Probate Court No. 1 of Tarrant County must:*

- (1) *be well informed in the laws of this state; and*
- (2) *have been a licensed and practicing member of the state bar for at least five consecutive years before election.*

(c) *The judge of the Probate Court No. 2 of Tarrant County must:*

- (1) *be well informed in the laws of this state; and*
- (2) *have been a licensed and practicing member of the state bar for at least five consecutive years before election or appointment.*

(d) *The salaries of the statutory probate court judges shall be paid out of the county treasury by the commissioners court and shall be set at equal amounts.*

(e) In case of the absence, disqualification, or incapacity of the county judge or the judge of the Probate Court No. 1 of Tarrant County, or for any other reason, the judges may sit and act for each other in any probate matter or proceeding. The judge may hear and determine, in either courtroom, any matter or proceeding pending in either court. The judge may enter any orders in the matters or proceedings that the judge of the other court may enter.

(f) A special judge of a statutory probate court may be appointed or elected in the manner provided by law for the appointment or election of a special county judge.

(g) The county sheriff shall, in person or by deputy, attend a statutory probate court as required by the judge.

(h) The commissioners court shall provide a secretary and chief clerk for each judge of a statutory probate court. The secretary and chief clerk serve at the pleasure of the judge of a statutory probate court. The commissioners court may also provide additional clerical assistance necessary to operate a statutory probate court.

(i) Practice and procedure in a statutory probate court is that provided by law for county courts. Rules of court relating to proceedings in a county court, or to reviews or appeals from a county court, apply to a statutory probate court.

(j) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to the Probate Court No. 2 of Tarrant County.

(k) Sections 25.0003(a) and 25.0006(b) do not apply to a statutory probate court in Tarrant County. (V.A.C.S. Art. 1970-345, Secs. 2, 5, 8 (part), 11, 12, 13 (part), 14 (part), 15 (part); Art. 1970-345a, Secs. 2(a), 5(a), (e), (f) (part), 6(a) (part), (b) (part), 8(a), (b); New.)

[Sections 25.2225-25.2230 reserved for expansion]

Sec. 25.2231. TAYLOR COUNTY. Taylor County has the following statutory county courts:

(1) County Court at Law of Taylor County; and

(2) County Court at Law No. 2 of Taylor County. (V.A.C.S. Art. 1970-343, Sec. 1 (part); Art. 1970-343a, Sec. 1.)

Sec. 25.2232. TAYLOR COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Taylor County has concurrent jurisdiction with the county court in the trial of cases involving insanity and approval of applications for admission to state hospitals and special schools if admission is by application.

(b) A county court at law has terms of court beginning on the third Mondays in February, April, June, August, October, and December.

(c) The judge of a county court at law must:

(1) be a qualified voter in the county;

(2) be well informed in the laws of the state;

(3) be a licensed attorney in this state; and

(4) have resided in and actively practiced law or been a judge of a court in this state for at least the three years immediately preceding the general election.

(d) The judge of a county court at law shall be paid an annual salary that is not less than the salary paid the county judge. The salary shall be paid out of the county treasury.

(e) A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. The special judge is entitled to reasonable compensation determined by the commissioners court for each day served, to be paid out of the general county fund by the commissioners court.

(f) The county sheriff shall, in person or by deputy, attend a county court at law, as required by the judge.

(g) *Practice and procedure and appeals and writs of error prescribed by law for county courts apply to a county court at law.*

(h) *On authorization by the commissioners court, the judge of a county court at law may appoint a secretary for the court. The secretary is entitled to receive the same compensation allowed the secretary of the county judge, to be paid out of the county treasury in equal monthly installments as other county officials are paid. The secretary serves at the pleasure of the judge.*

(i) *Section 25.0006(b) does not apply to a county court at law in Taylor County. (V.A.C.S. Art. 1970-343, Secs. 2 (part), 4 (part), 5 (part), 7, 9 (part), 10, 12 (part); Art. 1970-343a, Secs. 2(c) (part), 3 (part), 4(a) (part), 6, 11, 12, 15 (part); New.)*

[Sections 25.2233-25.2240 reserved for expansion]

[Sections 25.2241-25.2250 reserved for Terrell County]

[Sections 25.2251-25.2260 reserved for Terry County]

[Sections 25.2261-25.2270 reserved for Throckmorton County]

[Sections 25.2271-25.2280 reserved for Titus County]

Sec. 25.2281. TOM GREEN COUNTY. Tom Green County has one statutory county court, the County Court at Law of Tom Green County. (V.A.C.S. Art. 1970-369, Sec. 1.)

Sec. 25.2282. TOM GREEN COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Tom Green County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in civil cases in which the matter in controversy exceeds \$500 but does not exceed \$10,000, excluding interest.

(b) A county court at law has the same terms as the county court.

(c) The judge of a county court at law must:

(1) be a licensed attorney in this state who has actively practiced for a five-year period before appointment or election; and

(2) have been a bona fide resident of Tom Green County for two years before appointment or election.

(d) The judge of a county court at law shall devote his entire time to the duties of his office. The judge may not engage in the private practice of law.

(e) The salary of a judge of a county court at law shall be paid out of the county treasury by the commissioners court. The judge of a county court at law is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as the county judge.

(f) If the judge of a county court at law is disqualified, a special judge of a county court at law may be appointed in the manner provided by law for the appointment of a special county judge. A special judge must meet the same qualifications as the regular judge and is entitled to the same rate of compensation as the regular judge.

(g) The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve a county court at law.

(h) With the approval of the judge of a county court at law, the official court reporter of a county court at law shall be available for matters being considered in the county court and the district courts in the county.

(i) Practice in a county court at law must conform to that prescribed by law for county courts.

(j) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. A general panel of jurors, or jurors impaneled

for a week by a district court, may be made available to serve for the week in a county court at law. (V.A.C.S. Art. 1970-369, Secs. 2(a) (part), (b), 4, 5(a), (d) (part), (e), 6(a) (part), (b) (part), 7(a), 8.)

[Sections 25.2283-25.2290 reserved for expansion]

Sec. 25.2291. TRAVIS COUNTY. (a) Travis County has the following statutory county courts:

- (1) County Court at Law No. 1 of Travis County, Texas;
- (2) County Court at Law No. 2 of Travis County, Texas;
- (3) County Court at Law No. 3 of Travis County, Texas; and
- (4) County Court at Law No. 4 of Travis County, Texas.

(b) The county courts at law of Travis County sit in Austin. (V.A.C.S. Art. 1970-324, Sec. 1; Art. 1970-324a, Sec. 1 (part); Art. 1970-324a.1, Sec. 1 (part); Art. 1970-324a.2, Sec. 1.)

Sec. 25.2292. TRAVIS COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Travis County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district courts in civil cases and proceedings in which the amount in controversy exceeds \$500, but does not exceed \$20,000, excluding interest.

(b) A county court at law has six terms beginning on the first Mondays in January, March, May, July, September, and November.

(c) A judge of County Court at Law No. 1, 2, or 3 must be:

- (1) a qualified voter in the county;
- (2) a resident of the county; and
- (3) a licensed attorney in this state who has actively practiced law for at least four years before the general election.

(d) The judge of County Court at Law No. 4 must be:

- (1) a qualified voter in the county;
- (2) a resident of the county; and
- (3) a licensed attorney in this state who has actively practiced law for at least two years before appointment or election.

(e) A judge of a county court at law may not engage in the private practice of law.

(f) The judges of the county courts at law shall be compensated by the commissioners court in the following manner:

(1) the judges of County Courts at Law Nos. 1, 2, and 3 shall each be paid an annual salary that is at least \$19,000 but not more than the amount paid district judges from the general revenue fund of the state; and

(2) the judge of County Court at Law No. 4 shall be paid an annual salary that is not more than 90 percent of the amount paid by the state to the district judges from the general revenue fund.

(g) The salary shall be paid out of the county general fund by warrants drawn on the county treasury on orders of the commissioners court.

(h) A special judge for a county court at law may be appointed or elected as provided by law for county judges. If a judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge for County Court at Law No. 1 shall be compensated by the commissioners court from the county's general fund at the same rate of compensation per day for each day served that the regular judge receives. A special judge for County Court at Law No. 2, 3, or 4 shall be

compensated by the commissioners court from the county's general fund in an amount as provided by law for a special judge of a county court or a county court at law, whichever amount is greater.

(i) The county sheriff shall, in person or by deputy, attend a county court at law as required by the judge.

(j) All cases from justice courts or other inferior courts must be appealed directly to a county court at law.

(k) The jurisdiction and authority vested by law in the county court for the drawing, selection, and service of jurors shall be exercised by the county courts at law. Juries summoned for any county court at law may, by order of the judge of the court in which they are summoned, be transferred to any of the other courts to serve and may be used as if summoned for the court to which they are transferred.

(l) Practice in the courts at law is that prescribed by law for county courts.

(m) Section 25.0007 does not apply to a county court at law in Travis County. (V.A.C.S. Art. 1970-324, Secs. 2 (part), 5 (part), 6 (part), 8, 10, 14, 15 (part), 16, 17 (part); Art. 1970-324a, Secs. 2 (part), 5 (part), 6 (part), 8, 10, 14, 15 (part), 16, 17 (part); Art. 1970-324a.1, Secs. 2 (part), 5 (part), 6 (part), 8, 10, 14, 15 (part), 16, 17 (part), 18; Art. 1970-324a.2, Secs. 2 (part), 5 (part), 6 (part), 9 (part), 13, 14 (part), 15, 16 (part), 17; Art. 1970-324c.)

[Sections 25.2293-25.2300 reserved for expansion]

[Sections 25.2301-25.2310 reserved for Trinity County]

[Sections 25.2311-25.2320 reserved for Tyler County]

[Sections 25.2321-25.2330 reserved for Upshur County]

[Sections 25.2331-25.2340 reserved for Upton County]

[Sections 25.2341-25.2350 reserved for Uvalde County]

Sec. 25.2351. VAL VERDE COUNTY. (a) Val Verde County has one statutory county court, the County Court at Law of Val Verde County.

(b) The County Court at Law of Val Verde County sits in Del Rio. (V.A.C.S. Art. 1970-373, Sec. 1.)

Sec. 25.2352. VAL VERDE COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Val Verde County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$10,000, excluding interest; and

(B) family law cases and proceedings.

(b) A county court at law has the same terms as a district court in Val Verde County.

(c) The judge of a county court at law must:

(1) have been a licensed and practicing member of the state bar for at least five years;

(2) be well informed in the laws of the state; and

(3) have resided in and actively practiced law in the county for at least two years before the general election.

(d) The judge of a county court at law may not engage in the private practice of law.

(e) The judge of a county court at law shall be paid an annual salary that is at least \$20,000 but not more than 90 percent of the total compensation paid the district judge. The salary shall be paid by the county treasurer on order of the commissioners court. The judge is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance.

(f) A special judge of a county court at law may be appointed or elected in the manner provided by law for special county judges. If the judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge to try the case. A special judge is entitled to receive for each day served compensation equal to $\frac{1}{365}$ of the annual salary of the regular judge, to be paid out of the county's general fund by the commissioners court.

(g) The county sheriff shall, in person or by deputy, attend a county court at law as required by the judge.

(h) The district clerk serves as clerk of a county court at law in family law cases and proceedings and the county clerk serves as clerk of the court in all other matters.

(i) Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings involving family law cases and proceedings shall be governed by this section and the laws and rules pertaining to district courts. If a family law case is tried before a jury, the jury shall be composed of 12 members.

(j) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. Jurors regularly impaneled for a week by the district court may, on request of the judge of a county court at law, be made available and shall serve for the week in a county court at law. (V.A.C.S. Art. 1970-373, Secs. (a) (part), (b), (c), 3, 4, 5, 7 (part), 8 (part), 10, 12, 13(b), (c).)

[Sections 25.2353-25.2360 reserved for expansion]

[Sections 25.2361-25.2370 reserved for Van Zandt County]

Sec. 25.2371. VICTORIA COUNTY. Victoria County has the following statutory county courts:

(1) County Court at Law of Victoria County; and

(2) County Court at Law No. 2 of Victoria County. (V.A.C.S. Art. 1970-356, Sec. 1; Art. 1970-356a, Sec. 1.)

Sec. 25.2372. VICTORIA COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Victoria County has, concurrent with the county court, the probate jurisdiction provided by general law for county courts.

(b) The County Court at Law No. 2 of Victoria County also has concurrent jurisdiction with the district court in civil cases in which the matter in controversy exceeds \$500 and does not exceed \$20,000, excluding interest.

(c) The terms of a county court at law are the same as those of the County Court of Victoria County.

(d) A judge of a county court at law must:

(1) be a licensed and practicing member of the state bar;

(2) have been a bona fide resident of the county for at least two years before appointment or election; and

(3) have actively practiced law in the county for at least two years before appointment or election.

(e) The judge of the County Court at Law of Victoria County shall be paid the same amount in salary, from the same fund and in the same manner, as the county judge. The judge of the County Court at Law No. 2 of Victoria County shall be paid a salary that does not exceed 90 percent of the amount paid a district court judge in the

county. The commissioners court may provide travel expenses and necessary office expenses, including clerical and administrative assistance, for the county courts at law.

(f) A special judge of a county court at law with the same qualifications as the regular judge may be appointed as provided by law for the appointment of a special county judge. If a judge of a county court at law is disqualified to try a case pending in his court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(g) Practice in a county court at law must conform to that prescribed by law for the county court.

(h) The laws that govern the drawing, selection, service, and pay of jurors for county courts apply to a county court at law.

(i) Jurors regularly impaneled for a week by the district court may, on request of either the county judge or a judge of a county court at law, be made available and shall serve for the week in either the county court or the county court at law.

(j) Section 25.0008 does not apply to the county courts at law in Victoria County. (V.A.C.S. Art. 1970-356, Secs. 2(a) (part), 3, 4(a), (d), (e), 6(a), 7; Art. 1970-356a, Secs. 2(a) (part), (b) (part), 3, 4(a), (d), (e), 6, 7.)

[Sections 25.2373-25.2380 reserved for expansion]

Sec. 25.2381. WALKER COUNTY. (a) Walker County has one statutory county court, the County Court at Law of Walker County.

(b) The County Court at Law of Walker County sits in Huntsville. (V.A.C.S. Art. 1970-367, Sec. 1.)

Sec. 25.2382. WALKER COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Walker County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$10,000, excluding interest;

(B) family law cases and proceedings; and

(C) cases and proceedings involving justiciable controversies and differences between spouses, between parents, or between parent and child, or between any of these and third persons.

(b) A county court at law has four terms of court beginning on the first Mondays of January, April, July, and October.

(c) The judge of a county court at law must:

(1) have been a bona fide resident of the county for at least two years before election or appointment;

(2) be a qualified voter in the county; and

(3) be a licensed attorney in this state who has actively practiced law for at least five years before election or appointment.

(d) The judge of a county court at law may not engage in the private practice of law.

(e) The judge of a county court at law shall be paid an annual salary that is at least 83 percent of the annual salary of a district judge in the county. The salary shall be paid by the county treasurer by order of the commissioners court. The judge is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as the county judge.

(f) A special judge of a county court at law with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If the judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(g) The district clerk serves as clerk of a county court at law in the cases enumerated in Subsections (a)(2)(B) and (C), and the county clerk serves as clerk of the court in all other matters. The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve a county court at law.

(h) The judge of a county court at law may, instead of appointing an official court reporter, contract for the services of a court reporter under guidelines established by the commissioners court.

(i) Practice in a county court at law is that prescribed by law for county courts, except that practice and procedure, rules of evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings in a county court at law involving matters enumerated in Subsection (a)(2)(B) or (C) shall be governed by this section and the laws and rules pertaining to district courts. If a case in Subsection (a)(2)(B) or (C) is tried before a jury, the jury shall be composed of 12 members.

(j) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. Jurors regularly impaneled for a week by the district court may, on request of the judge of a county court at law, be made available and shall serve for the week in a county court at law.

(k) All cases appealed from the justice courts and other courts of inferior jurisdiction in the county shall be made direct to a county court at law, unless otherwise provided by law.

(l) Appeals in all cases from judgments and orders of the county court at law shall be to the court of appeals as provided by law for county and district courts. (V.A.C.S. Art. 1970-367, Secs. 2 (part), 3(a) (part), (b) (part), 6 (part), 7(a), (b), (f) (part), (g), 8(a) (part), (b) (part), 10, 13 (part), 14.)

[Sections 25.2383-25.2390 reserved for expansion]

Sec. 25.2391. WALLER COUNTY. (a) Waller County has one statutory county court, the County Court at Law of Waller County.

(b) The County Court at Law of Waller County sits in Hempstead. (V.A.C.S. Art. 1970-381, Sec. 1.)

Sec. 25.2392. WALLER COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Waller County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$20,000, excluding interest; and

(B) family law cases and proceedings.

(b) A county court at law has four terms of court beginning on the first Mondays of January, April, July, and October of each year.

(c) The judge of a county court at law must:

(1) have been a bona fide resident in the county for at least two years before appointment or election;

(2) be a qualified voter in the county;

(3) be at least 30 years of age; and

(4) be a licensed attorney in this state who has actively practiced law in the state for at least five years before appointment or election.

(d) The judge of a county court at law may not engage in the private practice of law.

(e) The judge of a county court at law shall be paid an annual salary that is at least equal to 85 percent of the amount paid by the state to a district judge. The salary shall be paid by the county treasurer on order of the commissioners court. The judge of a county court at law is entitled to travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as the county judge.

(f) A special judge of a county court at law with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If a judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(g) The district clerk serves as clerk of a county court at law in family law cases and proceedings, and the county clerk serves as clerk of the court in all other cases and proceedings. The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve the court.

(h) The judge of a county court at law may appoint an official court reporter or the judge may contract for the service of a court reporter under guidelines established by the commissioners court.

(i) If a case enumerated in Subsection (a)(2) is tried before a jury, the jury shall be composed of 12 members.

(j) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. Jurors regularly impaneled for a week by the district court may, on request of the judge of a county court at law, be made available and shall serve for the week in a county court at law.

(k) Appeals in civil and criminal cases from judgments and orders of the county court at law are to the court of appeals as provided for appeals from district and county courts. All cases appealed from the justice courts and other inferior courts in the county are to a county court at law, unless otherwise provided by law. (V.A.C.S. Art. 1970-381, Secs. 2(a) (part), (b) (part), (c), 3 (part), 4(a), (b), (f) (part), (g), 5(a) (part), (b) (part), 7(a) (part), (b), (c), 10.)

[Sections 25.2393-25.2400 reserved for expansion]

[Sections 25.2401-25.2410 reserved for Ward County]

[Sections 25.2411-25.2420 reserved for Washington County]

Sec. 25.2421. **WEBB COUNTY.** (a) Webb County has one statutory county court, the County Court at Law of Webb County.

(b) The County Court at Law of Webb County sits in Laredo. (V.A.C.S. Art. 1970-360, Sec. 1.)

Sec. 25.2422. **WEBB COUNTY COURT AT LAW PROVISIONS.** (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Webb County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the matter in controversy exceeds \$500 and does not exceed \$10,000, excluding interest;

(B) family law cases and proceedings; and

(C) cases and proceedings involving justiciable controversies and differences between spouses, or between parents, or between parent and child, or between any of these and third persons.

(5) A county court at law has six terms of court beginning on the first Mondays in January, March, May, July, September, and November of each year. Each term continues until the court has disposed of its business, but a term may not continue past the beginning of the next term unless the court enters an order in the minutes extending the term for a specific cause.

(c) A judge of a county court at law must:

(1) have been a bona fide resident of Webb County for at least two years before appointment or election;

(2) be a qualified voter in Webb County; and

(3) be a licensed attorney in this state who has actively practiced law for at least five years before appointment or election.

(d) A judge of a county court at law may not engage in the private practice of law.

(e) A judge of a county court at law shall be paid an annual salary that is at least \$20,000, but not more than the salary of the county judge. The salary shall be paid out of the county treasury by order of the commissioners court. A judge of a county court at law is entitled to receive travel and necessary office expenses, including administrative and clerical assistance, in the same manner as the county judge.

(f) A special judge of a county court at law with the same qualifications as the regular judge may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If a judge of a county court at law is disqualified to try a case pending in his court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge is entitled to the same rate of compensation as the regular judge.

(g) The district attorney of the 49th Judicial District serves as district attorney of a county court at law, except that the county attorney of Webb County prosecutes all juvenile, child welfare, mental health, and other civil cases in which the state is a party. The district clerk serves as clerk of a county court at law in the cases enumerated in Subsection (a)(2), and the county clerk serves as clerk of a county court at law in all other cases. The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve the court.

(h) Practice and procedure, rules of evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings in a county court at law involving those matters of concurrent jurisdiction enumerated in Subsection (a)(2)(B) or (C) are governed by this section and the laws and rules pertaining to district courts, as well as county courts. If a case enumerated in Subsection (a)(2)(B) or (C) is tried before a jury, the jury shall be composed of 12 members.

(i) The laws that govern the drawing, selection, service, and pay of jurors for county courts apply to a county court at law.

(j) Jurors regularly impaneled for a week by the district court or courts may, on request of either the county judge or the judge of a county court at law, be made available and shall serve for the week in either the county court or county court at law. (V.A.C.S. Art. 1970-360, Secs. 2 (part), 3(a) (part), (b) (part), 6, 7(a), (b), (f) (part), (g), 8(a) (part), 10(a) (part), (b), (c).)

[Sections 25.2423-25.2430 reserved for expansion]

[Sections 25.2431-25.2440 reserved for Wharton County]

[Sections 25.2441-25.2450 reserved for Wheeler County]

Sec. 25.2451. WICHITA COUNTY. Wichita County has the following statutory county courts:

(1) County Court at Law of Wichita County; and

(2) *County Court at Law No. 2 of Wichita County. (V.A.C.S. Art. 1970-166d, Sec. 1; Art. 1970-166e, Sec. 1.)*

Sec. 25.2452. WICHITA COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Wichita County has concurrent jurisdiction with the county court in:

(1) *appeals from municipal courts of record in Wichita County as provided by Subchapter D, Chapter 30; and*

(2) *juvenile, child neglect, or dependency proceedings as provided by Sections 26.343(b) and (c).*

(b) *The County Court at Law No. 2 of Wichita County has, concurrent with the county court, the probate and mental health jurisdiction provided by general law for county courts.*

(c) *The County Court at Law of Wichita County has concurrent jurisdiction with the county court in probate and mental health proceedings when the county judge is absent or unable to perform the duties relating to those proceedings. The county judge or the commissioners court shall certify the county judge's absence or inability to the judge of the county court at law. When the certification is for the purpose of conferring power to perform a judicial act, the certificate shall be entered on the minutes of the appropriate court. The judge of the County Court at Law of Wichita County is not entitled to receive any additional compensation for performing these duties.*

(d) *A county court at law has concurrent jurisdiction with the district court in:*

(1) *civil cases in which the amount in controversy exceeds \$500 but does not exceed \$10,000, excluding interest;*

(2) *family law cases and proceedings;*

(3) *suits brought under the authority of the Uniform Reciprocal Enforcement of Support Act (Section 21.01 et seq., Family Code) or the Uniform Interstate Compact on Juveniles (Section 25.01 et seq., Family Code); and*

(4) *other juvenile and child welfare cases in which the district and county courts have jurisdiction.*

(e) *The judge of a county court at law must:*

(1) *be at least 25 years old;*

(2) *be a citizen of the United States and of this state;*

(3) *have been a resident of the county for at least two years; and*

(4) *be an attorney licensed in this state who has been a practicing attorney or a judge of a court in this state, or both combined, for at least four years.*

(f) *The judge of a county court at law may not engage in the private practice of law.*

(g) *The judge of a county court at law shall be paid an annual salary that does not exceed the amount that is 90 percent of the total annual salary received by a district judge in the county. The salary shall be paid out of the county treasury by the commissioners court. The judge may be paid in equal monthly installments. The judge is also entitled to receive travel expenses and necessary office expenses, including administrative and clerical assistance, in the same manner as the county judge.*

(h) *A special judge of a county court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge. If a judge of a county court at law is disqualified to try a case pending in the judge's court, the parties or their attorneys may agree on the selection of a special judge for the case. A special judge must have the qualifications of the regular judge. A special judge is entitled to the same rate of compensation as the regular judge.*

(i) *The district clerk of Wichita County serves as the clerk of the county courts at law in Wichita County in cases enumerated in Subsection (d), and the county clerk serves as clerk in all other cases.*

(j) *The commissioners court may employ as many deputy sheriffs and bailiffs as are necessary to serve the court.*

(k) *If a case enumerated in Subsection (d) is tried before a jury, the jury shall be composed of six members and may render verdicts by a five to one margin in civil cases and a unanimous verdict in criminal cases. The laws governing the drawing, selection, service, and pay of jurors for county courts apply to the county courts at law. Jurors regularly impaneled for a week by a district court may, on request of the county judge or a county court at law judge, be made available and shall serve for the week in the county court or county court at law. (V.A.C.S. Art. 1970-166d, Secs. 2(a) (part), (b), (c) (part), 4(a) (part), (b), (f) (part), (g), 5(a) (part), 7(a) (part), (b), (c); Art. 1970-166e, Secs. 2(a) (part), (b), 4(a) (part), (b), (f) (part), (g), 5(a) (part), 7(a) (part), (b), (c).)*

[Sections 25.2453-25.2460 reserved for expansion]

[Sections 25.2461-25.2470 reserved for Wilbarger County]

[Sections 25.2471-25.2480 reserved for Willacy County]

Sec. 25.2481. WILLIAMSON COUNTY. Williamson County has one statutory county court, the County Court at Law of Williamson County. (V.A.C.S. Art. 1970-380, Sec. 1.)

Sec. 25.2482. WILLIAMSON COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Williamson County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in cases in which the amount in controversy exceeds \$500 and does not exceed \$10,000, excluding interest.

(b) A county court at law has concurrent jurisdiction with the justice court in all criminal matters prescribed by law for justice courts. This subsection does not deny the right of appeal to a county court at law from a justice court in cases in which the right of appeal to the county court exists.

(c) The judge of a county court at law must:

(1) be a citizen of the United States;

(2) have resided in the county for at least one year before election or appointment;

(3) be licensed to practice law in this state; and

(4) have actively practiced law for at least four years before election or appointment.

(d) The judge of a county court at law may not engage in the private practice of law.

(e) If the regular judge of a county court at law is absent, disabled, or disqualified from presiding, the presiding judge of the administrative judicial district in which the county is located may appoint a person licensed to practice law in this state to sit as a special judge.

(f) The special judge must have the same qualifications as the regular judge, except that the only residency requirement for a person who is a retired district court or county court at law judge is that the retired judge reside in the administrative judicial district.

(g) A special judge must take the oath of office required by law of the regular judge. A special judge has all the powers and jurisdiction of the court and of the regular judge. A special judge may sign orders, decrees, judgments, or other process as "Judge Presiding" when acting for the regular judge.

(h) A special judge is entitled to receive for services actually performed the same amount of compensation that the regular judge receives for the services. The compen-

sation shall be paid out of county funds on certification by the presiding judge of the administrative judicial district that the special judge has rendered the services and is entitled to receive the compensation. The amount paid to a special judge may not be deducted or paid out of the salary of the regular judge.

(i) The county attorney and the county sheriff shall attend a county court at law as required by the judge.

(j) The judge of a county court at law may appoint a court coordinator or administrative assistant. A court coordinator or administrative assistant performs the duties prescribed by the judge and cooperates with the administrative judges and state agencies for the uniform and efficient operation of the courts and the administration of justice. The court coordinator or administrative assistant is entitled to be paid from county funds the compensation, fees, and allowances set by the commissioners court or as otherwise provided by law.

(k) The commissioners court shall provide the deputy clerks, bailiffs, and other personnel necessary to operate a county court at law.

(l) A jury in a county court at law shall be composed of six members.

(m) Sections 25.0006 and 25.0008 do not apply to a county court at law in Williamson County. (V.A.C.S. Art. 1970-380, Secs. 2(a), (b) (part), (d), 5(a), (f), 6(a) (part), (b), (c) (part), 7(a), (b), (c), (d) (part), 9 (part).)

[Sections 25.2483-25.2490 reserved for expansion]

[Sections 25.2491-25.2500 reserved for Wilson County]

[Sections 25.2501-25.2510 reserved for Winkler County]

Sec. 25.2511. WISE COUNTY. (a) Wise County has one statutory county court, the County Court at Law of Wise County.

(b) The County Court at Law of Wise County sits in Decatur. (V.A.C.S. Art. 1970-374, Sec. 1.)

Sec. 25.2512. WISE COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Wise County has, concurrent with the county court, the probate jurisdiction provided by general law for county courts.

(b) A county court at law has one term of court beginning on January 1.

(c) The judge of a county court at law must:

(1) be a licensed and practicing member of the state bar; and

(2) have been a bona fide resident in the county for at least six months before election or appointment.

(d) The judge of a county court at law shall be paid an annual salary in an amount that is not more than 90 percent of the salary paid by the state out of the general revenue fund to a district judge in the county. The salary shall be paid out of the county treasury on orders from the commissioners court. The judge is also entitled to reasonable travel expenses and necessary office expenses, including administrative and clerical assistance.

(e) A special judge of a county court at law with the same qualifications as the regular judge may be appointed in the manner provided by law for the appointment of a special county judge. A special judge is entitled to the same rate of compensation as the regular judge.

(f) The official court reporter of a county court at law is entitled to receive a salary set by the judge of the county court at law and paid out of the county treasury on order of the commissioners court. The salary may not exceed the amount paid the official court reporter of a district court in Wise County.

(g) Practice in a county court at law is that prescribed by law for county courts.

(h) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. Jurors regularly impaneled for a week by the

district court may, on request of the judge of a county court at law, be made available and shall serve for the week in a county court at law. (V.A.C.S. Art. 1970-374, Secs. 2(a) (part), 3 (part), 4(a), (d) (part), (e), 5(b) (part), 6.)

[Sections 25.2513-25.2520 reserved for expansion]

[Sections 25.2521-25.2530 reserved for Wood County]

[Sections 25.2531-25.2540 reserved for Yoakum County]

[Sections 25.2541-25.2550 reserved for Young County]

[Sections 25.2551-25.2560 reserved for Zapata County]

[Sections 25.2561-25.2570 reserved for Zavala County]

SECTION 4.02. (a) The following articles and acts as compiled in Vernon's Texas Civil Statutes are repealed: 1926-44; 1969a-1; 1969a-2; 1969a-3; 1969b; 1970; 1970a; 1970-1; 1970-2; 1970-3; 1970-4; 1970-5; 1970-6; 1970-7; 1970-8; 1970-9; 1970-10; 1970-11; 1970-12; 1970-13; 1970-14; 1970-15; 1970-16; 1970-17; 1970-18; 1970-19; 1970-20; 1970-21; 1970-22; 1970-23; 1970-24; 1970-25; 1970-26; 1970-27; 1970-28; 1970-29; 1970-30; 1970-31; 1970-31.1; 1970-31.2; 1970-31.10; 1970-31.11; 1970-31.12; 1970-31.13; 1970-31.14; 1970-31.15; 1970-31.16; 1970-31.17; 1970-31.18; 1970-31.20; 1970-31.21; 1970-31.30; 1970-31a; 1970-31b; 1970-31c; 1970-32; 1970-33; 1970-34; 1970-35; 1970-36; 1970-37; 1970-38; 1970-39; 1970-40; 1970-41; 1970-42; 1970-43; 1970-44; 1970-45; 1970-45a; 1970-46; 1970-47; 1970-48; 1970-49; 1970-50; 1970-51; 1970-52; 1970-53; 1970-54; 1970-55; 1970-56; 1970-57; 1970-58; 1970-59; 1970-60; 1970-61; 1970-62; 1970-62.1; 1970-62.2; 1970-62a; 1970-62b; 1970-62c; 1970-62d; 1970-62e; 1970-62f; 1970-63; 1970-64; 1970-65; 1970-66; 1970-67; 1970-68; 1970-69; 1970-70; 1970-71; 1970-72; 1970-73; 1970-74; 1970-75; 1970-75a; 1970-76; 1970-77; 1970-78; 1970-79; 1970-80; 1970-81; 1970-82; 1970-83; 1970-84; 1970-85; 1970-86; 1970-87; 1970-88; 1970-89; 1970-90; 1970-91; 1970-93; 1970-94a; 1970-94b; 1970-95; 1970-96; 1970-98; 1970-98a; 1970-98b; 1970-99; 1970-100; 1970-101; 1970-102; 1970-105; 1970-106; 1970-106a; 1970-108; 1970-109; 1970-110a; 1970-110a.2; 1970-110a.3; 1970-110a.4; 1970-110b; 1970-110c; 1970-110c.1; 1970-110c.2; 1970-110c.3; 1970-110c.4; 1970-110c.5; 1970-110c.6; 1970-110d; 1970-110e; 1970-110f; 1970-110g; 1970-111; 1970-112; 1970-112A; 1970-113; 1970-114; 1970-115; 1970-116; 1970-117; 1970-118; 1970-119; 1970-120; 1970-121; 1970-122; 1970-123; 1970-124; 1970-125; 1970-126; 1970-126a; 1970-126b; 1970-127; 1970-127a; 1970-127b; 1970-128; 1970-129; 1970-130; 1970-131; 1970-132; 1970-133; 1970-134; 1970-135; 1970-136; 1970-137; 1970-138; 1970-139; 1970-140; 1970-141; 1970-141.1; 1970-141.2; 1970-141.3; 1970-141.4; 1970-166d; 1970-166e; 1970-223a; 1970-298b; 1970-298c; 1970-298d; 1970-301; 1970-301a.1; 1970-301b; 1970-301c; 1970-301d; 1970-301e; 1970-301e.1; 1970-301e.2; 1970-301e.3; 1970-301g; 1970-305; 1970-305a; 1970-305c; 1970-309; 1970-311a; 1970-311b; 1970-323b; 1970-324; 1970-324a; 1970-324a.1; 1970-324a.2; 1970-324b; 1970-324c; 1970-324d; 1970-329; 1970-332; 1970-332a; 1970-335a; 1970-336; 1970-338C; 1970-339; 1970-339A; 1970-339B; 1970-339C; 1970-339D; 1970-340; 1970-340.1; 1970-341; 1970-341a; 1970-341b; 1970-342; 1970-342a; 1970-342b; 1970-343; 1970-343a; 1970-345; 1970-345a; 1970-346; 1970-346a; 1970-347; 1970-348; 1970-348a; 1970-349; 1970-349A; 1970-350; 1970-350a; 1970-351; 1970-352; 1970-352a; 1970-352b; 1970-353a; 1970-354; 1970-355; 1970-356; 1970-356a; 1970-357; 1970-357a; 1970-358; 1970-359; 1970-360; 1970-361; 1970-362; 1970-362a; 1970-362b; 1970-363; 1970-363a; 1970-363b; 1970-364; 1970-365; 1970-366a; 1970-367; 1970-368; 1970-369; 1970-370; 1970-370a; 1970-371; 1970-372; 1970-373; 1970-374; 1970-375; 1970-376; 1970-377; 1970-378; 1970-379; 1970-380; 1970-381; 1970-382; 1970-383; 1970-384; 1970-385; 1970-386; 1970-388; 1970-389; 1970-390; 1970-391; 1970-392; 1970-393; 1970a-1; 1970a-2; 3883i; 3883i-2, Sec. 1; 3883i-3; and 3886b-1.

(b) The following uncompiled session laws are repealed: 50th Leg., R.S., Ch. 337, Sec. 4; 69th Leg., R.S., Ch. 333, Sec. 8; and 69th Leg., R.S., Ch. 333, Sec. 9.

SECTION 4.03. Subchapter B, Chapter 45, Government Code, is amended by adding Section 45.103 to read as follows:

Sec. 45.103. ANGELINA COUNTY. The county attorney of Angelina County is entitled to receive a salary that is at least equal to the amount that is \$2,000 less than the salary paid to the judge of the County Court at Law of Angelina County.

SECTION 4.04. Section 2, Chapter 697, Acts of the 59th Legislature, Regular Session, 1965 (Article 3883i-1, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 2. In all counties having a population of not less than three hundred and seventy-five thousand (375,000) nor more than six hundred and fifty thousand (650,000) according to the last preceding Federal Census, the ~~commissioners court shall fix the salaries of the county officers as follows: The salary of the county judge shall be not less than Nineteen Thousand, Eight Hundred Dollars (\$19,800) per annum; the county commissioners, not less than Nineteen Thousand, One Hundred and Twenty Dollars (\$19,120) per annum; the district attorney, not less than Twenty-two Thousand, Nine Hundred Dollars (\$22,900) per annum; the sheriff, not less than Nineteen Thousand, Seven Hundred and Fifty Dollars (\$19,750) per annum; the tax assessor and collector, not less than Twenty-one Thousand and Ten Dollars (\$21,010) per annum; the probate judge and judges of county courts at law and county criminal courts, not less than Twenty Thousand, Eight Hundred Dollars (\$20,800) per annum; the county clerk and the district clerk, not less than Nineteen Thousand, Seven Hundred and Fifty Dollars (\$19,750) per annum; and the county Treasurer, not less than Sixteen Thousand, Six Hundred Dollars (\$16,600) per annum. Salaries fixed by this Section shall be payable in equal monthly installments. Justices of the peace and constables of Precincts One and Two of such county shall receive not less than Fourteen Thousand, Five Hundred Dollars (\$14,500) per annum, to be paid in equal monthly installments. The~~ county judge in such counties shall be allowed, in addition to all other compensation fixed in this Section, the sum of Two Thousand, Five Hundred Dollars (\$2,500) per annum for serving as a member of the County Juvenile Board. This additional compensation shall be paid in twelve (12) equal monthly installments out of the general fund of such county and shall be in addition to all other salary or other compensation now paid to such county judge.

SECTION 4.05. Section 2, Chapter 906, Acts of the 62nd Legislature, Regular Session, 1971 (Article 3883i-2, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 2. In all counties of this State having a population of not less than two million (2,000,000) inhabitants, according to the last preceding Federal census, the Commissioners Court shall fix the salary of the County Judge at not less than One Thousand Dollars (\$1,000) more per annum than the total annual salary received by Judges of the County Courts at Law and Judges of the County Criminal Courts at Law in such counties, which shall be paid in twelve (12) equal monthly installments. ~~[The salary of each of the Judges of the Probate Courts shall be fixed by the Commissioners Court at not less than the total annual salary, including supplements, received by the Judges of the District Courts in such counties, which shall be paid in twelve (12) equal monthly installments.]~~

SECTION 4.06. If the proposed Local Government Code is not enacted by the 70th Legislature, Regular Session, 1987, or does not become law, Title 61, Revised Statutes, is amended by adding Articles 3912k-1 and 3912k-2 to read as follows:

Art. 3912k-1. EL PASO COUNTY JUDGE. The county judge of El Paso County shall be paid an annual salary that does not exceed nine-tenths of the total annual salary, including supplements, paid any district judge in the county. The salary shall be paid out of the general fund of the county in equal monthly installments by warrants drawn on the county treasury on orders of the commissioners court.

Art. 3912k-2. GREGG COUNTY JUDGE. The county judge of Gregg County shall be paid an annual salary set by the commissioners court at an amount that does not exceed the amount that is 90 percent of the total annual salary received by a district judge in the county. The salary may be paid in equal monthly installments.

SECTION 4.07. Section 1, Chapter 64, Acts of the 52nd Legislature, Regular Session, 1951 (Article 5139F, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. In any county having a population of more than one hundred twenty-one thousand (121,000) inhabitants and less than one hundred twenty-eight thousand (128,000) inhabitants or more than one hundred fifty-five thousand (155,000) inhabitants and less than one hundred sixty thousand (160,000) inhabitants according to the last preceding

Federal Census, the Judges of the several District Courts of such county, together with the County Judge of such county, are hereby constituted a Juvenile Board for such county. *In Wichita County the judges of the county courts at law are also members of the Juvenile Board.* Subject to the approval of the Commissioners Court, the members composing such Juvenile Board in such county may each be allowed additional compensation in an amount which shall be designated by the County Commissioners and which shall be paid in twelve (12) equal installments out of the general fund of such county.

SECTION 4.08. Section 1, Chapter 419, Acts of the 52nd Legislature, Regular Session, 1951 (Article 5139G, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. In each county comprising the 9th Judicial District, the Second 9th Judicial District, and the 221st Judicial District, the judges of the district courts having jurisdiction in the county, together with the county judge of the county and the judges of the county courts at law, if there are any, shall constitute the juvenile board of such county. The members of each board shall each be allowed additional compensation not less than \$3,000 per annum nor more than \$10,000 per annum to be fixed by the Commissioners Court and paid monthly in twelve (12) equal installments out of the general fund of the county. *The additional compensation paid to the judge of County Court at Law No. 2 of Montgomery County, to the judge of County Court at Law No. 3 of Montgomery County, or to the judge of the County Court at Law of Polk County may not exceed the amount paid as additional compensation to the other members of the juvenile board in the county.*

SECTION 4.09. Section 1, Chapter 585, Acts of the 65th Legislature, Regular Session, 1977 (Article 5139H-6, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. In each of the counties comprising the 24th Judicial District and the 135th Judicial District, except Victoria County, the judge of each judicial district having jurisdiction in the county and the county judge of each county constitute the juvenile board of the county. *The judge of a county court at law in Calhoun County is a member of the juvenile board in that county.* The members of the board in each of those counties may each be allowed, for additional duties as a member of the board, additional compensation in a reasonable amount to be set by the commissioners court of each county, which shall be paid in 12 equal installments out of the general funds of each county. In no event shall the additional compensation for services rendered on the juvenile board be set lower than that existing on the effective date of this Act. Such compensation shall be in addition to all other compensation now provided or allowed by law for county and district judges. The provisions of this Act do not apply to nor affect the Victoria County Juvenile Board.

SECTION 4.10. Section 1, Chapter 106, Acts of the 54th Legislature, Regular Session, 1955 (Article 5139J, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. There is hereby established a county juvenile board in each of the Counties of Harrison and Rusk, which shall be composed of the county judge and the judge of each judicial district which includes the county, and ~~in Rusk County~~ the judge of each ~~the~~ county court at law. The official title of the board in each county shall be the name of the county followed by the words "County Juvenile Board." The judge of the court which is designated as the juvenile court of the county shall be chairman of the board and its chief administrative officer.

SECTION 4.11. Section 2, Chapter 149, Acts of the 59th Legislature, Regular Session, 1965 (Article 5139SS, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 2. As compensation for the added duties imposed upon them, the members of the board may be allowed additional compensation not to exceed \$2,400 per year, to be fixed by the commissioners court and paid in twelve equal monthly installments out of the general fund of the county. *The additional compensation paid to the judge of the county court at law may not exceed the amount paid by the county to the other members of the juvenile board.*

SECTION 4.12. Section 2(a), Chapter 325, Acts of the 61st Legislature, Regular Session, 1969 (Article 5139ZZ, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 2. (a) The commissioners court may authorize and pay each member of the juvenile board an annual sum as compensation for serving as a member of the juvenile board. *The amount of the additional compensation paid the judge of the County Court at Law of Orange County may not exceed the amount of additional compensation paid to the other members of the juvenile board.*

SECTION 4.13. Section 7, Chapter 25, Acts of the 67th Legislature, Regular Session, 1981 (Article 5139SSS, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 7. In each of the Counties of Brazoria, Fort Bend, Matagorda, and Wharton, the judge of each district court of the county, the county judge of the county, and the judge of each county court at law in the county constitute a juvenile board for the county. The members composing the juvenile board in each county shall each be allowed additional compensation which shall be paid in 12 equal monthly installments out of the general fund of the county in an amount to be fixed by the commissioners court of each county. *The judge of a county court at law in Fort Bend County is entitled to receive the same amount of additional compensation for service on the juvenile board that the county judge receives for serving on the board.*

SECTION 4.14. Section 2, Chapter 405, Acts of the 55th Legislature, Regular Session, 1957 (Article 5142a-2, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 2. ~~The Wichita County Juvenile Board[as heretofore established and composed of the County Judge of Wichita County and the Judge of each Judicial District which includes Wichita County,] shall have all powers conferred upon the Juvenile Board created under Article 5139 of Revised Civil Statutes of 1925 and any amendments thereto. The Wichita County Juvenile Board shall have authority to appoint an Administrator and such assistants as may be necessary, and to determine the duties to be assigned such Administrator and his assistants, and the rate of pay which shall be paid all the personnel comprising the Wichita County Family Court Services.~~

ARTICLE V. MISCELLANEOUS PROVISIONS

SECTION 5.01. (a) This Act is a nonsubstantive Act that conforms the Judicial Title of the Government Code to laws passed by the 69th Legislature, Regular Session, 1985, conforms it to amendments to the constitution proposed by the 69th Legislature and adopted by the voters, and nonsubstantively codifies in that title certain related statutes.

(b) This Act does not affect the validity of the Court Administration Act (Article 200a-1, Vernon's Texas Civil Statutes) or Chapter 602, Acts of the 69th Legislature, Regular Session, 1985, except as those Acts are expressly repealed by this Act.

(c) The repeal of a statute by this Act does not affect an amendment, revision, or reenactment of the statute by the 70th Legislature, Regular Session, 1987. The amendment, revision, or reenactment is preserved and given effect as part of the code provision that revised the statute so amended, revised, or reenacted.

(d) If any provision of this Act conflicts with a statute enacted by the 70th Legislature, Regular Session, 1987, the statute controls.

SECTION 5.02. This Act takes effect September 1, 1987.

SECTION 5.03. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on March 18, 1987, by a viva-voce vote. Passed the House on April 30, 1987, by a non-record vote.

Approved May 21, 1987.

Effective Sept. 1, 1987.

(14) *County Criminal Court at Law No. 14 of Harris County, Texas.*

(c) *Harris County has the following statutory probate courts:*

(1) *Probate Court No. 1 of Harris County, Texas;*

(2) *Probate Court No. 2 of Harris County, Texas;*

(3) *Probate Court No. 3 of Harris County, Texas; and*

(4) *Probate Court No. 4 of Harris County, Texas. (V.A.C.S. Art. 1970-76; Art. 1970-77 (part); Art. 1970-110d, Subsec. (a) (part); Art. 1970-110e, Subsec. (a) (part); Art. 1970-110f, Subsec. (a) (part); Art. 1970-95; Art. 1970-110b, Sec. 1; Art. 1970-110c, Sec. 1; Art. 1970-110c.1, Sec. 1; Art. 1970-110c.2, Subsec. (a); Art. 1970-110c.3, Subsec. (a); Art. 1970-110c.4, Subsec. (a); Art. 1970-110c.5, Sec. 1(a); Art. 1970-110c.6, Sec. 1; Art. 1970-110a, Sec. 1; Art. 1970-110a.2, Sec. 2; Art. 1970-110a.3, Sec. 1; Art. 1970-110a.4, Sec. 1.)*

Sec. 25.1032. HARRIS COUNTY CIVIL COURT AT LAW PROVISIONS. (a) *A county civil court at law in Harris County has jurisdiction over all civil matters and causes, original and appellate, prescribed by law for county courts, but does not have the jurisdiction of a probate court. A county civil court at law has jurisdiction in appeals of civil cases from justice courts in Harris County.*

(b) *A county civil court at law has concurrent jurisdiction with the district court in civil cases in which the amount in controversy exceeds \$500, excluding interest, and does not exceed \$20,000, excluding interest, statutory damages and penalties, attorney's fees, and costs.*

(c) *A county civil court at law has exclusive jurisdiction in Harris County of eminent domain proceedings, regardless of the amount in controversy. A county civil court at law may determine all issues, including any relating to title to real or personal property, in eminent domain proceedings.*

(d) *A county civil court at law has six terms of court beginning on the first Mondays of January, March, May, July, September, and November.*

(e) *The judge of a county civil court at law must have been a licensed and practicing member of the state bar for at least five years.*

(f) *The judge of a county civil court at law shall be paid an annual salary that is not less than \$1,000 less than the total annual salary, including supplements, of a district judge in the county.*

(g) *A special judge of a county civil court at law may be appointed or elected in the manner provided by law for the appointment or election of a special county judge.*

(h) *The county sheriff shall, in person or by deputy, attend a county civil court at law as required by the judge.*

(i) *The official court reporter of a county civil court at law is entitled to receive the same salary as a reporter of a district court in the county.*

(j) *The county clerk shall keep separate dockets for each of the county civil courts at law. The county clerk shall tax the official court reporter's fee as costs in civil actions in a county civil court at law in the same manner as the fee is taxed in civil cases in the district courts.*

(k) *Practice in a county civil court at law and appeals and writs of error from a county civil court at law are as prescribed by law for county courts.*

(l) *Sections 25.0006(b) and 25.0008 do not apply to a county civil court at law in Harris County. (V.A.C.S. Art. 1970-79 (part); Art. 1970-83; Art. 1970-84 (part); Art. 1970-85 (part); Art. 1970-87; Art. 1970-88 (part); Art. 1970-94b (part); Art. 1970-110d, Secs. (b) (part), (c) (part), (d) (part), (e) (part), (g), (h) (part), (j) (part); Art. 1970-110e, Secs. (b) (part), (c) (part), (d) (part), (e) (part), (g), (h) (part), (j) (part); Art. 1970-110f, Secs. (b) (part), (c) (part), (d) (part), (e) (part), (g), (h) (part), (j) (part); Art. 1970-110g, Secs. 1, 2(a) (part), (b) (part); Art. 3883i-2, Sec. 1 (part); New.)*

Sec. 25.1033. HARRIS COUNTY CRIMINAL COURT AT LAW PROVISIONS. (a) *A county criminal court at law in Harris County has the criminal jurisdiction provided*