

ATASCOSA COUNTY JUDGES REPORT

Someone asked me the question last week about the content of the County Judge's (CJ) Judicial work. Atascosa County has a County Court at Law Judge (CCALJ), which modifies the county judge's judicial role. In every county, I have personal knowledge of counties close to our size, who have a CCALJ, the CJ such as Medina, Kendall, Kerr Counties, and a few others; the County Judge still does bench work as I do.

The CCAL Judge position was created here and in other counties for the purpose of pulling down cases from the District Court Dockets to relieve the local District Court. These are family law, divorce, child custody, and civil actions up to (usually) \$250,000, to name a few. The CJ's civil authority is limited to \$20,000, the same as JPs. The lengthy misdemeanor court docket was moved from the CJ to the CCALJ to allow more time for CJ administration. The division of court responsibilities between the CJ and the CCALJ depends on the concurrent authority of the statutory CCALJ and the constitutional CJ and the authority of the CCALJ as written by the CCALJ statute of authorization by the state legislature. So, it can vary. In Medina County, for example, the CJ is primary on Probate and Misdemeanor Court and other miscellaneous court functions. The CJ in Medina is secondary on Juvenile Court. In Atascosa, I am primary on Probate and Juvenile. Our CCALJ is secondary on those but primary on Misdemeanor Court, a very busy court in Atascosa.

To finish this explanation, as I did to the person who asked me, I (the CJ) am paid a \$25,200 stipend per annum to conduct court in Atascosa County. I am required to sign a document under oath that I conduct a certain level of court activity to receive this stipend. Any CJ who cannot honestly answer that document CAN NOT receive the stipend. For example, in very large counties such as Bexar, the CJ is administrative only and does not receive a penny of the stipend.

In Atascosa, the CCALJ was not established to relieve the CJ of ALL judicial work. When I became CJ, Judge Bautista was conducting Juvenile Court and Probate and Guardianship Court, which I still do. In my opinion, if the CCAL were to take over Juvenile, Probate, and Guardianship Court, it would mean less the CCAL can do to relieve the District Court docket, which is the primary reason the position was created and funded by Atascosa County Commissioner's Court and the State Legislature.

This workload can be adjusted by agreement between the CCALJ and the CJ. Even if the CCAL agreed to take on all judicial work for the CJ, ... as a private citizen, I would vigorously oppose that future CJ receiving the \$25,200 annual judicial stipend from the state. If the work is not done, the payment should not be paid.

Thank you for listening, and God bless Texas.