

COSTS AND ADMINISTRATION

CATHY RIEDEL

PROGRAM DIRECTOR TMCEC

SECTION 51.607 G.C.

- FOLLOWING EACH REGULAR SESSION, THE COMPTROLLER SHALL IDENTIFY EACH LAW ENACTED THAT IMPOSES OR CHANGES THE AMOUNT OF A COURT COST OR FEE
- THE COMPTROLLER SHALL PREPARE A LIST IN THE TEXAS REGISTER NOT LATER THAN AUGUST 1
- NOTWITHSTANDING EFFECTIVE DATE OF LAW, IMPOSITION DOES NOT TAKE EFFECT UNTIL NEXT JANUARY 1.

NEW COURT COST CIVIL JUSTICE FEE

- H.B. 3389-TECLOSE
- COST COLLECTION EFFECTIVE JAN. 1, 2010
- 10 CENT FEE ON MOVING VIOLATIONS
- ART. 102.022
- AND THE GOOD NEWS...



“THE GOVERNMENT
SOLUTION TO THE PROBLEM
IS USUALLY AS BAD AS THE
PROBLEM.”

MILTON FRIEDMAN

\$\$. B. 61



CHILD SAFETY SEATS:

■ NEW COURT COST:

15 cents on
convictions
for 545.412
T.C.-sent to
Comptroller
monthly



H.B. 1544

Deferred Disposition Special Expense Fee

Effective Date: September 1, 2009

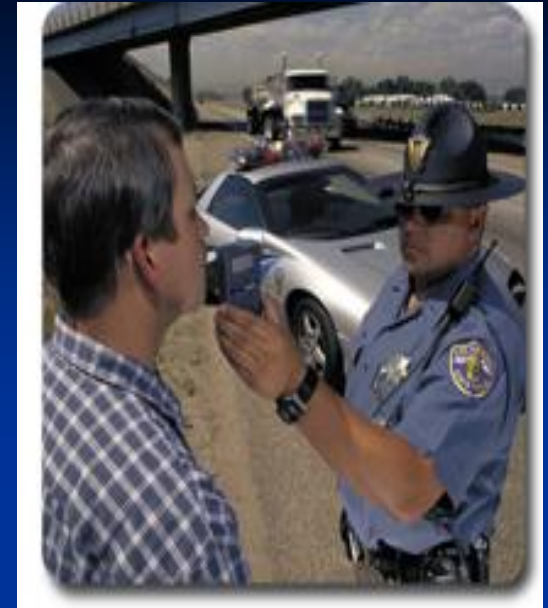
- When does your court collect the special expense fee on a deferred disposition case?
- This bill amends Article 45.051, Code of Criminal Procedure to authorize a municipal or justice court to collect the special expense fee prior to the end of the deferral period.

S.B. 82

FAMILY VIOLENCE FEES AND ADDITIONAL FEES

- **POTPOURRI OF AMENDED COURT COSTS-**
 - **LANGUAGE CHANGED FOR COST OF DRIVING RECORD TO \$10 PLUS AMOUNT OF TexasOnline Fee**
 - **PROVIDES FOR INCREASED FEES TO GO TO FAMILY VIOLENCE SHELTERS AS CONDITION OF COMMUNITY SUPERVISION (N/A IN MC)**

COURT COST



- S.B. 333 ALLOWS CITIES WITH CERTIFIED BREATH ALCOHOL TESTING TO RETAIN \$22.50 OF COURT COST—
- MUNICIPAL COURT WON'T COLLECT, BUT WILL BRING IN \$\$\$ FOR CITIES WITH IN-HOUSE TESTING

■ FEES EFFECTIVE JAN. 1, 2010

S.B. 420

EFFECTIVE: SEPT. 1, 2009

- SEC. 720.002(a) T.C.: NO QUOTAS, NO REWARD OR COMPENSATION FOR MONEY BROUGHT INTO COURT
- ~~(c) Subsection (a) does not prohibit a municipality from considering the source and amount of money collected from a municipal court...when evaluating the performance of a judge employed by the municipality.~~

H.B. 2730

DPS Reporting

- Article 17 of this 242-page bill amends the time deadlines for reporting certain convictions to DPS.
- Section 543.203 of the Transportation Code is amended to require the magistrate, judge, or clerk to submit to DPS, not later than the seventh day after a conviction or bail forfeiture, the written record of a case involving a violation of a law regulating the operation of a vehicle on a highway.
 - The law currently allows courts 30 days to submit these reports.)
 - CLD holders must report to employers w/in 7 days not 30 (?)
 - More to come on H.B. 2730
 - Effective September 1, 2009

SB 1056: Nondisclosure Orders in Cases Involving Children



SB 1056: Nondisclosure Orders in Cases Involving Children

- Adds Subsection 411.081(f-1) to the Govt. Code, mandating that that criminal courts immediately issue a nondisclosure order on the conviction of a child for a misdemeanor offense punishable by fine only
- Only pertains to conviction of “child” under §51.02, FC
 - At least 10, younger than 17
 - It won't apply to alcohol status offenses committed by 17-20 year olds

SB 1056: Nondisclosure Orders in Cases Involving Children

■ Why?

- Intended to provide parity to children in the juvenile justice system
 - Records of a child in juvenile court are already confidential
 - This bill extends confidentiality to criminal court records
- A criminal justice agency can still access and disclose protected information to listed agencies and entities in §411.081(j), GC

SB 1056: Nondisclosure Orders in Cases Involving Children

- So what does this mean?
 - More work for municipal and justice courts
 - Some courts have already consulted software providers so that automatic nondisclosure orders are created
- Does this apply to everything?
 - Arguments have been made that it doesn't apply to traffic convictions
- *Note: The bill also provides that a child convicted of a fine-only misdemeanor before the effective date may still petition the court for a

SB 1056: Nondisclosure Orders in Cases Involving Children



“THE MISTAKES MADE BY
CONGRESS WOULDN’T BE
SO BAD IF THE NEXT
CONGRESS DIDN’T KEEP
TRYING TO CORRECT THEM.”

CULLEN HIGHTOWER

H.B. 319

**Juror Exemption for those
with Custody of Children
Under Age 15**



**Effective Date:
September 1, 2009**

**Amends Sec.
62.106 G.C.**

COURT INTERPRETERS

- H.B. 4445
- EFFECTIVE DATE: Sept. 1
- AMENDS CHAPTER 57 GOVT. CODE
- ESTABLISHES 2 LEVELS OF COURT INTERPRETER
 - MASTER LEVEL
 - BASIC LEVEL—only JP and non-record MC

USES FOR CHILD SAFETY FUND EXPANDED

S.B. 446

- IMMEDIATELY
- NOW CITIES <850,000 COLLECTING FEE FOR SCHOOL CROSSING PROGRAM CAN USE FUNDS FOR PROGRAMS DESIGNED TO “ENHANCE PUBLIC SAFETY AND SECURITY”
- EXPANDS SCOPE OF ART. 102.014 C.C.P.

H.B. 1861

**Modification and Suspension of Court
Rules During Disaster**
Effective Date: Immediately



LONGEVITY PAY OKAY

- IN RESPONSE TO 1990 AG OPINION QUESTIONING AUTHORITY OF GENERAL LAW CITIES TO PROVIDE LONGEVITY PAY, LEGISLATURE TO THE RESCUE
- H.B. 3001
- EFFECTIVE NOW
- ADDS 141.010 L.G.C.



S.B. 1436

- JUDGE'S RIGHT TO APPEAL CENSURE BY STATE COMMISSION ON JUDICIAL CONDUCT
- NOW MAY APPEAL CENSURE IN ADDITION TO EXISTING RIGHT TO APPEAL MORE SERIOUS IMPOSITION OF A SANCTION
- EFFECTIVE: SEPTEMBER 1, 2009

REGIONAL DRUG COURTS

- NOW TWO, RATHER THAN THREE COUNTIES OR MUNICIPALITIES CAN ESTABLISH A REGIONAL DRUG PROGRAM
- DESIGNED TO ASSIST SMALL RURAL AREAS
- S.B. 633 AMENDS 469.0025 H.S.C., effective immediately

S.B. 1145

FOLDING THE TEXAS FLAG



HR 257 MUNICIPAL COURTS WEEK

NOVEMBER 2-6

