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MAGISTRATION UNDER ARTICLE 15.17, C.C.P.

By W. Clay Abbott
TMCEC General Counsel

(This article should be considered a supplement to the very inclusive and definitive treatment of 15.17 hearings found in chapter 2 of the TMCEC Bench Book, version 3)

Many municipal courts are called on to perform the magisterial functions required under Art. 15.17 of the Texas Code of Criminal Procedure. By performing these important functions in the higher-grade misdemeanors and felony cases, the court is exposed to many new legal and non-legal issues. The municipal judge acting as a magistrate under Art. 15.17 needs a clear knowledge of the law as well as a mutually comfortable relationship with district and county judges, sheriffs, prosecutors, and defense counsel.

“Magistration” is a term not found in the Code of Criminal Procedure or elsewhere in the law. This process is also incorrectly referred to as an “arraignment.” The terms “initial appearance” or “probable cause hearing” are more appropriate but are seldom used. Art. 15.17(a) requires an officer making an arrest to “without unnecessary delay take the person

arrested ... before some magistrate of the county where the accused was arrested.” Art. 14.06 C.C.P. requires that officers making arrests without warrants follow the dictates of Art. 15.17. Municipal judges are magistrates as defined by Art. 2.09 C.C.P.

The duties imposed on the magistrate by Art. 15.17 can be broken into three categories: finding probable cause, giving warnings, and setting bail.

Finding Probable Cause

Texas courts have defined probable cause in much the same terms as the U.S. Supreme Court. Probable cause is a practical common sense determination after a consideration of all the facts under oath. *Illinois v. Gates*, 462 U.S. 213 (1983); *Eisenbauer v. State*, 754 S.W.2d 159 (Tex. Crim. App. 1988). It is a standard below “beyond a reasonable doubt” but constitutes more than a “hunch” or speculation. To justify a finding of probable cause, the sworn testimony or sworn affidavit must be more than merely the recitation of the elements of the offense. *Ex Parte Garza*, 547 S.W.2d 271 (Tex. Crim. App. 1977). The sworn facts set forth in testimony or by affidavit must allow the magistrate to make an independent review and determination of probable cause. Art. 1, section 11, Texas Constitution.

If a magistrate fails to find that probable cause exists from the evidence presented or is presented insufficient sworn evidence to make that finding,

the magistrate should order the defendant released. In such a case, lowering the bond amount or granting a personal recognizance bond is inappropriate. Without probable cause, the defendant cannot be held or required to make or agree to the terms of a bond.

The determination of probable cause is a magisterial function similar to issuing search warrants and is *ex parte* in nature. Although Art. 15.17 does not mention probable cause determinations, appellate courts have held that the 15.17 “magistration” should include an independent judicial determination of probable cause to continue detention or require presentment of bond. *Sanders v. City of Houston*, 543 F. Supp. 694 (S.D. Tex. 1982) affirmed 741 F.2d 1379 (5th

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AROUND THE STATE

NATIONAL AWARD

Judge Michael O'Neal, Chief Admin-
istrative Judge for the City of Dallas
Municipal Court, has been selected to
receive the 2000 American Bar
Association (ABA) Judicial Division
National Conference of Special Court
Judges *Franklin N. Flaschner Judicial
Award*. The Judicial Division of the
ABA presents this award to recognize
an individual's leadership efforts,
which improve judicial education and
the advancement of the quality of
justice in courts of special and limited
jurisdiction.

Dallas City Manager Ted Benavides
said that he was delighted and very
proud of Judge O'Neal. "I have known
Judge O'Neal for a long time and he
does indeed exhibit remarkable traits
of truthfulness, courtesy, integrity,
decisiveness in judicial activities. Judge
O'Neal is an invaluable member of
the municipal government. It is an
honor for the City of Dallas to have
individuals like him making sure that
our laws are upheld."

Judge O'Neal merits this award for
exhibiting high ideals, personal
character and competence in perform-
ing judicial duties that were exem-
plified by the late Chief Franklin N.
Flaschner of the District Court of
Massachusetts. Like him, Judge
O'Neal has made significant contribu-
tions on local, state and national levels
to continuing education of the judi-
ciary and in other ways improved
equality of justice in courts with
special and limited jurisdiction.

On the local level, Judge O'Neal has
been very active in the Domestic
Violence Task Force and enhancing the
operations of the Municipal Court in
Dallas to be a model for other jurisdic-
tions. On the state level, Judge O'Neal
has been active giving presentations on
*Ethics, Role of the Judge, Sentencing
Alternatives, Emergency Protection Orders
and Update on Changes in Significant
Case Law*. He is also a member of the
State Commission on Judicial Conduct
and the State Judicial Committee on
Information and Technology. He is a
past-president of the Texas Municipal
Courts Association and currently serves
as a regional director.

CRIME VICTIMS CONFERENCE

The 14th Annual Texas Crime Victim
Clearinghouse Conference will be
offered on October 15-19, 2000 in
Lubbock, Texas. Over 65 workshops
will be offered on a range of topics,
including: *Compassion Fatigue, Second-
ary Traumatization and Other Types of
Burnout, Workplace Violence, Unlearning
Sexual Harassment, Dancing with the
Gorilla (Alcohol & Drug Abuse), and
How to Develop a Web Site* that may be
of interest to court support personnel
in the municipal setting.

A plenary session is scheduled for
October 16, 2000 of interest to mu-
nicipal courts. Justice of the Peace
David M. Cobos, Precinct 2, Midland
County, and James R. Henry, Commu-
nity Supervision Coordinator of Mid-
land, will present a session on *Breaking
the Cycle of Juvenile Crime*. The Midland
program involves alternative sentencing,
a Teen Leadership Academy and Teen
Leadership Program.

The registration fee is \$180 if paid
before September 1, 2000 (payable to
the Texas Department of Criminal

Justice). For additional information, contact: Texas Crime Victims Clearinghouse, P. O. Box 13401, Austin, Texas 78711 800/848-4284 or 512/406-5531. Checks or purchase orders for registration should be sent to Mary Garrett & Associates, 3538 S. Alameda, Corpus Christi, Texas 78411.

ELECTION AND JURY PUNISHMENT IN MUNICIPAL COURTS

By Ryan Kellus Turner
TMCEC Program Attorney

Initiated patrons of Chapter 45 of the Code of Criminal Procedure know all too well that no matter how many times they read its provisions there are always unconsidered issues waiting to surface in discussion.¹ During the past academic year a number of judges unearthed exactly such an issue. Do defendants who request a jury trial have the right to have the jury set the fine? What raised this question is the language of article 45.036 (Verdict) which states:

- (a) *When the jury has agreed on a verdict, the jury shall bring the verdict into court,*
- (b) *The justice or judge shall see that the verdict is in proper form and shall render the proper judgment and sentence on the verdict.*

On its face, the language of article 45.036 suggests that while the jury determines the verdict (*i.e.*, guilty or not guilty), the judgment and sentence (*i.e.*, the amount of the fine and/or any other sanction that is rehabilitative or remedial in nature) are determined by the judge.

While article 45.036 (formerly article 45.42) may run afoul of the routine practice of courts that presume a defendant's request for a jury trial entails that the jury also sets the fine, the above stated interpretation does accurately reflect a general presumption in Texas law. Where problems arise, however, is when judges construe article 45.036 as absolutely barring juries from setting the fine under any circumstances. To completely understand article 45.036, it must be harmonized with the other Code of Criminal Procedure provisions pertaining to verdict contained in Chapter 37.

Background

Texas law does not provide the defendant with a constitutional right to jury sentencing.² Rather, the right to jury sentencing is purely statutory in origin.³ To invoke this right, a defendant must make a timely election of jury sentencing.⁴ Article 37.07, section 2(b) of the Code of Criminal Procedure provides that in non-capital cases:

*"if a finding of guilty is returned, it shall be the responsibility of the judge to assess the punishment applicable to the offense; provided, however, that (1) in any criminal action where the jury may recommend probation and the defendant filed his sworn motion for probation ... and (2) in other cases where the defendant so elects in writing before the commencement of the voir dire examination of the jury panel, the punishment shall be assessed by the same jury... [emphasis added]."*⁵

While section 2(b)(1) is inapplicable to municipal and justice courts, the broad language of 2(b)(2) provides the statutory language for defendants in all Texas trial courts who make a timely jury election to have the jury assess the punishment in the event the defendant is found guilty.⁶

When Must Jury Punishment be Elected?

If there is a pre-trial hearing in the case, article 28.01 of the Code of Criminal Procedure provides that any matter that can be raised at a pre-trial hearing must be raised or the defendant risks forfeiting the matter.⁷

Among the laundry list of issues that should be raised at a pre-trial hearing are the pleadings of the defendant.⁸ Pleadings of the defendant are statutorily defined to include "[a]n election, if any to have the jury assess the punishment if he is found guilty."⁹ In *Postell v State*, the Court of Criminal Appeals held that if there is a pre-trial hearing, the election must be made within the time frame imposed by article 28.01.¹⁰ Thus, only in the event there is no pre-trial hearing may a defendant delay presenting the court with a written election of jury punishment until "before the commencement of the voir dire examination of the jury panel."¹¹

Consequence of Untimely or Improper Election

Several Courts of Appeals have ruled that if there is no pre-trial hearing and if the defendant does not make a written election before the beginning of jury voir dire, the defendant forfeits the right to jury punishment.¹² Accordingly, by default, the trial judge sets the punishment. With this in mind, and the fact that municipal and justice courts encounter a high number of *pro se* defendants, judges may consider taking proper steps to assure that defendants understand their statutory right to elect that the jury determine punishment.

The Bottom Line

Though defendants pleading guilty have a constitutional right to a jury trial, they do not have a constitutional right for the jury to determine the penalty if the defendant is found

guilty. To the contrary, the general presumption in Chapters 37 and 45 is that the judge shall determine the punishment/sentence. This presumption, however, is not absolute. In municipal court, an election made by the defendant at either a pre-trial hearing or before the jury is empanelled (whichever occurs first) entitles the defendant to have the amount of his or her fine determined by the jury. While it is probably safe to venture that most defendants requesting a jury trial will want the jury to set the amount of the fine if they are found guilty, some may not. Either way, it is important for defendants requesting a jury trial to be informed of their statutory right to elect that the jury set the punishment.

- 1 For the uninitiated, Chapter 45 contains procedures specific to municipal and justice courts.
- 2 *Washington v. State*, 677 S.W.2d 524, 527 (Tex. Crim. App. 1984); *Tinney v. State*, 578 S.W.2d 137 (Tex. Crim. App. 1979); *Ex parte Giles*, 502 S.W.2d 774, 782 (Tex. Crim. App. 1973).
- 3 *Dix & Dawson, Texas Practice* § 38.11 (Vol. 42, 1995).
- 4 *Id.* (Referring to Code of Criminal Procedure art. 37.07 § 2(b)).
- 5 Code of Criminal Procedure art. 37.07 § 2(b) (emphasis added).
- 6 In terms of determining punishment, the primary distinction between municipal and justice courts and county and district courts is that article 37.07 § 2(a) does not authorize municipal and justice courts to bifurcate the trial (*i.e.*, have a separate trial proceeding to determine the proper punishment in the event the defendant is found guilty).
- 7 Code of Criminal Procedure art. 28.01 § 2.
- 8 Code of Criminal Procedure art. 28.01 § 1(2).
- 9 Code of Criminal Procedure art. 27.02 § 7.
- 10 693 S.W.2d 462, 464-65 (Tex. Crim. App. 1985).
- 11 Code of Criminal Procedure art. 37.07 § 2(b)
- 12 *Caro v. State*, 771 S.W.2d 610, 619 (Tex.

App.-Dallas 1989); *Teubner v. State*, 742 S.W.2d 57 (Tex. App.-Houston [14th Dist], pet.ref'd).

PREJUDGMENT JAIL CREDIT

By W. Clay Abbott
TMCEC General Counsel

Special instructions are given in Chapter 45 of the Code of Criminal Procedure to municipal courts concerning entry of judgment. Art.45.041(c), C.C.P. mandates the judge give the defendant credit for time served in jail. Art. 45.041(c), C.C.P. specifically directs the municipal court to Art. 42.03 C.C.P. for the procedure for calculation of jail credit. The defendant is entitled to "credit on his sentence for the time that the defendant has spent in jail in said cause...from the time of his arrest and confinement until his sentence by the trial court" (emphasis added). Art. 42.03, Sec.2(a), C.C.P.

In *Hannington v. State*, 832 S.W.2d 355 (Tex. Crim. App. 1992), the Texas Court of Criminal Appeals detailed the effect of Art. 42.03, Sec.2(a), C.C.P. on "stacked" sentences. The Court of Criminal Appeals in *Hannington*, granted *Habeas* relief on consideration of the whole court without dissent. In that case, the defendant was sentenced to three "stacked" terms of years under Art. 42.08, C.C.P. The defendant served 173 days before sentence on all three days between the three cases when entering judgment. The Court of Criminal Appeals ruled that the defendant was entitled to 173 days credit in each case under Art. 42.03, Sec.2(a), C.C.P. The Court recognized that such an application granted "double credit."

Application of this doctrine has a much greater impact since the large increase by the 76th Legislature in 1999 in the minimum required daily jail credit. Art. 45.041(c), C.C.P. also specifically refers municipal courts to Art. 45.048, C.C.P. on the issue of the jail credit rate. Art. 45.048, C.C.P. requires that the court credit the defendant "at the rate of not less than \$100 for each day or part of a day."

The Court of Criminal Appeals made clear that its holding and the mandates of Art. 42.03, Sec. 2(a) C.C.P. applied only to jail time the defendant served before a judgment was entered. No "double credit" is necessary for periods subsequent to sentencing. This ruling is consistent with the ruling in *Ex Parte Minjares*, 582 S.W.2d 105 (Tex. Crim. App. 1978). In that case the Court of Criminal Appeals found that in cases of incarceration resulting from *capias pro fines*, sentences would be served consecutively or were "stacked." In fine-only offenses, a *capias pro fine* no stacking order under Art. 42.08(a), C.C.P. was necessary for cases to be calculated as consecutive. Under Art. 42.08(a), C.C.P., a court may order sentences on separate cases to be served consecutively with a proper inclusion of such an order in the judgment, as was done in *Hannington, supra. Minjares, supra.* only involved post-judgment jail credit and still has the same effect when read with *Hannington, supra.* Even if the court orders offenses be served consecutively, or "stacked", the court must give credit for prejudgment incarceration in each cause for which the defendant was held.

MAGISTRATION continued from Page 1

Cir. 1984). Art. 15.17 does not allow for an adversarial proceeding like trial or an examining trial (discussed hereinafter). Since the hearing is not adversarial, generally no right to appointed counsel attaches at this

stage of proceedings. *Green v. State*, 872 S.W.2d 717 (Tex. Crim. App. 1994). The magistrate is not required to, nor probably should, listen to the defendant's side of the story.

If the defendant is arrested pursuant to a warrant, usually no independent inquiry of probable cause is necessary. Valid warrants contain a previous judicial determination of probable cause. The magistrate may rely on that finding but must proceed with the other requirements of Art. 15.17.

Giving Warnings

Before proper warnings can be made, a magistrate must determine that the warnings can be understood. Interpreters for the hearing impaired are provided for in the law, see Art. 15.17 (c) C.C.P. Interpreters for those who do not speak English are not addressed in Art. 15.17. Art. 38.30 C.C.P., which deals with language interpreters, does not seem to speak to 15.17 appearances. Some effort should still be made, when possible, to assure understanding.

The magistrate must make the warnings in "clear language." Probably no one short of appellate courts knows what that means. A good bet is to stick to the script found in Art. 15.17 itself and outlined as it appears in the statute below.

The magistrate must first inform the defendant of the "accusation against him and of any affidavit filed therewith." This is simply notice of the charges against the defendant on which the magistrate found probable cause. The main purpose is to inform the defendant of the appropriate seriousness of his or her charges. The language concerning affidavits also suggests the limited right to know that an affidavit has been filed, and perhaps some right to inspection. It is still important to note that a magistrate is

required to give notice, not to conduct an adversarial hearing.

Next comes a laundry list of set warnings or notification of rights that include:

- right to retain counsel,
- right to remain silent,
- right to have an attorney present during any interview with peace officers or attorneys representing the state,
- right to terminate the interview at any time,
- right to request the appointment of counsel if he is indigent and cannot afford counsel,
- right to have an examining trial.

Art. 15.17 then sets out that the magistrate must inform the defendant that "he is not required to make a statement and that any statement made by him may be used against him." These warnings do not track verbatim the *Miranda* decision or Art. 38.22 but cover the same basic rights. Many magistrates also use this opportunity to cover warnings concerning deportation on felony conviction and the rights under the *Vienna Convention* (addressed in previous issues of *The Recorder*).

Every effort should be made to make the notice and warnings as accurate and complete as possible. However, minor failures or omissions may not result in suppression of later confessions and will not entitle the defendant to release. *Shadrick v. State*, 491 S.W.2d 681 (Tex. Crim. App. 1973).

Setting Bail

The Texas Constitution provides a general right to bail in Art. 1, section 11. The Art. 15.17 hearing must be

prompt because it is the stage where bond amounts and conditions are set. Art. 1, section 13 of the Texas Constitution further provides that "excessive bail shall not be required." The general policy of Texas criminal jurisprudence is that persons should not be incarcerated prior to trial.

The purpose of bail is to ensure appearance of the defendant for trial. Art. 17.01 C.C.P. The Code of Criminal Procedure leaves determination of the amount of bond to the magistrate's discretion, subject to five rules or considerations. Art. 17.15 C.C.P. Bond should be "sufficiently high to give reasonable assurance" of later court appearance. Art. 17.15(1) C.C.P. Bond cannot be used as a form of oppression or punishment. Art. 17.15(2) C.C.P. The nature and degree of the charge as well as the circumstances of the offense itself should be considered. Art. 17.15(3) C.C.P. The specific defendant's ability or inability to make bail should be considered. Art. 17.15(4) C.C.P. Finally, the code now provides that the magistrate must consider the safety of the specific victim and the safety of the community as a whole. Art. 17.15(5) C.C.P. Denial of bail is appropriate only in capital cases and very specific circumstances listed in the Texas Constitution. Those situations are properly addressed by motion by the State in district court. Art. 1, sect. 11(a), Texas Constitution.

No more specific or amount guidelines exist. The Court of Criminal Appeals in opinions from a sharply divided Court has made a general declaration that seven figure bonds cannot be condoned. *Ludwig v. State*, 812 S.W.2d 323 (Tex. Crim. App. 1991). The lower courts seem to ignore this less than solid precedent. *Ex Parte Brown*, 959 S.W.2d 369 (Tex. App.-Fort Worth 1998). In determining a proper bond amount the Code of Criminal Procedure and courts provide great

amounts of policy guidance and little practical assistance. Broad discretion seems to be accorded the magistrate and few tangible mandates seem to exist.

Personal bonds are bonds that do not require a surety or bail bond company. The magistrate, as a “low end” alternative, should consider personal bonds. The magistrate and the system often overlook the personal bond. There are, however, limits on personal bonds for the higher level offenses. Art. 17.03(b) C.C.P. Since the ability to make bond is a major consideration, personal bonds seem essential in providing equal protection of the indigent. The magistrate should make inquiry into indigence and the ability to make bond. Every defendant is not entitled to a bond they can make, but every defendant is entitled to consideration of their ability to make bond.

Bonds should be designated as personal or surety bonds. The magistrate, except in the limited circumstances of *capias* after bond forfeiture under Art. 23.05 C.C.P., cannot designate a bond as cash or surety only. *Ex Parte Deaton*, 582 S.W.2d 151 (Tex. Crim. App. 1979). The magistrate is also prohibited from setting differing amounts of bond for surety or cash. *Professional Bail Bondsman of Texas v. Carey*, 762 S.W.2d 691 (Tex. App.-Amarillo 1988).

Setting bail in fine-only offenses involves separate consideration. Art. 15.17(b) C.C.P. provides in fine-only misdemeanors for the outright release without bail of defendants with orders to appear at a later time for arraignment. This release is made after a determination that probable cause exists. The magistrate may not order release without bond if the defendant has previously been convicted of a non-fine-only offense or if the defendant is not identified with certainty. The last part of Art. 15.17(b) is a potential roadblock; it provides that later

appearance be in county court. Many argue that this makes the provision inapplicable to offenses within the jurisdiction of the municipal court. This grant of a reasonable power should not be terminated where the magistrate has the ability to order the later appearance in his or her own court. Lastly, if the defendant fails to appear the magistrate should set bond at twice the fine amount. This last section seems to provide very concrete guidance for bond amounts in fine-only offenses.

Recent expansion in the law of bonds has been in the area of bond conditions. Although a comprehensive treatment of these developments will be saved for another newsletter article, magistrates who regularly set bonds should read Code of Criminal Procedure Arts. 17.40-17.46.

Continuing Obligations of 15.17 Magistrate

Jail population is becoming a hot topic in this age of jail standards lawsuits, close criminal justice media scrutiny, and general calls for local government to decrease expenditures. A district judge took it on himself to review and alter the bonds set by magistrates on behalf of the jail population who were waiting for formal charges in courts with jurisdiction. The judge changed bonds from surety bonds to personal bonds. The district attorney applied for writs of mandamus and prohibition from the Court of Criminal Appeals. In *Guerra v. Garza*, 987 S.W.2d 593 (Tex. Crim. App. 1999) the Court of Criminal Appeals granted the writs and made a finding that the magistrate setting the bond has exclusive jurisdiction over the complaint until filing of formal charges in a court with jurisdiction.

One obvious implication of this case is that the magistrate setting bond at the Art. 15.17 hearing must carry out an

examining trial under Chapter 16 of the Code of Criminal Procedure. This might appear to be a bit difficult for the part-time night magistrate. Nothing in the case speaks to exchange of bench or other case management structures. Since “courts” are usually considered more broadly than individual judges, this case should not prohibit a local municipal court from delegating the court’s responsibility among its judges as it sees fit. Movement from jurisdiction to jurisdiction seems to be prohibited.

The examining trial is an adversarial hearing before the magistrate to determine probable cause in felony cases. Art. 16.01 C.C.P. Examining trials can also be used to contest the amount of bond. The rules of evidence; the right to call witnesses, examine witnesses, and summon witnesses; and in the proper case the right to counsel all apply in examining trials. Art. 16.01, 16.06, 16.07 C.C.P. The presentment of an indictment will determine the issue of probable cause and render an examining trial moot. Return of an indictment also divests the magistrate of jurisdiction. *Harris v. State*, 457 S.W.2d 903 (Tex. Crim. App. 1970). A magistrate is powerless to prevent an indictment in order to provide an examining trial. *State ex rel Holmes v. Salinas*, 784 S.W.2d 421 (Tex. Crim. App. 1990).

It is also important to note that there is nothing in the Court of Criminal Appeals opinion involving *Habeas Corpus*. A defendant contesting probable cause or excessive bail in a felony or a misdemeanor could still seek redress in a district court by way of a writ of *Habeas Corpus*. Lastly, bond issues could be raised in the trial court after the formal presentment of charges.

Conclusion

While it may initially seem Art. 15.17 sets out a rather simple and needless

procedure, it becomes clear it is the sole limit on very broad powers to arrest given Texas peace officers. The Art. 15.17 procedure is also a very important one for both the defendant and the State of Texas. Wrong doers that do not return to court to face prosecution may escape justice entirely. Violent criminals once apprehended should not be allowed to repeatedly prey on their victims before the imposition of punishment. Yet, those individuals who cannot be successfully prosecuted should not be forced to wait in jail for prosecutorial decision-making or bear the cost of bond and accusation. Presumed innocent citizens should not pay their penalty before the right to trial is available.

There is close public scrutiny at the arrest stage of sensational offenses; this further complicates the issues before the magistrate. The vital first stage of most prosecutions rests in the hands of the Art. 15.17 magistrate.

It is a simple truth; with much power comes much responsibility. Art. 15.17 of the Code of Criminal Procedure gives a magistrate a great deal of power.

RULE 12 AND ACCESS TO COURT RECORDS

By Margaret McGloin Bennett
General Counsel
Office of Court Administration

Which records of the judiciary are open to the public? In 1999, the Supreme Court of Texas promulgated Rule 12 of the Texas Rules Judicial Administration to shed light on this issue. In part, Rule 12 was promulgated

COMPANION FORMS

Two form documents are included on the following pages to be used in connection to Art. 15.17 C.C.P. hearings.

The first form, Magistrate's Commitment Form, is a commitment form that shows the magistrate found probable cause, gave warnings and set bond. One commitment should be filled out for each charge. Name of the offense, bail amount, signature and date must be filled out every time. Other options are self-explanatory and reference the articles that provide the magistrate with authority to perform the function of the paragraph.

The second form, Article 15.17(b) Form, can be used to release a defendant under Art. 15.17 (b) C.C.P. in fine-only on-view arrests. It does not have a bond amount, but does include spaces for the Court, time and place for appearance.

because the "Public Information Act," formerly the "Open Records Act," does not apply to records of the judiciary. The purpose of Rule 12 is to provide public access to information in the judiciary consistent with the mandates of the Texas Constitution and other state law which recognize that public interests are best served by open courts and by an independent judiciary.

Rule 12 of the Rules of Judicial Administration governs access to "judicial records," which are records *not* pertaining to the *adjudicative function* of the court or judicial agency. As Rule 12 states, "A record of any nature created, produced, or filed in connection with any matter that is or has been before a court is not a judicial record." In other words, Rule 12 governs access primarily to administrative records of a court or judicial agency, but does not govern access to case records. Access to case records is governed by common law and other

statutory law. The custodian of *case records* is always the clerk of the court in which the case was pending; the custodian of *judicial records* (*i.e.*, the administrative records of the court) is the judge.

Petitions for review of denial of access to judicial records are filed with the Office of Court Administration, and are then forwarded to the committee of presiding judges who write the Rule 12 opinions. However, neither OCA nor the presiding judges have enforcement powers under Rule 12. That is reserved by Rule 12 to mandamus relief through the court system or to sanctions by the Judicial Conduct Commission under the Code of Judicial Conduct.

Rule 12 Appeal Number 00-001 addressed whether "traffic citation records" in possession of a municipal court were subject to release under Rule 12. The committee of presiding judges opined that "traffic citation records pertain to the municipal court's *adjudicative function* and are created, produced, and filed in connection with matters that are or have been before the municipal court. Thus, they are not *judicial records* within the meaning of Rule 12, and we cannot decide the question of whether they are exempt from disclosure." Even though "traffic citation records" were determined not to be *judicial records*, the opinion went on to explain the duties of a court in relation to public access to non-judicial records (*i.e.*, adjudicative or case records). Case records of the court are presumed to be open to inspection by the press and public. The reason for closing or denying access to criminal case records must be clearly articulated. Wrongful denial of access to case records is remedied through the court system, primarily by mandamus relief.

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MAGISTRATE'S COMMITMENT FORM

Defendant's Name: _____

Agency: _____

Arrest Date: _____

Agency Report No.: _____

I, the undersigned Magistrate, hereby certify that the defendant appeared before me on this date and was informed pursuant to Art. 15.17, Texas Code of Criminal Procedure of the accusation against him/her and of any affidavit filed therewith, of his/her right to counsel, of his/her right to remain silent, of his/her right to have an attorney present during any interview with peace officers or attorneys representing the state, of his/her right to terminate the interview at any time, of his/her right to request the appointment of counsel if he/she is indigent and cannot afford counsel, and of his/her right to have an examining trial, and I informed the person arrested that he/she is not required to make a statement and that any statement made may be used against him/her.

YOU ARE HEREBY COMMANDED TO COMMIT TO JAIL THE BODY OF THE DEFENDANT ON THE FOLLOWING CHARGED OFFENSE(S). THE SAID DEFENDANT MAY BE RELEASED ON THE BOND AMOUNT(S) AND/OR CONDITIONS SET OUT BELOW.

WARRANT/COMPLAINT/OR PROBABLE CAUSE FOR: _____
Offense *Felony/Misdemeanor*

BAIL IS SET AT: \$ _____ Surety or Cash Bond Personal Bond

"Family Violence" Detention hold is directed pursuant to Art. 17.291 of the Texas Code of Criminal Procedure for _____ hours after bond has been posted if signed in space provided hereafter by Magistrate who finds probable cause to conclude and hereby does conclude that the family violence will continue if the Defendant is released prior thereto:

So Ordered: _____
Magistrate's signature

OTHER: _____

Conditions of release on bond are ordered as follows where initialed in space by Magistrate:

1. Article 17.41 condition where a child is the victim: _____
2. Article 17.441 condition requiring motor vehicle ignition interlock is ordered: _____
3. Other conditions:

Any or all of these conditions for release on bond are to be incorporated by reference and attached to the bond posted by the defendant. The defendant is to sign the conditions, acknowledging receipt and notice thereof prior to release. A copy of the conditions of release is to be filed with the _____ County Magistrate's office the next working day following release and the original is to remain attached to the original of the bond.

DEFENDANT IS TO BE HELD TO ANSWER TO THE PROPER COURT OF _____ COUNTY, TEXAS, OR ANY COURT OR MAGISTRATE BEFORE WHOM THIS CAUSE MAY BE HEREINAFTER PENDING AT ANY TIME AND PLACE AS MAY BE REQUIRED.

HEREIN FAIL NOT, of this commitment Writ make due return, showing how you have executed the same.

ISSUED THIS _____ day of _____, _____ at _____ o'clock _____ m.

Magistrate

County, Texas

ARTICLE 15.17(b) FORM

Report #: _____

Agency: _____

Charge: _____

The Defendant is released without bond and ordered to appear in person at _____
Court, on or before the ____ day of _____, _____ at _____
o'clock _____.m., located at _____.

A copy of the "Release Order Misdemeanor Fine Only Offense" is attached to this commitment form, to be filed with the Justice Court/Other Court the next working day and a copy delivered to the Defendant upon his release.

HEREIN FAIL NOT, of this commitment Writ make due return, showing how you have executed the same.

SIGNED THIS ____ day of _____, _____ at _____
o'clock _____.m.

Magistrate
_____ County, Texas

If Interpreter necessary:

Name of Interpreter

The Rule 12 opinions, Rule 12 and the other Rules of Judicial Administration are posted on the OCA web site, *The Texas Judiciary Online*, at www.courts.state.tx.us. As of this writing five opinions have been issued. Because I serve as legal counsel to the presiding judges on Rule 12 matters, I cannot answer questions about the application of Rule 12 to particular fact situations. If you have such questions, please call the Texas Municipal Courts Education Center.

INFORMATION NEEDED ON FINANCIAL ANALYSIS

Rene Henry, Collections Project Manager with the Office of Court Administration, is working with the Texas Municipal Courts Education Center to develop a class on financial analysis for municipal court administrators. Listed below is information needed to help design the class. We are asking all courts that perform financial analyses to please respond. We would also appreciate information that courts receive from their finance departments to help them prepare these analyses.

Rene Henry is collecting the information and he can be reached at Office of Court Administration, P.O. Box 12066, 205 W. 14th Street, Suite 600, Austin, Texas 78701-2066. His telephone number is 512/463-1635 and his fax number is 512/463-1648.

The following information is needed from municipal courts performing financial analysis:

- Financial analysis done to determine the average costs of performing various functions in a municipal

court (e.g., processing a case, holding a jury trial, putting someone on community service, putting someone on deferred, handling a telephone call, writing and sending a letter, preparing and issuing a warrant, setting up a payout agreement, taking a payment over the counter).

- Financial analysis done to determine the revenue impact of utilizing additional collection tools (e.g., credit cards, official payment, Western Union, e-Court).
- Financial analysis done to make decisions relating to capital outlays (e.g., upgrading computer system, enhancing communication system).
- Financial analysis done to make decisions relating to adding or deleting the number of personnel (e.g., an additional clerk needs to be added when caseload reaches a certain point, an additional supervisor needs to be added when the number of clerks reaches a certain level).
- Unique approaches to budget preparation and/or presentation.
- Detailed monthly or quarterly municipal court financial statements.

FOR YOUR COURT

JUVENILE LAW

The Texas Juvenile Probation Commission (TJPC) is now accepting orders for the upcoming publication, *Texas Juvenile Law*, 5th Edition by Professor Robert O. Dawson of the University of Texas School of Law. TJPC expects that

the 5th Edition will be available for delivery in early September 2000.

Texas Juvenile Law has long been the most comprehensive reference on juvenile law and the 5th Edition contains some exciting new changes and additions:

- 2 Volume Set - Books can be purchased as a set or individually. The price for the set is \$35.
- *Volume 1 - Texas Juvenile Law*. Contains the regular reference text, case citations and commentary by Professor Dawson and includes legislative changes through the 1999 session. Volume 1 will have a heavy duty spiral binding for increased durability and frequent use. Volume 1 price is \$25.
- *Volume 2 - Statutory Reference Materials*. Includes excerpts from the Family Code, Education Code, the Code of Criminal Procedure, Human Resources Code, and the Health and Safety Code just to mention a few. Another excellent feature of Volume 2 is that the statutes are arranged topically to assist users. For example, all statutes in various codes related to determinate sentencing are grouped together. Volume 2 price is \$10.
- New Index Feature - Volume 1 of the 5th Edition will have a complete index by topic to assist users. This index feature will be extremely beneficial to frequent users of this book.

Also included in the purchase price of the 5th Edition will be the *2001 Supplement* which will be published after the 77th Texas Legislature in September of 2001. Purchasers will automatically be sent a *Supplement* when it is published.

The TJPC website contains an order form to purchase copies of *Texas Juvenile Law*, 5th Edition. [www.tjpc.state.tx.us]

If you have any questions, please do not hesitate to call or write the Texas Juvenile Probation Commission at Post Office Box 13547, Austin, Texas 78711, Attention Kristy Carr.

COURT VOLUNTEERS

Volunteers in court are often helpful in working with young people, as well as adult repeat offenders. There is a Court Volunteer Service division of the National Judicial College in Reno, Nevada directed by Judge Keith Leenhouts and Judge V. Robert Payant. Judge Leenhouts has written two publications, *Misdemeanor Courts: Hope for Crime Weary America* and *Crime, Courts and Christ*. One is designed for the non-religious volunteer while the second is for the religious volunteer (Christian and Jewish faiths). Copies may be downloaded from the Internet [www.olemiss.edu/depts./mjs] or by contacting Judge Leenhouts, 830 Normandy Road, Royal Oak, Michigan 48073 (248/435-5592).

COMPUTER ASSISTED LEGAL RESEARCH

On behalf of the Judicial Committee on Information Technology, the Office of Court Administration has entered into agreements with both the West Group and Lexis-Nexis Group to offer courts discounted rates on computer-assisted legal research. A summary of each company's services is shown in the chart on Pages 12-13 in this newsletter.

These two contracts allow any qualified judicial entity to contract with either or both companies to receive the legal research services at special prices and terms. The preferred prices and terms are available to all judges in the state judiciary, including designated members of their staff, as well as to staff at the State Law Library and at county law libraries, prosecutors, Title IV-D masters, staff attorneys at judicial training centers, attorneys at the Office of Court Administration and State Commission on Judicial Conduct, and staff at the Texas District and County Attorneys Association.

Lexis-Nexis is providing full Lexis and Shepard's for a cost of \$15 per month to judges and the judicial training centers, and \$35 per month to the state and county law libraries and to the prosecutors. The full Lexis database includes cases, statutes and other primary legal materials from state and federal jurisdictions, plus secondary sources and the *lexis.com* research system. For \$10 extra each month, these same entities can also receive the Mathew Bender Texas treatise library. Call 1/800-227-9597, extension 6206 for more details regarding this offer.

The West Group is providing four database groupings to all qualified judicial entities. The database groupings range from \$50 per month for certain Texas resource materials to \$200 per month for full Westlaw, Key Cite, and Dow Jones Interactive databases. Call 1/800-762-5272 for more details regarding this offer.

Lexis-Nexis and the West Group will be contacting members of the judiciary to initiate contracts under the statewide contracts. Participating judicial entities will purchase the services directly from the two companies and will be billed directly by the companies.

IMPROVING ACCESS

The American Judicature Society (AJS) has published *The Right to a Full Hearing: Improving Access to the Courts for People who are Deaf or Hard of Hearing*. The book can be used as a self-study guide for judges and clerks to ensure equal access to their courts. It contains an excellent "Self Evaluation and Needs Assessment Criteria for Courts" in the Appendix. TMCEC has a limited number that will be mailed to municipal courts on a first come-first serve basis. Contact Rey Guzman at the Center (800/252-3718). Additional copies may be ordered from AJS in Chicago (180 N. Michigan Ave., Suite 600, Chicago, Ill 60601-7401 312/558-6900). Or, you may email drichert@ajs.org to request a copy.

AJS also has a video program entitled *Silent Justice* available for \$25. To order a copy, please call Rodney Wilson at 312/558-6900 ext. 147 or email him at rwilson@ajs.org.

OJJDP AUDIO CONFERENCES

The Office of Juvenile Justice Delinquency Prevention (OJJDP) continues to host audio-teleconferences on the Enforcing Underage Drinking Laws Program. These conference calls are free to the public. To register for these electronic seminars call the Audio-Teleconference Hotline toll-free at 877/335-1287, extension 230, or email Robin Stearn at Stearn@pire.org.



THE WEST GROUP

<p style="text-align: center;">Texas State Databases & KeyCite® All \$50 per month</p> <ul style="list-style-type: none"> • KeyCite for all jurisdictions • Texas state cases including West's editorial enhancements • Vernon's® Annotated Texas Statutes and Codes • Texas Legislative Service • Texas Administrative Code • Texas Court Rules and Orders • Texas Attorney General Opinions • 21 Texas Administrative decision databases • Texas Law Reviews and Journals • West Legal Directory® – Texas • Printing and downloading from the included databases 	<p style="text-align: center;">Texas State/Texas Federal & KeyCite® All \$75 per month</p> <p>All databases included in the \$50 plan PLUS:</p> <ul style="list-style-type: none"> • West's editorially enhanced case law from: <ul style="list-style-type: none"> United States Supreme Court United States Court of Appeals – 5th Circuit United States District Courts – Texas United States Bankruptcy Courts – Texas • <i>United States Code Annotated</i>® • United States Public Laws • Federal Court Rules and Orders • Printing and downloading from the included databases
<p style="text-align: center;">Westlaw® (All Federal and State Primary Law Databases Plus Law Reviews and Journals) & KeyCite® All \$150 per month</p> <p>All databases included in the \$50 and \$75 plans PLUS:</p> <ul style="list-style-type: none"> • All federal cases, statutes, court rules and orders, attorney general opinions and administrative decisions • All state cases, statutes, court rules and orders, attorney general opinions and administrative decisions • Code of Federal Regulations and other administrative and executive materials • Treatises, law reviews, journals and legal topical highlights (domestic and international) • West Legal Directory® • Printing and downloading from the included databases 	<p style="text-align: center;">Westlaw® (All Federal and State Primary Law Databases Plus Law Reviews and Journals), Dow Jones Interactive on Westlaw® & KeyCite® All \$200 per month</p> <p>All of the databases and services in the \$50, \$75, \$150 plans PLUS:</p> <ul style="list-style-type: none"> • 5,900+ news & business databases from Dow Jones Interactive on Westlaw that provide unparalleled comprehensive coverage of news, business, and financial information • Printing and downloading from the included databases

Pricing listed is per judicial chamber or per user for non-judicial office.

Use of databases not included with the Subscriber's database grouping will be charged at the then current Schedule A to Westlaw Subscriber Agreement, Plan 2 Government.

1 Judicial Offices are all judges and Title IV-D masters, staff attorneys at the Judicial Training Centers, attorneys at the Office of Court Administration, and State Commission on Judicial Conduct, staff at the State Law Library, staff at the county law libraries, prosecutors and staff at the TDCAA.

For additional information, call 800-762-5272
For more information online: www.westgroup.com

LEXIS-NEXIS

LEXIS-NEXIS (All Federal and All 50 State Primary Law Databases plus Law Reviews and News) And Shepard's

ALL \$15 per month

- All 50 States and Federal Case Law
 - All 50 States and Federal Statutes and Legislative Materials
 - All 50 States and Federal Administrative Materials
 - All jurisdiction SHEPARDS
 - Over 220 Law Reviews
 - Individual News Sources
 - Unlimited searching, printing and downloading
 - LEXIS-NEXIS Sidebar™ for the Texas Judiciary, a customized research homepage for Texas judges
 - ECLIPSE™ Electronic Clipping Service
 - Training and 24/7/365 support
 - CheckCite 2000
- Texas Coverage Overview:
 - Texas State Cases with LEXIS editorial enhancements
 - Texas Statutes and Codes
 - Texas Advance Legislative Service
 - Texas Administrative Code
 - Texas Register
 - Texas Court Rules and Orders
 - Texas Attorney General Opinions
 - Texas Agency Decisions
 - Texas Law Reviews and Journals
 - Martindale-Hubbell Texas Law Digest and Attorney Listings
 - Texas Jurisprudence 3d
- Texas News Sources:
 - The Dallas Morning News
 - Dallas Observer
 - The Houston Chronicle
 - Houston Press
 - The Houston Lawyer
 - The Austin American-Statesman
 - Corpus Christi Caller-Times
 - Fort Worth Star Telegram
 - The Texas Lawyer
 - Texas Bar Journal
 - Texas Monthly

LEXIS-NEXIS (All Federal and All 50 State Primary Law Databases plus Law Reviews and News) and Shepard's; PLUS TEXAS MATTHEW BENDER

**add-on option
ALL \$25 per month**

All databases included in the \$15 plan PLUS:

- Texas Treatises
- Texas Litigation Guide, Prof. William Dorsaneo, III
- Texas Criminal Practice, Hon. Frank Maloney
- Texas Family Law, Judge John D. Montgomery
- Texas Civil Trial Guide, Hon. Earl Johnson, Jr.
- Texas Torts and Remedies, James B. Sales and J. Hadley Edgar
- Texas Transaction Guide, Herbert S. Kendrick and John J. Kendrick
- Texas Probate, Estate and Trust Administration, Kenneth McLaughlin, Jr.
- Texas Torts Update, William Dorsaneo, III
- Texas Family Law Reporter

**For additional information contact:
1/800-227-9597, ext. 6206.**

**To register online:
<http://judiciary.lexis.com/activate/tx/>**

FROM THE CENTER

TMCEC FY2001 PROGRAM SCHEDULE

12-HOUR JUDGE AND CLERK PROGRAMS

October 30-31, 2000
Doubletree Hotel Austin
6505 IH35 North
Austin, TX 78752
512/454-3737
Registration Deadline: 10/3/00

November 7-8, 2000 Clerks
November 9-10, 2000 Judges
Sheraton Tyler Hotel
5701 South Broadway
Tyler, TX 75703
903/561-5800
Registration Deadline: 10/23/00

January 17-18, 2001
Omni San Antonio Hotel
9821 Colonnade Boulevard
San Antonio, TX 78230
210/691-8888
Registration Deadline: 12/18/00

February 20-21, 2001
Fort Worth Radisson Plaza Hotel
815 Main Street
Fort Worth, TX 76102
Registration Deadline: 1/18/01

March 19-20, 2001
Wyndham Greenspoint Hotel Houston
12400 Greenspoint Drive
Houston, TX 77060
281/875-2222
Registration Deadline: 2/26/01

April 5-6, 2001
Holiday Inn Park Plaza
3201 Loop 289 South
Lubbock, TX 79423
806/797-3241
Registration Deadline: 3/16/01

April 26-27, 2001 Clerks
April 30 - May 1, 2001 Atty Judges
May 2-3, 2001 Non-Atty Judges
Radisson Resort South Padre Island
500 Padre Boulevard
South Padre Island, TX 78597
956/761-6511
Registration Deadline: 4/2/01

June 7-8, 2001
Hilton Midland Towers
117 West Wall Avenue
Midland, TX 79701
915/683-6131
Registration Deadline: 4/30/01

12-HOUR SPECIAL PROGRAMS FOR JUDGES

October 12-13, 2000
Low Volume Courts
Radisson Hotel Wichita Falls
100 Central Freeway
Wichita Falls, TX 76306
940/761-6000
Registration Deadline: 9/11/00

November 15-16, 2000
*Judges Special Topics School: Juvenile
and the Law*
Omni Corpus Christi Hotel
900 N. Shoreline Drive
Corpus Christi, TX 78401
361/887-1600
Registration Deadline: 10/19/00
\$35 Registration Fee

January 7-9, 2001
Juvenile Justice Conference
San Luis Resort Conference Center
5222 Seawall Boulevard
Galveston, TX 77551
409/744-1500
Registration Deadline: 12/12/00

February 26-27, 2001
Low Volume Courts
Inn of the Hills
1001 Junction Highway
Kerrville, TX 78028
830/895-5000
Registration Deadline: 2/1/01

March 27-28, 2001
Judges' Scenario School
Adam's Mark Hotel Houston
2900 Briarpark Drive
Houston, TX 77042
713/978-7400
Registration Deadline: 2/25/01

April 10-11, 2001
Low Volume Courts
Hilton College Station Conference Center
801 University Drive East
College Station, TX 77840
979/693-7500
Registration Deadline: 3/12/01

June 18-19, 2001
Judges' Scenario School
Crowne Plaza North Dallas/Addison
14315 Midway Road
Addison, TX 75001
972/980-8877
Registration Deadline: 5/23/01

24/32-HOUR PROGRAMS FOR NEW NON-ATTORNEY JUDGES AND CLERKS

September 26-29, 2000
24 Hour Clerks only
Holiday Inn Austin South
3401 South IH-35
Austin, TX 78741
512/448-2444
800/465-4329
Registration Deadline: 9/1/00

December 4-8, 2000 Judges
December 5-8, 2000 Clerks
Holiday Inn Austin South
3401 South IH-35
Austin, TX 78741
512/448-2444
800/465-4329
Registration Deadline: 11/2/00

July 9-13, 2001 Judges
July 10-13, 2001 Clerks
Holiday Inn Austin South
3401 South IH-35
Austin, TX 78741
512/448-2444
800/465-4329
Registration Deadline: 6/14/01

SCHEDULE continued on Page 16

**TEXAS MUNICIPAL COURTS EDUCATION CENTER
2000-2001 REGISTRATION FORM**

Program Attending: _____ Program Dates: _____

- Judge Clerk Court Administrator Bailiff/Warrant Officer

TMCEC computer data is updated from the information you provide. Please print legibly and fill out form completely.

Last Name: _____ First Name: _____ MI: _____

Social Security #: _____ Male/Female: _____

Date Appointed/Elected/Hired: _____ Years Experience: _____

[city]

[date]

HOUSING INFORMATION

TMCEC will make all hotel reservations from the information you provide on this form. TMCEC will pay for a single occupancy room at all seminars: four nights at the 32-hour seminars, three nights at the 24-hour seminars/assessment clinics and two nights at the 12-hour and 16-hour seminars. To share with another seminar participant, you must indicate that person's name on this form.

- I need a private, single-occupancy room.
 I need a room shared with a seminar participant. [Please indicate roommate by entering seminar participant's name: _____ (Room will have 2 double beds.)]
 I need a private double-occupancy room, but I'll be sharing with a guest. [I will pay additional cost, if any, per night]
I will require: 1 king bed 2 double beds
 I do not need a room at the seminar.

Arrival date: _____ Smoker Non-Smoker

COURT MAILING ADDRESS

It is TMCEC's policy to mail all correspondence directly to the court address.

Street: _____ City: _____ Zip: _____

Office Telephone #: _____ Court #: _____ FAX: _____

Primary City Served: _____ Other Cities Served: _____

- Attorney Non-Attorney Full Time Part Time

- Status: Presiding Judge Associate/Alternate Judge Justice of the Peace Mayor Bailiff
 Court Clerk Deputy Clerk Court Administrator Warrant Officer
 Prosecutor (A registration fee of \$250/\$100 must accompany registration form.)
 Other: _____

I certify that I am currently serving as a municipal court judge, city prosecutor or court support personnel in the State of Texas. I agree that I will be responsible for any costs incurred if I do not cancel ten (10) working days prior to the seminar. If I have requested a room, I certify that I live at least 30 miles from or must travel at least 30 minutes to the seminar site. Payment is required ONLY for the prosecutors program and assessment clinics; payment is due with registration form.

Participant Signature _____

Date _____

TMCEC • 1601 Rio Grande, Suite 550 • Austin, TX 78701 • FAX 512/435-6118

**16-HOUR BAILIFF/WARRANT
OFFICER PROGRAMS**

March 27-28, 2001
Adams Mark Hotel Houston
2900 Briarpark Drive
Houston, TX 77042
713/978-7400
Registration Deadline: 2/25/01

June 18-19, 2001
Crowne Plaza North Dallas/Addison
14315 Midway Road
Addison, TX 75001
972/980-8877
Registration Deadline: 5/23/01

**12-HOUR PROSECUTOR/
COURT ADMINISTRATOR
PROGRAMS**

January 11-12, 2001
Holiday Inn San Antonio Riverwalk
217 St. Mary's Street
San Antonio, TX 78205
210/224-2500
Registration Deadline: 12/15/00
\$250/\$100 Registration Fee

June 28-29, 2001
Harvey Hotel Plano
1600 N. Central Expressway
Plano, TX 75074
972/578-8555
Registration Deadline: 6/1/01
\$250/\$100 Registration Fee

**LEGISLATIVE UPDATE
PROGRAMS**

July 27, 2001
Doubletree Hotel Austin
6505 IH-35 North
Austin TX 78752
512/454-3737
Registration Deadline: 7/1/01
\$50 Registration Fee

August 6, 2001
Omni Dallas Hotel Park West
1590 LBJ Freeway
Dallas, TX 75234
972/869-4300
Registration Deadline: 7/6/01
\$50 Registration Fee

**LEVEL III ASSESSMENT CLINICS
FOR CLERK CERTIFICATION**

September 15-17, 2000
Doubletree Club Dallas Park Central
8102 LBJ Freeway
Dallas, TX 75251
972/960-6555
Registration Deadline: 9/1/00
\$100 Registration Fee

March 8-11, 2001
Inn of the Hills Kerrville
1001 Junction Highway
Kerrville, TX 78028
830/895-5000
Registration Deadline: 2/12/01
\$100 Registration Fee

May 17-20, 2001 (Tentative)
Location to be determined
\$100 Registration Fee

**TEXAS MUNICIPAL COURTS
EDUCATION CENTER
1601 RIO GRANDE, SUITE 550
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**TMCEC MISSION
STATEMENT**

To provide high quality judicial education, technical assistance and the necessary resource material to assist municipal court judges, court support personnel and prosecutors in obtaining and maintaining professional competence.

Change Service Requested