

THE BRIEF



Information for Texas Municipalities about Texas Municipal Courts (May 2022)

Budgeting for Judicial and Court Personnel Training During Inflationary Times

It Is Budget Time

It is that time of year again, and municipal governments across Texas are hard at work preparing for FY 23. This year, however, the already challenging task of adopting a municipal budget is complicated by recent historic events. The COVID-19 pandemic shocked the world economy creating unprecedented supply chain interruptions. Now, because of surges in consumer demand coupled with substantial labor shortages, the consequences of inflation are being felt by many Americans (some for the very first time). Inflation hit a 40-year high in March. When inflation surges, the value of money decreases. The costs of gas, food, labor, and everyday items have increased at the fastest rate in more than four decades. When costs go up, so do prices, and prices for almost everything across the board are increasing. This includes the price of training municipal judges and court personnel.

In other states, municipalities bear all the costs of training municipal court personnel. Fortunately, in Texas, training provided to municipal judges and court personnel by the Texas Municipal Courts Education Center (TMCEC) is significantly subsidized by grant funds from the State of Texas through the Texas Court of Criminal Appeals. These grant funds come from the Judicial Court Personnel Training Fund, which is funded by court costs, including court costs from Class C misdemeanors adjudicated in municipal courts. It is important to note that, even before the pandemic, Class C Misdemeanor filings throughout Texas have been steadily declining for a decade. For years, the gap between what state grant funding can provide and what things cost has continued to increase. Recent economic upheaval and rapid inflation made it clear that TMCEC cannot sustain its present operations solely with grant funds and the nominal fees it presently assesses for tuition and housing.

In April, the TMCEC Board of Directors voted, effective September 1, 2022, to charge a \$75 overhead fee for participants attending TMCEC seminars. This fee does not apply to webinars. Notably, for budgeting purposes, the Board also voted to lower the registration fee from \$100 to \$75. This means the change in fees beginning in September is a rate increase of \$50 per seminar participant. This additional voluntary fee will be used for expenses that exceed what is allowed under state grant guidelines, such as excess participant food and lodging costs and staff salaries and benefits. TMCEC has long been committed to training all judges and court personnel and has policies and procedures in place, including financial aid, to ensure that judges and court personnel have access to training if they are unable to pay.

Judicial Education Is Mandatory; Training Court Personnel Is Essential

While the Texas Rules of Judicial Education require annual training for all judges, including municipal judges, the success of your municipal court requires continuing education and training for court clerks, court administrators, prosecutors, juvenile case managers, and court security personnel. Studies show the cost of training is typically offset by long-term savings. The professional development and training of employees helps local governments gain and retain top talent, increase job satisfaction and morale, improve productivity, and decrease absenteeism. In contrast, failure to train increases the risk of legal liability.

Know Your Numbers, Budget for Training, and Don't Forget to Use the Law

While there is no magic formula for budgeting for judicial and court personnel training, one starting point is to look at previous years' expenditures and divide that number by the number of people trained. Even better, look at multiple years to get a better picture of trends because the last two years are not indicative of normal expenses. Using past expenditures can help provide a base number to be used prior to calculating additional increased cost. A line item for training costs for judges

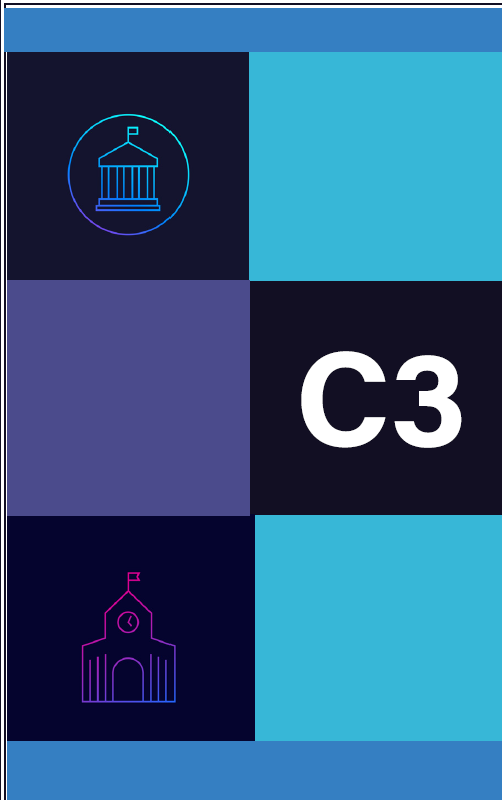
and court personnel is important and is often budgeted from a city's general revenue fund.

Lastly, do not forget to leverage state law when identifying possible additional sources for paying for the training of judges and court personnel. Certain court costs can be used to fund continuing education for judges and court personnel.

- **Time Payment Reimbursement Fee:** This \$15 fee, which is required to be deposited in a separate account in the general fund of the municipality, must be used for, among other things, improving the efficiency of the administration of justice in the municipality. A municipality is required to give priority to the judicial officer who collects the fee (Article 102.030, Code of Criminal Procedure.)
- **Local Consolidated Fee:** This \$14 fee is collected on all non-jailable misdemeanor offenses, including criminal violations of a municipal ordinance. The municipal treasurer is required to allocate the \$14 to four separate funds or accounts. Two of these funds (see below) are commonly used to pay for the education and training of judges and court personnel (Section 134.103, Local Government Code).
 - **Municipal Court Building Security Fund:** The portion of the fee for this fund is \$4.90. It can be used for continuing education on security issues for court personnel and security personnel (Article 102.017(b)(12), Code of Criminal Procedure). TMCEC regularly features security training in its regional seminar programming and hosts the annual TMCEC Court Security Conference.
 - **Local Truancy Prevention and Diversion Fund:** The portion of the fee for this fund is \$5.00. It can be used for training expenses related to juvenile case managers (Section 134.156, Local Government Code). TMCEC hosts a statewide annual seminar for juvenile case managers.

The Brief is a periodic briefing for Texas mayors, city council members, and other local officials highlighting issues and increasing awareness and understanding of municipal courts in the Lone Star State. *The Brief* is part of TMCEC's public information and education campaign, *Councils, Courts, and Cities* (C3). For more information about TMCEC, visit: www.tmcec.com. **Follow C3 on Twitter:** @C3ofTexas.

Texas Municipal Courts Education Center is funded by a grant from the Texas Court of Criminal Appeals



Ordinances Seminar

July 7-8, 2022
Sheraton Austin Georgetown Hotel & Conference Center

The C3 Ordinances Seminar is part of the C3 Initiative (Councils, Courts, and Cities). C3 is a public information and education campaign created by TMCEC that aims to help fill the information gap between city halls and municipal courts in Texas. C3 highlights issues and increases awareness and understanding of municipal courts in Texas for mayors, city council members, city attorneys, and other local officials.

This TMCEC seminar is the first of its kind, taking a deep dive into the topic of city ordinances. **Registration is \$50.** Eligible participants will receive a private, single-occupancy hotel room at no additional charge. Limited spots are open to city officials (Registration is \$112 with no lodging, \$222 with one night of lodging, and \$332 with two nights of lodging).

For more information, visit the C3 page on the TMCEC website: <https://www.tmcec.com/cities/>.