
PREFACE

The TMCEC *Bench Book* is a reference guide for Texas municipal judges serving both as trial court judges as well as magistrates. This 15th edition is titled the TMCEC 2024 *Bench Book* and incorporates important statutory changes from the 88th Regular Legislature.

While there were many changes to Texas statutes coming out of the session, two bills offered significant opportunities (and challenges) for TMCEC in updating the *Bench Book* as well as the rest of TMCEC's publications. H.B. 4504, which goes into effect January 1, 2025, is the Texas Legislative Council's complete non-substantive revision of Chapter 45 of the Code of Criminal Procedure. On January 1, 2025, most of Chapter 45 will be repealed and replaced by the re-organized Chapter 45A. As the effective date will occur between our publication cycles, TMCEC opted to include dual citations for every citation to an Article in Chapter 45. Chapter 45 is cited over 250 times in the TMCEC 2024 *Bench Book*, and each one now will be represented with the current Chapter 45 article, followed by the corresponding future Chapter 45A article. The citations will appear in the following format: Chapter 45 Article/Chapter 45A Article, C.C.P. For example, Art. 45.057/45A.457, C.C.P. Please note that Chapters 2 and 55 also underwent the revision process created by H.B. 4504. This book incorporates dual citations to articles in 2A and 55A as well.

The other bill that has a longer timeline before it creates procedural changes is H.B. 3186, the Texas Youth Diversion and Early Intervention Act. While this bill goes into effect on January 1, 2024, it only applies to offenses committed on or after January 1, 2025. At this time, most of TMCEC's youth diversion resources will reside online (www.tmcec.com/youth-diversion), but some references to changes made by H.B. 3186 are present in this edition of the TMCEC 2024 *Bench Book*.

We have done our best to offer procedural guidance regarding the law as it stands at publication and noted where changes in the law will take effect in the coming months and years.

This book often references *The Recorder* and the TMCEC 2024 *Forms Book*. Both resources can be easily accessed on TMCEC's website at www.tmcec.com by clicking on the publications button. Our publications and educational offerings only happen due to the collaborative teamwork of the TMCEC staff: Ryan Kellus Turner, Regan Metteauer, Ned Minevitz, Ben Gibbs, Thomas Velez, Leandra Quick, Elaine Riot, Elizabeth De La Garza, Patty Thamez, Deadra Stark, Matthew Kelling, Tayler Adams, Brandi Valentine, Adrienne Schroeder, Crystal Ferguson, Dina Powell, and Antaris Jackson.

Significant gratitude is owed to the countless calls TMCEC receives on the toll-free legal line. These inquiries often set off a chain reaction of discussions, debates, and revisions that ultimately lead to better publications. Likewise, we are indebted to the Texas Court of Criminal Appeals, the Texas Municipal Courts Education Center's Board of Directors, and our constituents for their support of TMCEC.

The TMCEC *Bench Book* has grown over the years, and many people have worked to make it a better publication. As it is a perpetual work-in-progress, we welcome your comments and suggestions. The original version was published in 1996. That version and all subsequent ones were made possible through helpful comments and suggestions of municipal judges and court support personnel throughout Texas.

Mark Goodner
General Counsel and Director of Education
Texas Municipal Courts Education Center
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