

ARTICLE IX. - COURTS^[7]

Footnotes:

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State Law reference— Municipal court, V.T.C.A., Government Code § 29.001 et seq.

Section 9.01. - Municipal Court.

There shall be a court known as the Municipal Court of the City which court shall be deemed always open for the trial of causes, and with such jurisdiction, powers, and duties as are given and prescribed by the laws of the State of Texas.

Section 9.02. - Judge of the Municipal Court.

The Municipal Court shall be presided over by a magistrate, appointed by an affirmative vote of four or more Councilmembers, known as the Judge of the Municipal Court. He or she shall be an attorney at law licensed to practice in the State of Texas. Unless the residency requirement is waived as explained below, he or she shall reside within the corporate limits of the City. The Council, by an affirmative vote of four or more members, shall appoint alternate judges as needed who shall meet the qualifications required for appointment as a Judge. The City Council may waive the residency requirement when appointing a Municipal Court Judge or Alternate Judge with an affirmative vote of five (5) council members. The Council shall fix the compensation of the Judge and the alternate Judge of the Municipal Court. The Judge and the Alternate Judge shall be appointed for a term of three (3) years unless otherwise required by state law. Removal of a judge during his/her term requires an affirmative vote of four or more Councilmembers, unless otherwise provided by state law. At the time of passage of this Charter change: (1.) the terms of the incumbent Judge and Alternate Judge shall expire on June 7, 1996, when qualified candidates shall be appointed to the respective offices for three year terms to expire on June 7, 1999, and a like term in each office shall be filled by appointment on said date every three years thereafter.

(Charter Election of 5-8-2010; Charter Election of [5-9-2015](#))

Section 9.03. - Clerk of the Municipal Court.

There shall be a Clerk of the Municipal Court who shall be appointed by the Judge of the Municipal Court subject to confirmation of the Council. Such Clerk shall have the power to administer oaths and affidavits, make certificates, fix the seal of the Court thereto, and otherwise perform any and all acts necessary in issuing process of such Court and conducting the business thereof. There shall be such Deputy Clerks of the Municipal Court as may be authorized by the Council and appointed by the Judge of the Municipal Court subject to the approval of Council, which Deputy Clerks shall have authority to act for and on behalf of the Clerk of the Municipal Court. The Clerk and Deputy clerks of the Municipal Court shall be responsible to the Judge thereof and shall be subject to his or her direction and control. The Judge of the Municipal Court shall recommend the level of compensation of the Clerk of court subject to confirmation by the Council.

Section 9.04. - Costs, process, and procedure in the Municipal Court.

Sessions of the Municipal Court shall be held at such times as the Judge(s) of the Municipal Court may determine subject to confirmation by the Council. The dates of such court sessions and each change thereto should be filed with the City Secretary. The style of all writs issued out of the Municipal Court shall be in the name of the City, all jurors shall be residents of said City and otherwise possess the same

qualifications as jurors in State courts, and they shall be summoned in the same manner as provided for in Justice Courts.

State Law reference— Court fees and costs, Vernon's Ann. C.C.P. art. 45.051.

Section 9.05. - Court separate from all departments.

The Municipal Court of the City shall always be separate and apart from all departments of the City.