



Judge Matt Hayes
Justice Court, Pct 7
Tarrant County

The Role of a Texas Justice of the Peace

Who Are These Judges And
Just What Is It They Do?

Q - How many auditors does it take to change a light bulb?

A – How many did it take last year?

Q - What do you call the attorney that graduated at the bottom of his law school class?

A – Your Honor!



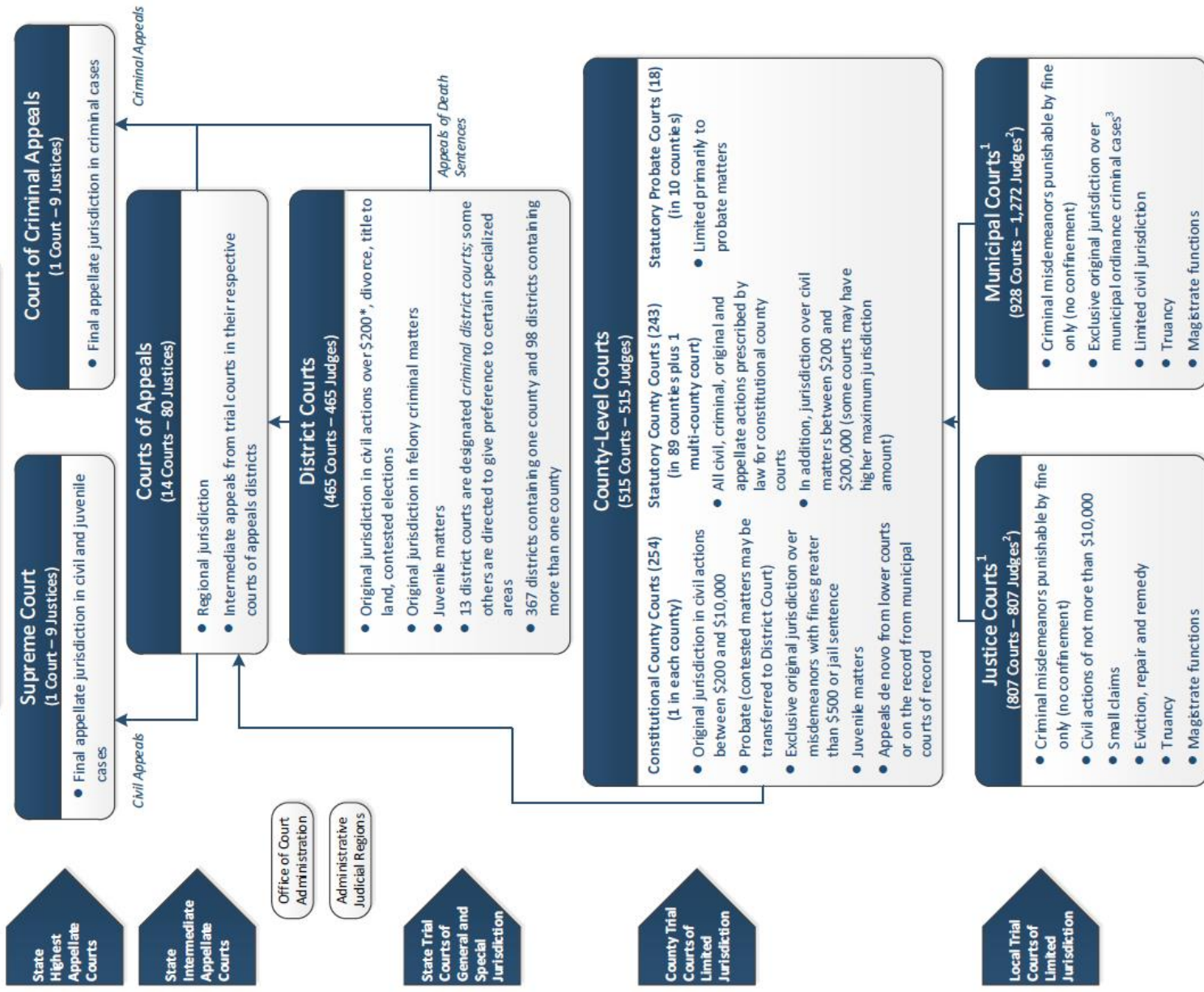
Remember “The Life and Times of Judge Roy Bean” – the 1972 Movie?



The job duties and responsibilities have changed over the years!!!

Court Structure of Texas

January 1, 2016



1. All Justice courts and most municipal courts are not courts of record. Appeals from these courts are by trial de novo in the county-level courts, and in some instances in the district courts.

2. Some municipal courts are courts of record—a list is posted at <http://www.txcourts.gov/about-texas-courts.aspx>.

3. An offense that arises under a municipal ordinance is punishable by a fine not to exceed: (1) \$2,000 for ordinances that govern fire safety, zoning, and public health or (2) \$500 for all other.

Texas Trial Courts

District Courts

(465 Courts/465 Judges)

Felony Criminal Cases
Big Civil Cases
Divorce
Title to Land
Juvenile Cases

County Courts

(515 Courts/515 Judges)

Class A & B Misdemeanor Criminal Cases
Civil \$200 - \$200,000
Juvenile Cases
Probate
Appeals from Justice and Municipal Courts

Justice Courts

(807 Courts/807 Judges)

Fine-Only Misdemeanor Criminal Cases
Civil Case up to \$10,000
Evictions
Truancy
Magistrate Functions
De Facto Notary Public

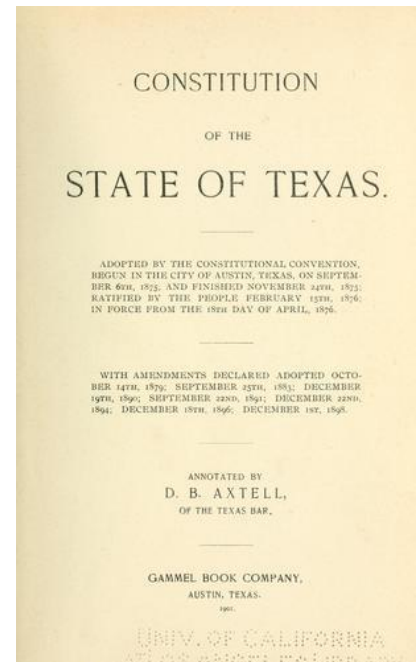
Municipal Courts

(928 Courts/1272 Judges)

Fine-Only Misdemeanor Criminal Cases
Municipal Ordinance Criminal Cases
Limited Civil Jurisdiction
Truancy
Magistrate Functions.

Where Do the Courts Come From?

- The Texas Constitution of 1876 established the Court of the Justice of the Peace
- Anywhere from 1 to 8 JP Precincts per county (set by Constitution and Commissioners Court) - 4 is the most common number. There may be more than one Judge in a precinct.
- Jurisdiction generally set by the legislature
- Elected to 4 year terms – vacancies filled by the Commissioners Court
- Elected by voters in the precinct – partisan elections
- Qualifications
 - U.S. Citizen
 - 18 or older first day of term
 - not determined mentally incompetent by a court
 - not a felon
 - 12 months in Texas, 6 months in the precinct
- Must provide a bond
- May be an attorney, but usually is not
- Mandatory annual training
- Salary set by Commissioners Court - \$11,500 to over \$120,000 currently.





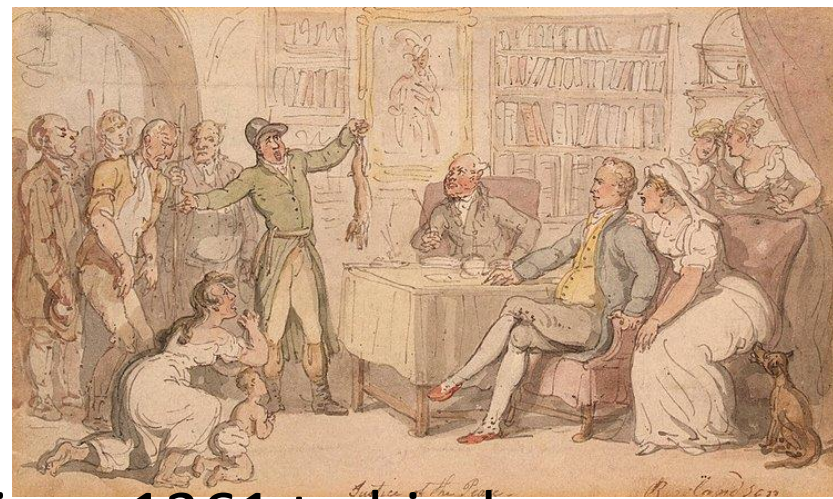
Court Organization

- Courts generally have a very small staff – often the Judge, a Court Coordinator and a Court Reporter
- All administrative functions are handled by the District Clerk or the County Clerk's office
- In a Justice Court, the Court Clerks report to the Judge and he/she is responsible for budget control.

Justice Versus Judge

- The Constitution established the office of Justice of the Peace
- This has created an impression that JP Courts are separate from the rest of the judiciary
- The Texas Supreme Court seems to be moving to change that
- Trend in recent years to refer to the JP as Judge of the Justice Court
- The title of Judge or Justice is appropriate.

Define Justice of the Peace!



- Justices of the Peace have used the power conferred on them since 1361 to bind over unruly persons "to be of good behaviour"
- In much of the British Commonwealth they are notaries public that may perform weddings
- In Judge Roy Bean's day, he was Judge, Jury and Executioner
- Today in many states of the western U.S. we are judicial officers with a variety of duties that are set by each state
- Often the busiest and most diverse courts.





“Big” Versus “Little”



- The population of a county, the number of Justice Courts and the presence of urban areas greatly affect the day-to-day duties of the judge
- There are 13 Medical Examiners offices in Texas
- In the other counties, the Justice of the Peace conducts inquests
- Fortunately, Tarrant County has an ME.

“Big” Versus “Little”

- The four Justice Courts in neighboring Ellis County had 6900 cases filed in FY2015
- My court alone in FY2015 had 9300 cases
- A court in Harris County (Houston) had 113,000 cases and their 16 Justice Courts handled 571,000 new filings
- All of Kent County had 61 cases filed (all criminal)
- These numbers necessarily affect the Court’s operations.





“Big” Versus “Little”



- In big counties, the judges spend much of their time with “traditional” court business – hearings, trials, reviewing cases and law
- In small counties, the judge(s) may be at an auto accident at 3 a.m. and at the county jail before breakfast arraigning prisoners
- Either one may have a business, a job or a law practice, too (unlike other Judges).



Civil Suits



- Rules are different from other courts
- Designed for people without legal experience
- Lawyers are welcome
- Landlord/tenant disputes (all evictions)
- Civil cases up to \$10,000
- Judge has great latitude
- Small Claims or the People's Court.



Criminal Cases

- Misdemeanors that don't include jail
 - Traffic
 - Class C
 - Up to Class A
- Magistrate duties
 - Arraign prisoners
 - Set bonds.



Administrative/Other

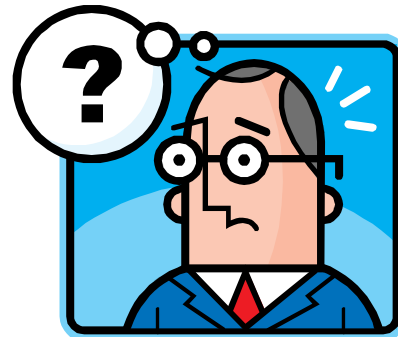
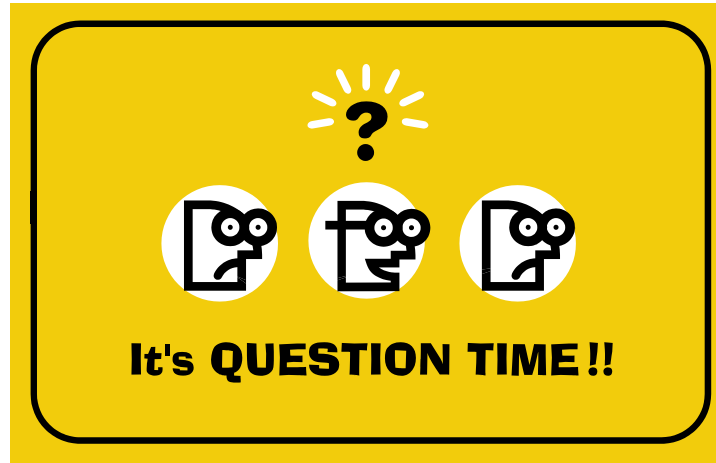
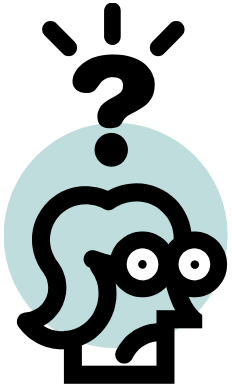
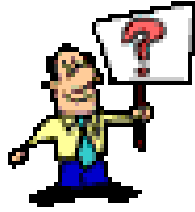
- Inquests – in over 240 counties, the JP determines the cause and manner of death
- Hearings
 - Dangerous dog
 - Cruelly treated animals
 - DL suspension
 - LTC suspension/denial
 - Disposition of stolen property
 - Emergency mental health commitments
 - Prisoner suspected of mental illness
 - Occupational driver license
 - Sworn statement of inability to pay costs
 - Magistrate’s emergency protective order
 - Towing/booting
- Warrants
 - Capias pro fine
 - Arrest warrant
 - Capias warrant
- Contempt powers
- Weddings.



Stuff

- Manages the court
- Coordinates with other county officials, offices and departments
- Often on other county boards/committees
- Usually active in community organizations
- May have a full or part-time job
- Is a human being just like everyone else with all the pains, excitement and life issues.





THANK
YOU

The image features the words "THANK YOU" in a bold, 3D, light blue font. The letters are arranged in two rows: "THANK" on top and "YOU" below it. The text is set against a black, rectangular background that is slightly tilted. The 3D effect is achieved through shading and perspective, with the letters appearing to rise from the black surface. The overall style is clean and modern.