

By: Pitts

H.B. No. 1622

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a county court at law in Hill County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 25, Government Code, is amended by adding Sections 25.1111 and 25.1112 to read as follows:

Sec. 25.1111. HILL COUNTY. Hill County has one statutory county court, the County Court at Law of Hill County.

Sec. 25.1112. HILL COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Hill County has concurrent jurisdiction with the district court in family law cases and proceedings.

(b) A county court at law in Hill County has the same terms of court as the 66th District Court.

(c) The judge of a county court at law may not engage in the private practice of law and must meet the qualifications established by Section 25.0014.

(d) The judge of a county court at law shall be paid as provided by Section 25.0005. The judge's salary shall be paid out of the county treasury on order of the commissioners court. The judge is entitled to necessary office and operational expenses, including administrative and clerical personnel, in the same manner as the county judge.

(e) The district clerk serves as the clerk of a county court

1 at law for all criminal and civil matters except that the county
2 clerk serves as the clerk of the county court at law in uncontested
3 probate and guardianship matters. The county clerk shall transfer
4 to the district clerk any contested probate and guardianship
5 matters filed with the county clerk.

6 (f) The commissioners court may employ the assistant
7 district attorneys, assistant county attorneys, assistant clerks,
8 deputy sheriffs, and bailiffs necessary to serve the county court
9 at law.

10 (g) Notwithstanding Section 74.0911, the judge of the 66th
11 District Court shall act as presiding judge between the district
12 and county court at law and may assign to the county court at law
13 original or appellate cases that are within the jurisdiction of the
14 county court at law. The assignment shall be made by docket
15 notation.

16 (h) In matters of concurrent jurisdiction, the judge of a
17 county court at law and the judge of the 66th District Court may
18 exchange benches, transfer cases, assign each other to hear cases
19 in accordance with orders signed and approved by the judges
20 involved, and otherwise manage their respective dockets under local
21 administrative rules.

22 (i) The official court reporter of a county court at law is
23 entitled to the compensation set by the commissioners court on
24 order of the judge of the court in an amount not to exceed 90 percent
25 of the compensation paid to the court reporter of a district court
26 in Hill County.

27 (j) If a family law case or proceeding is tried before a

1 jury, the jury shall be composed of 12 members. In all other cases,
2 except as otherwise required by law, the jury shall be composed of
3 six members.

4 (k) Jurors regularly impaneled for a week by the district
5 court may, on request of the county judge or the judge of a county
6 court at law, be made available and shall serve for the week in the
7 county court or the county court at law.

8 SECTION 2. Section 24.168(b), Government Code, is amended
9 to read as follows:

10 (b) In addition to other jurisdiction provided by law, the
11 66th District Court has concurrent jurisdiction with the County
12 Court of Hill County and the statutory county courts in Hill County
13 in all civil and criminal matters over which the county court would
14 have original or appellate jurisdiction. The district court has
15 control over the assignment of cases as prescribed by Sections
16 25.1112 and [Section] 26.209.

17 SECTION 3. Section 26.209(c), Government Code, is amended
18 to read as follows:

19 (c) The judge of the 66th District Court shall act as
20 presiding judge between the district and county courts and may
21 assign to the county court original or appellate cases that are
22 within the county court's jurisdiction and assign to a county court
23 at law cases that are within the jurisdiction of the county court at
24 law. The assignment shall be made by docket notation.

25 SECTION 4. Section 152.1151(a), Human Resources Code, is
26 amended to read as follows:

27 (a) The juvenile board of Hill County is composed of the

1 county judge, statutory county court judges, and the district
2 judges in Hill County.

3 SECTION 5. The County Court at Law of Hill County is created
4 September 1, 2005.

5 SECTION 6. This Act takes effect September 1, 2005.