

By: Hegar

S.J.R. No. 22

A JOINT RESOLUTION

1 proposing a constitutional amendment to allow a visiting judge of a
2 district court to hold proceedings at the county seat of a county
3 other than the county in which a case is pending.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 7, Article V, Texas Constitution, is
6 amended to read as follows:

7 Sec. 7. (a) The State shall be divided into judicial
8 districts, with each district having one or more Judges as may be
9 provided by law or by this Constitution.

10 (b) Each district judge shall be elected by the qualified
11 voters at a General Election and shall be a citizen of the United
12 States and of this State, who:

13 (1) is licensed to practice law in this State and has
14 been a practicing lawyer or a Judge of a Court in this State, or both
15 combined, for four (4) years next preceding his election;

16 (2) [~~who~~] has resided in the district in which he was
17 elected for two (2) years next preceding his election;

18 (3) [~~and who~~] shall reside in his district during his
19 term of office and hold his office for the period of four (4)
20 years; [and] and

21 (4) [~~who~~] shall receive for his services an annual
22 salary to be fixed by the Legislature.

23 (c) The Court shall conduct its proceedings at the county
24 seat of the county in which the case is pending, except as provided

1 by Subsection (d) of this section and as otherwise provided by law.
2 He shall hold the regular terms of his Court at the County Seat of
3 each County in his district in such manner as may be prescribed by
4 law. The Legislature shall have power by General or Special Laws to
5 make such provisions concerning the terms or sessions of each Court
6 as it may deem necessary.

7 (d) A visiting judge for a district court may conduct
8 proceedings at the county seat of a county other than the county in
9 which a case is pending on the written agreement of all parties to
10 the case and on approval of the district judge for the district
11 court in which the case is pending.

12 (e) The Legislature shall also provide for the holding of
13 District Court when the Judge thereof is absent, or is from any
14 cause disabled or disqualified from presiding.

15 SECTION 2. This proposed constitutional amendment shall be
16 submitted to the voters at an election to be held November 6, 2007.
17 The ballot shall be printed to permit voting for or against the
18 proposition: "The constitutional amendment to allow a visiting
19 judge of a district court to hold proceedings at the county seat of
20 a county other than the county in which a case is pending on the
21 written agreement of all parties to the case and on approval of the
22 judge."