

By: Gattis

H.B. No. 3549

A BILL TO BE ENTITLED

AN ACT

relating to the qualifications of statutory county court judges.

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

SECTION 1. Section 25.0014, Government Code, is amended to read as follows:

Sec. 25.0014. QUALIFICATIONS OF JUDGE. (a) The judge of a statutory county court must:

(1) be at least 35 [~~25~~] years of age;

(2) have resided in the county for at least two years before election or appointment; [~~and~~]

(3) be a licensed attorney who has been practicing in this state for at least the immediately preceding three years;

(4) have [~~who has~~] practiced law or served as a judge of a court in this state, or both combined, for at least 10 [~~the four~~] years;

(5) have completed at least 60 hours of continuing legal education in the immediately preceding three years;

(6) have at least five persons willing to attest to the person's competence in the practice of trial law; and

(7) have either:

(A) devoted at least 35 percent of the person's practice to civil trial work and has:

(i) tried a minimum of 20 contested civil cases in courts in this state involving a sum of actual damages in

1 controversy that exceeds \$25,000, including seven jury cases; or
2 (ii) devoted a minimum of 100 separate days
3 to the trial of contested civil cases in this state involving a sum
4 of actual damages in controversy that exceeds \$25,000, including at
5 least 50 days devoted to the trial of jury cases; or

6 (B) devoted at least 25 percent of the person's
7 practice to criminal trial work and has tried a minimum of 15
8 criminal cases in courts in this state, including five jury cases.

9 (b) Notwithstanding Subsection (a), a person serving as a
10 statutory county court judge on January 1, 2011, is not required to
11 comply with Subsection (a)(3), (4), (5), (6), or (7) to continue to
12 serve as a statutory county court judge in the office to which the
13 person was appointed or elected before that date.

14 (c) Notwithstanding Section 25.0001(a), to the extent of a
15 conflict between this section and a law applicable to a specific
16 statutory county court, this section prevails [~~preceding election~~
17 ~~or appointment, unless otherwise provided for by law].~~

18 SECTION 2. The following provisions of the Government Code
19 are repealed:

- 20 (1) Section 25.0212(c);
- 21 (2) Section 25.0222(e);
- 22 (3) Section 25.0453(a);
- 23 (4) Section 25.0512(a);
- 24 (5) Section 25.0632(a);
- 25 (6) Section 25.1032(e);
- 26 (7) Section 25.1033(e);
- 27 (8) Section 25.1132(g);

- 1 (9) Section 25.1142(c);
- 2 (10) Section 25.1312(k);
- 3 (11) Section 25.1412(b); and
- 4 (12) Section 25.2012(k).

5 SECTION 3. (a) Except as provided by Subsection (b) of this
6 section, the change in law made by this Act applies only to the
7 judge of a statutory county court elected or appointed on or after
8 the effective date of this Act. A judge of a statutory county court
9 elected or appointed before the effective date of this Act is
10 governed by the law in effect immediately before the effective date
11 of this Act, and the former law is continued in effect for that
12 purpose.

13 (b) Sections 25.0014(a)(3), (4), (5), (6), and (7),
14 Government Code, as amended by this Act, do not apply to a judge of a
15 statutory county court serving on the effective date of this Act who
16 is subsequently reelected or appointed as a judge of a statutory
17 county court.

18 SECTION 4. This Act takes effect January 1, 2011.