

## Georgia Shepherd

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**Subject:** Constable

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**From:** Judge Douglas

**Sent:** Thursday, June 30, 2011 1:22 PM

**To:** Cheryl Williams; Duncan Webb; Joe Jaynes; Matt Shaheen; Terry Box

**Cc:** Bill Bilyeu; Joe Barton; Judge Paul Raleeh

**Subject:** Constable

Commissioners, Sheriff, and other interested officials,

Greetings and good afternoon,

I have only heard sparse information on the plans to consolidate Constable's and Sheriff Duties, but I have some interesting questions that I have been considering. I agree that Constable Offices state wide have become too large in their over all duties. That is why I founded the Justice Court Judges Association years ago in an effort to separate some ties from those out of control Constable offices. I understand what the Commissioners are trying to do and I don't think it is all bad. I have concerns that by Constitution and Statutes that the Constable attend to the Justice Court by serving the Courts civil process and warrants. The Justice Court has many time sensitive papers and class c warrants. I could be wrong however I believe that I must send my process to the Constable for service. If the Constable does not make timely service he could be held in violation of the statute and assessed a fee to be given to the damaged party. I believe that this would be a costly endeavor for the County because this hearing after notice would be for each and every time a paper is untimely served and I assume the Constable would be entitled to a County Attorney to represent him. There is no way that a one person office could bailiff and serve the Court's process in a timely manor. I believe that you will find that the Constable is the Precinct officer and is responsible for those Process duties as outlined. Correct me if I am wrong, but I believe that the Sheriff generally does not work Class C warrants. There is no doubt in my mind that Sheriff Box can get the job done, however it will take some doing to get my time sensitive papers to his office and then to get them served on time. That is if I legally can send him process.

The Constable Office of Prec. Two has for many years served the Justice Court Two extremely well and performed all the duties as described in the statutes and Constitution. I believe that the Constables office should at least be scaled back, but I believe that they should at least maintain their Constitutional and statutory requirements to take care of the Justice Court Two. I am unsure how many personnel that would take but I believe it is important to the Pro se litigants that utilize the court. Take away the County Court and District Court process, but leave them enough assets and personnel to take care of what they are required to do by law.

Please consider this food for thought before you make such an important decision. Please consider the possibility of the problems that may fall on Justice Court Two.

Respectively,  
Terry Douglas  
Justice Of The Peace Prec. Two  
Collin County, Texas