



To: Commissioners Court
From: Bill Bilyeu
Date: October 17, 2013
Re: JP and Constable Redistricting

Discussion regarding redistricting of JP and Constable Districts

Pertinent facts:

Election Cycle

1. JP's 1, 2, 3-2 and 4 positions will all be on the November 4, 2014 General Election.
2. Constable's 1, 2, 3, and 4 have terms that will expire December 31, 2017.
3. Primary election candidate filing begins November 9th and ends December 9th.
4. Unless a JP leaves office before their term ends, the normal election cycle will fill the JP positions. This means that redistricting does not provide the opportunity to appoint a JP to fill the newly configured precinct.
5. 2014 candidates run for the districts as they will exist January 1, 2015. If district lines are redrawn after the filing period, candidates can become ineligible. Depending upon the timing, the party executive committees could select a new nominee if their primary election nominee is drawn out of their district.
6. One proposal has been to split the 920 Building between two JP and Constable precincts in order to utilize the existing courtroom and office space. If an election precinct is split, the elections administrator's office will need to create new precincts.
7. JP 3-1
 - Term expires December 31, 2017.
 - If JP 3-1 files for an office during this year's primary election filing period, he would automatically resign from office because there is more than 13 months year left on the term.
 - JP 3-1 will continue to serve as a holdover under the Texas Constitution until a replacement is named. There is not a restriction for when a replacement must be named.
 - JP 3-1 is legally entitled to continue to hold office and receive a salary (annually set by Commissioners Court, minimum of 1972 salary levels) until the term expires in 2017.
 - The incumbent JP 3-1 cannot be named to fill the vacancy in 3-1 if he has filed to run in another precinct.
 - Because he does not reside in the current JP 2 district, JP 3-1 cannot file for a place on the 2014 primary ballot. He can only file for JP 2 if the lines are moved before the end of the filing period.

Facilities

8. A JP courtroom must be located within the precinct. An election precinct can only contain one JP and Constable precinct. If the Commissioners Court splits the 920 Building into two JP and Constable Precincts, an election voting precinct must be created. The newly created election precinct will not have any voters, but this process must be coordinated with the elections administrator.
9. The JP and Constable office in Wylie rent is \$23,000 (incl utilities) per year.
10. The JP and Constable office in Farmersville rent is \$18,000 (not incl utilities) per year.
11. Constable 2 does not have staff office space in Wylie. Constable 2 would need office space within the precinct. Operationally, the office space should be adjacent to the JP's office.
12. The 920 E. Park building has parking issues. The addition of more employees in the building could exacerbate the issue.
13. A combined JP and Constable office requires approximately 3,000 square feet and would cost approximately \$100 per foot to build out (includes telecom equipment and courtroom finish out). Wylie rental rates are approximately \$16 per square foot (\$48,000 annually) with a finish out cost of approximately \$300,000.

Operational

14. There must be a Constable for each JP district.
15. The County is required to have a minimum of 4 JP's and Constables.
16. If workloads are moved from one precinct to another, the Commissioners Court will need to move/budget personnel accordingly.
17. The eviction case counts from the southwest corner of the County (Dallas) are the highest in the County. This is a large workload on both the Constable and JP.
18. Plano, east of US 75, does not have either a large number of retail nor multi-family units which are typically indicative of the number of civil case filings.
19. JP 2 currently operates full-time offices in both Wylie and Farmersville.
20. Satellite offices currently operate full-time to reduce constituent confusion. One group of users (such as landlords) can adjust to reduced office schedules, but the infrequent users (traffic tickets and tenants) become frustrated by infrequent hours.
21. Some types of case filings impact JP and Constable offices differently. A typical eviction case is a paperwork action in the JP court but can require multiple physical trips to the residence or place of business for the Constable.
22. Performance measures for each of the Constables and JP's are attached.
23. The Commissioners Court and Auditor have previously agreed that an office must be staffed by a minimum of 2 to provide for financial controls. Because of this, the cost of adding an additional satellite office (JP 1 offices in McKinney and Farmersville, JP 2 offices in the 920 Building and Wylie) could result in no staff savings.
24. If multiple satellite offices are operated, could be an increase in bailiff costs. A bailiff would be required to travel/support an additional office. With the exception of Wylie, all constable offices are currently adjacent to courtroom. If Farmersville also becomes a satellite office, bailiff will need to come from McKinney office.
25. The salary and benefits for a JP are \$126,573 per year.

Time Constraints

26. Voter registration certificates (include the voters election districts) are to be mailed December 5th.
27. December 9th is the filing deadline.

28. The Commissioners Court could hold posted workshops or special meetings for redistricting, but would need to post special notice in the newspaper reasonably in advance.

Decisions:

1. Does the Commissioners Court want to redistrict JP and Constables?
2. If the Court does want to redistrict, what are the ultimate goal(s)?
 - Less offices (office size, access and parking need to be considered)
 - Redistribution of workload (difficult to project, but generally follows population, toll roads and high traffic areas)
 - Eliminate JP position
 - Which offices are to stay open and when do the leases expire (lease report attached)
3. When do the new districts become effective?
4. Schedule future workshop(s), public hearings, vote(s).

Schedule if decision is made to redistrict:

1. Hold workshop
2. Public notification of hearing(s) (English and Spanish)
3. Hold public hearing(s)
4. Vote on redistricting (can be held in conjunction with public hearing)
5. Determine when new districts become effective
 - If districts are effective on or before January 1, 2015 and the order is adopted prior to the end of primary candidate filing, notify political parties for their review of candidate applications