

Budget Amendment for Visiting Judge Fund
001-2501-440.64-16

This budget amendment is necessary to adequately staff the District Courts in Collin County with Judges and is a direct consequence of the State shirking its responsibilities to adequately provide counties with adequate funding of State offices.

380th District Court

The 380th District Court has been vacant since October 2010. The State paid for the Visiting Judges in that Court until December 2011. The County started funding the 380th in January 2012 when the State funding for visiting judges was curtailed. I was obviously aware that the State has budgeted the judge's salary for the 380th District Court and attempted to have that money sent to the County to fund visiting judges to preside over the vacant bench. I contacted the Texas Legislative Board and the State Comptroller to pursue such funding. I worked with Senator Florence Shapiro's Office in an effort to speed up approval by the LBB. I had the individual approval of the LBB and the Comptroller but not joint approval.

It turns out that the State budget already allocates the salaries for vacant judicial benches to some other project. As a result my request was denied.

While I strongly believe a legislative effort needs to be made to have the salaries from vacant judicial benches given to the counties to continue the court's operations, funds are needed to pay for the 380th District Court thru the month of August.

As you know, there are 4 candidates running for the 380th District Court. It is anticipated there will be a run-off election after the May 29th primary. The run-off is scheduled for the end of July. Understanding there will be some time between the election and the Governor's appointment the worst case scenario would be we would have to fund the 380th through August.

199th District Court

The 199th District Court will become vacant on May 1, 2012 due to the retirement of Judge Robert Dry, Jr. The County will have to fund a Visiting Judge to preside over the dockets in that Court. Judge Dry had intended to retire in February and

again in March since he was trying to wait out the Election, however when it was rescheduled again to May he decided not to wait and turned in retirement notice for April 30, 2012. There are only 2 candidates running for the 199th bench so there will be no runoff. Therefore, we will only need to fund the 199th thru mid-July as a worst case scenario.

CAC Court

The Crime Against Children Court is an important part of the Judicial system. Currently, the CAC Court has trials set for at least 2 weeks a month. We would like to be able to fund the remaining of the fiscal year in the CAC Court with the same type calendar. There are approximately 106 unapprehended CAC cases and 120 pending cases that are currently set on the CAC docket.

Without the funding for this Court the prosecution of crimes against children will be delayed significantly. While we have seen a substantial increase in the disposition of these cases over the last several months, without this Court this momentum will be lost.

Again, we are not over budget for the funding of the CAC court. However, the budgeted funds for the CAC Court is the same for the visiting judges in other courts. So, as a direct result of the State's failure to fund the vacant courts, the budget has been depleted.