

# Municipal Court

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Judge Rose Zamora



# Municipal Court Staff



- ▲ **Presiding Judge** – Rose Zamora
- ▲ **Prosecutor** – Sydney Bridger(City Attorney's Office)
- ▲ **Court Administrator** – Ruth Sandoval
- ▲ **Warrant Officer** – Frank Fontanes
- ▲ **Court Operations Supervisor** – Crystal Garner
- ▲ **Judicial Services Coordinator** – Socorro Lopez
- ▲ **Senior Deputy Clerk** – Michelle Peyton
- ▲ **Deputy Clerks** – Bethany Bagnall, Stephen Camp, Deborah Wonsang, and Jenni Nieto
- ▲ **Juvenile Case Manager** – Norma Herrera

# What is a court?



- ▲ A governmental body consisting of one or more judges who sit to adjudicate disputes and administer justice.



# Creation of Municipal Court



- ▲ New Braunfels Municipal Court was created by the City's Charter as permitted by the State Legislature.
- ▲ The Municipal Court judge is appointed by City Council and the requirements are that an individual must be a licensed resident attorney.



# Two Jobs: Magistrate and Judge

## Judge

- Term of office is 2 years
- Re-appointed by City Council or by law after first term
- Duties and responsibilities:
  - Preside over trials, both jury and non-jury
  - Sign judgments
  - Make evidentiary rulings during trial and pretrial hearings
  - Issue subpoenas, summons, warrants and capias pro fine

## Magistrate

- Sign arrest warrants
- Arraignment
  - presentation of a suspect after arrest within 24 - 48 hours of arrest to inform individual of his/her rights and what offense(s) he/she is charged with and to set bail
- Issue Protective Orders
- Preside over Property Hearings
- Preside over Animal Hearings

# Municipal Court Statistics



- ▲ Public impression of the entire Texas Judicial System is largely dependent upon their experience in municipal court because it is the most visited Court in Texas.
- ▲ Statistics from the Office of Court Administration:
  - 1286+ Municipal Court Judges
  - 950+ Municipal Courts
  - 239 Cities with No Municipal Courts

# More about Municipal Court



## ▲ Truly a “People’s Court”

- An individual can represent himself/herself in a Municipal Court from initial appearance through trial.
- A person does NOT have to hire an attorney to try his/her case before a jury.

## ▲ Not a local money maker!

- Texas State Law prohibits municipalities from utilizing court to make up budget deficits.
- Fees are punitive (fines) or reimbursement of court costs (fees) for the state and local government.

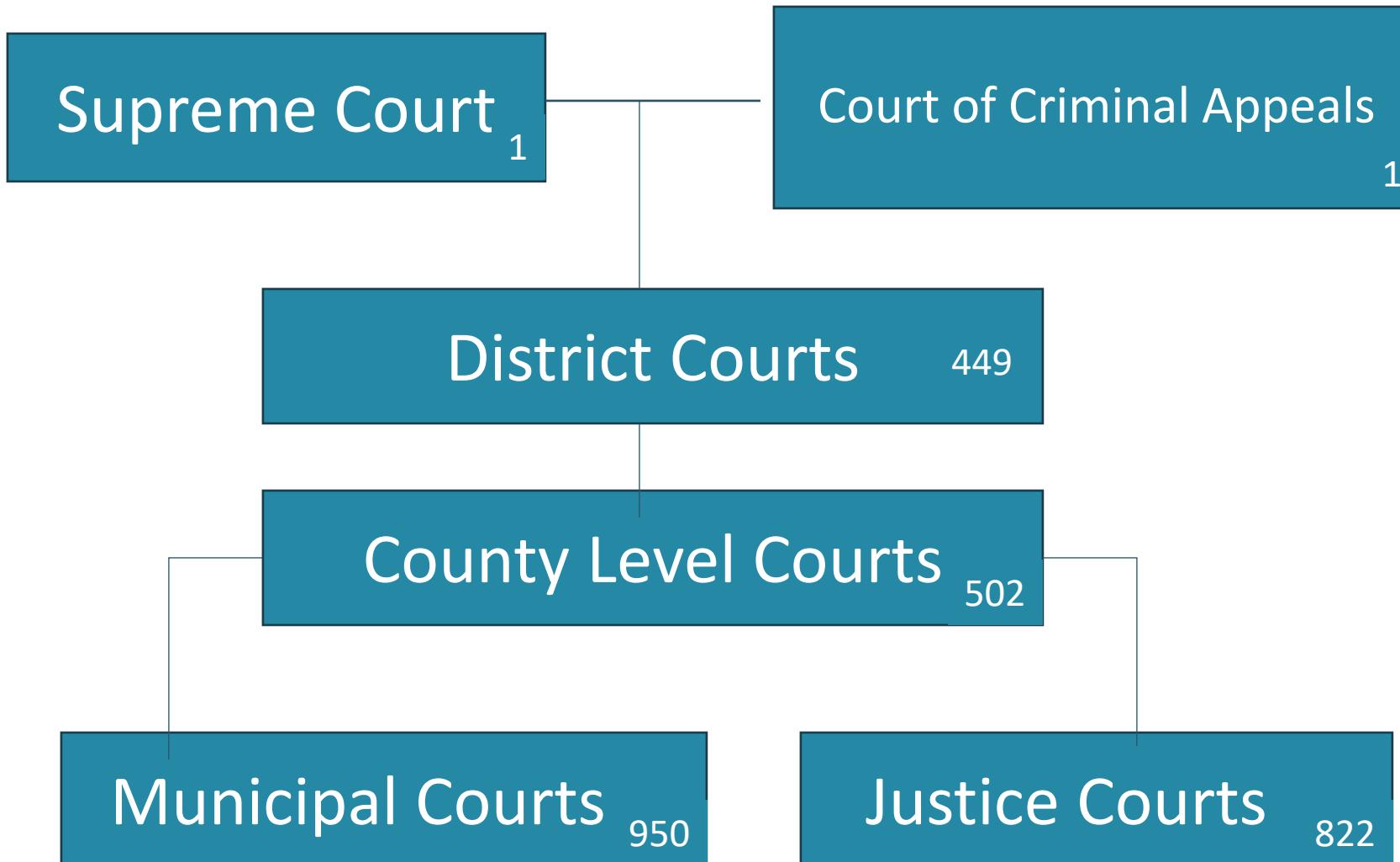
- ▲ Fine only offenses not exceeding \$500
  - State law violations
    - Criminal
      - Theft under \$50 / Theft of Service / Issuance of a bad check
      - Public intoxication
      - Open Container
      - Possession of drug paraphernalia
      - Disorderly conduct
      - Assault
      - Criminal mischief
      - Reckless damage of property
      - Interference with railroad property
      - Failure to Identify

# City Ordinances



- ▲ Animals
- ▲ Parking (Downtown and by Permit)
- ▲ Zoning
- ▲ Fire Code
- ▲ Building
- ▲ Criminal Trespass
- ▲ Health/Sanitation

# Texas Court Structure



# Prosecutor Duties



- ▲ Assistant City Attorney AND Prosecutor
- ▲ Advises law enforcement and code officials on evidence collection and statutes/ordinances
- ▲ Prepares complaints
- ▲ Only one with authority in Municipal Court to MOVE to dismiss in ALL cases
- ▲ Represents State of Texas in criminal proceedings (includes state and local)

# Did you Know? You ARE Under Arrest!



- ▲ Traffic Stops
  - Subtitle C, Rules of the Road Violations
  - At time of stop, violator is under arrest
- ▲ Officer can issue a citation in lieu of arrest
- ▲ Violator must sign to avoid arrest
- ▲ Trends in the refusal to sign warrant

# Did you Know?

## *Offenses that Cannot Result in Custodial Arrest*



- ▲ Speeding
  - Unless refuse to sign a citation
- ▲ Open Container
  - Unless refuse to sign a citation
- ▲ Officer is releasing you from arrest



# New Braunfels Seasonal Offenses



- ▲ Minor In Possession
- ▲ Minor In Consumption
- ▲ Open Container
- ▲ Public Intoxication
- ▲ Indecent Exposure
- ▲ Illegal Parking
- ▲ Violation of City Ordinance (VCO)
  - Noise
  - Styrofoam
  - Jumping From Bridge



# Court Process after Plea



- ▲ Defendant chooses option and signs plea form outlining conditions (court order).
  - **Deferred (Unsupervised Probation)**
  - **DSC (Driver's Safety Course)**
  - **Judgment/Conviction (Pay in Full, Payment Plan, or Request Community Service)**
  - **THEN:**
    - If fails to perform court order, MUST attend a Show Cause Hearing to make requests to the court for:
      - extension/time to pay
      - extension/time to comply with condition
        - **THEN:**
          - If “no show” to Show Cause, warrant is issued.
          - Defendant can either show up to court, pay ticket in full, or risks being jailed.

# Restitution Options



- ▲ Pay Fine and Court Reimbursement Fees
- ▲ Deferred/Driver's Safety Course
- ▲ Community Service
- ▲ Jail (last option)
- ▲ Indigent

# Court Administrative Responsibilities



- ▲ Case Management
  - including software management; deferred, DSC, indigency, community service, jail paperwork & bonds
- ▲ Juvenile Case Management (includes Teen Court)
- ▲ Cash Handling & Budget Management
- ▲ Docket Management
  - Initial Appearance, Uncontested, Show Cause, PreTrial, Discovery, Attorney, Plea, Trials, Video, Juveniles
- ▲ Collections - Unpaid Fines/Reimbursement Fees 
- ▲ Jury Selection and Notification
- ▲ Issuance of Arrest Warrants and Capias Warrants
- ▲ Information/Records Request
- ▲ Record Retention Management
- ▲ Public Education/Awareness

# Municipal Court Case Management



## ▲ FY2023-24

- Number of cases filed: 17,004
- Number of cases disposed: 15,173
- Number of cases warrant issued: 2,854
- Number of cases warrant cleared: 1,905

## ▲ Some types of Cases Heard

- Traffic
- Criminal Mischief
- Consumption of Alcohol by Minor
- Minor in Possession of Alcohol
- Minor in Possession of Tobacco Product
- Assault by Contact
- City Ordinance Violations
- Possession of Drug Paraphernalia
- Theft

# Docket Management



- ▲ Cases set before Judge: 8,100
  - Types of Dockets: Uncontested Docket, Show Cause, Trials
- ▲ Cases set before Prosecutor: 2,012
  - Types of Dockets: Pre-Trial, Discovery Docket, Trials
- ▲ Cases appealed to County Court: 32
- ▲ Total case set before court: 10,144

- ▲ As a community court, we reach out to our juveniles through local school and community presentations and through partnerships with local resources.
- ▲ Norma Herrera is our Juvenile Case Manager
- ▲ FY 23/24:
  - 176 cases filed
  - 181 Youth Attendance at Programs

# Questions?

