



Travis County Commissioners Court Agenda Request

Meeting Date: July 1, 2014

Prepared By/Phone Number: Peg Liedtke / 854-9364 and
Estela Perez Medina / 854-7069

Elected/Appointed Official/Dept. Head:

Judge Lora J. Livingston, Travis County Local Administrative Judge
Judge Rhonda Hurley, Board Chairperson, Juvenile Probation Department

Commissioners Court Sponsor:

AGENDA LANGUAGE:

Request approval for hiring retired Associate Judge William "Bill" King as a visiting Associate Judge for both Juvenile Matters and the Civil Courts.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

As background information, under Chapter 201 of the Family Code, the Civil Courts may employ a Visiting Associate Judge if approved by Commissioners' Court. Specifically, Chapter 201, Subchapter A contains the general statutes for Visiting Associate Judges and provides for appointment of a Visiting Associate Judge who can hear any matter referred under Title 1, Title 4, or Title 5 of the Family Code. This includes Family Law Cases, Protective Orders and Family Violence cases, SAPCRs, Child Protective Services (CPS) cases, and Child Support cases (See Sec. 201.018 and 201.208 of the Family Code). The current version of that statute is attached. Visiting Associate Judges for Juvenile cases are covered under Chapter 201, Subchapter D (See Sec. 201.320 of the Family Code also attached).

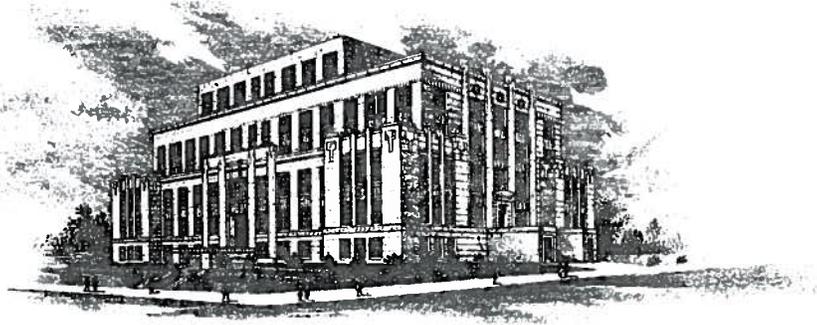
STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

REQUIRED AUTHORIZATIONS:

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials should be submitted as a pdf to the County Judge's office, agenda@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.



Office of the District Judges
Heman Marion Sweatt Courthouse
P.O. Box 1748
Austin, Texas 78767
512/854-9300

MEMORANDUM

TO: Travis County Judge Sam Biscoe
Precinct One Commissioner Ron Davis
Precinct Two Commissioner Bruce Todd
Precinct Three Commissioner Gerald Daugherty
Precinct Four Commissioner Margaret Gomez

FROM: Lora J. Livingston, Local Administrative Judge

DATE: June 24, 2014

RE: Request Approval for Hiring a Visiting Associate Judge

CC: Rhonda Hurley, Juvenile Board Chairperson
Victoria Ramirez, Planning and Budget Office

Please consider as an agenda item during the voting session of Commissioner's Court on Tuesday, July 1, 2014, this request for approval to hire retired Associate Judge William "Bill" King as a Visiting Associate Judge for Juvenile Matters as well as the Civil Courts.

As background information, under Chapter 201 of the Family Code, the Civil Courts may employ a Visiting Associate Judge if approved by Commissioners' Court. Specifically, Chapter 201, Subchapter A contains the general statutes for Visiting Associate Judges and provides for appointment of a Visiting Associate Judge who can hear any matter referred under Title 1, Title 4, or Title 5 of the Family Code.

Memo, Commissioners' Court

June 24, 2014

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This includes Family Law Cases, Protective Orders and Family Violence cases, SAPCRs, Child Protective Services (CPS) cases, and Child Support cases. The current version of those statutes is attached (*See* Sec. 201.018 and 201.208 of the Family Code). Visiting Associate Judges for Juvenile cases are covered under Chapter 201, Subchapter D (*See* Sec. 201.320 of the Family Code also attached).

Payment of employing any Visiting Associate Judge for Juvenile Matters by Juvenile Probation Department will be internally funded. Payment of employing any Visiting Associate Judge by the Civil Courts will be internally funded using Visiting Judge funds currently provided by the County specifically for this purpose.

Thank you for your consideration of this matter. Please do not hesitate to contact me should you require additional information.

Regards,

A handwritten signature in black ink, appearing to read 'Lora J. Livingston', with a long horizontal flourish extending to the right.

Lora J. Livingston
Local Administrative Judge
Travis County, Texas

Texas Family Code, Chapter 201. Associate Judge

Sec. 201.018. VISITING ASSOCIATE JUDGE. (a) If an associate judge appointed under this subchapter is temporarily unable to perform the judge's official duties because of absence or illness, injury, or other disability, a judge of a court having jurisdiction of a suit under this title or Title 1 or 4 may appoint a visiting associate judge to perform the duties of the associate judge during the period of the associate judge's absence or disability if the commissioners court of a county in which the court has jurisdiction authorizes the employment of a visiting associate judge.

(b) To be eligible for appointment under this section, a person must have served as an associate judge for at least two years.

(c) Sections 201.001 through 201.017 apply to a visiting associate judge appointed under this section.

(d) This section does not apply to an associate judge appointed under Subchapter B.

Added by Acts 1999, 76th Leg., ch. 1355, Sec. 1, eff. Aug. 30, 1999. Amended by Acts 2001, 77th Leg., ch. 308, Sec. 1, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 1258, Sec. 5, eff. Sept. 1, 2003.

Sec. 201.208. ASSIGNMENT OF JUDGES AND APPOINTMENT OF VISITING ASSOCIATE JUDGES. (a) This chapter does not limit the authority of a presiding judge to assign a judge eligible for assignment under Chapter 74, Government Code, to assist in processing cases in a reasonable time.

(b) If an associate judge appointed under this subchapter is temporarily unable to perform the associate judge's official duties because of absence resulting from family circumstances, illness, injury, disability, or military service, or if there is a vacancy in the position of associate judge, the presiding judge of the administrative judicial region in which the

associate judge serves or the vacancy occurs may appoint a visiting associate judge to perform the duties of the associate judge during the period the associate judge is unable to perform the associate judge's duties or until another associate judge is appointed to fill the vacancy.

(c) A person is not eligible for appointment under this section unless the person has served as a master or associate judge under this chapter, a district judge, or a statutory county court judge for at least two years before the date of appointment.

(d) A visiting associate judge appointed under this section is subject to each provision of this chapter that applies to an associate judge serving under a regular appointment under this subchapter. A visiting associate judge appointed under this section is entitled to compensation, to be determined by a majority vote of the presiding judges of the administrative judicial regions, through use of funds under this subchapter. A visiting associate judge is not considered to be a state employee for any purpose.

(e) Section 2252.901, Government Code, does not apply to the appointment of a visiting associate judge under this section.

Added by Acts 1999, 76th Leg., ch. 1302, Sec. 12, eff. Sept. 1, 1999. Amended by Acts 2003, 78th Leg., ch. 1258, Sec. 23, eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 343 (S.B. 1147), Sec. 2, eff. June 17, 2005.

Acts 2009, 81st Leg., R.S., Ch. 760 (S.B. 742), Sec. 4, eff. June 19, 2009.

Sec. 201.320. VISITING ASSOCIATE JUDGE. (a) If an associate judge appointed under this subchapter is temporarily unable to perform the judge's official duties because of absence or illness, injury, or other disability, a judge of a court

having jurisdiction of a suit under this title or Title 1 or 4 may appoint a visiting associate judge to perform the duties of the associate judge during the period of the associate judge's absence or disability if the commissioners court of a county in which the court has jurisdiction authorizes the employment of a visiting associate judge.

(b) To be eligible for appointment under this section, a person must have served as an associate judge for at least two years.

(c) Sections 201.001 through 201.017 apply to a visiting associate judge appointed under this section.

Added by Acts 2011, 82nd Leg., 1st C.S., Ch. 3 (H.B. 79), Sec. 6.03, eff. January 1, 2012.



Travis County, Texas

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June 24, 2014

File No. D-1-GN-61-121012

**Civil District Courts of
Travis County, Texas
Order of Appointment by the Local Administrative Judge**

Pursuant to Approval by Travis County Commissioner's Court and Chapter 201 of the Texas Family Code, I hereby appoint **William "Bill" King**, Retired Associate Judge, to the **261st Judicial District Court of Travis County, Texas** as a Visiting Associate Judge.

This appointment is for a period beginning **July 1, 2014**, and shall continue for a period of time as may be necessary to hear and refer any civil case or any portion therein brought before the Associate Judge Docket according to the needs of the Travis County Civil District Courts.

It is ordered that the Clerk of the Court to which this appointment is made, give notice of this appointment to each attorney representing a party to a case that is to be heard in whole or in part by the appointed Judge during the time appointed by posting a copy of this order in a prominent place in the public area of the Clerk's office.

Ordered this 24th day of June, 2014.

LORA J. LIVINGSTON
Local Administrative Judge
Travis County, Texas

cc: The Honorable Rhonda Hurley, 98th District Court
Ms. Amalia Rodriguez-Mendoza, District Clerk
Mr. Warren Vavra, Court Administrator