



Resolution Supporting the Reinstatement of all powers of the Constitution County Court in Stephens County.

Whereas: This year, 2023, marks 84 years since the County Court in Stephens County was dissolved. The Texas Government Code, Sec. 26.315, Stephens County states that "The County Court of Stephens County has the general jurisdiction of a probate court and juvenile jurisdiction as provided by Section 26.042(b) but has no other criminal or civil jurisdiction."

Whereas: Each year, Stephens County spends vital taxpayers' dollars housing misdemeanor inmates in our county jail. We only have one court in our county, the 90th judicial court, that processes these types of cases. This state court is also tasked with processing felony cases in our county. On a given month, the District Court is only in session one day a week here in Stephens County.

Whereas: Reinstating the constitutional powers back to the county court, the county would be able to reduce the jail population, improve the speed by which misdemeanor cases are disposed of, reduce the caseload, address critical mental health cases, and allow the opportunity for District Court to increase its efficiency. Add to this the rights of the defendant to a speedy trial and this proposed legislation is a win-win for our county and in the end, the taxpayer will benefit.

Whereas: The proposed legislation states that the following would be accomplished by the proposed bill.

1. Constitutional County Court
2. In addition to other jurisdiction provided by law, the County Court of Stephens County has original concurrent jurisdiction with the justice courts in all civil matters in which the justice courts have jurisdiction under general law.
3. Stephens County District Clerk to keep all court records, files, etc. for the County Court. (This District Court has had these records for 80 years and they have the staffing to accommodate the workload)
4. County Attorney would need to be able to prosecute cases in the County Court. Presently, the code says the C.A. has to present these cases to the District Judge.

Therefore be it resolved: The Commissioner's Court in Stephens County Supports the passage of legislation to reinstate the constitutional powers of the county court. Should the court not be efficient in the disposition of cases and be a benefit to the mental health crisis our county faces, the court shall request the legislature repeal this legislation and return to the limited powers of the county court.

Signed this 27th day of March 2023.

County Judge Michael Roach

David Fambro
County Commissioner Pct. 1

Will Warren
County Commissioner Pct. 3

Mark McCullough
County Commissioner Pct. 2

Eric O'Dell
County Commissioner Pct. 4