

Ordinance amending Chapter 29 of the Corpus Christi Code to replace terms that are “coterminous with the term of the appointing City Council” with definite two-year terms for Municipal Judge Appointments

Whereas, Texas Government Code 29.005 establishes an automatic renewal of municipal court judge term if no action is taken by the appointing authority within 90 days; and

Whereas, this amendment of the Code provides future appointed Municipal Court Committees additional time to review judicial appointments.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. The recitals contained in the preamble of this Ordinance are determined to true and correct and are hereby adopted as a part of this Ordinance.

SECTION 2. The Corpus Christ Code, Chapter 29, Sec. 29-4 Judges generally—Offices created; salaries; qualifications, appointment and term; removal, is amended by adding the following language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as delineated below:

Sec. 29-4 Judges generally, Offices created; salaries; qualifications, appointment and term; removal.

- (a) The judge of each division shall have all powers of judge, magistrate, and recorder vested in municipal judges by law. Every substitute judge, as hereinafter provided for, shall have the offices, powers and duties of the regular judges of the divisions when and if serving as a substitute judge.
- (b) The salary of each judge shall be as prescribed by ordinance of the city council.
- (c) The judges of the municipal court of record shall be known as municipal judges, who shall be licensed attorneys in good standing in the State of Texas, practicing law in Nueces County for at least two (2) years prior to appointment, qualified voters, and shall as of the effective date of appointment be qualified as stated in Article II, section 26, of the City Charter. The municipal judge must also be a citizen of the United States and a resident of the State of Texas.
- (d) The city council shall appoint municipal judges, as deemed necessary for the benefit and conduct of the court. Each judge shall be appointed by the city council and shall hold office for a definite two-year term ~~coterminous with the term of the appointing city council~~ unless sooner removed or until the successor, if any, is appointed.
- (e) The judges of Divisions 1, 2, 3, 4, and 5 shall serve full time during hours prescribed by the presiding judge. The presiding judge shall assure that the

hours of the municipal court of record are sufficient to conduct its business in an efficient manner consistent with available resources.

SECTION 3. The Corpus Christ Code, Chapter 29, Sec. 29-7. - Presiding judge; office created, special powers and duties; transfer and exchange of benches is amended by adding the following language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as delineated below:

Sec. 29-7. - Presiding judge; office created, special powers and duties; transfer and exchange of benches.

- (a) The municipal court of record shall be presided over by a presiding municipal judge who shall be appointed by the city council for a definite two-year term ~~of two years coterminous with the term of city council~~. The presiding municipal judge must meet all qualifications for a municipal judge established section 29-4.
- (b) It shall be the duty of the presiding judge to direct the assignment and trial of cases and magistrate duties, to order any judge to exchange benches and preside in any court, and to generally administer all judicial functions of the municipal court of record.
- (c) The same courtroom and municipal court facilities may be used by each of such divisions under the direction of the presiding judge. Judges of such divisions may transfer cases from one division to another, and any judge of any such division may exchange benches and preside over any such divisions as may be scheduled and ordered by the presiding judge.
- (d) The presiding judge shall be the chief judge of the municipal courts of record and shall, in conference with the other judges, except substitute judges, establish the local rules of the municipal courts of record, consistent with the ordinances of the city and the laws of the state.

SECTION 4. If for any reason any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

SECTION 5. This ordinance takes effect immediately upon passage on second reading.

That the foregoing ordinance was read for the first time and passed to its second reading on this the ____ day of _____, 2023, by the following vote:

Paulette Guajardo _____

Jim Klein _____

Roland Barrera _____

Mike Pusley _____

Sylvia Campos _____

Everett Roy _____

Gil Hernandez _____

Dan Suckley _____

Michael Hunter _____

That the foregoing ordinance was read for the second time and passed finally on this the ____ day of _____, 2023, by the following vote:

Paulette Guajardo _____

Jim Klein _____

Roland Barrera _____

Mike Pusley _____

Sylvia Campos _____

Everett Roy _____

Gil Hernandez _____

Dan Suckley _____

Michael Hunter _____

PASSED AND APPROVED on this the ____ day of _____, 2023.

ATTEST:

Rebecca Huerta
City Secretary

Paulette Guajardo
Mayor