

APPOINTMENT OF MUNICIPAL JUDGE, CLERK, AND DEPUTY CLERK OF THE MUNICIPAL COURT

MUNICIPAL JUDGE:

Pursuant to Section 29.004(b) of the Texas Local Government Code in a general law city, such as Petersburg, the Mayor is the ex officio judge of the municipal court unless the municipality by ordinance authorizes the election or appointment and qualifications of a municipal judge.

The office of court recorder (municipal judge) was first created by the City of Petersburg by the adoption of Ordinance # 125 D.W. on August 7th, 1963. Then on October 5th, 1981 the City of Petersburg confirmed that action by adoption of Ordinance # 185F. The appointment of the first municipal judge was for a term running concurrently with the unexpired term of the Mayor of the City of Petersburg.

Thereafter the municipal judge is appointed by the City Council for a term of two (2) years and the term of municipal judge runs concurrently with the term of the Mayor. If the judge is not reappointed by the 91st day following the expiration of a term of office then, absent any action by the City Council in appointing a new judge, the existing judge continues to serve for another term of office.

The qualifications for municipal judge are set forth in Ordinance # 185F and are that the person be at least 21 years of age and the person must be a resident of the City of Petersburg. Ordinance 125D.W. also required a one year residency in the City of Petersburg.

On November 2nd, 2009 the City Council adopted Ordinance # 287G which changed the qualifications to that of being a person who is 18 years of age and is also a resident of the state of Texas.

The compensation of the municipal judge is set by the City Council and is currently set at \$4,000.00 per year.

CLERK AND DEPUTY CLERK OF THE MUNICIPAL COURT:

Pursuant to Ordinance # 185F the City Secretary is the ex-officio clerk of the municipal court. Pursuant to Section 29.010(a) of the Texas Local Government

Code a City Secretary who serves as clerk of the municipal court may be authorized to appoint a deputy clerk. Currently the City of Petersburg has a deputy clerk of the municipal court.

Pursuant to Section 29.010(b) of the Texas Local Government Code if the City Secretary serves as clerk, then that person serves as clerk during the entire term that person is City Secretary.

VACANCY:

Pursuant to Section 29.011 of the Texas Local Government Code the City Council shall by the appointment process fill a vacancy in the office of municipal judge or clerk for the remainder of the unexpired term of office only. In the case of Petersburg, the City Council appoints the City Secretary so both offices, City Secretary and Clerk, are handled in the same appointment.