

THE SCRIBE

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ARLINGTON WILL HELP US SURVIVE 2005

The City of Arlington is looking forward to having you as guests for the 2005 conference. The theme is "How to Survive in 2005!!"

This is a legislative year and many statutes will change or be created. We have some very fine speakers and facilitators that will help us through the legislative updates. Besides this, there will be fun, food and excitement!

The conference is October 2-5, 2005. Information and registration will be coming to you in the next couple of months. Be sure to set time aside to attend.

If you have any questions regarding the conference, you may call Pennie Jack, 214-402-6181, or e-mail her at: mbinks@yahoo.com.

Hope to see you there!!

—*Pennie Jack*
Conference Chairperson



Collections Meeting Scheduled

There will be a Compliance/Collections Regional Meeting July 13, 2005 from 8:30 a.m. to 11:00 a.m. at 201 Santa Fe, Gainesville, Texas in the municipal court, hosted by the City of Gainesville Municipal Court Judge, Cypert & Texoma Council of Government, and Frances Pelly, Executive Director. We will have a chance to exchange information and the opportunity to network with other counties and cities. Please contact Russ Duncan, Assistant Collections Specialist at 512.936.7555 or email russ.duncan@courts.state.tx.us to make reservations.

Abraham Lincoln once said; "Law without enforcement is only good advice."



RETIREMENT NEWS

Congratulations to Quentin Porter, Pennie Jack and Winnie Kocot on their retirement. This is a tremendous loss for us but a wonderful adventure for them. Quentin will be playing more golf, Pennie doing more crafts and Winnie spending more time with her granddaughter.

Quentin Porter: Many thanks for your dedication and representation of TCCA on the TML Board and Legislative issues. It was wonderful to sit in the audience at Quentin's retirement party and see his expression as he realized that Pennie, Hilda, Margaret, Tracie and I were present. Each year as I think of the upcoming conference I always think of Quentin when he hosted the conference; his favorite expression was "the buzzard's are circling" it was a great conference.



Pennie Jack: Special thanks for your vision and commitment to TCCA and your dedication to the Certification Program. Sharing your vision and goals were invaluable to the program along with your organizational skills. Wherever we gathered to work or meet we could always count on Pennie to make us laugh and brighten our busy day. Thanks for sharing your knowledge and skills with us and the wonderful memories.

Winnie Kocot: Thank you for sharing your leadership as President of TCCA in 1996-1997. Your commitment and goals were instrumental in the Certification Program and the direction of our association. As a board member I learned so much from you and appreciate your guidance and direction.



—Leisa Hardin, TCCA President

*Congratulations
Margaret Robbins for
having the latest edition
of the Recorder
dedicated to you—a
much deserved honor.*

UTILITY DATA SYSTEMS ANNOUNCES SOFTWARE UPGRADE

Utility Data Systems, Inc. is proud to announce an upgrade to the current MCRS program. This upgrade introduces the following changes:

- Easier to use interface;
- Instantly go to a specific ticket number;
- Right click menus for payments and other actions;
- Customizable judgments and statuses;
- Highly flexible tax code system;
- Very powerful inquiry screen;
- Electronic reporting of DL18; and
- Many other changes as suggested by court personnel

This upgrade is FREE to all MCRS customers who are currently under maintenance. Please call 1-800-259-0979 today to schedule your upgrade or to inquire about the purchase of the new program.

TMCA CONFERENCE SET IN SAN ANTONIO

The Texas Municipal Courts Association will hold its annual conference in San Antonio, September 15-17, 2005. The conference will be held at the historic St. Anthony's Hotel located at 300 E. Travis Street in San Antonio. The room rate for this conference is \$85 per night. You may call 800.996.3426 or 210.227.4392 to make your reservation now. Make sure to notify the reservation clerk that you are attending the TMCA conference for the \$85 rate. Rooms will be held until 12:00 noon on August 25, 2005.

CERTIFICATION NEWS

Free re-test in August!

Need to re-test? Want to re-rest before the legislative changes are incorporated into the exam? Re-test for FREE at the TMCEC Legislative Updates (see dates and locations below), schedule a re-test at TMCEC (call 800/252-3718 to schedule a date and time), or test at a TCCA chapter test site (check with your local chapter for more information). The free re-test period is only for the month of August. Contact Jo Dale Bearden at 800/252-3718 or bearden@tmcec.com for more information. Go to www.tmcec.com for exam registration form.

Legislative Update Testing

Testing will be from 1:00 – 5:00 p.m. at each site.

Houston	August 7, 2005	Omni Houston Westside
Lubbock	August 10, 2005	Holiday Inn Hotel and Towers
Austin	August 15, 2005	Hyatt Regency Austin

Level III Reading List Revised

The Level III Reading List has been revised. The list has been reduced to 16 books and covers the following topics: case flow management, financial management, leadership, management, teamwork and motivation, strategic planning, human resources, and court security. Go to www.tmcec.com/clerkcert/certprog.html to view and print the new list.

Those who have taken a part of Level III under the old book list have until December 31, 2005 to complete the exam formulated by the old book list. Study questions and the exam for the new book list will be available September 1, 2005. Beginning January 1, 2006, all participants will be required to test on the new books. Contact Jo Dale Bearden at 800/252-3718 or bearden@tmcec.com for questions relating to your specific situation and the resulting timetables.

—Jo Dale Bearden, TMCEC

*Congratulations to
Nicole Nguyen of
Stafford on the birth of
your daughter,
Katherine Thuy Cempa,
on April 20.*

TCCA AWARD NOMINATION FORM

This form and a list of past award recipients are available on the website at www.texasclerk.org

- DISTINGUISHED SERVICE
- EXTRAORDINARY ACHIEVEMENT (Check One)
- EXCELLENCE AWARD

2005

Individual Being Nominated: _____

Court Employed By: _____

Nominated By: _____

The individual being nominated satisfies the criteria listed below Yes No

Describe why this individual should be considered for the **above-referenced award**

(ATTACH ADDITIONAL PAGES FOR MORE INFORMATION)

Signature _____

I am a member in good standing Yes No

Please fill out and return to: Jennifer Sullivan, Sealy Municipal Court
P. O. Box 517, Sealy, TX 77474

DEADLINE FOR SUBMISSION: AUGUST 15, 2005

Questions: 979.885.6733 or jsullivan@ci.sealy.tx.us Fax: 979.885.4784

AWARD CRITERIA AND ELIGIBILITY

Distinguished Service

This award recognizes a service, program, task or endeavor performed by an individual in a court profession, serving in a non-judicial capacity, which benefits the entire membership in a distinctive way by showing dedication and commitment. This award will be presented annually to members in good standing as determined by nominations presented to the Public Relations Committee. This award may be received more than one time and will be presented at the Annual Conference.

Extraordinary Achievement

This award recognizes an individual in the court profession, serving in a non-judicial capacity, who has continually demonstrated through commitment, extraordinary performance in the development of a program, task performed, involvement/action on behalf of the association that benefits the entire membership on an ongoing basis. This award will be presented to individuals as determined by the Public Relations Committee from nominations received by members in good standing. Recipients of this award must have earned the Distinguished Service Award previously. (Go to the TCCA website for a list of past recipients.) This award may be received more than one time and will be presented at the Annual Conference.

Excellence Award

This is the highest honor awarded by the Association and recognizes the exemplary performance of an individual in the court profession, serving in a non-judicial capacity, who brings honor, public awareness or enhances the image of the Association, and whose actions through major achievements, benefit the entire membership by consistently demonstrating professionalism and the pursuit of excellence. This award will be presented to only one individual on an annual basis and will be based on nominations presented to the Public Relations Committee. This individual will need to be a member in good standing and must have previously received the Distinguished Service and Extraordinary Achievement Awards. (Go to the TCCA website for a list of past recipients.) This award will be presented at the Annual Conference and may be received only one time.

Winners of the following awards will be presented at the Annual Banquet October 4, 2005 in Arlington, Texas.

CERTIFICATION SCHOLARSHIP

Don't forget to take advantage of the TCCA certification scholarship program. Most cities are having to deal with budget shortfalls, and this is a way to fund needed continuing education requirements for the certification program. Visit TCCA's website at www.texasclerk.org to download a scholarship application.

Applicants must be regular members in good standing with TCCA and must have been employed by a municipal or justice court a minimum of six months. Applicants must also be actively pursuing certification in the Texas Court Clerks Association Certification Program. Applications and letters of commitment must be sent to the scholarship committee at least 60 days prior to the requested seminar date. Applicants are eligible for two scholarships each fiscal year.

Applications and letters of commitment should be mailed to:

TCCA Scholarship Committee
C/O Rosie Caballero
Scholarship Chairperson
130 Town Center Blvd.
Coppell, TX 75019



*"The future depends on
what we do in the
present."*

—Mahatma
Gandhi

CHAPTER PRESIDENTS

Your local chapter president is your direct line to the TCCA board. There will be many items voted upon at the Annual Business Meeting in October that will affect membership on the state and local level. Please contact your local chapter president for information regarding proposed by-law changes. If you have any questions or concerns you would like addressed at a board meeting, you may also contact your local chapter president to be your voice at meetings. Thank you to our chapter presidents who put in countless hours planning chapter meetings and serving on the TCCA board.

Central Texas Chapter President—Rebecca Stark, Austin—512.974.4690
Gulf Coast Chapter President—Lynda Kilgore, Baytown—281.425.1020
Hill Country Chapter—Connie Crenshaw, Luling—830.875.2115
North Texas Chapter President—Sean Leonard, Southlake—817.481.1859
Northeast Texas Chapter President—Melissa Malone, Paris—903.737.4106
Panhandle Chapter President—Lora Dockery, Sundown—806.229.3131
South Texas Chapter President—Wendy Contreras, Corpus Christi—361.886.2539
West Texas Chapter—Anita Chapman, Abilene—325.676.6304

Job Postings

MISSOURI CITY DEPUTY COURT CLERK

The City of Missouri City, a rapidly growing progressive city with a population of 54,000, located southwest of Houston, is accepting applications for two Deputy Court Clerk positions in Municipal Court.

Duties include:

- Ø Greets public at counter and/or phone;
- Ø Enters citations;
- Ø Schedules officers for court appearances;
- Ø Assists Municipal Court Judge and Prosecutor during court, arraignments and trials;
- Ø Receives payments for fines, bonds, defensive driving dismissals, etc.:
- Ø Processes Class C violations;
- Ø Processes bail bonds;
- Ø Prepares and processes complaints, and defensive driving affidavits;
- Ø Prepares daily deposit;
- Ø Prepares summons for jurors, witnesses, offices, etc.; and
- Ø Completes other tasks as assigned.

“Success is the good fortune that comes from aspiration, desperation, perspiration and inspiration.”
—Evan Esar

High school diploma or equivalent with minimum of one year experience in municipal court procedures preferred. General office, secretarial experience, computer knowledge needed. Accurate keyboarding skills needed. Position requires self-motivation, excellent organizational and communication skills and positive attitude in dealing with the public, the Judge, and co-workers. Dependability and good attendance required. Ability to perform multiple tasks simultaneously and work closely with others as part of a team.

Salary based on experience and qualifications. Excellent benefits package including medical, dental, and vision insurance, retirement, vacation, and holidays.

Send resume to, or obtain application from, Human Resource Office, P.O. Box 666, 1522 Texas Parkway, Missouri City, Texas, 77459, or at www.ci.mocity.tx.us. Resumes and completed application forms may be faxed to Human Resource Office at 281-261-4233. Applications accepted until positions filled. EOE



Job Postings

LONGVIEW MUNICIPAL COURT ADMINISTRATOR

The City of Longview is seeking exceptional candidates for the position of Municipal Court Administrator. The Municipal Courts, a staff of fifteen, is currently responsible for the generation of approximately two million dollars in revenues, processing approximately 28,700 citations annually. The Administrator coordinates and manages administrative activities for the Clerk of the Court and administrative/clerical support for circuit judges. Responsible for revenue collection; budget preparation; coordination of clerical duties; record maintenance; policy/procedure development and enforcement. The successful candidate will possess a Liberal Arts Bachelor's degree or education/training equivalent to four years of college education in business administration, finance, pre-law or a closely related field. Require five to seven years of Court Administrator experience, with three to five years of related supervisory experience. Salary: \$55,500 to \$65,000 depending upon qualifications of the successful candidate.

Send a detailed resume, credentials, salary and employment history to Phyllis Turner, HR Generalist, P.O. Box 1952, Longview, Texas 75606-1952, e-mail pturner@ci.longview.tx.us EOE

*“Do not follow where
the path may lead.
Go instead where there
is no path and leave a
trail.”*

—**Harold R.
McAlindon**

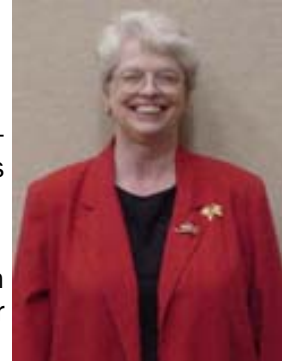
**SCRIBE EDITOR: JENNIFER SULLIVAN,
SEALY MUNICIPAL COURT**

The Scribe is published semiannually by the Texas Court Clerks Association. Articles for the next newsletter must be submitted by November 15, 2005. Send articles and/or job postings to Jennifer Sullivan, P. O. Box 517, Sealy, Texas 77474, fax to 979.885.4784 or email to jsullivan@ci.sealy.tx.us.

Job postings and news may also be posted on TCCA's website: www.texasclerk.org, contact David Preciado, San Antonio, 210.207.7109, for more information regarding the website.



ASK MARGARET



The following questions were posed on the TMCEC court administrator's listserv and responded to by Margaret Robbins of TMCEC.

QUESTION: I'm looking for information on whether we can or can't charge a \$10 administrative fee for a pretrial diversion.

RESPONSE: Courts have no authority to do pretrial diversions; hence, the court certainly cannot charge fees. The only deferred that municipal courts have authority to do is deferred disposition under Article 45.051 of the Code of Criminal Procedure.

QUESTION: Has anyone been asked to make a copy of a videotape for a defendant? We have received a written request for a copy of the traffic stop. How much would you charge someone to make a copy?

RESPONSE: First, the request for a copy of the video of a traffic stop is evidence and should be given to your city attorney (prosecutor) to make the decision whether to release the information. This is either a motion for discovery or an open records request. The prosecutor needs to make that determination.

If a citizen requests a copy of the videotape, this request falls under the Public Information Act. The court should not be handling this request.

If the prosecutor releases the tape to the defendant, there is no cost to the defendant. If the prosecutor decides to release a copy of the tape to a citizen, the cost charged has to be a cost allowed by your city ordinance, that is, it cannot be more than 25% above the costs that are promulgated by the Texas Building and Procurement Commission and published in the Texas Administrative Code in Title 1, Part 5, Chapter 111, Subchapter C, Section 111.63. The Administrative Code lists the cost of a videocassette at \$2.50. Your city could not charge more than \$3.13 for the video and this must be set out in the city ordinance. If the costs of public information include costs of labor, a governmental body shall comply with the requirements of Section 552.261(b) of the Government Code. You can look at the Texas Administrative Code on the Secretary of State's website: www.sos.state.tx.us.

QUESTION: Is there a distinction between a "court clerk" and a "deputy court clerk". All six of my staff members are designated as "deputy" and I was just curious as to the distinction.

RESPONSE: The law recognizes a court clerk as the clerk of the court and all other clerks as deputy clerks. If a court wants to designate the clerk as a court administrator, the job title would also have to include court clerk. Hence, the title would be court administrator/court clerk. You must have the title court clerk in order to have the powers of the clerk and have the authority to perform the duties (such as administering oaths) of the clerk. If you have deputy clerks who are supervisors, they might be titled court manager/deputy clerk so that they also have authority to administer oaths. There is only one clerk in each court. All other clerks are deputy clerks. In general-law cities, the court clerk is appointed and has a term of office. In home-rule cities, the charter provisions provides either for the appointment or hiring of court clerks. All deputy clerks are hired employees.

*"After the game,
the king and the pawn
go into the same box."*
—Italian Proverb

TCCA ELECTION SET IN OCTOBER

TCCA will be electing a Vice-President, Treasurer and three Directors at Large at the October 2005 Annual Business Meeting held during the Annual Conference. The conference will be in Arlington, Texas. If you would like to run for a position listed, please contact a current board member to learn more about the position.

As a board member responsibilities include attending a mid-year meeting in early spring and a pre-conference, annual business and post conference meeting in October in conjunction with the annual conference. Expenses to attend the mid year board meeting are paid by TCCA, but expenses for all other meetings are not reimbursable by TCCA. Budget restraints do not constitute "good cause" for a board member's absence from a TCCA board meeting.

Serving on the TCCA board is a rewarding and enlightening experience. Nominees should make themselves aware of the commitment involved in running for a position on the board. Nomination forms will be sent to TCCA members prior to the annual conference in Arlington.

LETTER FROM THE PRESIDENT

Where does the time go! It's another legislative year and we are all so busy. We are sure to have many changes once the 79th Session is over. If you have a senate or house bill that you have concerns about email Rosie Caballero at rcaball@ci.coppell.tx.us.

The City of Arlington and the North Texas Chapter have made some exciting plans for the 2005 Conference. We hope each of you will plan to attend. I hear there is something about a treasure hunt, roller coaster, bouncing boards and a special event for the first time attendees. So mark your calendar for October 2 – 4 and I'll see you in Arlington.

A special thanks to each of the board members and chapter presidents for their commitment and dedication to the association. I appreciate the time and effort you commit as members of the board. We only meet twice a year but they work all year long on projects and committees that benefit each of you as members. Please take a moment to share your appreciation to the board.

I look forward to seeing everyone at the 2005 Conference in Arlington.

—Leisa Hardin, TCCA President

ATTITUDE

"The longer I live, the more I realize the impact of attitude on life. Attitude, to me, is more important than facts. It is more important than the past, than education, than money, than circumstances, than failures, than successes, than what other people think or say or do. It is more important than appearance, giftedness or skill. It will make or break a company...a church...a home. The remarkable thing is we have a choice everyday regarding the attitude we will embrace for that day. We cannot change the past...we cannot change the fact that people will act in a certain way. We cannot change the inevitable. The only thing we can do is play on the one string we have, and that is our attitude... I am convinced that life is 10% what happens to me and 90% how I react to it. And so it is with you...we are in charge of our Attitudes."

By: Charles Swindoll



"Intelligence plus character—that is the goal of true education."
—Martin Luther King, Jr.

HELP PROTECT OUR CHILDREN



*“Great spirits have
always encountered
violent opposition from
mediocre minds.”*
—Albert Einstein

FIND OUT WHO LIVES IN YOUR NEIGHBORHOOD

GO TO:

www.txdps.state.tx.us

Once at the site, select *online services*, select *sex offender*. Read the Agreement and click on the acceptance link at the bottom of the page. Once you're at the "Searching the Sex Offender Database" page, enter your zip code or city in the location portion of the form.

TCCA BOARD MEMBERS

President—Leisa Hardin, Crowley—817.297.2201 x 103
Vice-President—Lynda Kilgore, Baytown—281.425.1020
Treasurer—David Preciado, San Antonio—210.207.7109
Secretary—Shona Bohon, Midland—432.686.1628
TML Representative—Rosie Caballero, Coppell—972.304.3651
Past-President—Rosie Caballero, Coppell—972.304.3651
Director At Large—Elaine Brown, Katy—281.391.4823
Director At Large—Tracie Glaeser, Round Rock—512.218.5485
Director At Large—Linda Gossett, San Angelo—325.657.4366
Director At Large—Pennie Jack, Arlington—817.459.6954
Director At Large—Jennifer Sullivan, Sealy—979.885.6733
Director At Large—Hilda Phariss, Bryan—979.209.5424

Chapter Presidents are listed on page 5 of the Scribe. Thanks again to the board members and committee chairpersons who spend so much time and effort in making our organization a professional success.



*“Learning is like rowing
 upstream: not to advance
 is to drop back.”*
 —Chinese Saying

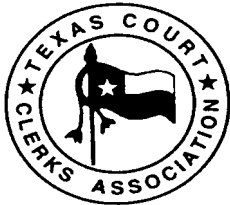
TCCA COMMITTEE CHAIRPERSONS

Advisory Committee—Rosie Caballero, Coppell—972.304.3651
Annual Conference 2005—Pennie Jack, Arlington—817.459.6954
Annual Conference 2006—Lynda Kilgore, Baytown—281.425.1020
Bylaws Committee—Lynda Kilgore, Baytown—281.425.1020
Chapter Steering Committee—Sean Leonard, Southlake—817.481.1859
Certification & Education Committee—Hilda Phariss, Bryan—979.209.5424
Historian Committee—Tracie Glaeser, Round Rock—512.218.5485
Internal Audit Committee—Luane Petrash, Webster—281.338.6702
Legislative Committee—Rosie Caballero, Coppell—972.304.3651
Membership Committee—Linda Gossett, San Angelo—325.657.4366
Nominations Committee—Elaine Brown, Katy—281.391.4823
Public Relations Committee—Jennifer Sullivan, Sealy—979.885.6733
Publications Committee—Jennifer Sullivan, Sealy—979.885.6733

Jennifer Sullivan
Sealy Municipal Court
P. O. Box 517
Sealy, Texas 77474

Phone: 979.885.6733
Fax: 979.885.4784
Email: jsullivan@ci.sealy.tx.us

We're on the web
www.texascourtclerks.org



ITEMS OF INTEREST

CONFERENCE FEE WINNERS

Every year TCCA draws a name from each Level of the certification program to win \$150 to be used for conference registration fees. The following members were winners of the \$150 conference registration fee for 2005: Level I - Mary Cobb of Cedar Hill, Level II - Amy Cromer of Newark and Level III - Krystal Strong of San Antonio. Level I had 85 participants, Level II 31, and Level III 8 participants. Congratulations to the winners!

PROPOSED BYLAW CHANGES

Many bylaw changes will be proposed at the Arlington Annual Business Meeting in October. The proposed changes to the bylaws will be presented at the meeting through a power point presentation to ensure that everything runs smoothly. It is a good idea to familiarize yourself with the changes prior to the conference so the meeting will be more organized. For more information regarding these proposed changes, contact Lynda Kilgore, Bylaws Committee Chairperson, at lynda.kilgore@baytown.org.

DPS VIOLATION CODES

The following violation codes have been added by DPS.

- 3323 Open Container PC 49.031
- 3023 Boating while intoxicated PC 49.06
- 3027 Flying while intoxicated PC 49.05
- 3029 Amusement ride intoxication PC 49.065
- 3206 Motor vehicle fuel theft PC 31.03 / CCP 42.019
- 3202 Violate operating hours – minor TRC 545.424
- 3201 Operate vehicle with more than one passenger – minor TRC 545.424