

RESOLUTION NO. 45-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, REPEALING RESOLUTION NO. 15-2015 IN ITS ENTIRETY THEREBY AMENDING THE PAYMENT SCHEDULE FOR THE MUNICIPAL COURT ALTERNATE JUDGES; AND PROVIDING AN EFFECTIVE DATE FOR THE PAYMENT SCHEDULE TO BEGIN.

WHEREAS, the City Council amended the payment schedule for Associate Municipal Court Judges with the adoption of Resolution No. 40-2014 on November 17, 2014; and

WHEREAS, the City Council repealed Resolution No. 40-2014 with the adoption of Resolution No. 15-2015 on March 2, 2015, to include detention arraignments under the payment schedule and their duties regarding after work day service.

WHEREAS, the City Council has been presented with the proposed rates that are reflective of current market rate conditions for Municipal Court Alternate Judges.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That Resolution No. 15-2015, adopted on March 2, 2015, is hereby deleted in its entirety and the new payment schedule and their duties for Municipal Court Alternative Judges are to read as follows:

- I. Payment schedule.
 - A. Full work day. Flat rate of \$525.00 for full weekdays from 7:45 a.m. to 5:00 p.m.
 - B. Partial work day. Flat rate of \$300.00 for partial work days. For purposes of this section, "partial work day" means at least four hours but less than eight hours.
 - C. After work day service.
 1. Detention arraignments: \$300.00 per session.
 2. Magistrate Orders for Emergency Protection ("MOEP"): \$100.00.
 3. Execution of arrest, search or blood warrants: \$100.00.
 4. One or more juvenile arraignments: \$200.00 per session.
 - D. Other. The Director of Finance is authorized to compensate the Municipal Court Alternate Judge ("Alternate Judge") for services, if performed during a time not covered by a flat rate payment or Subsection C of this section, at an hourly rate of \$65.00.
 - E. Payment for Travel Time. Travel time is not compensated.

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II. Duties. The Alternate Judge shall perform the following duties:

A. Arraignments:

1. Adult arraignments.

a. Read all the arrest narratives.

b. Sign:

i. Magistrate findings of probable cause;

ii. Magistrate's certification of warnings;

iii. Affidavits of indigency; and

iv. Appointment of counsel forms.

c. Set the bond amounts.

d. Complete the Class C plea forms by entering defendant's name, description of charge, cause number and fine/bond amount.

e. Enter MOEPs.

2. Juvenile arraignments.

a. Read all arrest narratives.

b. Sign:

i. Voluntary Statement of a Juvenile;

ii. Magistrate's Certification and Acknowledgement of Voluntary Statement of a Juvenile; and

iii. Magistrate's Warning for Voluntary Statement of a Juvenile.

B. Review and process warrants prepared from the Crime Investigation Division clerks:

1. Sign warrants:

a. Provide magistrate findings of probable cause; and

b. Set bond amounts.

2. Enter on the Judge's warrant log:

a. Penalty grade;

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- b. Bond amount; and
 - c. Date.
- C. Review and process the alias and capias warrants on InCode.
- D. Manage Dockets. Prepare property hearing orders and jury charges for upcoming hearings.
- E. Review all motions, correspondence, court documents and execute orders.
- F. Interface with Clerk's and City Attorney's offices:
- 1. Respond to clerks' questions on pending matters that require a Judge's decision and entering comments on pending cases;
 - 2. Work with the Clerk Supervisor on any procedures or standing orders as needed; and
 - 3. Communicate with the city attorneys or staff from Legal Department regarding procedural matters.
- G. For documents executed for after work day service, the Alternate Judge shall take a cell phone picture of the front page of the document and e-mail a copy to the Clerk Supervisor for recordkeeping purposes.

During the full and partial work day, all of the duties listed above must be performed as required by the court schedule and administration. For after work day service, the duties applicable to detention arraignments, emergency protective orders, warrants and juvenile arraignments and recordkeeping apply.

SECTION 2. The new rate schedule will be retroactive to June 1, 2023.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 5th day of September 2023.

DocuSigned by:

Daniel Aleman Jr.

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Daniel Alemán, Jr.
Mayor

ATTEST:

DocuSigned by:

Sonja Land

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Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:

DocuSigned by:

David Paschall

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David L. Paschall
City Attorney