



STAFF REPORT
City of Dripping Springs
PO Box 384
511 Mercer Street
Dripping Springs, TX 78620

Submitted By: Andrea Cunningham, City Secretary

Council Meeting Date: June 8, 2021

Agenda Item Wording: Approval of the Appointment of the City of Dripping Springs Municipal Court Judge for a two (2) year term ending June 1, 2023.

Agenda Item Requestor: Andrea Cunningham, City Secretary

Summary/Background: Every odd year the City Council selects the Municipal Court Judge for a term of two years. The City's Code of Ordinances and Government Code Chapter 30, Subsection A, Section 30.00006 (attached) outline the process and procedures for appointing the judge.

Sec. 12.02.007. Judges.

- (a) The municipal court of record shall be presided over by a judge, who shall be known as the "presiding municipal judge." The presiding judge shall be appointed by ordinance for a term of two years and shall be entitled to a salary set by the city council. The amount of the judge's salary may not be diminished during the judge's term of office. The salary may not be based directly or indirectly on fines, fees, or costs collected by the court.
- (b) The judge must:
 - (1) Be a citizen of the United States;
 - (2) Be a resident of this state;
 - (3) Be a licensed attorney in good standing; and
 - (4) Have two or more years of experience in the practice of law in this state.
- (c) A person may not serve as a municipal judge if the person is otherwise employed by the municipality. A municipal judge who accepts other employment with the municipality vacates the judicial office.
- (d) If a vacancy occurs in the office of municipal judge, the city council shall adopt an ordinance appointing a qualified person to fill the office for the remainder of the unexpired term.

- (e) There shall also be as many as three alternate judges appointed by the city council, subject to the same qualifications, who shall have all the powers and shall discharge all the duties of a municipal judge while serving as municipal judge. Each alternate judge shall be appointed for a term of two years.
 - (f) A municipal judge may be removed from office pursuant to section 30.000085, Government Code.
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Currently, Marilyn Miller serves as the Municipal Court Judge and has been the Judge for over 20 years. She is a licensed attorney in good standing and practices locally in Dripping Springs.

Marilyn Miller has volunteered to continue her appointment, and no applications or requests for appointment have been received by the City.

Recommended Council Actions:

Staff recommends approval of the appointment of Marilyn Miller for at term of two years ending on June 1, 2023.

Attachments:

1. Government Code Section 30, Subchapter A, Section 30.0006

Next Steps/Schedule:

If appointed administer oath of office and provide appointment report to the Texas Office of Court Administration.