

## JUSTICE OF THE PEACE COURT

The Justice of the Peace Court is the court with which most individuals have contact. The Court's judicial power is to determine the rights and interests of all the people and, by application of law, to protect those rights and interests. The following overview of responsibilities was compiled from the Texas Justice Court Deskbook, which is approved by the State Commission on Judicial Conduct.

### JUDICIAL RESPONSIBILITIES

**Holding Court:** *Presides over Bench Trials and Jury Trials, renders and enters Judgments*

**Collection of Money:** *Collects, records and distributes money to government entities*

**Civil Actions:** *Renders Judgments and enforces Judgments with judicial remedies*

**Small Claims Actions:** *Renders Judgments on suits for recovery of money only*

**Seizure Hearings (property):** *To determine ownership and disposition of stolen property*

**Seizure Hearings (animals):** *To determine disposition of cruelly treated animals*

### MAGISTRATE RESPONSIBILITIES

**Issue Arrest Warrants:** *Based upon Probable Cause Affidavit approved by District Attorney's Office*

**Issue Search/Arrest Warrants:** *Determines if request meets elements of offense claimed*

**Magistrates Warning:** *Informs the accused of his legal rights upon arrest*

**Setting Amount of Bail:** *Determines and sets amount of bail at the time of arrest*

**Appointing Counsel:** *Insures representation for indigent defendants*

**Examining Trials:** *Determines if sufficient evidence exists to present case to Grand Jury for indictment*

**Emergency Detention:** *Apprehension and commitment of mentally ill and chemically dependent persons*

**Juveniles:** *Informs juveniles of rights upon arrest and holds Detention Hearings. Holds Truancy Hearings.*

### GENERAL MATTERS

**Records:** *Responsible for the control, management and retention of documents*

**Ex Officio Notary Public:** *Takes acknowledgments, administers oaths, takes depositions, certify copies*

**Inquests:** *To determine cause of death*

**Office of Local Registrar:** *Records births and deaths that occur in said precinct*

**Administrative Hearing:** *Makes determination in suspension of driving privileges*

**Contempt Powers:** *Ensures court business is dispatched with dignity and decorum and enforces jurisdiction and orders of the court*

**Jurisdiction:** *Original jurisdiction in criminal matters of misdemeanor cases punishable by fine only (Texas Constitution, art. 4.11 c.c.p.)*

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## **BRAZORIA COUNTY**

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