

# Mayor and Council Communication

**DATE:** 01/14/25

**M&C FILE NUMBER:** M&C 25-0051

**LOG NAME:** 38SUBSTITUTE JUDGE APPOINTMENT FITCH

## **SUBJECT**

(ALL) Adopt the Ordinance Appointing One (1) New Substitute Municipal Judge for the Remainder of a Two-Year Term, Commencing January 25, 2025, and Ending March 31, 2025

---

## **RECOMMENDATION:**

It is recommended that the City Council appoint Cynthia Fitch as a Substitute Municipal Judge for the remainder of a two-year term, commencing January 25, 2025 and ending March 31, 2025, or until a successor is qualified and appointed in accordance with state law.

---

## **DISCUSSION:**

### **Appointment of Substitute Municipal Judges**

Chapter 30 of the Texas Government Code (the Uniform Municipal Courts of Record Act) sets out the requirements for appointment of judges for municipal courts of record. Section 30.00008 of the Texas Government Code (the Uniform Municipal Courts of Record Act) states that the governing body of a municipality may appoint one or more qualified persons to be available to serve for a municipal judge who is temporarily absent due to illness, family death, continuing legal or judicial education programs or any other reason. The presiding judge shall select one of the qualified persons appointed by the governing body to serve during the absence of a municipal judge. The substitute judge, while serving as a municipal judge, has all the powers and shall discharge all the duties of a municipal judge.

Currently there are 8 Substitute Judicial Positions with 1 vacancy.

On October 22, 2024, Chief Judge Gonzalez presented an Informal Report to the Mayor and Members of the City Council concerning the Judicial Appointment Process. That process has now been completed. Chief Judge Gonzalez is recommending to the City Council that Cynthia Fitch be appointed as a Substitute Municipal Judge for the remainder of a two-year term commencing January 25, 2025, and ending March 31, 2025.

On January 14, 2025, the Legislative Affairs Committee approved the appointment recommendation of Cynthia Fitch as a Substitute Municipal Judge for the remainder of a two-year term, commencing January 25, 2025 and ending March 31, 2025.

If approved by Mayor and Council, the individual listed above will be appointed as a Substitute Municipal Judges for the remainder of a two-year term commencing January 25, 2025 and ending March 31, 2025.

### **Compensation of Substitute Municipal Judges**

Compensation for Substitute Municipal Judges is \$50.00 per hour worked.

Funding is budgeted in the Temporary Employee account within the within the General Fund for the Municipal Court Department.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

---

## **FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the recommendation, funds are available in the current operating budget, as previously appropriated, in the General Fund. Prior to an expenditure being incurred, the Municipal Court Department has the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:** Valerie Washington 6199

**Originating Business Unit Head:** William Rumuly 7461

**Additional Information Contact:** William Rumuly 7461