

Farmers Branch City Charter

Sec. 2.12. City Judge.

The Council shall appoint a magistrate of the Municipal Court to be known as the City Judge to serve a term of one (1) year. The City Judge may be removed by the Council at any time for incompetence, misconduct, malfeasance, and nonfeasance, or disability. The City Judge shall receive such salary as may be fixed by the Council from time to time. The Council may appoint such alternate city judges as it may deem necessary from time to time, prescribe their compensation, and designate the order of priority to act in place of the City Judge in the event of the City Judge's unavailability, disability, or failure to act for any reason. Any person or persons so appointed to act as City Judge or alternate City Judge shall be an attorney at law who is duly licensed to practice law in the State of Texas and whose license is currently in good standing. All costs and fines imposed by the Municipal Court shall be paid into the City Treasury for the use and benefit of the City. In the event the municipal court is converted to a court of record, all aspects of the Court, including the selection and tenure of the judge, shall be consistent with the existing statute.

Texas Government Code

§ 30.00006. JUDGE.

- (a) A municipal court of record is presided over by one or more municipal judges.
- (b) The governing body shall by ordinance appoint its municipal judges.
- (c) A municipal judge must:
 - (1) be a resident of this state;
 - (2) be a citizen of the United States;
 - (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.
- (d) The governing body shall provide by ordinance for the term of office of its municipal judges. The term must be for a definite term of two or four years.
- (e) The municipal judge shall take judicial notice of state law and the ordinances and corporate limits of the municipality. The judge may grant writs of mandamus, attachment, and other writs necessary to the enforcement of the jurisdiction of the court and may issue writs of habeas corpus in cases in which the offense charged is within the jurisdiction of the court. A municipal judge is a magistrate and may issue administrative search warrants.
- (f) The municipal judges within a municipality may exchange benches and act for each other in any proceeding pending in the courts. An act performed by any of the judges is binding on all parties to the proceeding.
- (g) A person may not serve as a municipal judge if the person is employed by the same municipality. A municipal judge who accepts employment with the municipality vacates the judicial office.
- (h) The governing body shall determine the salary of a municipal judge. The amount of a 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.