

The office of
District Clerk

Phase II: 2.004

Current Legal Authority

- Texas Constitution
Article 5, Section 9

Assuming Office

- Bond
- Official Oath
- Official Seal

Continuing Education

Section 51.605 Of the Government Code:

- a) In this section, the word “clerk” includes a county clerk, district clerk or county and district clerk.
- b) A clerk shall complete 20 hours of instruction regarding the performance of the clerk’s duties of office during each calendar year that begins after the clerk’s election or appointment to office.

Continuing Education, cont.

- c) A clerk must annually complete 20 hours of continuing education courses including at least one hour of continuing education regarding fraudulent court documents and fraudulent document filings. Clerks must also complete at least one hour of continuing education in registry filings, open meetings and open records within 90 days of taking the oath of office.

Insurance and Contingency Funds

- Errors and Omissions Insurance
- Required to Obtain an Insurance Policy
- Contingency Fund

Overview

- Provides Support for District Courts
- Processes Cases
- Indexes (Indices)

Basic Responsibilities

Petit Jury: The ordinary jury of twelve jurors for the trial of a civil or criminal action

Grand Jury: A jury of inquiry who are summoned and returned by the sheriff to each session of the criminal courts, and whose duty is to receive complaints and accusations in criminal cases, hear the evidence adduced on the part of the state, and find bills of indictment in cases where they are satisfied a trial ought to be had. They are first sworn, and instructed by the court.

Basic Responsibilities

- Custodian of Records
- Court Minutes
- Clerk Pro Tempore

Appointing Staff

- Deputy Clerks
- Insurance

Review

- Outline current legal authority
- Examine procedure for assuming office
- Explain basic responsibilities

Resources

- <http://www.capitol.state.tx.us/txconst/toc.html>
- <http://www.capitol.state.tx.us/statutes/statutes.html>
- <http://www.capitol.state.tx.us/statutes/eltoc.html>
- <http://www.capitol.state.tx.us/statutes/gvtoc.html>
- <http://www.capitol.state.tx.us/statutes/lg.toc.htm>
- <http://www.texasclerks.org/>