

KEY QUESTION: What are the education requirements for County Judges and County Commissioners?

MAIN REFERENCE POINTS:

Judges: Texas Government Code Sections 56.006 and 74.025. The State of Texas delegated to the Court of Criminal Appeals the authority to establish the rules of judicial education.

Code of Criminal Procedure, Article 17.024 details requirements for Judges who perform magistrate duties, available at <https://bit.ly/judicialeducation>.

❖ **Commissioners: Texas Local Government Code 81.0025**

TALKING POINTS:

Judges:

1. Each County Judge performing judicial functions will, as an official duty:
 - a) complete before taking office, or within one year after taking office, at least 30 hours of instruction in the administrative duties of office and substantive, procedural, and evidentiary laws unless the Judge has previously complied with this requirement and has been absent from the bench less than one year before taking the present office; and
 - b) each fiscal year thereafter complete at least 16 hours of instruction in substantive, procedural, and evidentiary laws, and court administration.
2. Instruction credit completed during any fiscal year in excess of the minimum number of hours required may be applied to the following fiscal year's requirement.
3. The Court of Criminal Appeals website provides a list of program sponsors approved by the Court of Criminal Appeals Education Committee and the County Judges Education Committee for Constitutional County Judges that can be utilized to satisfy the education requirements. To view the list in full, go to: <https://bit.ly/judicial-ed-sponsors> or scan the QR code above.
4. There are additional requirements for a County Judge who performs magistrate duties. Code of Criminal Procedure Art. 17.024 requires the completion of an eight-hour judicial education course on the duties of a magistrate, including duties with respect to setting bail in criminal cases. After the initial eight-hour training, Judges will need to take a two-hour judicial education course on the duties of a magistrate in each subsequent state fiscal biennium in which the Judge serves.
5. A Constitutional County Judge is exempt from the continuing judicial education requirement for any fiscal year for which the Judge files an affidavit with the registrar stating that the Judge does not perform judicial functions.

Commissioners:

1. A County Commissioner must successfully complete at least 16 classroom hours of continuing education in the performance of the duties of County Commissioners at least once in each 12-month period.
2. The continuing education courses must be certified by an accredited public institution of higher education.
3. A Commissioner is entitled to carry forward from one 12-month period to the next no more than eight continuing education hours that the Commissioner completes in excess of the required 16 hours.
4. For the purposes of removal from office under Subchapter B, Chapter 87 of the Local Government Code, "incompetency" in the case of a County Commissioner includes the failure to complete hours of continuing education.
5. Senate Bill 230, 87th Legislature, amended Section 81.0025(a), Local Government Code, to authorize online continuing education for Commissioners upon approval of the Commissioners Court, except for a County Commissioner in the first 12-month period of the Commissioner's first term. *Please note, the Commissioners Court needs to adopt an order to permit CJCAT credit for online continuing education for its County Commissioners.*
6. This section does not apply to a County Commissioner who:
 - a) serves in a county with a population of 1.3 million or more;
 - b) meets at least one of the following requirements:
 - i. has served continuously for 12 years or more; or
 - ii. is an attorney licensed to practice law in this state for 12 years or more and has completed at least 64 hours of continuing education approved by the County Judges and Commissioners Association of Texas; and
 - c) attends at least 15 hours of staff briefing on continuing education subjects in each 12-month period as approved by the County Judges and Commissioners Association of Texas.

In addition, this section does not apply to a County Commissioner who serves in a county with a population of 225,000 or more and who:

- a) has served continuously for 12 years or more; and
- b) in the 12-month period, completes at least three semester credit hours of graduate-level coursework in a field of study directly related to county government with a grade of B or higher in each course completed during the period.