

RESOLUTION NO. 2004-10 R

**A resolution appointing an Associate Judge of the Municipal Court of the City of Victoria; and declaring an effective date.**

Section 2 of Article XI of the Charter of the City of Victoria provides:

The Municipal Court shall be presided over by a Magistrate who shall be known as the Judge of the Municipal Court. The Judge shall be appointed by the City Council and shall hold office for two years from the date of appointment unless sooner removed by a majority of the members of the City Council. The Judge shall be a competent practicing attorney in good standing and shall have resided within the City of Victoria for at least three years immediately preceding the date of appointment. In the event the Judge of the Municipal Court is unable to act for any reason, the City Council shall appoint a qualified attorney to act in the Judge's place. The Judge or any person acting in such place shall receive such compensation as may be fixed by the city Council. The City Council shall have the power to create and establish by ordinance two or more divisions of the Municipal Court, one of which shall be presided over by a presiding judge with each additional division to be presided over by an associate judge, who will be a magistrate with the same powers as the presiding judge.

Tex. Local Gov't Code §29.005 provides that a municipal court judge shall serve a two-year term.

THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

\_\_\_\_\_ is appointed to the position of Associate Judge of the Municipal Court of the City of Victoria for a term to begin December 5, 2003 and initially to expire December 4, 2005.

2.

This resolution shall become effective immediately upon adoption.

PASSED, this the 20<sup>th</sup> day of January, 2004.

AYES:

NAYS:

ABSTENTIONS:

APPROVED AND ADOPTED, this the 20<sup>th</sup> day of January, 2004.

ATTEST:

\_\_\_\_\_  
SCARLET SWOBODA, City Secretary

Distribution: City Manager  
Legal Department  
Finance Department  
Municipal Court

\_\_\_\_\_  
GARY MIDDLETON, Mayor of the  
City of Victoria, Texas

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
DAVID ATMAR-SMITH, City Attorney

Copies Sent: \_\_\_\_\_