

FY-20 COURSE DESCRIPTIONS & LEARNING OBJECTIVES:
JUSTICE OF THE PEACE

Pretrial Risk Assessment and Setting Bail (2 Civil Hours)

Faculty: Hon. Paul Raleeh

Setting bail, pretrial risk assessment and pretrial detention have become major issues recently both in the legislature and in federal courts. This class will examine the current law concerning bail and bond conditions and address best practices in setting bail and personal and surety bonds.

The student will be able to:

1. Explain the current law relating to bail and bond conditions;
2. Distinguish between personal recognizance bonds, personal bonds and surety bonds;
3. Apply the correct legal standards when setting bail and bond conditions;
4. Access and make use of pretrial risk assessment tools that are currently available;
5. Utilize technology to access applicable rules, statutes, and other resources.

Understanding Child Disability Issues in Juvenile Cases (2 Civil Hours)

Faculty: Rebecca Glisan

In this class, students will learn about child disability issues that could impact how the court should handle juvenile cases, including both criminal and truancy cases. Students will apply what is learned by participating in real world scenario activities and discussion.

Note: This class meets the requirement that in every fiscal year ending with 0 or 5, all justices of the peace must complete two hours of course instruction related to understanding relevant issues of child welfare and the Individuals with Disabilities Education Act as required by Sec. 22.1105 of the Government Code.

The student will be able to:

1. Identify child disability issues that could arise in juvenile cases;
2. Describe the Individuals with Disabilities Education Act;
3. Apply information to real world scenarios;
4. Utilize technology to access important information and resources.

Administrative Jeopardy (2 Civil Hours)

Faculty: Randy Sarosdy

Judges are frequently required to hear and decide a wide range of administrative proceedings. These include cases involving dangerous dogs, cruelly treated animals, disposition of stolen property and seized weapons, driver's license suspension and revocation, handgun licenses, occupational driver's licenses and tow hearings. This course will use a "Jeopardy-style" format to "test" and improve your knowledge of important issues in these cases.

The student will be able to:

1. Identify the primary issues for decision in administrative proceedings;
2. Distinguish between administrative proceedings that may be heard in justice court and those that must be heard in other courts or agencies;
3. Determine what type of relief a party is entitled to in an administrative proceeding;
3. Recognize time requirements for filing, deciding and potentially appealing administrative proceedings;
4. Utilize technology to access applicable rules, statutes, and other resources.

Criminal Scenarios: Enforcement of Judgments (2 hours)

Faculty: Hon. Jackie Miller

The defendant hasn't paid the fine or costs ordered in their criminal judgment. Now what? In this class, students will discuss a variety of scenarios about issues that arise when enforcing criminal judgments. Scenarios may include indigence issues, community service, waiver, OMNI, collections, capias pro fines, and orders of commitment.

The student will be able to:

1. Identify and distinguish options for enforcing a criminal judgment;
2. Describe procedures that must be used when enforcing criminal judgments to protect the rights of indigent defendants;
3. Apply information to real world scenarios;
4. Utilize technology to access resources and forms.

Translating Legalese to English (2 Civil Hours)

Faculty: Bronson Tucker

One of the toughest tasks that judges have is translating “legalese” into plain language that is easily understandable. This class will get you started as a certified legalese translator, providing resources that you can use for your court once they actually make sense, as well as improving communication between the court and both self-represented litigants and lawyers.

The student will be able to:

1. Identify common legalistic language in court resources;
2. Explain court procedures and rules in clear, everyday language;
3. Perform legal analysis by breaking down complex legal concepts;
4. Utilize technology to access deskbooks, statutes, and forms, and other resources.

Fundamentals of Contracts (2 Civil Hours)

Faculty: Randy Sarosdy

This class will use scenarios from contract cases that arise in justice court to explain basic contract principles, including when and how a contract is formed, when a contract might be unenforceable, common defenses that might be raised by a defendant, and how to calculate damages.

The student will be able to:

1. Apply basic contract principles to fact scenarios;
2. Identify potential issues related to enforcement of contract rights;
3. Recognize defenses that might be asserted in a contract case;
4. Determine damages; and
5. Utilize technology to access applicable rules, statutes, and other resources.

In Search of Search Warrants (2 hours)

Faculty: Bronson Tucker

Search warrants are not “one size fits all.” This class will help you understand the difference between search warrants, administrative warrants, blood warrants, evidentiary warrants, cell phone warrants, and contraband warrants, as well as when you can – and cannot – issue each.

The student will be able to:

1. Distinguish among the various types of warrants;
2. Apply the Code of Criminal Procedure to know if and when they can issue each type;
3. Determine if probable cause exists for issuance of a warrant;
4. Utilize technology to access deskbooks, statutes, and forms, and other resources.

Learning to Fish: Searching the TJCTC Deskbooks (2 hours)

Faculty: Rebecca Glisan

The Texas Justice Court Training Center has published several Deskbooks covering topics relevant to justice courts. Being able to find information in these books is a useful skill that will help judges to quickly find information that they need. In this course, students will practice using the Deskbooks to find the answers to a variety of questions. Students will need to bring a laptop, tablet, or smart phone to search in the Deskbooks online during class.

The student will be able to:

1. Identify which deskbook to look in for a particular topic;
2. Apply research skills to look up and find information;
3. Analyze language and apply the meaning to a specific situation;
4. Utilize technology to access and search within deskbooks.

Torts: Crash Into Me (2 Civil Hours)

Faculty: Rebecca Glisan

Using a car accident case as an interactive case study, students in this class will go through the steps of processing and entering a final judgment in a case of personal injury or property damage.

The student will be able to:

1. Identify the elements and procedures of a tort case;
2. Determine when and what questions to ask to develop the facts of a case;
3. Identify which party has the burden of proof, what the burden of proof is, and how to weigh evidence;
4. Calculate damages;
5. Utilize technology to access deskbooks, statutes, and forms, and other resources.

Juvenile Criminal Law (2 Hours)

Faculty: Hon. Valencia Nash

This class will provide an overview of the law that applies to juvenile cases in justice court. It will explore current trends and recent legislation and the impact on the current court policies and procedures.

Students will be able to:

1. Explain legislative changes and the effect on current court policies and procedures;
2. Identify best practices and innovative solutions for diversion of juveniles in justice court;
3. Apply relevant law and rules to issues regarding juvenile diversion;
4. Utilize technology to access important information and resources.

Building Your Criminal Toolkit (2 Hours)

Faculty: Thea Whalen

No need to reinvent the wheel. In this class, students will learn how to find and use resources that can become part of your toolkit to aid in processing criminal cases and ensuring procedural fairness. Resources will include deskbooks, webinars, SRL packets, forms, and best practices. Students will have an opportunity to practice using the resources based on real world scenarios.

The student will be able to:

1. Identify resources to improve the of processing criminal cases, including bond forfeiture proceedings;
2. Draft judgment, deferral, and other orders using TJCTC resources;
3. Apply information from resources to modify an existing order or create a new order when an order does not already exist as a resource;
4. Utilize technology to access deskbooks, SRL packets, webinars, forms, and other resources.

Practical Debt Claim Issues (2 Civil Hours)

Faculty: Bronson Tucker

Many courts are anticipating an increase in debt claim filings with the new \$20,000 jurisdictional limit. This class will use examples and scenarios to answer the main questions in these cases – what does the creditor have to prove and how do they prove it? Different types of debt claim cases as well as several common defenses will also be discussed.

The student will be able to:

1. Apply Rule 508 to real-world court filings and pleadings.
2. Differentiate between cases that should be granted an automatic default judgment and those which require a hearing.
3. Distinguish between the plaintiff's burden at a default hearing and at a trial.
4. Utilize technology to access deskbooks, statutes, and forms, and other resources.

Turbocharged Tenant Rights (2 Civil Hours)

Faculty: Randy Sarosdy

In certain situations tenants have “special” rights beyond those normally presented in an eviction case. These rights are often triggered by statutes such as the Bankruptcy Act, the Protecting Tenants at Foreclosure Act, the Americans with Disabilities Act, the Fair Housing Act, the Servicemembers Civil Relief Act, Title VII of the Civil Rights Act, and Section 8 of the Housing Act. This class will examine issues presented under these statutes and how to handle them.

The student will be able to:

1. Identify statutes that give tenants special rights in eviction cases;
2. Apply the relevant law protecting tenants in special circumstances;
3. Determine best practices in complex tenant scenarios;
4. Utilize technology to access applicable rules, statutes, and other resources.

Causes of Death: TxEVER Revealed (2 Civil Hours)

Faculty: Hon. Scott Cary

The newly-implemented Texas Electronic Vital Events Registrar (TxEVER) has caused confusion and stress for many justices of the peace. This course will answer your questions about causes of death versus symptoms and relieve anxiety about the reporting process.

Students will be able to:

1. Distinguish the difference between causes of death and symptoms.
2. Discuss inquest scenarios and best practices for handling them.
3. Group like categories of inquests.
4. Troubleshoot issues with reporting on the TxEVER system.
5. Utilize technology to access important information and resources.

Future of E-Filing (1 Civil Hour)

Faculty: Hon. Paul Raleeh

E-Filing is coming! It is already in use in most courts in the state and is available in justice courts in many counties. This class will explain the special challenges concerning e-filing in justice court and how these challenges are likely to be addressed as e-filing continues to grow.

The student will be able to:

1. Identify current e-filing practices in justice court;
2. Recognize tools that may facilitate e-filing in the future;
3. Discuss with county officials the pros and cons of expanded e-filing;
4. Utilize technology to access applicable rules, statutes, and other resources.

Expunctions (1 Civil Hour)

Faculty: Katie Chancia

Criminal justice reform trends are making expunctions more frequent in justice court. This course will explain when it is proper to grant expunctions and what type of expunctions are within the jurisdiction of justice court.

Students will be able to:

1. Distinguish the difference between types of expunctions.
2. Determine when an applicant meets the qualification for expunction.
3. Identify situations, if any, in which expunction will be automatic.
4. Utilize technology to access important information and resources.

Inquest Scene Management (1 Civil Hour)

Faculty: Hon. Jackie Miller

Inquest scenes can be hectic and overwhelming. This course will focus on best practices and techniques for keeping the scene under control and processing inquests with professionalism.

Students will be able to:

1. Explain the chain of custody for the body and evidence.
2. Brainstorm techniques and strategies for effective communication with law enforcement.
3. Outline best practices for interviewing family members and other witnesses.
4. Identify differences in strategies for scene management in different types of cases.
5. Share procedures and approaches to communication with media regarding inquests.
6. Utilize technology to access important information and resources.

CPR for Civil Knowledge: Understanding the CPRC (2 Civil Hours)

Faculty: Bronson Tucker

Feel like your civil docket is on life support? Bring it back to life with this look at the Civil Practice & Remedies Code! This course will include some of the most important CPRC issues, including statutes of limitations, attorney's fees, and post-judgment enforcement.

The student will be able to:

1. Differentiate between the CPRC and the TRCP.
2. Apply procedures from the CPRC to justice court cases.
3. Use printed copies of the CPRC to locate applicable law.
4. Utilize technology to access deskbooks, statutes, and forms, and other resources.

Fundamental Eviction Scenarios (2 Civil Hours)

Faculty: Hon. Al Cercone

Looking for a refresher on the basics of eviction cases? This class will use case-based scenarios to explore the fundamentals of residential, commercial, and manufactured home eviction issues. Appeal procedures will **not** be covered in this class, as that topic is covered in a separate class.

The student will be able to:

1. Identify and describe eviction issues;
2. Properly apply the relevant statutes and rules of procedure to those issues;
3. Explain practical solutions to those issue where feasible;
4. Utilize technology to access TJCTC resources relating to eviction issues.

Legislative Trends (1 Civil Hour)

Faculty: Amber Myers

This class will provide a quick overview of important legislation introduced during the 86th Legislative Session and how it affects justice courts today and down the road. A special emphasis will be placed on areas of the law that are new to justice court jurisdiction.

Students will be able to:

1. Apply new laws to current court procedures;
2. Identify potential issues related to new laws;
3. Develop plan for changing court procedures to comply with new law;
4. Utilize technology to access applicable rules, statutes, and other resources.

A Motion for What?! (1 Civil Hour)

Faculty: Amber Myers

Attorneys and self-represented litigants frequently file motions that a judge has never seen before. Sometimes these motions are proper, sometimes they are appropriate in other courts, sometimes they are named incorrectly, and sometimes they are completely the work of the litigant's imagination. This course will discuss a variety of motions that justice courts might encounter and what options the judge has to handle them.

The student will be able to:

1. Identify motions that are titled incorrectly but are otherwise proper in justice court.
2. Distinguish between motions that should be filed in justice court and those that should be filed in higher courts;
3. Determine what type of relief a motion is seeking, particularly those seeking injunctive relief that are outside the jurisdiction of justice court;
3. Distinguish between legitimate and frivolous motions;
4. Share creative strategies for communicating with attorneys and self-represented litigants;
5. Utilize technology to access applicable rules, statutes, and other resources.

Eviction Appeals (1 Civil Hour)

Faculty: Hon. Al Cercone

The trickiest part of an eviction case often comes after a judgment is already rendered! This class will feature an up-close examination of appeals in residential eviction cases, including Statements of Inability, appeal bonds, and cash deposits, and the proper procedure for handling each.

The student will be able to:

1. Identify and describe eviction issues;
2. Properly apply the relevant statutes and rules of procedure to those issues;
3. Explain practical solutions to those issue where feasible;
4. Utilize technology to access TJCTC resources relating to eviction issues.

Judges, Clerks, and Who Does What: Authorities and Duties (1 Civil Hour)

Faculty: Katie Chancia

This course outlines the duties that judges must do themselves and those that can be delegated to other court personnel.

Students will be able to:

1. Explain the difference between judicial and ministerial duties.
2. Properly delegate non-judicial tasks and duties.
3. Develop proper and well-written standing orders and court policies.
4. Discuss strategies for court procedures that maintain proper duties and streamline the court.
5. Utilize technology to access important information and resources.

Best Practices Roundtable (2 Civil Hours)

Faculty: Amber Myers

Texas is a large state with a wide array of counties and the implementation of laws and resources in each county can be different. Exploring how other judges have dealt with different dilemmas and situations can lead courts to creative solutions and maximized resources. This course will give judges the opportunity to brainstorm, share, and discuss experiences and situations to improve justice courts across the state.

Students will be able to:

1. Identify best practices for ensuring procedural justice in justice court and working with self-represented litigants;
2. Develop strategies for increasing positive public relations and public perception of the courts;
3. Strategize solutions for concerns regarding courtroom security;
4. Share experiences and best practices for communicating with other county officials and employees;
5. Brainstorm ways to maximize budgets and stretch resources in both rural and urban areas;
6. Utilize technology to access important information and resources.

Drug Impaired Driving (2 hours)

Faculty: Texas A&M Transportation Institute

This class will provide a look at drug impaired driving trends and how drug use impacts a person's ability to drive.

The student will be able to:

1. Identify trends in drug impaired driving;
2. Describe how drug use impacts a person's body and their ability to drive;
3. Utilize technology to access resources.

Criminal Trial Scenarios (2 Hours)

Faculty: TBD

Not all criminal jury trials are created equal. Each trial comes with its own set of issues and questions. This class will review how to conduct a criminal jury trial, explore best practices, and model different scenarios.

Students will be able to:

1. Determine proper strikes for cause and identify Batson violations;
2. Maintain control of the courtroom;
3. Identify proper objections and apply the Texas Rules of Evidence;
4. Develop a trial strategy to ensure procedural fairness and professionalism in the courtroom;
5. Utilize technology to access important information and resources.

The Challenges and Opportunities of Self-Represented Litigants (2 Civil Hours)

Faculty: Hon. Nic Chu and Thea Whalen

Self-represented litigants are common in justice court. This course will examine the role of justice courts with respect to providing procedural fairness in every case, regardless of who the parties are.

Students will be able to:

1. Identify and address implicit biases in the courtroom;
2. Describe a judge's ethical duty to represent the judicial process and remain neutral;
3. Communicate effectively with all litigants;
4. Develop an action plan to ensure procedural fairness in the courtroom;
5. Distinguish between providing resources for litigants and providing legal advice;
6. Utilize technology to access important information and resources.